

ST. TAMMANY PARISH GOVERNMENT

**ST. TAMMANY PARISH CODE OF
ORDINANCES**

January 14, 2016

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St. Tammany Parish Code of Ordinances

CHAPTER 1-GENERAL PROVISIONS

ARTICLE I - GENERAL PROVISIONS

SEC. 1-001.00 How Code Is Designated And Cited

The Ordinances embraced in the following chapters and sections shall constitute and be designated and cited as the "Code of Ordinances of St. Tammany Parish, Louisiana"

SEC. 1-002.00 Rules Of Construction And Definitions

In the construction of this Code, and of all Ordinances, the rules and definitions set out in this section shall be observed, unless such construction would be inconsistent with the manifest intent of the Police Jury. The rules of construction and definitions set out herein shall not be applied to any section of this Code which shall contain any express provisions excluding such construction, or where the subject matter or context of such section may be repugnant thereto.

Generally. All general provisions, terms, phrases and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the Police Jury may be fully carried out.

In the interpretation and application of any provisions of this Code, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

Computation of time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day on which such notice is given or such act is done shall not be counted in computing the time, but the day on which such proceeding is to be had shall be counted.

Gender. A word importing one gender only shall extend and be applied to other genders and to firms, partnerships, and corporations as well.

Joint authority. All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

Month. The word "month" shall mean a calendar month.

Nontechnical and technical words. Words and phrases shall be construed according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.

Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Officers, Boards, Commissions. Whenever reference is made to officers, boards or commissions by title only, such as "Police Jury" or "Planning Commission", such references shall be read as though followed by the words "of St. Tammany Parish, Louisiana".

Or, and. "Or" may be read "and", and "and" may be read "or", if the sense requires it.

Parish. The words "the Parish" or "this Parish" shall mean the Parish of St. Tammany, Louisiana.

Person. The word "person" shall extend and be applied to a number of persons and to associations, clubs, societies, firms, partnerships, and bodies politic and corporate, as well as to individuals.

Property. The word "property" shall include real and personal property.

Shall. The word "shall" is mandatory.

Signature or subscription. Includes a mark when the person cannot write.

State. The words "the State" or "this State" shall be construed to mean the State of Louisiana.

Street. The word "street" shall be construed to embrace streets, avenues, boulevards, roads, alleys, lanes, viaducts, and all other public highways in the Parish.

Tense. Words used in the past or present tense include the future as well as the past and present.

Week. The word "week" shall be construed to mean seven (7) days.

Year. The word "year" shall mean a calendar year.

SEC. 1-002.01 Redesignation of Certain Terms To Conform To Police Jury From Charter

I. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "parish council" appears or is used, directly or indirectly, substituted therefor shall be the words and reference to the "Police Jury".

1. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "council chairman" and "parish president" appear or are used, directly or indirectly, substituted therefor shall be the words and reference to the "President of the Police Jury".
2. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "director of engineering" is used, substituted therefor shall be the words and/or title "Director of Public Works".
3. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "planning director" or "planning officer" or "director of planning" or such similar language is used, substituted therefor shall be "Director of Parish Development".
4. That wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "subdivision regulatory committee" and as to any reference thereto, substituted therefor shall be the words "Planning Commission". (Ord. No. 85-474, adopted 09/19/85; to repeal and amend Ord. No. 88-902, adopted 01/21/88)

EDITORIAL NOTE: "... of the parish council" and "subdivision regulatory committee" have been changed in this subsection by authority of Ord. No. 88-902, adopted 01/21/88 to repeal Ord. No. 85-474, adopted 09/19/85; see page 4 of the Code of Ordinances of St. Tammany, Louisiana.

5. And generally, wherever and whenever any other words, phrases, titles, offices, agencies, commissions, committees or departments are used or referred to, substituted therefor shall be the counterpart thereof, or the office, agency, commission, committee or department designated with the function thereof by the Police Jury of St. Tammany Parish.
6. All authority, functions, duties, funds, property, possessions, records, obligations, employees or employee records shall be transferred to the office, officer, agency, department, committee or commission as is herein named and/or as designated by the Police Jury. (Ord. No. 80-04, adopted 06/19/80; repealed by Ord. No. 84-60, adopted 03/15/84; subsection (F) revised as to Planning Commission by Ord. No. 88-902, adopted 01/21/88)

SEC. 1-003.00 Catchlines Of Sections

The Catchlines of the several sections of this Code, printed in boldface type, are intended as mere catchwords to indicate the contents of the sections and shall not be

deemed or taken to be titles of such sections, or as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the Catchlines, are amended or reenacted.

SEC. 1-004.00 Effect Of Repeal Of Ordinances

The repeal of an Ordinance shall not revive any Ordinances in force before or at the time the Ordinance repealed took effect.

The repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the Ordinance repealed.

SEC. 1-005.00 Severability Of Parts Of Code

The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction, such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the Police Jury without the incorporation in this Code of any unconstitutional, unenforceable or invalid phrase, clause, sentence, paragraph or section.

SEC. 1-006.00 Amendments To Code; Effect Of New Ordinances; Amendatory Language

All Ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code, may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent Ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from this Code by omission from reprinted pages. The subsequent Ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent Ordinances until such time as this Code and subsequent Ordinances numbered or omitted are readopted as a new Code of Ordinances.

Amendments to any of the provisions of this Code may be made by amending such provisions by specific reference to the section number of this Code in substantially the following language: "That section of the Code of Ordinances of St. Tammany Parish is hereby amended to read as follows:". The new provisions shall then be set out in full as desired.

In the event a new section not heretofore existing in this Code is to be added, the following language may be used: "Code of Ordinances of St. Tammany Parish, Louisiana, is hereby amended by adding a section to be numbered , which said section reads as follows:". The new section shall then be set out in full as desired.

SEC. 1-007.00 Altering Code

It shall be unlawful for any person in the Parish to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Parish to be misrepresented thereby. Any person, violating this section shall be punished as provided in Section 1-008.00 hereof.

SEC. 1-008.00 General Penalty For Violation Of Code; Separate Offenses

Whenever in this Code, or in any Ordinance of the Parish, any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in said Code or Ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific penalty is provided therefor, and state law does not provide otherwise, or for a greater penalty, the violation of any such provision of this Code or any Ordinance shall be a misdemeanor punishable by a term of imprisonment of up to thirty (30) days in the Parish Jail or a fine of not less than Three Hundred Dollars (\$300.00) nor more than Five Hundred Dollars (\$500.00) or both. Unless specifically provided otherwise, or the context thereof so dictates, each day any violation of any provision of this Code or any Ordinance shall continue shall constitute a separate offense. (Ord. No. 80-100, adopted 12/18/80)

CROSS REFERENCE: See also Section 1-011.00 of this Code for "Procedure for Code Violations".

SEC. 1-009.00 Officers, Employees Not Liable To Fine For Failure To Perform Duties

No provision of this Code designating the duties of any Parish Officer or employee shall be construed so as to make such officer or employee liable for any fine or penalty provided in this Code for a failure to perform such duty, unless the intention of the Police Jury to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

CROSS REFERENCE: See Section 2-051.00 through Section 02-057.00 of Division 5 entitled "Notification of Police Jury Members Of Capital Improvements, Special Programs, Etc."; see Section 2-071.00 entitled "Special District Budgets, Legislative Intent" for specific requirements placed therein; See also Section 2-079.00 entitled "Contracts", Subsection (B) entitled "Liability of Official To Political Subdivision" and Section 2-084.00, Subsections (A), (B) and (C) entitled "Violations": see also Section 20-005.00 entitled "Culverts" Subsection (g), (1), (2) and (3) for specific restrictions imposed upon Parish employees therein.

SEC. 1-010.00 Jurisdiction

Except as otherwise provided, the provisions of this Code shall apply only in the unincorporated areas of the Parish.

SEC. 1-011.00 Procedure for Code Violations

a) Procedures: Whenever a violation of this Code occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the cause and basis thereof, shall be filed with the administrative official or officials designated by the Police Jury to administer and enforce this Code. He shall record properly such complaint, immediately investigate and take action thereon as provided by this Code. During the investigation, the following determination will be made and properly noted:

1. Whether the condition creating an emergency is a health or safety hazard;
2. Whether the condition is on private property or public property;
3. Whether the condition is a violation of this Code;
4. The specific section (chapter and section) of this Code which has been violated;
5. Whether the condition is a permit violation:
 - a. If the violation is a health or safety hazard, see subsection (F);
 - b. If the violation is a permit violation, see subsection (G);

b) Posting: The Director of Permits and Inspections, Director of the Departments of Public Works and/or Development, and all persons appointed as acting inspectors of the Parish of St. Tammany are empowered to serve, personally, domiciliary or by registered mail, a citation and/or summons upon persons charged with violations of any provision of the Code of Ordinances for St. Tammany Parish, Louisiana or to post a notice of violation at the place of violation. The inspectors are not authorized to arrest or otherwise take a violator into custody. The Director of Permits and Inspections, Director of the Departments of Public Works and Development, and all persons appointed as acting inspectors shall be so commissioned and designated by the Police Jury of the Parish of St. Tammany for the purpose of enforcing this Code.

1. If the reported condition is determined to be in violation during the investigation, the location of the violation shall be posted with a violations notice stating:
 - a. Nature of violation (description) not limited to possible penalties;
 - b. Date of posting; and
 - c. Inspector's signature.

2. For the record, the inspector should try to obtain as much of the following information as possible:

- a. The description of the property where the violation has occurred, i.e., lot number and square;
- b. The owner of the property, name and address;
- c. Who or what caused or created the violation, name and address;
- d. Names and addresses of witnesses or neighbors;
- e. How long this condition has existed.

c) Review: Once the posting has occurred, the inspector's supervisor will review the case, and a numbered file on each violation will be established. Also, an attempt will be made to communicate to the property owner or the person or firm responsible for the violation. The desired action will be to correct the violation within the next five (5) working days. If the communication indicates that the violator will correct the violation and pay the required penalties, after the five (5) working day period has expired and/or the required penalties have been paid, no further action will be required. An inspection will be made to ensure that the violation has been cleared.

d) Notification: After the five (5) working day period has expired and the violation continues to exist, the inspector's supervisor will notify the owner or creator of the violation by certified mail. The notice will include the following:

1. File number and date of letter;
2. Specific Ordinance (chapter and section) that is in violation;
3. Written description of the violation;
4. Location of the violation;
5. Number of days to correct the violation before further action is taken;
6. Monetary penalties that exist will continue to mount on a daily basis (see subsection H, Penalties of this Section)
7. Reimbursement costs may be collected (subsection I, Reimbursement of Cost of this Section)

e) Follow-up: After the time has expired to correct the violation and no action has occurred to correct the violation and remit the penalties, the inspector's supervisor will submit copies of the numbered violation file to the District Attorney's Office for further legal action to accomplish the following:

1. Have the violation corrected.
2. Cause the violator to remit payment of the penalties and reimbursement costs.

f) Dangerous conditions:

1. If a violation is determined to endanger the safety and/or health of adjacent residences, properties or the public, the inspector's supervisor will inform the Director of the Department of Public Works of the dangerous condition. If the Director of the

Department of Public Works determines that the condition presents an imminent and substantial danger, he shall send a letter to the person responsible for the dangerous condition demanding that he cease and desist the use or activity that is determined to be a health or safety hazard and that he perform any remedial measures necessary immediately or that suit will be filed within twenty-four (24) hours. This letter should also contain information concerning possible criminal penalties for violation of the Parish Ordinances.

2. The letter may be sent by certified mail or be hand delivered by an authorized administrative official. In the event the activity or use poses an immediate and apparent danger to human life, the cease-and-desist letter need not be sent and suit may be filed immediately.

3. If the prohibited activity has not ceased and remedial action has not taken place, the Director of Development, Director of Permits and Inspections or the Director of Public Works will request that the District Court issue an order that the activity be enjoined and/or any other order necessary to abate, contain or remove the dangerous condition.

g) Permit Violation:

1. If during the field inspection it is determined that the violation is a building permit violation, the inspector will post the property with the following:

a. Immediately upon obtaining knowledge of such violation, the building inspector for the Parish of St. Tammany shall affix in a prominent place on the premises a yellow citation and/or summons briefly stating building permit requirements of St. Tammany Parish and ordering the owner, lessor or tenant to immediately cease all construction on said premises until a fully issued building permit has been obtained from the Parish Department of Permits and Inspections.

b. Said citation and/or summons shall also contain a statement that the Department of Permits and Inspections shall not accept any application for a late permit without charging a mandatory Fifty Dollars (\$50.00) per day late penalty for each day following the citation of said violation; however the maximum of aggregate late penalties shall not exceed Two Thousand Dollars (\$2,000.00). Should such violation continue, it will be considered as a separate offense. Said penalty shall be non-waivable by the St. Tammany Parish Police Jury.

c. Said citation and/or summons shall be executed in triplicate with the original copy being affixed to the premises, duplicate copy being retained in the permanent records of the Department of Permits and Inspections, and the triplicate copy being forwarded within Ten (10) days of the issuance to the District Attorney's Office.

d. Nothing herein shall interfere with the ability of the District Attorney's Office to obtain an injunction at any time in order to prevent further construction on the premises and/or proceed in a civil action to collect any late penalties.

e. If, after the end of a ninety (90) day period from when the building inspector initially obtained knowledge that a building permit has not been obtained by the violator, the penalty provisions as stated in Subsection (b) shall be reinstated.

2. Furthermore, at the end of each ninety (90) day period thereafter, the penalty provisions in Subsection (b) shall automatically be reinstated until a building permit has been obtained.

3. The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

4. Nothing herein contained shall prevent the Parish from taking such other lawful actions as is necessary to prevent or remedy any violation.

h) Penalties:

1. Whenever this Code is violated, penalties will be enforced. The purpose of these penalties is to deter the general public from violating this Code.

2. In order to accomplish the foregoing objective, the following are the monetary penalties adopted to enforce this Code:

a. Any posting for violation(s) Fifty Dollars (\$50.00) for the first five (5) working days of the posting.

b. After the initial five (5) working days, and as long as the violation(s) continues, Twenty-Five Dollars (\$25.00) per day.

c. In no case shall the total penalties be in excess of Five Hundred Dollars (\$500.00).

i) Reimbursement of Cost: Whenever the Parish expends funds and/or labor and/or material, the Parish shall seek reimbursement from the violator.

(Ord. No. 85-521, adopted 11/21/85)

SEC. 1-012.00 Bureau of Administrative Adjudication

Pursuant to the applicable provisions of La.R.S. 13:2575, the provisions of La.R.S. 13:2575.2, and all other applicable statutes, ordinances, rules and regulations, the Bureau of Administrative Adjudication and position of Administrative Hearing Officer(s) is hereby established. Any agency or department of the Parish of St. Tammany having a responsibility for the enforcement of any public health, housing, fire code, environmental, and historic district ordinance, or any matters involving licensing and permit violations, and for any other Ordinance violations that may be determined by the St. Tammany Parish Council, may seek to affect correction of the violation and the imposition of civil fines, civil penalties, fees and hearing costs for violations of such

Ordinances by the owners of movable and immovable property or their agents, tenants, representatives, licensees, permittees or any other interested party pursuant to the procedures for administrative adjudication established in the sections of this Chapter.

(Ord. No. 04-1023, adopted 12/02/2004; amended by Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.02 Definitions

The following definitions shall apply in the interpretation of this Chapter. Whenever applicable, the terms used herein may be used interchangeably. The intent and spirit of these definitions is to include everyone and everything that is related to these Ordinances and the properties so affected:

“Parish” shall mean the Parish of St. Tammany, inclusive of the Office of the Parish President.

“Counsel to the Parish President” shall mean that person who serves exclusively as the in-house, executive counsel to the Office of the Parish President.

“Decision” or “order” shall mean an administrative act of the Administrative Hearing Officer under authority of this Chapter.

“Bureau” shall mean the office that heretofore has been created by Ordinance.

“Director” shall mean the head of a Parish agency or department which enforces any public health, housing, fire code, environmental regulation, historic district ordinance, any matters involving licensing and permit violations, and any other Ordinance violations that have been determined by the St. Tammany Parish Council.

“He,” “him”, “her”, and “she” shall be deemed to be interchangeable; it is understood that the masculine and feminine of any word is likewise interchangeable.

“Immovable property” shall mean any unimproved land, any improved land, and any buildings, structures or other things, of whatever nature or description, which are permanently attached to such land, and anything which is otherwise defined as immovable by law.

“Interested Person” shall mean and be deemed to include any person with an interest in this process.

“Licensee” shall mean and be deemed to include any person to whom a Parish license or permit of any kind has been issued and/or sought by such person

“Movable property” shall mean property that is not defined as immovable, or property that is otherwise defined as movable by law.

“Officer” shall mean the Administrative Hearing Officer.

“Owner” shall mean and be deemed to include any person who possesses an interest in immovable property located in this Parish; such interest may or may not be recorded on the public records.

“Occupant” shall mean and be deemed to include any person occupying immovable property by permission or accommodation of the owner, former owner, lessor, lessee, tenant or another occupant.

“Parish Attorney” or “Counsel to the Parish President” shall mean that person who serves exclusively as the in-house executive counsel to the Office of the Parish President.

“Permittee” shall mean and be deemed to include any person who has sought and/or been granted permission to act or take action and which is ordinarily derived from the granting of a permit.

“Person” shall mean and be deemed to include any individual, and any legal entity, with the power to sue or be sued, and any person or entity with the power to own, alienate and/or encumber immovable property; shall be deemed to include any individual, entity or being, capable of being sued or capable of bringing suit.

“Property” means movable and immovable property.

“Respondent” or “alleged violator” shall mean any person or entity, including any landowner, occupant, tenant, lessee, lessor, and/or the authorized representative of any such person or entity who had been given a notice of violation under this Chapter.

“Registration” and “License” is to be used interchangeably.

“Tenant” shall mean and be deemed to include any person who rents, uses, or otherwise occupies a building, structure or property owned or leased by another.

“Violation” shall encompass all Ordinances, including but not limited to building codes, zoning, planning, vegetation, housing, blighted properties, dangerous structures and nuisance Ordinances.

“Violator” shall mean a person who has been found liable for a violation or ordered to correct a violation in an order issued under this Chapter.

(Ord. No. 04-1023, adopted 12/02/2004; amended by Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.03 Inclusion and Adoption of all Existing Sections and Subsections of this Code

(A) It is the intention of the Parish to adopt and include, interchangeably, all rules, regulations, fines & penalties of the Code of Ordinances (including but not limited to any amendments thereto and Supplements) to the extent that the Parish has the authority to initiate investigations, investigate, refer matters to additional agencies or departments, and otherwise fully participate in any and all regulatory matters of the Parish, including but not limited to:

(1) Building Code (Chapter 5, Article 1, Section 5-001.00 et seq. and as may be amended, and Article II, Section 5-051.00 et seq. and as may be amended as per law), together with the Supplemental Code, Appendix "D", as amended & revised, January, 2004,

(2) Appendix "B"/Subdivision, Ordinance 499 (and as may be amended as per law),

(3) Appendix "C"/Zoning/Land Use Ordinance 523 (and as may be amended as per law),

(4) Blighted Property, Derelict & Dangerous Buildings, (Article III, Section 14-021.00 et seq. and as may be amended),

(5) Animal Control (including but not limited to Chapter 4, Article III, Section 023.00 et seq., Article IV, Section 070.00 et seq., Article V, Section 120.00 et seq., and as may be amended per law),

(6) Adjudicated Properties,

(7) Flooding & Fill Ordinance (Article 1, Section 7-001.00 et seq. and as may be amended as per law),

(8) Litter Abatement (Article 1, Section 15-001.00 et seq. and as may be amended as per law),

(9) Nuisance (Article 1, Section 14-001.00 et seq. and as may be amended as per law) and (Article II, Section 14-021.11 et seq. and as may be amended as per law),

(10) Tammany Trace (Article XVI, Section 16-131.00 et seq. and as amended as per law),

(11) Coastal Use and Management Ordinance Calendar Series 92-1607, and as amended, and including Louisiana Revised Statute 49:214.36 and as amended,

(12) Entering any Parish Rights of Way, including but not limited to Ordinance 2691, Series 96-2495, and as amended,

(13) Parish Housing Code,

(14) Alcohol (including but not limited to Chapter 3, Article V, Section 101.00 et seq., Article VI, Section 116.00 et seq., Article VII, Section 154.00 et seq., Article VIII, Section 185.00 et seq., Article IX, Section 191.00 et seq. and as amended as per law, and

(15) Such other Ordinances now in effect or that may hereinafter adopted (including but not limited to Article 1, Section 1-001.00 et seq. and as may be amended as per law).
(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.03.1 Referral for Disposition

The Parish enforcement officers are specifically vested with the right to exclusively have the ability to refer matters to the Office of the District Attorney and/or the Administrative Hearing Officer on a case-by-case basis as exclusively determined by the Parish.
(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.03.2 Conflicts

(1) It is the intention and desire of the Parish Council to supercede and replace all such provisions where there exists any conflict.

(2) Where there exists any conflict, the more restrictive provision shall apply, all at the sole discretion and interpretation of the Hearing Officer.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.04 Hearing Officer(s)

(a) Hearing Officer(s) shall be appointed by the Office of the Parish President, with confirmation by the St. Tammany Parish Council.

(b) All Hearing Officers shall be sworn before the Parish attorney to uphold the Constitution of the United States, the laws and Constitution of the State of Louisiana, and the Charter and Ordinances of the Parish, and to abide by the provisions of the Louisiana Code of Governmental Ethics before assuming office.

c) A Hearing Officer shall be an attorney licensed to practice law in the State of Louisiana.

d) A Hearing Officer shall be an attorney in good standing with any and all Courts of this State.

e) A Hearing Officer shall have been licensed to practice law in Louisiana for ten (10) years.

f) A Hearing Officer cannot have been employed by, nor been the legal representative of, nor done business with the Parish or any of its departments or agencies within two (2) years of employment as a hearing officer.

g) A Hearing Officer cannot have practiced before the Parish Council within two (2) years of employment as a hearing officer.

h) Prohibitions as to a Hearing Officer shall also include the Hearing Officer's law firm or association of attorneys.

SEC. 1-012.06 Authority of Hearing Officer

Hearing Officers who have been appointed and sworn in accordance with Section 1-012.04 of this Chapter shall have the authority to hear and decide any alleged public health violation, housing violation, which shall also encompass the terms and applicable provisions of R.S. 14:107.3, building codes, zoning, vegetation, and nuisance ordinances, fire code violation, violation of environmental regulations, historic district Ordinance violations, any matters involving alleged licensing and permit violations, and any other Ordinance violations that may be determined by the St. Tammany Parish Council.

Adjudication authority of the Hearing Officer shall include, but not be limited to, violations of all Chapters in this Code, together with any supplements or addenda as may be promulgated hereinafter.

(Ord. No. 04-1023, adopted 12/02/2004)

SEC. 1-012.06.1 Authority to Assess and Levy

(1) The Officer shall have the authority to assess and levy all civil fines, penalties and costs that now exist in the Code of Ordinances and those that are created hereinafter.

(2) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances, Appendix "B"/Subdivision Ordinance 499 (and as may be amended as per law).

(3) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Appendix "C"/Zoning/Land Use, Ordinance 523 (and as may be amended as per law).

(4) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to Animal Control. Animal Control (including but not limited to Chapter 4, Article III, Section 023.00 et seq., Article IV, Section 070.00 et seq., Article V, Section 120.00 et seq., and as may be amended per law).

(5) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to the Building Code (Chapter 5, Article 1, Section 5-001.00 et seq. and as may be amended, and Article II, Section 5-051.00 et seq. and as may be amended), together with the Supplemental Code, Appendix "D", as amended & revised, January, 2004.

(6) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to Blighted Property, Derelict & Dangerous Buildings, and other Dangerous Structures.(Article III, Section 14-021.00 et seq. and as may be amended).

(7) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to Adjudicated Properties.

(8) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances concerning Flooding & Fill, Article 1, Section 7-001.00 et seq. and as may be amended as per law)

(9) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to the Tammany Trace. Tammany Trace (Article XVI, Section 16-131.00 et seq. and as may be amended as per law).

(10) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to Litter and Litter Abatement.

Litter Abatement (Article 1, Section 15-001.00 et seq. and as may be amended as per law).

(11) The Officer shall have the power and authority to take such action and assess such fines or penalties as may be authorized under the Code of Ordinances as to Nuisances and related violations. Nuisances (Article 1, Section 14-001.00 et seq. and as may be amended as per law) and (Article II, Section 14-021.11 et seq. and as may be amended as per law)

(12) Coastal Use and Management Ordinance Calendar Series 92-1607, and as amended, and including Louisiana Revised Statute 49:214.36 and as amended.

(13) Entering any Parish Rights of Way, including but not limited to Ordinance 2691, Series 96-2495, and as amended

(14) Parish Housing Code

(15) Alcohol (including but not limited to Chapter 3, Article V, Section 101.00 et seq., Article VI, Section 116.00 et seq., Article VII, Section 154.00 et seq., Article VIII, Section 185.00 et seq., Article IX, Section 191.00 et seq. and as amended as per law

(16) Such other Ordinances now in effect or that may hereinafter adopted (including but not limited to Article 1, Section 1-001.00 et seq. and as may be amended as per law)

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.2 Repairs, Remediation, Restoration and Correction

Notwithstanding any provision herein to the contrary, the Officer shall have the additional power and authority to order repair, restoration, remediation and/or correction of any violation.

SEC. 1-012.06.3 Costs, Fines and Penalties

(1) The Officer shall have the exclusive authority to assess and levy the following fines, penalties and administrative costs.

(2) Such costs, fines and penalties as may be assessed are separate and distinct from that which may be determined and assessed by any court of competent jurisdiction.

(3) COSTS

(A) The Officer shall assess costs of any proceeding when there is finding of a violation.

(B) Administrative costs are mandatory and may not be waived or reduced by the Officer when determined that the Respondent has violated any section of the Parish Ordinances.

(C) Administrative costs shall not be less than \$100.00 (one hundred dollars), but may include the additional tabulation of reasonable out-of-pocket costs expended by the Parish (i.e. postings or advertisement, postage, photographs, video, related office expenses, subpoena service charges, expert fees, consultant fees, professional service expenses, attorney fees, and such other reasonably related expenses) necessary to prosecute a matter.

(D) Additional administrative costs may be assessed against the Respondant by the Officer to include reimbursement to the Parish for employee time expended to prosecute a matter.

(4) FINES AND PENALTIES

(a) As to Building Code (Chapter 5, Article 1, Section 5-001.00 et seq. and as may be amended, and Article II, Section 5-051.00 et seq. and as may be amended) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "A," attached hereto and a made a part hereof and as may be amended hereinafter by this Council, together with the Supplemental Code, Appendix "D", as amended & revised, January, 2004.

(b) As to Blighted Property, Derelict & Dangerous Buildings, (Article III, Section 14-021.00 et seq. and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "B," attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(c) As to Animal Control (including but not limited to Chapter 4, Article III, Section 023.00 et seq., Article IV, Section 070.00 et seq., Article V, Section 120.00 et seq., and as may be amended per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "C," attached hereto and a made a part hereof and as may be amended hereinafter.

(d) As to Appendix "B"/Subdivision Ordinance 499 (and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "D," attached hereto and a made a part hereof and as may be amended hereinafter.

(e) As to Appendix "C"/Zoning/Land Use Ordinance 523 (and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "E," attached hereto and a made a part hereof and as amended hereinafter.

(f) As to Adjudicated Property Code violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "F," attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(g) As to Flooding & Fill Ordinance Code (Article 1, Section 7-001.00 et seq. and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "G," attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(h) As to Litter Prevention & Litter Abatement Code (Article 1, Section 15-001.00 et seq. and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more

fully set out on Schedule “H,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(i) As to Nuisance (Article 1, Section 14-001.00 et seq. and as may be amended as per law) and (Article II, Section 14-021.11 et seq. and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “I,” attached hereto and a made a part hereof and as may be amended hereinafter.

(j) As to Tammany Trace (Article XVI, Section 16-131.00 et seq. and as may be amended as per law) violations, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “J,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(k) As to Coastal Use and Management Ordinance Calendar Series 92-1607, and as amended, and including Louisiana Revised Statute 49:214.36 and as amended, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “K,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(l) As to entering any Parish Rights of Way, including but not limited to Ordinance 2691, Series 96-2495, and as amended, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “L,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(m) As to the Parish Housing Code, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “M,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(n) As to Alcohol (including but not limited to Chapter 3, Article V, Section 101.00 et seq., Article VI, Section 116.00 et seq., Article VII, Section 154.00 et seq., Article VIII, Section 185.00 et seq., Article IX, Section 191.00 et seq. and as amended as per law, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “M,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(o) As to the Parish Housing Code and as amended as per law, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule “N,” attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(p) As to any other Parish Ordinance (including but not limited to Article 1, Section 1-001.00 et seq. and as may be amended as per law) violations that are otherwise not

specifically enumerated herein, the Officer shall be authorized to assess, levy and assign collection of costs, fines and penalties in the amount as more fully set out on Schedule "O," attached hereto and a made a part hereof and as may be amended hereinafter by this Council.

(q) Such other Ordinances now in effect or that may hereinafter adopted (including but not limited to Article 1, Section 1-001.00 et seq. and as amended as per law).

(r) The Officer may assess and levy a daily late fee or charge against a Respondent who fails to timely and properly tender sufficient funds to satisfy any order issued by the Officer. Late fees and charges may be levied at any subsequent hearing after a determination has been made in the event Respondent fails to timely pay.

(s) Unless otherwise precluded by State or Federal law, there shall now be no limit on the aggregate of any assessment, fine or penalty.

(t) The Officer shall have the authority to refer any matter to the Office of the District Attorney for the 22nd Judicial District Court for further handling, the United States Department of Justice, United States Corps of Engineers, State of Louisiana or such other departments or agencies as needed and warranted under the circumstances.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.4 Movable

Where there exists a violation of any Ordinance and the matter involves a movable susceptible of seizure, the Officer shall have the authority to issue such seizure orders as are necessary to seize and take control of such movable property for safekeeping, retention purposes or disposal, all as permitted in law.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.5 Animals

Where there exists a finding that a Respondent has violated an Ordinance as to any animal, the Officer shall have the authority to detain and refer said animal to the Office of Animal Services for proper disposition, as per law.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.6 Separate Offense

(A) It shall be the authority of the Officer to assess and levy a separate fine and/or penalty to any Respondent for each offense committed in violation of Parish Ordinances.

(B) For each day a violation occurs, the same shall constitute a separate offense regardless of whether such violation is of a continuing nature.

(C) Unless otherwise precluded by Local, State or Federal law, there shall now be no limit on the aggregate of any assessment, fine or penalty.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.7 Multiple / Repeat Offenses

(A) Within one year of a final determination by the Officer that a Respondent has violated an Ordinance that the Respondent is cited for the same or similar violation of the Parish Ordinance, the Officer is authorized to then assess and levy up to and including twice or double the fine and/or penalty.

(B) After the first year, and in the event of repeated violations thereafter, the Officer may assess and levy triple or three times the fine and/or penalty.

(C) In the event that a Respondent violates any Ordinance more than three times within a three-year period, then the Officer, in his discretion, may assess and levy such fines or penalties as may be warranted under the circumstances and allowed as per law.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.8 Authority to Suspend, Revoke, Rescind Applications & Permits

(A) The Officer shall have the authority to suspend, revoke and/or rescind any Permit issued by the Parish for any reason.

(B) In the case of suspension of a Permit, the Officer shall have the authority to a Respondent to comply with any and all Ordinances so affected.

(C) The Officer shall have the authority to rescind and revoke any application made to the Parish.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.9 Exemptions

There is not the intent to create nor are there any known exemptions to these violations, penalties, rules or regulations.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.06.10 Community Service

Where not precluded at law, the Officer shall have the additional authority and power to order community service, at his discretion, commensurate with the penalties herein.

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.07 Schedule of Costs, Fines, Penalties

The following Schedules are those referenced in Sec. 1-012.06.3 above:

SCHEDULE “A”

Building Code per violation (Chapter 5, Article 1, Section 5-001.00 et seq. and as may be amended, and Article II, Section 5-051.00 et seq. and as may be amended), per day for continuing violations together with the Supplemental Code, Appendix “D”, as revised, January, 2004	- up to \$500.00 - up to \$500.00
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SCHEDULE “B”

Blighted Property, Derelict & per violation Dangerous Buildings, and other Dangerous Structures Blighted Housing per day for continuing violations (Article III, Section 14-021.00 et seq. and as may be amended)	- up to \$500.00 - up to \$500.00
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SCHEDULE “C”

Animal Control (including but not limited per violation to Chapter 4, Article III, Section 023.00 et seq., Article IV, Section 070.00 et seq., Article V, Section 120.00 et seq., and as may be amended per law) Animal Control per day for continuing violations	- up to \$500.00 - up to \$500.00
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SCHEDULE “D”

Appendix "B"/Subdivision, Ordinance 499
(and as may be amended as per law)
per violation - up to \$500.00

per day for continuing violations - up to \$500.00

SCHEDULE "E"

Appendix "C"/Zoning/Land Use Ordinance 523
(and as may be amended as per law)
per violation - up to \$500.00

per day for continuing violations - up to \$500.00

SCHEDULE "F"

Adjudicated Property
per violation - up to \$500.00

per day for continuing violations - up to \$500.00

SCHEDULE "G"

Flooding & Fill Ordinance
per violation (Article 1, Section 7-001.00 et seq.
and as may be amended as per law) - up to \$500.00

day for continuing violations - up to \$500.00 per

SCHEDULE "H"

Litter Prevention & Abatement
per violation(including Article 1, Section 15-001.00 et seq.
and as may be amended as per law) - up to \$500.00

day for continuing violations - up to \$500.00 per

SCHEDULE "I"

Nuisances, including
violation Article 1, Section 14-001.00 et seq. - up to \$500.00 per

day for continuing violations - up to \$500.00 per

and as may be amended as per law and
Article II, Section 14-021.11 et seq.
and as may be amended as per law

SCHEDULE "J"

Tammany Trace, including Article XVI,
Section 16-131.00 et seq.
violation as may be amended as per law

- up to \$500.00 per

- up to \$500.00 per

day for continuing violations

SCHEDULE "K"

Coastal Use and Management Ordinance
violation Calendar Series 92-1607, and as amended,
and including Louisiana Revised
day for continuing violations
Statute 49:214.36 and as amended.

- up to \$500.00 per

- up to \$500.00 per

SCHEDULE "L"

Entering any Parish Rights of Way,
violation including but not limited to Ordinance Number 2691,
Series 96-2495, and as amended.
day for continuing violations

- up to \$500.00 per

- up to \$500.00 per

SCHEDULE "M"

As to Alcohol (including but not limited
violation to Chapter 3, Article V, Section 101.00 et seq.,
Article VI, Section 116.00 et seq.,
Article VII, Section 154.00 et seq., Article
VIII, Section 185.00 et seq., Article IX,
Section 191.00 et seq. and as amended as per law
day for continuing violations

- up to \$500.00 per

- up to \$500.00 per

SCHEDULE "N"

Parish Housing Code
violation

- up to \$500.00 per

day for continuing violations - up to \$500.00 per

SCHEDULE "O"

Such other Ordinances now in effect
or that may hereinafter adopted - up to \$500.00 per
violation (Article 1, Section 1-001.00 et seq.
and as may be amended as per law) - up to \$500.00 per
day for continuing violations

(Ord. No. 05-1094, adopted 04/07/2005)

SEC. 1-012.08 Counsel to the Parish President not to assist

Legal counsel to the Office of the Parish President may not provide legal assistance to the Hearing Officer in the administration of this Chapter.

SEC. 1-012.10 Powers of the Hearing Officer

The Hearing Officer shall have all power and authority set forth in the applicable provisions of La.R.S. 13:2575, the provisions of La.R.S. 13:2575.2, the provisions of La.R.S. 14:107.3, all other applicable state laws and regulations, and the following nonexclusive powers to:

- (1) Administer oaths and affirmations;
- (2) Issue orders, including the declaration and certification set forth in La.R.S. 14:107.3, and/or administrative subpoenas compelling the attendance of witnesses, respondents and violators and the production of documents;
- (3) Levy fines, fees, penalties, and hearing costs including, but not limited to, the levying of fines and costs associated with the removal and/or securing of dangerous structures as authorized and provided for in La.R.S. 33:4754;
- (4) Order violators to correct violations within a stipulated time;
- (5) Take necessary and lawful measures to affect correction of the violation if the violator fails to do so within the time allocated by the Hearing Officer;
- (6) To place, or cause to be placed, liens against the immovable property located within the Parish in or on which the violation occurred, if the violator fails to remit payment for any cost and/or fines, within thirty (30) days of the levy of the same.

(7) Take such actions as are necessary to protect the safety, health and welfare of the citizens and property of this Parish.

(8) Assume such inherent powers as are necessary to protect the safety, health and welfare of the citizens and property of this Parish.

SEC. 1-012.12 Hearing Practice and Procedures

(a) Prior to holding an administrative hearing for any violation set forth herein, and any other Ordinance violations that may be determined by the Parish Council, the Parish agency or department having enforcement responsibility shall notify the property owner, if he is an alleged violator, or both the alleged violator and the owner of any property on which a violation is alleged, if the alleged violator is not the property owner, at least fifteen (15) days in advance of the date that such a hearing is scheduled. The notification shall state the time, date and location of the hearing, and state the alleged violations; and it shall be sent by certified or registered U.S. Mail to the owner or violator, or both, or personally served on the owner or violator, or both. The date of the postmark shall be deemed to be the date of delivery. Any notification so sent and returned by U.S. Post Office shall be considered as having fulfilled the notification requirement; provided, that in the case of such a returned notice, if the person to be notified has a telephone number listed in the St. Tammany Parish phone directory at least one attempt shall be made to notify him by telephone. Proof of notification and attempts at service and telephone notice shall be entered in the record of each case prior to the hearing.

(b) In addition to the personal or mail service required by paragraph (a) of this Section, if a violation relates to immovable property, a copy of the notice shall be affixed in a prominent location on the property on which a violation is alleged, or if safe access to the property is not reasonably practicable, on some prominent fixture on the adjacent public right-of-way as near as possible to the property, at least five (5) days in advance of the date of the hearing. It shall be unlawful for any person other than an agent of the Parish to remove such notice posted on the public right-of-way prior to the commencement of the hearing.

(c) The notice of violation shall be, as much as possible, in laymen's language susceptible of understanding by a person of normal capacity, and shall, in large print, inform the person noticed of the need to appear at the hearing and the risk of penalties and liens which may be imposed.

(d) Failure of any person charged with a violation to appear at the hearing shall be considered an admission of liability for the charged violation; provided that the notice requirements established in paragraphs (a), (b) and (c) of this Section have been satisfied, and provided further that a Hearing Officer, in his sound discretion and for good cause shown, may vacate an order issued on the basis of such an admission and reopen the proceedings, and may do so when requested in writing by the violator or by the appropriate director.

(1) In case of application for an administrative re-hearing by the violator, the violator shall timely notice the director within fifteen (15) days of the issuance of the notice of the final order of a request for a referring.

(2) In such a request, the violator shall submit any and all proof that he deems necessary to demonstrate "good cause" for such a re-hearing.

(3) In such a case, the director shall have exclusive authority to recommend or not recommend a re-hearing to the Hearing Office.

(4) The director shall submit his recommendation to the Hearing Officer within fifteen (15) days.

(5) The Hearing Officer shall deny or grant a re-hearing within fifteen (15) days of receipt of the director's recommendation.

(6) The Administrative Procedure Act (Title 49) shall specifically not apply to this limited procedure of a request for a re-hearing.

(e) Any order compelling the attendance of witnesses or the production of documents shall be enforced by the 22nd Judicial District Court for the Parish of St. Tammany or by any other court of competent jurisdiction, in the same manner as any subpoena in a civil matter.

(f) Complaints may be initiated by the public and violation notices will be issued upon the submission of affidavits and/or documentary evidence sufficient to prove the existence of health, housing, fire code, environmental, or historic district Ordinance violations, or any matters involving licensing and permits and any other Ordinance violations that may be determined by the Parish, as determined by the enforcement agency or department director.

(g) Any administrative adjudication hearing held under the provisions of this Chapter shall be conducted in accordance with the rules of evidence of the Administrative Procedure Act, LSA R.S. Title 49, as may be amended from time to time. Testimony of any person shall be taken under oath and shall be recorded. The person charged with the Ordinance violation may present any relevant evidence and testimony at such hearing and may be represented by an attorney at law. However, his physical presence shall not be required at the hearing, and a failure to appear shall not be deemed an admission under paragraph (d) of this Section, if documentary evidence, duly verified by such person, is submitted to the Hearing Officer prior to the date of the hearing.

(h) In determining the amount of any fine or penalty, the Hearing Officer shall consider the age, financial circumstances and physical and mental capacity of the violator and the degree of hardship which the fine or penalty will impose, shall weigh those factors against the degree of culpability of the violator and the gravity of the offense, and the

damage to the public health, safety, welfare, and convenience and the cost to the Parish or to others occasioned by the offense.

(i) Within five (5) legal days of the close of the hearing, the Hearing Officer shall issue a final order stating whether or not the person charged is liable for the violation; the amount of any fine or costs assessed against him and a date by which the violation shall be corrected. Any order assessed against him or her and a date by which the violation shall be corrected. Any order assessing a fine, or costs and/or stipulating a correction date may be enforced by the Courts of St. Tammany Parish. The final order shall be served in the same fashion as the original notice or, if the violator has counsel of record, by mailing or delivering the order to counsel. The final order shall notify the violator of his right of appeal and shall, so much as possible, conform to the stylistic and typographical requirements established for the notice of violation.

(j) The Hearing Officer may, for each separate violation, order the payment of fines and hearing costs, the total of which shall not exceed the maximum which may be imposed on a misdemeanor by the Courts of this Parish; provided, however, that no civil fines or hearing costs imposed may exceed those specified for the criminal violation of the same Ordinance. All such fines and costs shall be paid into the general fund, unless it is otherwise provided by law.

(k) The Hearing Officer, for good cause, may suspend all or a portion of his final order and may make any suspension contingent on the fulfillment of some reasonable condition.

(l) The Director of the Department of Finance shall have the authority, pursuant to the provisions of La. R.S. 33:4754, and any other applicable statutes, to sell, dispose and/or alienate such properties.

(m) Except as may otherwise be applicable, any criminal sanctions or other enforcement actions that may be brought, such as injunctive relief, are not affected by these provisions.

SEC. 1-012.14 Non-exclusivity of Procedures

The procedures and remedies established by this Chapter shall not be deemed exclusive and may be employed in the civil enforcement of an Ordinance before, during or after the employment of any other civil enforcement mechanism provided by law, or before, during or after the commencement or conclusion of enforcement action in a civil or criminal court, unless the civil courts have definitely exonerated the alleged violator of the violation charged.

SEC. 1-012.16 Liens

(1) The Hearing Officer shall record or cause to be recorded a certified copy of an order imposing a fine or other charge in the public records of the Parish after thirty (30) days

from the issuance of the final order. The costs of such recordation shall be assessed to the property in question. The Hearing Officer may assess a reasonable fee for the costs of lien certificate preparation and title examination. Once recorded, the certified copy of this order shall constitute a lien against the land on which the violation exists.

(2) Any lien placed against such immovable property under this Chapter shall be included in the next annual ad valorem tax bill and must be paid along with such taxes, subject, however, to any valid homestead exemption. Failure to pay the liens shall cause any parcel of immovable property which is not subject to a bona fide homestead exemption to be subject to the same provisions of law as govern tax sales of immovable property, except as may otherwise be authorized by statute, including the authority set for in the provisions of La. R.S. 33:4754. Except as may otherwise be provided, any lien placed against immovable property that has a legal homestead exemption from taxes will become payable ninety (90) days after the death of the owner thereof or immediately upon transfer of title to a new owner, whichever comes first.

(3) Any fee or charge assessed by the Assessor's Office shall be added to the tax bill and thereafter paid to the Assessor upon payment of such taxes.

SEC. 1-012.18 Appeals

(1) Any person or persons jointly or severally aggrieved by any decision of the St. Tammany Parish hearing officer may present a petition to the district court of the parish along with payment of such reasonable costs as may be required by the clerk. Such petition shall be duly verified, set forth that the decision is illegal, in whole or in part, and specify the grounds of the illegality. The petition shall be presented to the court within thirty days after the filing of the decision of the hearing officer.

(2) Upon the presentation of such petition, the court may allow a writ of certiorari directed to the hearing officer to review the decision of the hearing officer and there shall be prescribed therein the period of time within which a return may be made and served upon the relator's attorney. Such period shall be not less than ten days but may be extended by the court. The allowance of the writ shall not stay the proceedings upon the decision or any enforcement thereof unless the person who files the appeal for writ of certiorari furnishes security prior to filing notice of appeal with the agency of the parish designated by ordinance to accept such payments in the amount to be fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation.

(3) The St. Tammany Parish hearing officer shall not be required to return the original papers acted upon by the hearing officer, but may return certified or sworn copies thereof or such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

(4) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, the court may take additional evidence or appoint a referee to take such evidence as it may direct. Such referee shall report the same to the court with his findings of fact and conclusions of law, and his report shall constitute a part of the proceedings upon which the determination of the court shall be made.

(5) The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. All issues in any proceedings under this Section shall have preference over all other civil actions and proceedings. The appellant and St. Tammany Parish shall be parties in such civil action and proceeding; the St. Tammany hearing officer shall not be a party to such civil action and proceeding.

SEC. 1-012.20 Record Requirements

(a) At its commencement by notice to the alleged violator, every civil adjudication proceeding shall be assigned a docket number and a style in the form of "In the Matter of" or in the form of "Parish of St. Tammany versus" followed by the name of the alleged violator. The record pertaining to each proceeding shall be maintained as a separate file in a manner similar to the fashion in which the clerks or court maintain the records of civil cases.

(b) Each department or agency charged with the enforcement of an Ordinance within the scope of this Chapter shall maintain a log or index of all civil adjudication proceedings, which shall set forth information including but not limited to the following:

(1) The style and docket number of the case and the date it was commenced;

(2) The Ordinance or Ordinances allegedly violated;

(3) The date or dates of the alleged violations;

(4) The address(es) or other description of the property on which the alleged violation(s) occurred;

(5) A statement as to whether any civil or criminal court proceedings pertaining to the alleged violations are or were pending, the dates or any hearings, trials, or continuances, and the dates of their commencement and/or termination and, if the case is terminated, of its final disposition;

(6) A statement as to the dates of any hearing and of any final order in the case and as to whether and when any lien was filed;

(7) A statement as to the date of filing and disposition of any appeal.

(8) The Hearing Officer shall review this log or index regularly to ensure that no civil or criminal remedies of the Parish are permitted to prescribe.

SEC. 1-012.22 Superseding Ordinance

When this ordinance is applied, its provisions shall supersede all ordinances, or parts of ordinances, previously adopted and in conflict herewith.

ARTICLE II REAL ESTATE TRANSFERS TO PARISH

Sec. 1-020.00 Title Insurance Required

When a third party and/or any prospective Transferor seeks to donate/ dedicate/ transfer/ sell any interest in and to immovable property including but not limited to real estate, rights of way and servitudes, said person or entity shall provide:

- a) A title insurance policy in favor of St. Tammany Parish on the caption of the property to be dedicated, donated, transferred or sold.
- b) Such dedication, donation, sale or transfer of any interest in and to immovable property shall be in the name of St. Tammany Parish.
- c) Any such title insurance policy shall be in an amount to be mutually established between the transferor and St. Tammany Parish.
- d) Transferor shall be responsible for all costs of any insurance policy premiums.
- e) Transferor shall be responsible for all costs of any title examination and/ or curative work.
- f) Transferor shall pay for all recordation costs.
- g) Transferor shall be deemed to include any person or entity that sells, dedicates, donates, or transfers an interest of such property.
- h) Transferor shall use St. Tammany Parish standard forms or documents and or that which may be specifically approved by the Office of the Parish President.
- i) The requirements of sub-parts (a) through (h) shall not supersede any other St. Tammany Parish ordinance or regulation.

Sec. 1-020.01 Transfers in Perpetuity

Where such dedication/ donation/ sale/ transfer is intended and/or needed in perpetuity, including but not limited to real estate, rights of way and servitudes as determined by the Office of the Parish President, the requirements of Section 1 shall apply.

Sec. 1-020.02 Title; Costs

Where such dedication/ donation/ sale/ transfer is not intended or is not needed in perpetuity, including but not limited to real estate, rights of way and servitudes, as determined by the Office of the Parish President, then:

- a) Such dedication, donation, sale or transfer of any interest in and to immovable property shall be in the name of St. Tammany Parish.
- b) Transferor may be responsible for all costs of any title examination
- c) Transferor shall be responsible for all costs of curative work.
- d) Transferor may be required to pay for all recordation costs.
- e) Transferor shall be deemed to include any person or entity that sells, dedicates, donates, or transfers an interest of such property.
- f) Transferor shall use St. Tammany Parish standard forms or documents and or that which may be specifically approved by the Office of the Parish President.
- g) The requirements of sub-parts (a) through (f) shall not supercede any other St. Tammany Parish ordinance or regulation.

(Ord. No. 05-1167, adopted 08/04/2005)

CHAPTER 2-ADMINISTRATION

ARTICLE I - IN GENERAL

SEC. 2-000.00 Official Parish Logo

The official logo of the St. Tammany Parish Government, as duly registered with the Louisiana Secretary of State, is described as follows:

Logo - Circular seal with four layers. The inner most layer is a circle with a pelican and three baby pelicans in a nest, on a baby blue background. The second layer is a royal blue band, and the third layer is a golden band with the words "St. Tammany" on the top and "Parish Government" on the bottom, with two parallel five point stars on either side. The last layer is of a dark gold twisted cord circling the entire seal.

Sec. 2-000.01 Use Restricted

As the registered owner, the St. Tammany Parish Government, its elected officials, employees and authorized representatives, shall have exclusive rights to the use, application, and reproduction of the parish logo.

Sec. 2-000.02 Prohibited

It shall be prohibited for any individual, group or organization to:

(1) Use, WITHOUT THE CONSENT OF THE PARISH GOVERNMENT, any reproduction, counterfeit, copy, or colorable imitation of the Parish logo in connection with the sale, offering for sale, advertising of any goods or services on or in connection with which such use is likely to cause confusion or mistake or to deceive as to the source of origin; or

(2) Reproduce, counterfeit, copy or color-ably imitate the Parish logo and apply such reproduction to correspondence, letterhead, business cards, publications, videotapes, labels, signs, prints, packages, wrappers, receptacles or advertisement intended to be used upon or in conjunction with the sale or distribution of goods and/or services.

Sec. 2-000.03 Violation

Unauthorized use of the St. Tammany Parish Government logo by any individual, group or organization without the express written consent in the form of a Resolution of the St. Tammany Parish Council shall constitute a violation of this article.

Such violation shall be construed as a misdemeanor, punishable in accordance with Sec. 1-008.00 of the St. Tammany Parish Code of Ordinances.

(Ord. No. 14-3179, adopted 08/07/2014)

SEC. 2-001.00 Saturday To Be Holiday

All Saturdays shall be legal holidays and all Wednesdays shall be full working days except when a legal holiday falls on Wednesday. (Ord. No. 251, Bk. 4, P. 292)

STATE REFERENCE: LSA R.S. 1:55.

SEC. 2-002.00 Working Of Prisoners

a) Any prisoner serving a sentence in the Parish Jail who is willing to perform manual labor upon any of the public roads, streets, public buildings, public grounds, public works or public improvements, shall be placed in charge of the Sheriff in order to perform whatever form of labor upon any of the above named projects as may be determined by the Police Jury.

b) Any prisoner or prisoners that are worked outside of the prison as herein set forth shall be under the control and in charge of the Sheriff, who shall be responsible for discipline and working conditions.

c) Any prisoners who perform labor as herein set forth, shall be given credit on their respective sentences as provided by the Judge who sentenced them to jail. (Ord. No. 152, Bk. 2, P. 553)

SEC. 2-002.01 Reimbursement of Expenses by Inmates/Prisoners

A. Reimbursement of Medical, Psychiatric, and Dental Expenses, and for the expenses of Prescription and Nonprescription Drugs

1) In compliance with and under the authority of LSA-R.S. 15:705 and other applicable laws, an inmate's commissary or drawing account shall be debited for said inmates's medical, psychiatric or dental expenses, and prescription and over the counter medication expenses at the time the expenses are incurred or as soon thereafter as the inmate's commissary or drawing account has sufficient assets for reimbursement for medical, psychiatric and dental expenses, and prescription and over the counter medication expenses, and the St. Tammany Parish Police Jury shall be reimbursed for its expenditures from such funds.

2) Except as provided for in Section 3 below, reimbursements for medical, psychiatric and dental expenses, and prescription and over the counter medication expenses shall be made prior to any other withdrawal from an inmate's commissary or drawing account.

3) This section shall not prohibit the withdrawal of funds for the purpose of payments under the Crime Withdrawal Reparations Act, court costs as authorized by law, and other withdrawals specifically authorized by the Sheriff, in that order.

4) Written rules and regulations shall provide for the collection of medical, psychiatric and dental expenses, and prescription and over the counter medication expenses and for freezing assets in an inmates's commissary or drawing account, as well as other matters consistent herewith. The commissary or drawing account may be frozen regardless of the source of the assets contained therein.

5) The medical, psychiatric and dental service and prescription and over the counter medication reimbursements shall be conditioned upon the following:

a. Inmates shall be informed of the reimbursements at the time a request for medical, psychiatric or dental services or prescription and over the counter medication is made; and

b. No inmate shall be refused medical, psychiatric or dental treatment or prescription or over the counter medication for lack of funds.

6) The amount of reimbursement from an inmate for his/her visits to doctors, hospitals, psychiatrists, and dentists, and for receipt of prescription or nonprescription drugs, shall

be the actual cost for the particular expense incurred. In addition, the following copayments shall be made by the inmates upon receiving medical or dental treatment:

a. If the inmate has private medical/hospital insurance coverage, the copayment shall be \$25.00 or the amount provided for by the insurer, whichever is greater.

b. If the inmate does not have private medical/hospital insurance coverage, the copayment shall be \$25.00 per visit.

7) Any inmate who is discharged or transferred to another facility shall remain liable for any reimbursement authorized by this section.

8) If at any time an inmate's commissary or drawing account does not have sufficient funds to reimburse the costs of medical, psychiatric or dental service expenses or prescription or over the counter medication expenses, the account shall carry a negative balance until such time as funds are deposited into that account. The account shall be frozen regardless of the source of the assets therein, and the inmate shall withdraw no amounts therefrom until all costs are paid. When funds become available, the medical, psychiatric and dental service and prescription and over the counter medication reimbursement shall be immediately deducted from the account.

9) If an inmate is discharged with a negative balance in the commissary or drawing account due to unpaid medical or dental expenses or prescription or over the counter medication expenses and that inmate is subsequently returned to any St. Tammany Parish correctional facility, the unpaid balance shall immediately be collected from the new commissary or drawing account established upon entry to the correctional facility in accordance with the provisions outlined herein.

10) Any inmate who is covered by a private medical, psychiatric, dental, or health care insurer or any public medical, psychiatric or dental assistance program, shall file a claim for payment or reimbursement of any medical, psychiatric or dental services or prescription or over the counter medication provided while inmate is in any St. Tammany Parish correctional facility.

11) For purposes of the above provisions, the following are defined:

"Inmate" shall mean any person confined to a parish correctional facility, but shall not include inmates sentenced to the Department of Public Safety and Corrections who are in the custody of the Sheriff.

"Sheriff" shall mean the Sheriff of St. Tammany Parish.

"Commissary or Drawing Account" shall mean any account under the control of the correctional facility from which an inmate may withdraw funds.

B. (1) In accordance with R.S. 15:705 A(1)(b), any inmate incarcerated in the parish jail shall be responsible for reimbursement for the costs of room and board during his/her incarceration provided such reimbursement is approved by the judge who sentenced the inmate and provided the amount of such reimbursement is a uniform and reasonable amount established by the Department of Public Safety and Corrections by rule.

2) The applicable collection of reimbursement provisions set forth in paragraph A herein above, and for freezing assets in an inmates's commissary or drawing account, shall be applicable to the collection of reimbursement for the costs of room and board.

C. (1) The Sheriff is authorized to obtain restitution from any inmate incarcerated in the parish jail, including any inmate sentenced to the Department of Public Safety and Corrections who is in the custody of the Sheriff, who damages or destroys property.

(2) The amount of restitution shall be the actual costs or any portion thereof of repairing or replacing the property.

(3) The Sheriff is authorized to freeze the assets in the inmate's drawing account and prohibit withdrawals therefrom until the expenses are paid. The drawing account may be frozen regardless of the source of the assets contained therein. This Subsection shall not prohibit the withdrawal of funds for the purpose of payments under the Crime Victims Reparations Act, court costs as authorized by law, other payments required by the sentencing judge, and other withdrawals specifically authorized by the sheriff, in that order.

(4) Any offender who is transferred to another facility or discharged shall remain liable for the restitution authorized under this Subsection.

(5) For purposes of this Subsection, the assets of an inmate's drawing account shall not be reduced below five dollars.

(Ord. No. 96-2535, adopted 11/21/96, amended by Ord. No. 10-2315, adopted 08/05/2010)

STATE REFERENCE: LSA R.S. 15:705 authorizes the parish to obtain payment for medical expenses from inmates.

SEC. 2-002.02 Parish Prison - Trespassing

No person shall remain on the grounds of the St. Tammany Parish Prison, and shall be deemed as trespassing, after being instructed to leave said property by any law enforcement officer or any other official prison personnel.

This section shall not apply to any law enforcement officer nor to any individual who is transacting lawful prison, or judicial system, business.

Any person found to be in violation of this section shall be subject to a fine of not more than one hundred dollars (\$100.00) and/or imprisonment for a period of not more than ten (10) days.

(Ord. No. 02-0573, adopted 11/07/2002)

SEC. 2-003.00 Voluntary Work Release Program

The purpose and intent of this section shall be to authorize the Sheriff of St. Tammany Parish to establish a voluntary work release program for parish inmates sentenced to parish time sentences.(Ord. No. 03-0704, adopted 07/10/2003)

1. The Sheriff shall establish written rules and regulations for the implementation and administration of the work release program consistent with the provisions of Louisiana Revised Statute 15:711 and shall determine those inmates who may participate in the release program. The Sheriff shall submit the program to the Judges of the 22nd Judicial District Court for approval.
2. Any inmate sentenced to participate in a court-approved workday release program shall pay a fee to defray the cost of participation in the program. Any fee shall be established within the program and approved by the court.
3. Every inmate with work release privileges shall be liable for personal and living expenses, including the cost of his room, board, clothing and other necessary expenses incident to his employment or placement while not confined in jail.
4. The wages of any inmate so employed shall be collected by the Sheriff or by his designated agent, and the Sheriff shall keep a ledger showing the financial status of each inmate on the program.
5. The wages of any such inmate shall be disbursed by the Sheriff pursuant to the court-approved program for the purposes established in the program, including restitution to victims of crimes committed by the inmates.
6. The wages of an inmate so employed shall not be less than the customary wages for an employee performing similar services.
7. Notwithstanding the provisions of this ordinance, or state law to the contrary, any inmate who has been convicted and sentenced as an inmate assigned to the Louisiana Department of Corrections, shall be prohibited from participation in this parish's work release program.
8. No inmate employed in the work release program shall be employed in a position which would necessitate his departure from the parish.
9. The work, labor or job to be performed by an inmate shall not be determined by the governing authority of St. Tammany Parish.

SEC. 2-004.00 GO-STAT (St. Tammany Area Transit) Created

Ordinance No. 1126 was unanimously adopted in a special session of the St. Tammany Police Jury on 3/13/80 creating the St. Tammany Parish Transit Authority and appointing members thereof; and

Ordinance No. 1126 appointed members to said Transit Authority; and

It is in the best interest of the public health, safety and welfare for the Governing Authority of St. Tammany Parish to rename the Transit Authority and appoint the Parish Chief Administrative Officer as the oversight administrator; and

In order to rename the Transit Authority and establish GO-STAT as the Parish's new Transit Authority and appoint the St. Tammany Parish Chief Administrative Officer as the oversight administrator it is necessary to replace the Parish Code of Ordinances, Chapter 2, Section 2-004.00.

Ordinance No. 1126 is replaced as follows:

Replace Section I that created the St. Tammany Transit Authority and rename and establish GO-STAT (St. Tammany Area Transit) as St. Tammany Parish's new Transit Authority; and

Replace Section II to vacate the appointed members and appoint the St. Tammany Parish Chief Administrative Officer as the oversight administrator of GO-STAT.

(Ord. No. 1126, adopted 03/13/80, amended and replaced by Ord. No. 09-2035, adopted 04/02/2009)

SEC. 2-005.00 Parish Journal

The selection of the official Parish journal of St. Tammany Parish shall be made at the regular meeting of the Council in July 1980, for a term to end on December 31, 1981; that same is so extended to coincide with the present fiscal year of the Parish.

Therefore, commencing with the regular Council meeting in December 1981, the official parish journal will be selected for 1982, and shall be so selected by the Police Jury in December of each succeeding year for the following calendar (fiscal) year. (Ord. No. 80-07, adopted 07/10/80)

EDITORIAL NOTE: "Council" remains in this Ordinance for historical accuracy.

SEC. 2-006.00 Fee For Delinquent Special Assessment Payments

1. **Amount of fee:** The Department of Administration is authorized to charge special assessment property owners a delinquent fee. This fee shall be at a rate of one percent per month (1%), not to exceed five percent per annum (5% per yr.), on the sum total of principal and interest due for the billing period. The penalty fee shall be calculated starting thirty days (30) after the due date on the invoice.
2. **Due date of special assessment payment.** Unless otherwise stated in the special assessment ordinance, the Department of Administration will establish

the due date as thirty calendar days (30) prior to the payment date of the bond issue. The invoices shall be sent to the property owners forty-five calendar days (45) prior to the invoice due date.

3. **Notification of Police Jury of properties delinquent more than two years.**

The Department of Administration shall notify the Police Jury of special assessment properties that are delinquent more than two years (2 yrs.). The Police Jury will then determine the action to be taken. (Ord. No. 81-197, adopted 05/21/81)

SEC. 2-007.00 Purchasing Procedures

St. Tammany Parish shall follow the purchasing procedures in accordance with Louisiana R.S. 38:2101, et seq. (Public Contracts) and this section.

The Director of Finance, purchasing supervisor and purchasing technician(s) have the authority to issue, amend, administer and/or terminate purchase orders on behalf of St. Tammany Parish upon receipt of a properly authorized requisition or written notice of cancellation from a parish department. The Director of Finance will ensure that requisitions meeting the following criteria are reviewed and approved as indicated prior to initiating any contract action.

A. Materials, supplies and equipment:

The Parish President shall review and approve requisitions that meet state law requirement for "advertisement for bids", not to exceed \$20,000.00. Those exceeding \$20,000.00 must be approved by the Parish Council, unless specifically identified in the Capital Outlay Budget adopted by the Council. (Ord. No. 03-0764, adopted 10/02/2003)

B. Contracts for Professional Services:

1. Establishment of Professional Service List:

a. Each June, the Purchasing Department will advertise for the submission of Request for Qualifications from all interested Professional Service vendors.

b. Upon receipt, the Purchasing Department will separate the vendors into specific categories, prepare the official "Professional Service List" and shall make the list available to all parish departments.

c. Additional vendors may submit their qualifications during the year, at which time the Purchasing Department will revise the Professional Service List and distribute to all departments.

2. Selection of Vendor for Professional Service Contract

- a. The Director of the awarding department shall identify the project and verify that same is an approved expense under the current year Operating and Capital Budgets (if applicable).
- b. The Director of the awarding department shall select three (3) vendors from the Professional List, based upon the qualifications needed for the specific project, who in his/her opinion would be best suited to perform the tasks required.
- c. The Director of the awarding department, through the Purchasing Department, shall issue a Request for Proposals to each of the three (3) vendors for the specific project.
- d. Upon receipt and review of the RFP's, the Director shall present his/her recommendation for the award of the Professional Service Contract to the CAO.
- e. The CAO shall provide the Council Administrator with a copy of the recommendation upon which the Council Administrator shall notify the appropriate Council Member(s) and advise the CAO of any issues of concern.
- f. The CAO will then issue a contract and purchase order.

C. Real Property:

Purchase of land and buildings must be approved by the Parish Council.

D. Public Works Contracts:

Defined as the erection, construction, alteration, improvement or repair of

any public facility or immovable property owned, used or leased by the Parish

must be approved as indicated:

1. Public Works projects (excluding roads and bridges) up to \$150,000.00 shall be approved by the Parish President. Projects exceeding this amount must be approved by the Parish Council unless specifically identified in the Capital Outlay Budget adopted by the Council.

2. Public Works roads and bridges improvements (excluding minor repair)

must be on the current Capital Improvement List as approved by the

Parish Council.

Notice of Contract Approval

Upon approval of any Professional Services or Public Works Contract as authorized by this Section, written notice of the contract and its approval shall be provided to the Parish Council Office.

Dividing or "splitting" purchase requirements in order to circumvent the monetary limitations imposed by state law and this section is strictly prohibited. The Director of Finance shall monitor and challenge such request and report any violations to the Parish President for appropriate action.

The act of an employee who orders and/or accepts supplies and services prior to the submission of an approved requisition and in advance of a purchase order being issued is deemed as an "unauthorized commitment". Such a commitment is not legal and does not obligate the Parish to pay for the supplies or services rendered. A personal liability may be levied against the individual making the unauthorized commitment. The Parish President has the authority to ratify unauthorized commitments which do not require Council approval, however, they will not be routinely approved. A review shall be implemented prior to determining the appropriate action.

The Parish President will appoint Department Heads and/or individuals having the authority to review, approve, or submit requisitions for supplies, materials and services in writing and assign monetary limitations of approval as appropriate. Those appointees will ensure that there is a valid requirement and that sufficient funding within their budget is available for requisitions that are submitted. Unfunded requirements must be approved in accordance with budgeting procedures within the Code of Ordinances.

The Parish President may implement internal controls, purchasing procedures, and amplify this section as deemed necessary to prevent fraud, waste, and abuse of public funds.

(Ord. No. 81-265, adopted 09/22/81; amended by Ord. No. 97-2706, adopted 07/25/97; amended by Ord. No. 98-2929, adopted 8/20/98, amended by Ord. No. 03-0627, adopted 03/06/2003, amended by Ord. No. 09-2125, adopted 09/03/2009)

SEC. 2-007.01 Sale of Adjudicated Property

1. Definition

For the purposes of this section, adjudicated property shall be defined as property that has been procured through legal process that warrants the right of the parish governing authority to seek property for non-payment of property taxes or for any other reason relevant to lien, debts or donation as prescribed by Louisiana law.

2. Sale of Adjudicated Property after Expiration of Redemption Period

After declaration of the Council by Ordinance that the property is deemed surplus, the Office of the Parish President may, after the expiration of period fixed by law for

redemption of adjudicated property, sell the property in the manner specified within this section.

3. Advertising Sale of Adjudicated Property after Expiration of Redemption Period

Any person desiring to be notified in the event specific immovable property will be subject to a post-adjudication sale may file a request for the notice in the mortgage records of the parish where the immovable property is located.

4. Appraisement of Property

The Office of the Parish President, at its option, may have any adjudicated property offered or solicited for sale, appraised by an appraiser licensed in Louisiana to determine the fair market value of said property.

5. Minimum acceptable bid; adjudication to tax debtor or his representatives on payment of taxes and assessments

A. The property shall be adjudicated to the last and highest bidder for cash, payable in current money of the United States, at the time of the adjudication. If the Office of the Parish President elects to have the property appraised, no bid shall be accepted which is less than two-thirds of the appraised value. If no appraisal is requested by the governing body, the minimum bid shall be at least the total amount of statutory impositions, government liens and costs of sale.

B. At any moment before the actual adjudication takes place, whether the property was appraised or not, if the tax debtor, his heir, administrator, executor, assign, or successor, pays to the tax collector of the parish or municipality all taxes, charges imposed pursuant to R.S. 33:1236, or paving or other local improvements assessments due upon the property, including all interest, costs, penalties, taxes or, charges imposed pursuant to R.S. 33:1236, or paving or local improvement assessments which have accrued since the date when the property was adjudicated to the parish to the tax debtor, his heirs, administrator, executor, assign, or successor, as the case may be, by preference over all other bidders, though they may bid larger sums.

C. The Office of the Parish President may elect to allow an adjoining landowner to purchase adjudicated property for the price of one (\$1.00) dollar; provided, that the Office of the Parish President receives sufficient evidence, in its discretion, that the adjoining landowner has maintained the subject adjudicated property for at least one (1) year prior to the sale as per Louisiana Revised Statute 47:2202(B).

6. Reserved.

7. Reserved.

8. The act of sale shall be without any warranty or recourse whatsoever (including warranty of title), even for the return or any reduction of the purchase price, but with subrogation to all rights and actions of warranty that Parish of St. Tammany may have. These waivers of warranty shall be self-operative regardless of whether the waivers are contained in the act of sale, regardless of whether they are clear and unambiguous, and regardless of whether they are brought to the attention of the acquiring person. The Parish of St. Tammany shall reserve all oil, gas and other mineral rights in and to the property to be conveyed, but shall convey the surface rights of the said property.

(Ord. No. 94-2040, adopted 08/18/94; amended by Ord. No. 95-2161, adopted 02/09/95; amended by Ord. 01-0315, adopted 04/03/2001; amended by Ord. No. 11-2537, adopted 06/02/2011; amended by Ord. No. 15-3382, adopted 09/03/2015)

STATE REFERENCE: Statutory law allows for the disposal of adjudicated properties by local governing authorities per R.S. 33:2861 et seq., R.S. 47:2251, 2261 and 2262.

SEC. 2-007.02 Adjudicated Real Estate/Immovable Property

1. That any and all real estate and/or immovable property that is otherwise adjudicated in the future or previously has been adjudicated to the Parish of St. Tammany in any previous year will now be subject to the following program.

2. Reserved.

3. The Office of the Parish President shall hereinafter be charged with the duty and responsibility to develop a program of reclamation of such property, including but not limited to identification of affected property, retention of necessary staff to place any program into effect, establishing a fee schedule, and oversight of all programs, together with advertisement, selling such properties where necessary and reasonable, all as per law.

4. The Office of the Parish President is specifically authorized to establish such an administrative program to immediately address the magnitude of properties currently adjudicated to the Parish since 1974. The Office of the Parish President is likewise exclusively vested with the power and authority to seek out and search all properties since 1974 and to formulate, in conjunction with the Louisiana State Land Office, a plan of identification, redemption, listing, sale or whatever else is necessary to dispose of such property.

5. The Office of the Parish President is authorized the power to negotiate terms and conditions of any sales, enter listing agreements, sign purchase agreements, and such other actions necessary to transfer the Parish's interest in and to such properties, all as per law.

6. Funds received from the sale of such properties shall be dedicated to the general fund.

7. The Office of the Parish President shall adhere to the requirements of the Parish Charter as to the sale of such properties.

8. The Office of the Parish President shall have the option to exercise the method and/or procedure under this Ordinance necessary to dispose of such properties as per (1) the current Parish Ordinance or (2) that which is delineated in state law as to the sale of adjudicated property.

(Ord. No. 01-0315, adopted 05/03/2001; amended by Ord. No. 11-2537, adopted 06/02/2011; amended by Ord. No. 15-3382, adopted 09/03/2015)

SEC. 02-007.03 Donation of Adjudicated Property Authorized

A. Pursuant to the authority provided by La. Const. Art. VII, Sec. 14(B) and (C), [the Parish hereby] establishes a program to promote affordable, safe and decent workforce housing for low to moderate income individuals/families in partnership with Habitat for Humanity St. Tammany West in order to facilitate the donation of adjudicated properties to HFHSTW when a determination is made, by separate ordinance, that such property is available for donation by the Parish in accordance with the stated purpose.

B. The Parish President is hereby authorized to execute a cooperative endeavor agreement with Habitat for Humanity St. Tammany West to ensure that the program serves only those individuals and/or families that are truly eligible, which shall include the following: Any property to be donated by the Parish to HFHSTW will only be used for construction of single family homes sold to qualifying individuals/families of low to moderate income at no profit and with no interest charged; Qualifying individuals/families must have an income between 30% and 60% of Area Median Income (AMI); the potential home owner has to work and/or already live in St. Tammany Parish; the sale must include a "first buy-back option" clause that allows Habitat for Humanity St. Tammany West an opportunity to purchase the property before it can be offered for sale to any other party.

(Ord. No. 12-2757, adopted 07/12/2012)

SEC. 2-008.00 Audits & Minutes Of Meetings To Be Furnished Police Jury

1. All departments, offices, agencies, boards and commissions under the jurisdiction of the Police Jury shall comply fully with the requirements of applicable Federal, State, or local law relative to the conduct of independent post-audits of their accounts and other evidences of financial transaction(s). Audits may be by the State, if applicable, or by private auditors who shall be without personal interest in the affairs subject to audit and shall be by a certified public accountant or a firm of such accountants.
2. One copy of all final audits conducted pursuant to requirements of this section and copies of any other audits that may be conducted by Parish Departments, offices, agencies, boards and commissions whether or not required by law, shall

be submitted to the Police Jury at its first regularly scheduled meeting held after the release of said audit by the person or firm performing the audit and such audits shall thereafter be of public record.

3. One copy of the minutes of each meeting of any Parish Agency, Board or Commission must be transmitted to the Police Jury within ten (10) working days of the acceptance or adoption thereof by such body; said Agency, Board or Commission shall designate one of its members with the responsibility for compliance.
4. Responsibility for compliance with this section insofar as the audit provision is concerned shall rest with the Chief Financial Officer of the particular Department, Office Agency, Board or Commission receiving the audit or having the audit performed.
5. Wilful failure to timely comply with the requirements of this section shall constitute grounds for the recall of any or all appointees of the agency, board or commission by the Police Jury.
6. All Departments, Offices, Agencies, Boards and Commissions under the jurisdiction of the Parish Governing Authority as defined in statement three of the National Council on Governmental Accounting shall be required to submit to the Parish Treasurer two (2) copies of their fiscal year end financial statements in the format so designated by the Parish Treasurer. The statements must be submitted within thirty calendar days (30) of the close of the organization s fiscal year. Failure to comply with these requirements shall subject the governing board to the provisions of paragraph (E) of Section 2-008.0. (Ord. No. 82-341, adopted 04/15/82; Ord. No. 83-717, adopted 11/17/83)

SEC. 2-009.00 Parish Fees And Service Charges

(A) General Government

1.
 1. Administrative documents:
 - a. Code of Ordinances, per copy \$ 300.00
 - b. Supplement to Code, per page 0.50
 - c. Photocopy of ordinances, resolutions, minutes, etc., per page 0.50
 - d. Certification, each 1.50
 - e. Mailout - agenda/notices, per year 210.00
 - f. Public Records Request
 - 1) Copies - black & white .50 Per page

2) Copies - color 1.00 Per page

3) Pre-produced/standardized maps- Non-GIS 5.00 8.5 x 11 Paper

7.00 8.5 x 14 Paper map

10.00 11 x 17 Paper map

35.00 30 x 40 Paper map

15.00 Map on CD

20.00 Map on DVD

10.00 Map on Floppy Disc

4) Custom/Non-standardized maps 5.00 8.5 x 11 paper

7.00 8.5 x 14 paper

10.00 11 x 17 paper

35.00 30 x 40 paper

15.00 Map on CD

20.00 Map on DVD

10.00 Map on Floppy Disc

5) CD/DVD Reproduction 15.00 0 - 1 Hour

(Non-GIS under subsection (G)) 20.00 1 - 2 Hours

25.00 2 - 3 Hours

30.00 3 - 5 Hours

35.00 5 - 6 Hours

A surcharge of \$250.00, in addition to duplication fees, will be charged for duplication of all St. Tammany Parish tapes that have been archived with the Secretary of State, State of Louisiana.(Ord. No. 08-1874, adopted 07/03/2008)

6) Document Transcription 250.00 Deposit

(At the then prevailing customary Court Reporter rate, plus any additional funds as needed).

(Amended by Ord. No. 91-1436, adopted 04/18/91; Ord. No. 97-2689, adopted 07/24/97; amended by Ord. No. 98-2915, adopted 8/20/98; amended Ord. No. 05-1161, adopted 08/04/2005; amended by Ord. No. 07-1649, adopted 09/06/2007)

(2) Alcoholic beverage permit (per year, except as otherwise listed):

1. Wholesale (low content), per year 125.00
2. Class A retail (low content), per year 72.00
3. Class B retail (low content), per year 60.00
4. Wholesale (high content), per year 525.00

e) Retail dealer (first year) 525.00

f) Retail dealer (high content), per year 325.00

g) Dispenser's license, 4 years 60.00

h) Class R (Restaurant), per year 25.00

i) Class LW (light wine), per year 30.00

The amounts indicated in this section include a \$75.00 fee to be paid to the Parish of St. Tammany to cover administrative costs and processing.

Restaurants/cafeterias selling Class "A" alcoholic beverages will also require a Class "R" permit; restaurants/cafeterias selling wine will require a Class "LW" permit.

(Amended by Ord. No. 87-832, adopted 7/16/87; amended by Ord. No. 91-1465, adopted 7/18/91; amended by Ord. No. 94-1952, adopted 04/21/94; amended by Ord. No. 97-2689, adopted 07/24/97)

CROSS REFERENCE : Section 3-120.00-3-158.00, especially Section 3-161.00 concerning qualifications, Section 3-192.00, Ord. No. 88-982)

(3) License fees:

a) Dance Hall, per year 100.00

b) Amusement park, per year 100.00

c) Public swimming pool, per year 25.00

d) Circus show:

1.
 1. Annual, per year 2,400.00
 2. Daily, per day 500.00
2. Music festival:
 1. Annual, per year 4,800.00
 2. Daily, per day 100.00
3. Application fee, each 6.00

(4) Bingo license:

1. Annual, per year 100.00
2. One-time, each 25.00
3. Bingo fees: -Fixed Flat rate of 3% of Net Proceeds after allowable expenses

(Amended by Ord. No. 91-1503, adopted 09/19/91)

(5) Non-sufficient funds charge, each 25.00

(6) Bid Packet Fee. 30.00

(Ord. No. 93-1774, adopted 07/15/93; amended by Ord. No. 97-2689, adopted 07/24/97)

(B) Development:

I. Building Permits; Registration and Associated Fees:

(1) Building Permits

1. Commercial Plan Review

(i) Plan Review \$150.00 base fee plus .01 per sq. ft.

(ii) Projects above 2,000,000 may be subject to \$100.00 base fee and current Southern Building Code Review fees

2. Commercial

(i) New \$140.00 + .21 per sq. ft.

(ii) Additions \$100.00 + .21 per sq. ft.

(iii) Remodel \$85.00 + 5.00 per 1,000 or fraction thereof

(**Contract Amount)

3. Residential

(i) New \$105.00 + .10 per sq. ft.

(ii) Additions \$80.00 + .10 per sq. ft.

(iii) Remodel \$75.00 + 5.00 per 1,000 or fraction thereof

(**Contract Amount/No Contract + .50 per sq. ft.)

4. Mobile Homes

(i) Mobile Homes \$80.00 + .10 per sq. ft. + 5.00 electrical connection

(ii) Licensed Parks \$25.00 + 5.00 electrical connection

5. Miscellaneous

(i) Seasonal retail (tents, temp. structures, pre-fab) \$140.00 + \$21 per sq. ft.

(ii) Land Clearing 150.00

(iii) Residential Demolition 20.00

(iv) Commercial Demolition 40.00

(v) Tennis Courts 40.00

(vi) Tanks 40.00

(vii) Tents 40.00

* (viii) Towers..... 2,000.00 *(ix) Tower
Locations. 1,000.00

(x) Traffic Impact Fee Analysis - This fee shall consist of a \$50 submittal fee plus \$50/mile of roadway to be studied plus \$50/intersection in study area plus

\$50/proposed development in study area that have submitted a tentative plat or conditional use application.

* Including, but not limited to: Telecommunications, Radio and Digital

(Amended by Ord. 99-3001, adopted 1/21/99), amended by Ord. 04-0971, adopted 09/02/2004, amended by Ord. 05-1163, adopted 08/04/2006)

(2) Electrical Permit Fees

a. Commercial

(i) (1%) one percent of the electrical contract

(ii) Minimum Fee 40.00

(iii) Electrical Connection Permit 10.00

b. Residential

(i) 40.00 Base +2.00 per circuit

(ii) Minimum Fee 40.00

(iii) Electrical Connection Permit 5.00

c. Mobile Home

(i) Construction Test Meter 25.00

(3) Mechanical Permit Fees

a. Commercial

(i) (2%) two percent of the mechanical contract up to 200,000 plus (1%) one percent over 200,00

(ii) Minimum Fee 40.00

b. Residential

(i) 40.00 Base + 3.00 per ton of A.C.

(ii) Minimum Fee 40.00

(iii) Change Outs 20.00 per unit/component

c. Miscellaneous

(i) Elevators, builders' hoists, and moving stairs are based on number of floors served:

2 to 4 floors 40.00

5 to 10 floors 75.00

Over 10 floors 100.00

(ii) Dumbwaiters 40.00

(4) Plumbing Permit Fees

a. Commercial

(i) (2%) two percent of the plumbing contract up to 200,000 plus (1%) one percent over 200,000

(ii) Minimum Fee 40.00

b. Residential

(i) 40.00 Base + 1.00 per fixture

(ii) Minimum Fee 40.00

(5) Gas Permit Fees

a. Commercial

(i) (2%) two percent of the gas contract up to 200,000 plus (1%) one percent over 200,000

(ii) Minimum Fee 40.00

b. Residential

(i) 20.00 Base + 1.00 per drop

(ii) Minimum Fee 20.00

(6) Reinspection Fees

a. 1st Reinspection50.00

b. 2nd Reinspection 100.00

. c. 3rd Reinspection 150.00

d. 4th Reinspection 200.00

In the event an application for a fifth reinspection is made, a citation for failure to comply with the Building Code shall be issued.

(Ord. No. 02-0529, adopted 09/05/2002)

Incomplete Reinspection Fees 50.00

(Ord. No. 02-0529, adopted 09/05/2002)

(7) Special Inspections

a. Special Inspections 50.00

b. Special Inspections conducted on Holidays 75.00

(8) Registration and Renewal Fees

a. Building, Electrical, Mechanical and Plumbing 55.00

b. Gas 25.00

c. Delinquent Fees, starting January 1 10.00 per month

d. Inactive Registration 10.00

(Amended by Ord. No. 97-2598, adopted 04/03/97)

II. Zoning and Associated Fees:

A. Zoning changes

1. Existing Developed Single Family Residential

(i) Per Acre 50.00

(ii) Maximum Acreage Fee 1250.00

2. Other Zoning Changes

(i) Per Acre for first 25 acres 100.00

(ii) Per Acre for remaining acres 10.00

(iii) Processing Fee 250.00

(iv) Advertising Fee 75.00

B. Conditional Uses and Plan Reviews for

PUD, ID, and Non-Conforming Uses

1. Single Family 100.00

2. Agricultural 100.00

3. Recreational 100.00

4. Ponds/Excavations under 3 acres 100.00

5. Ponds/Excavations 3-5 acres 200.00

6. Ponds/Excavations 5-10 acres 300.00

7. Ponds/Excavations over 10 acres 400.00

8. Institutional 300.00

9. Commercial, Multi-Family, Industrial, Utility 500.00

10. Traffic Impact Fee Analysis - This fee shall consist of a \$50 submittal fee plus \$50/mile of roadway to be studied plus \$50/intersection in study area plus \$50/proposed development in study area that have submitted a tentative plat or conditional use application.

(Ord. 05-1163, adopted 08/04/2006)

11. Miscellaneous - As determined by Development

The above items under B. will be assessed an advertising fee 50.00

The above items under B. will be assessed an acreage fee for every acre over 5 acres (except items 1-7 and item 10) 10.00

(Ord. 05-1163, adopted 08/04/2006)

C. Administrative/Adm Conditional Use

1. Residential

(i) Home Office/Occupation 25.00

(ii) Temporary Use 25.00

(iii) Residential Structure 50.00

(iv) Pond 50.00

2. Commercial, Institutional, Industrial or other 100.00

D. PCO Review

1. Building (may include signage) 50.00

2. Signage Only 50.00

E. Board of Adjustments

1. Variance 200.00

2. After the Fact Variance 500.00

3. Interpretation 200.00

4. Appeals of Zoning Adm.. 200.00

(Amended by Ord. No. 97-2598, adopted 04/03/97)

III. Subdivisions and Associated Fees:

A. Tentative Subdivision Stage

1. Lot Fee.....\$100.00 filing fee plus \$15.00 per lot.

2. Traffic Impact Fee Analysis - This fee shall consist of a \$50 submittal fee plus \$50/mile of roadway to be studied plus \$50/intersection in study area plus \$50/proposed development in study area that have submitted a tentative plat of conditional use application.

(Ord. 05-1163, adopted 08/04/2006)

B. Preliminary Subdivision Stage

1. Lot Fee 30.00 per lot

2. Sewerage and Water (review fee) 10.00 per lot

3. Linear Ft. of Water Distribution Pipe 0.05 per linear foot

4. Water Supply Facility 30.00 per facility
5. Linear Ft. of Sewerage Collection Pipe 0.10 per linear foot
6. Collection/Treatment Facility 30.00 per facility

C. Final Subdivision Stage

1. Lot Fee 60.00 per lot
2. Sewerage and Water (review fee) 15.00 per lot plus 20.00
3. Map recordation fees – Map Recordation Fees will be collected payable to the "St. Tammany Parish Clerk of Court" in the amount set by the Clerk of Court.

(Amended by Ord. No. 09-2059, adopted 05/07/2009)

D. Resubdivisions

1. 90.00 per acre of total land area to be resubdivided with a maximum fee of 800.00 (Minimum fee of 75.00, pro-rated after the first acre)
2. Map recordation fees – Map Recordation Fees will be collected payable to the "St. Tammany Parish Clerk of Court" in the amount set by the Clerk of Court.

(Amended by Ord. No. 09-2059, adopted 05/07/2009)

E. Revocation Process for Each Application 300.00

F. Commercial Shopping Centers

1. Fees for commercial shopping centers including commercial "strip" shopping centers where lots are not created shall be:

Initial Processing Fee 250.00 and 100.00 per acre

G. Mobile Home Parks/RV Campgrounds Parks/Licensing Fees;

(Where lots are not being sold)

1. Review Fees
 - a. 100.00 per acre of land or fraction thereof

b. Twenty-five percent (25%) of said amount shall be paid to the St. Tammany Parish Planning Commission for those inspections and reviews which are equivalent to tentative approval; and

c. Seventy-five percent (75%) of said amount be paid to the St. Tammany Parish Department of Public Works at the time of those inspection and reviews which are equivalent to preliminary approval.

d. The costs of laboratory testing and inspections for hard surfaced roads will be borne by the developer and will be invoiced through the testing laboratory selected to do the testing.

2. License; Renewal; Transfer Fees

a. Annual fee of \$5.00 per space for the first 5 spaces and \$2.00 per space for each additional space. The license is valid for the calendar year.

b. Renewal: \$5.00 per space for the first 5 spaces and \$2.00 per space for each additional space.

c. Transfer: \$5.00 per space for the first 5 spaces and \$2.00 per space for each additional space.

d. Non-conforming License: \$5.00 per space for the first 5 spaces and \$2.00 per space for each additional space.

H. Seismic Exploratory Permit, each 100.00

1. Exploratory Inspection, each 75.00

2. Exploratory Penalty, each 100.00

I. Special Construction

Special construction requiring the review and inspection by the parish engineer and/or his designees shall have fees established by the administrative official in charge. Examples of special construction are as follows:

Subdivisions requiring minimal construction and improvements, bulkheads, revetments, subsurface drainage, canals and water systems, miscellaneous construction involving the public health, welfare and safety, etc...

CROSS REFERENCE: See Chapter 5, "Building Code", see Chapter 21, "Sewers and Sewage Disposal" in this Code of Ordinances.

J. Marinas

1. 1-10 slips 50.00
2. 11-15 slips 125.00
3. 26-50 slips 300.00
4. Over 50 slips 300.00
5. Plus, per each slip over 50 10.00

(Amended by Ord. No. 96-2465, amended by Ord. No. 97-2598, adopted 04/03/97, amended by Ord. No. 99-3098, adopted 6/17/99)

K. Minor Subdivision

1. \$90.00 per acre (pro-rata after the first acre) up to a maximum of \$800.00. The fees are based on the total land area (all properties where lot lines will be adjusted) to be subdivided.
2. An additional and separate fee shall be required for the recordation of the survey plat as per the fee schedule of the Clerk of Court.

(Amended by Ord. No. 09-2059, adopted 05/07/2009)

IV. Mandatory Impact Fees

A. Short title, authority and application.

1. Title: This Section, Section 2-009.00 (B) IV Mandatory Impact Fees, shall be known and may be cited as the "St. Tammany Parish Impact Fee Ordinance."
2. Authority: The Parish Council has the authority to adopt the ordinance codified herein pursuant to the St. Tammany Parish Home Rule Charter and the Louisiana Constitution of 1974.
3. Application: The St. Tammany Parish Impact Fee Ordinance shall apply to all lands within the unincorporated portion of St. Tammany Parish as follows: (a) Any property that is located south of the Urban Growth Boundary Line, which is the area herein after defined as the "Service Area." (b) In addition, this ordinance shall apply to any property located north of the Urban Growth Boundary line and is zoned for nonresidential use or is zoned for an intensity of development of two dwelling units per acre or greater when said residential development requires the review and approval of the Planning Commission in accordance with the Major Subdivision Process as defined in this section.

B. Purpose.

The establishment of a system for the imposition of road and drainage impact fees within the unincorporated area is intended to assure that new development contributes its proportionate share of the cost of providing, and benefits from the provision of, improvements to the Major Road System and the Major Drainage System.

C. Definitions.

Certain words or phrases unique to this Transportation Impact Fee Ordinance shall be construed as herein set out unless it is apparent from the context that they have a different meaning.

“Building Permit” means that permit required to be issued before any building or construction activity can be initiated on a parcel of land.

"Commercial" means Retail, Office or Institutional uses as defined in this section 2-009.00(B)IV.C.

"Commencement of Construction" means scheduling of an on-site inspection by an employee of St. Tammany Parish for compliance with applicable development regulations. This status can be verified by a site visit as deemed necessary by the Impact Fee Administrator.

"Drainage Capital Improvement" means an improvement to the Major Drainage System. It includes preliminary engineering, engineering design studies, land surveys, land acquisition, engineering, permitting (including use of mitigation bank projects, water quality permits, coastal and environmental projects), construction of all necessary features of regional storm water systems, including regional retention and detention ponds and preservation of natural drainage systems, including land acquisition and wetland mitigation efforts that are part of a parish-wide environmental mitigation plan and/or 10-year capital plan. Improvements required to meet Parish ordinance requirements for on-site retention or detention shall not be considered Drainage Capital improvements.

"Drainage Impact Fee Study" means the Drainage Impact Fee Study prepared by Duncan Associates in July 2012.

“Existing Development” means the most intense use of land within the twelve (12) months prior to the time of commencement of Impact-Generating Development.

“Expansion” of the capacity of a road includes any widening, intersection improvement, signalization or other capital improvement designed to increase the existing road s capacity to carry vehicles.

“Fee Payer” means a person commencing Impact-Generating Development who is obligated to pay a road or drainage impact fee in accordance with the terms of this Impact Fee Ordinance.

"Impact Fee Administrator" means the St. Tammany Parish employee primarily responsible for administering the provisions of this Impact Fee Ordinance or his or her designee.

"Impact-Generating Development" is an approved development of land to permit a use of land that will contain or convert to more dwelling units or floor space than the most intense use of the land within the twelve (12) months prior to the commencement of Impact-Generating Development in a manner that increases the generation of vehicular traffic or creates additional impervious cover.

"Impervious Cover" means man-made surfaces that are impenetrable by water and do not allow percolation into the underlying natural surface, including the footprint of buildings and paved surfaces such as roads, sidewalks, driveways and parking lots.

"Industrial" means Manufacturing, Warehousing or Mini-Warehouse uses as defined in this section 2-009.00(B)IV.C.

"Institutional" means a governmental, quasi-public or institutional use, or a non-profit recreational use, not located in a shopping center. Typical uses include elementary, secondary or higher educational establishments, day care centers, hospitals, mental institutions, nursing homes, assisted living facilities, fire stations, city halls, court houses, post offices, jails, libraries, museums, places of religious worship, military bases, airports, bus stations, fraternal lodges, parks and playgrounds.

"Major Drainage System" means the system of regional storm water detention and retention ponds, natural and man-made storm water conveyance systems, wetlands and water quality elements within St. Tammany Parish for flood prevention and to ensure adequate water quality.

"Major Road System" means the system of major roadways within the Service Area that is comprised of those roads identified in the Road Impact Fee Study and the attached Major Road System List, including those roadways that are subsequently included in the Major Road System List by resolution of the Governing Authority. The Major Road System excludes Interstates and U.S. highways.

"Major Subdivision Process" means the process required by the St. Tammany Parish Subdivision Ordinance No. 499 as outlined in Section 40-040.0 through 40-074.01, specifically being the approval process for subdivisions which requires a hearing, review and approval of the Planning Commission in accordance with Louisiana Revised Statutes 33:101 - 33:120.

"Manufacturing" means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, welding shops, wholesale bakeries, dry cleaning plants, and bottling works.

“Mini-Warehouse” means an enclosed storage facility containing independent, fully enclosed bays that are leased to persons for storage of their household goods or personal property.

“Mobile Home Park” means an area developed or intended to be developed for occupancy by two or more mobile homes that are used for dwelling purposes, and spaces are rented individually to residents.

“Multi-Family” means a dwelling unit that is connected to one or more other dwelling units.

“Non-Site-Related Improvements” means Road Capital Improvements and right-of-way dedications for improvements to the Major Road System that are not site-related improvements.

“Office” means a building not located in a shopping center and exclusively containing establishments providing executive, management, administrative or professional services, and which may include ancillary services for office workers, such as a restaurant, coffee shop, newspaper or candy stand, or child care facilities. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; medical and dental offices and clinics, including veterinarian clinics and kennels; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations.

“Person” means an individual, corporation, governmental agency or body, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other entity.

“Retail” means establishments engaged in the selling or rental of goods, services or entertainment to the general public. Such uses include, but are not limited to, shopping centers, discount stores, supermarkets, home improvement stores, pharmacies, automobile sales and service, banks, movie theaters, amusement arcades, bowling alleys, barber shops, laundromats, funeral homes, vocational or technical schools, dance studios, health clubs and for-profit golf courses.

“Road Capacity” means the maximum number of vehicles that have a reasonable expectation of passing over a given section of a road during an hour without exceeding Level of Service D, expressed in terms of vehicles per hour.

“Road Capital Improvement” means a Non-Site Related Improvement that expands the capacity of the Major Road System within the Service Area. It includes the transportation planning, preliminary engineering, engineering design studies, land

surveys, alignment studies, right-of-way acquisition, engineering, permitting and construction of all necessary features undertaken to accommodate additional traffic resulting from new traffic-generating development, including but not limited to: (a) construction of new through lanes, (b) construction of new bridges, (c) construction of new drainage facilities in conjunction with new road construction, (d) purchase and installation of traffic signals, including new and upgraded signalization, (e) construction of curbs, gutters, sidewalks, medians and shoulders, landscaping and infrastructure to maintain the landscaping, and lighting of intersections, interchanges, and other roadway areas as determined necessary for safe use of the roadway, when undertaken in conjunction with capacity-expanding road improvements. (f) relocating utilities to accommodate new road construction, (g) the construction and reconstruction of intersections to increase capacity, (h) the widening of existing roads, (i) bus turnouts, (j) acceleration and deceleration lanes, (k) interchanges, and (l) traffic control devices, (m) roundabouts, including lighting landscaping and signage related to roundabouts, and (n) environmental mitigation of the impacts of RoadCapital Improvements, including land acquisition and wetland mitigation efforts that are part of a parish-wide environmental mitigation plan and/or payment of Army Corps of Engineers-mandated mitigation fees.

“Road Impact Fee Study” means the Road Impact Fee Study prepared by Duncan Associates in July 2012.

“Rural Drainage Impact Fee” means those fees paid in accordance with these regulations on any property located outside of the Service Area in accordance with Subsection A.3 of this section.

“Rural Road Impact Fee” means those fees paid in accordance with these regulations on any property located outside of the Service Area in accordance with Subsection A.3 of this section.

“Service Area” means the unincorporated area of St. Tammany Parish located south of the Urban Growth Boundary Line.

“Single-Family Detached” means a building arranged or designed to be occupied by one family, including mobile homes not located in a mobile home park, the structure having only one dwelling unit and not attached to any other dwelling unit.

“Site-Related Improvements” means those road capital improvements and right-of-way dedications that provide direct access to the development. Direct access improvements include, but are not limited to, the following: (a) driveways and streets leading to and from the development; (b) right- and left-turn lanes leading to those driveways and streets; (c) traffic control measures for those driveways; and (d) internal streets. Credit is not provided for site-related improvements.

“Trip” means a one-way movement of vehicular travel from an origin (one trip end) to a destination (the other trip end).

“Urban Growth Boundary Line” means the line established by Parish Ordinance 499, which is described as follows:

Beginning at the intersection of the Tangipahoa Parish line and the section corner common to Sections 7 and 19, Township 6 South, Range 10 East, proceed east following the southern boundary of Sections 7, 8, 9, 10, 11, 12, Township 6 South, Range 10 East and Section 7, Township 6 South, Range 11 East, to the section corner common to Sections 7, 8, 17, and 18, Township 6 South, Range 11 East:

Thence proceed in a southeasterly direction along the centerline of the Bogue Falaya River to the section corner common to Sections 22, 27, and 45, Township 6 South, Range 11 East:

Thence proceed east, following the southern boundary of Sections 22, 23, and 24, Township 6 South, Range 11 East and Sections 19, 20, and 21, Township 6 South, Range 12 East to the section corner common to Sections 21, 22, 27, and 28, Township 6 South, Range 12 East:

Thence proceed south to the section corner common to Sections 27, 28, 33, and 34, Township 6 South, Range 12 East:

Thence proceed east following the southern boundary of Sections 26 and 27, Township 6 South, Range 12 East to the section corner common to Sections 25, 26, 35, and 36, Township 6 South, Range 12 East:

Thence proceed in a southerly direction along the common boundary of Sections 35 and 36, Range 12 East, Township 6 South and subsequent section line boundaries to the intersection of said section lines and the centerline of Louisiana Highway 36;

Thence proceed in a southeasterly direction along the centerline of Louisiana Highway 36 to the intersection of Louisiana Highway 36 and the centerline of Louisiana Highway 41;

Thence proceed in a southeasterly direction along centerline of Louisiana Highway 41 to the intersection of Louisiana Highway 41 and the centerline of Louisiana Highway 41 Spur;

Thence proceed in a southeasterly direction along the centerline of Louisiana Highway 41 Spur to the point where Louisiana Highway 41 Spur intersects with Interstate 59;

Thence proceed in a northerly direction along the centerline of Interstate 59 to a point where it intersects with the old U.S. Highway 11 right of way;

Thence proceed in an easterly direction following the centerline of the old U.S. Highway 11 right of way to the intersection of said line and the Mississippi State Line. [END]

“Vehicle-Miles of Travel (VMT)” means the product of the average number of vehicles traveling during the afternoon peak hour of adjacent street traffic on a weekday and the distance (in miles) that they travel on the Major Road System.

“Warehouse” means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Typical uses include wholesale distributors, storage warehouses, moving and storage firms, trucking and shipping operations and major mail processing centers.

D. Time of fee obligation and payment.

1. Any person or government body that causes the commencement of Impact-Generating Development within unincorporated St. Tammany Parish in the Service Area, or outside the service area but zoned for a residential density of two dwelling units per acre or more when said development requires the review and approval of the Planning Commission in accordance with the Major Subdivision Process as defined in this section or any nonresidential use, shall be obligated to pay a road and drainage impact fee, pursuant to the terms of this Transportation Impact Fee Ordinance. The fee shall be determined and paid in accordance with the Impact Fees Schedule in effect at the time of the issuance of the Final Plat approval/building permit and the following schedule:

a. Residential Subdivisions – at the time of Final Plat Approval or within 90 days of recordation of Final Plat if the appropriate security is posted as approved by the Director of Engineering and the Director of Finance. If deemed appropriate by the Director of Engineering and the Director of Finance, a second, third or fourth ninety (90) day period may be granted.

b. Commercial Subdivisions – at the time of Final Plat approval if the size of the end user is known, else at the time of the issuance of a building permit. The payment at Final Plat Approval may be deferred for a period of 90 days of recordation of Final Plat if the appropriate security is posted as approved by the Director of Engineering and the Director of Finance. If deemed appropriate by the Director of Engineering and the Director of Finance a second, third or fourth ninety (90) day period may be granted. If the end user is unknown, or the square footage of the end user is altered, the balance of the fee shall be paid at the time of the issuance of a building permit.

c. Individual Commercial or Residential Structures - at the time of issuance of a building permit for the development.

2. If any credits are due pursuant to subsection 2-009.00(B)IV.H, they shall also be determined at the time of payment. The fee shall be computed separately for the amount of construction activity covered by the permit, if the building permit is for less

than the entire development. If the fee is imposed for an Impact- Generating Development that increases road or drainage impacts because of a change in use, replacement or redevelopment of an existing building or use, the fee shall be determined by computing the difference in the fee schedule between the new Impact-Generating Development and the Existing Development. The obligation to pay the impact fee shall run with the land.

E. Exemptions.

The following shall be exempt from the terms of this Impact Fee Ordinance. An exemption must be claimed by the Fee Payer at the time of application for a building permit.

1. Alterations or expansion of an existing building where no additional dwelling units are created, the use is not changed and
 - a. for the purpose of road impact fees, no additional vehicular trips will be produced over and above that produced by the existing use, or
 - b. for the purpose of drainage impact fees, no additional impervious cover is created.
2. The construction of accessory buildings or structures which
 - a. for the purpose of road impact fees, will not produce additional vehicular trips over and above that produced by the principal building or use of the land, or
 - b. for the purpose of drainage impact fees, will not result in additional impervious cover being created.
3. The replacement of a destroyed or partially destroyed building or structure with a new building or structure of the same size and use, provided that
 - a. for the purpose of road impact fees, no additional trips will be produced over and above that produced by the original use of the land, or
 - b. for the purpose of drainage impact fees, no additional impervious cover will be created.
4. Any development for which a completed application for a building permit was submitted prior to January 1, 2005, provided that the construction proceeds according to the provisions of the permit and the permit does not expire prior to the completion of the construction.

5. Any conditional use, Planned Unit Development (PUD), or subdivision for which a public hearing has been held prior to January 1, 2005, provided that the construction proceeds according to the provisions of the conditional use or subdivision approval within specified time lines.
6. Any development which has an approved voluntary developmental agreement in place as of January 1, 2005.
7. Structures associated with uses recognized as agricultural by the State of Louisiana.
8. If a manifestly unreasonable financial hardship is demonstrated by an applicant for a single family residential building permit, as determined by the Impact Fee Administrator, the impact fees relative to roads and drainage may be waived, subject to the following parameters.
 - a. A manifestly unreasonable hardship shall be defined as a situation where the demonstrated income of the property owner falls within the parameters set by the most recent U. S. Department of Housing and Urban Development - Public Housing and Section 8 Income Limits for Very Low income (50% of regional median income).
 - b. Adequate financial documentation shall be presented to the Impact Fee Administrator to determine qualifications for said waiver.
 - c. No individual may receive more than a single waiver of said fees.
9. Procedure for exemption review.
 - a. The determination of any exemption shall be undertaken through the submission of an Application for Exemption, which shall be submitted to the Impact Fee Administrator.
 - b. If the proposed application involves an exemption for any alteration, expansion or replacement of any existing structure, the following documentation must be provided:
 - (1) A site survey showing the existing structures and the improvements being proposed; and
 - (2) Documentation confirming no additional dwelling units are created, the use is not changed and no additional vehicular trips will be produced or impervious cover created over and above that produced by the existing use.

c. If the proposed application involves another type of permitted exemption, the following documentation must be provided:

(1) Documents evidencing a completed building permit application being submitted prior to January 1, 2005, and completion of construction prior to expiration of the building permit issued; or

(2) Documentation evidencing an approved voluntary developmental agreement in place as of January 1, 2005.

d. The Impact Fee Administrator shall notify the Parish Council Chair of any Application for Exemption Agreement within three (3) days of receipt of said application.

e. Within ten (10) days of receipt of the proposed Application for Exemption Agreement, the Impact Fee Administrator shall determine if the application is complete. If it is determined that the proposed Agreement is not complete, the Impact Fee Administrator shall send a written statement to the applicant outlining the deficiencies. The Impact Fee Administrator shall take no further action on the proposed Application for Exemption Agreement until all deficiencies have been corrected or otherwise settled.

f. Once the Impact Fee Administrator determines that the proposed Application for Exemption Agreement is complete, it shall be reviewed within thirty (30) days. The Application for Exemption Agreement shall be approved if it complies with the standards in subsections 2-009.00(B)IV.E.1. through E.8. above.

g. If the Application for Exemption Agreement is approved by the Impact Fee Administrator, an Exemption Agreement shall be prepared and signed by the applicant and St. Tammany Parish.

10. Appeal of exemption decision.

A Fee Payer affected by the decision of the Impact Fee Administrator regarding an exemption may appeal such decision to the Parish Council by filing with the Impact Fee Administrator, within ten (10) days of the date of the written decision, a written notice stating and specifying briefly the grounds of the appeal. The Impact Fee Administrator shall place such appeal on the Council's agenda for the next regularly scheduled meeting. The Parish Council, after a hearing, shall affirm or reverse the decision of the Impact Fee Administrator based on the standards in subsections 2-009.00(B)IV.E.1. through E.8. above. If the Parish Council reverses the decision, it shall direct the Impact Fee Administrator to grant the exemption in accordance with its findings. The decision of the Parish Council shall be final.

F. Establishment of fee schedule.

1. Any person who causes the commencement of Impact-Generating Development, except those persons exempted or preparing an independent fee calculation study pursuant to subsection 2-009.00(B)IV.G, shall pay a road and drainage impact fee in accordance with the following fee schedules. The definitions in this Impact Fee Ordinance shall be used to determine the appropriate land use type.

a. Road Impact Fee Schedule - Revised Schedule (Effective January 4, 2013)

Single Family Detached Per Dwelling Unit	\$ 1,077.00
Multi-Family Per Dwelling Unit	\$ 598.00
Mobile Home Park per Pad	\$ 361.00
Retail per 1000 sq. ft.	\$ 1,681.00
Office per 1000 sq. ft.	\$ 2,078.00
Institutional per 1,000 sq. ft.	\$ 545.00
Manufacturing per 1,000 sq. ft.	\$ 1,030.00
Warehousing Per 1000 sq. ft.	\$ 444.00
Mini-Storage Per 1000 sq. ft.	\$ 201.00

b. Drainage Impact Fee Schedule – Revised Schedule (Effective January 4, 2013)

Single-Family Detached per Dwelling Unit	\$1,114.00
Multi-Family per Dwelling Unit	\$ 441.00
Mobile Home Park per Pad	\$ 622.00
Commercial per 1000 sq. ft.	\$ 720.00
Industrial per 1000 sq. ft.	\$ 540.00

2. For the purposes of applying the impact fee schedules to nonresidential development, square feet shall be interpreted as follows.

- a. In the road impact fee schedule, square feet refers to gross floor area, defined as the gross floor area of all buildings, measured from the outside surface of exterior walls, but excluding enclosed parking and loading areas.
 - b. In the drainage impact fee schedule, square feet refers to the ground floor area of all buildings, including enclosed parking structures, measured from the outside surface of exterior walls.
3. If the type of Impact-Generating Development for which a building permit is requested is not specified on the above fee schedule, the Impact Fee Administrator shall determine the fee on the basis of the fee applicable to the most nearly comparable type of land use on the fee schedule.

G. Independent Fee Calculation Study.

1. The impact fee may be computed by the use of an Independent Fee Calculation Study at the election of the Fee Payer, or upon the request of the Impact Fee Administrator, for any proposed land development activity interpreted as not one of those types listed on the fee schedule, or as one that is not comparable to any land use on the fee schedule, or for any proposed land development activity for which the Impact Fee Administrator concludes the nature, timing or location of the proposed development makes it likely to generate impacts costing substantially more or less to mitigate than the amount of the fee that would be generated by the use of the fee schedule.
2. The preparation of the Independent Fee Calculation Study shall be the sole responsibility and cost of the Fee Payer.
3. Any person who requests to perform an Independent Fee Calculation Study shall pay an application fee for administrative costs associated with the review and decision on such Study.
4. The Independent Fee Calculation Study for the road impact fee shall be calculated by the use of the following applicable formula:

- a. Road impact fee formula.

$$FEE = VMT \times NET \text{ COST}/VMT$$

$$VMT = PHT \times \% \text{ NEW} \times LENGTH \div 2$$

$$PHT = \text{Trip ends during the PM peak hour during an average weekday}$$

% NEW = percent of trips that are primary trips, as opposed to passby or diverted-link trips

LENGTH = Average length of a trip on the major roadway system

÷ 2 = Avoids double-counting trips for origin and destination

NET COST/VMT = COST/VMT - CREDIT/VMT, calculated to be \$592.00 per daily peak hour vehicle-mile of travel on the major roadway system in the Road Impact Fee Study.

b. Drainage impact fee formula.

FEE = SF x NET COST/SF

SF = Square feet of impervious cover

NET COST SF = COST/SF - GRANT/SF - ONSITE/SF - REV/SF, calculated to be \$0.36 per square foot of impervious cover in the Drainage Impact Fee Study.

COST SF = Cost per square foot of impervious cover for regional drainage improvements that eliminate the need for on-site retention, calculated to be \$1.02 in the Drainage Impact Fee Study.

GRANT/SF = Grant funding credit per square foot of impervious cover, calculated to be \$0.11 in the Drainage Impact Fee Study.

ONSITE/SF = The cost per square foot of impervious cover for on-site retention, calculated to be \$0.58 in the Drainage Impact Fee Study.

REV/SF = Revenue credit per square foot for drainage district or other taxes or fees used for improvements to the Major Drainage System, calculated as the net present value of future payments over a 20-year period.

5. For the purpose of road impact fees, the fee calculation shall be based on data, information or assumptions contained in the Road Impact Fee Study or independent sources, provided that:

- a. The fee calculation is based on the long-term impacts of the development, rather than the unique characteristics of the proposed initial occupant or user; and
- b. The independent source is an accepted standard source of transportation engineering or planning data, or a local study on trip characteristics carried

out by a qualified traffic planner or engineer pursuant to an accepted methodology of transportation planning or engineering.

6. Procedure.

a. An Independent Fee Calculation Study shall be undertaken through the submission of an application for an independent fee calculation. A potential Fee Payer or the Impact Fee Administrator may submit such an application.

b. Within ten (10) days of receipt of an application for Independent Fee Calculation Study from a fee payer, the Impact Fee Administrator shall determine if the application is complete. If the Impact Fee Administrator determines that the application is not complete, a written statement specifying the deficiencies shall be sent by mail to the person submitting the application. The application shall be deemed complete if no deficiencies are specified. The Impact Fee Administrator shall take no further action on the application until it is deemed complete.

c. When the Impact Fee Administrator determines that the application is complete, the application shall be reviewed and the Impact Fee Administrator shall render a written decision in thirty (30) days on whether the fee should be modified and, if so, what the amount should be, based on the standards in subsection 2-009.00(B)IV.G.7. below.

7. Standards.

If, on the basis of generally-recognized principles of impact analysis, it is determined that the data, information and assumptions used by the applicant to calculate the Independent Fee Calculation Study satisfy the requirements of this subsection 2-009.00(B)IV.G., the fee determined in the Independent Fee Calculation Study shall be deemed the fee due and owing for the proposed Impact-Generating Development. The adjustment shall be set forth in a Fee Agreement. If the Independent Fee Calculation Study fails to satisfy the requirements of this subsection, the fee applied shall be that fee established for the Impact-Generating Development in subsection 2-009.00(B)IV.F. above.

8. Appeal of decision.

a. A Fee Payer affected by the administrative decision of the Impact Fee Administrator on an Independent Fee Calculation Study may appeal such decision to the St. Tammany Parish Council, by filing with the Impact Fee Administrator within ten (10) days of the date of the written decision a written notice stating and specifying briefly the grounds of the appeal. The Impact Fee Administrator shall place the appeal on the Council's agenda for the next regularly scheduled meeting.

b. The Parish Council, after hearing, shall have the power to affirm or reverse the decision of the Impact Fee Administrator. In making its decision, the Council shall specify the reasons for its decision and apply the standards in subsection 2-009.00(B)IV.G.7. above. If the Council reverses the decision of the Impact Fee Administrator, it shall direct the Administrator to recalculate the fee in accordance with its decision. In no case shall the Council have the authority to negotiate the amount of the fee or waive the fee. The decision of the Council shall be final and not subject to further administrative appeal.

H. Credits.

1. Any person initiating Impact-Generating Development may apply for credit against road or drainage impact fees otherwise due, up to but not exceeding the full obligation for impact fees proposed to be paid pursuant to the provisions of this Impact Fee Ordinance, for any contributions, construction or dedication of land accepted or received by St. Tammany Parish for Road Capital Improvements or Drainage Capital Improvements, except as provided in subparagraph H.3. hereinbelow.

a. Credit for Road Capital Improvements shall only be used to offset road impact fees otherwise due from the Impact-Generating Development for which the improvement was made.

b. Credit for Drainage Capital Improvements shall only be used to offset drainage impact fees otherwise due from the Impact-Generating Development for which the improvement was made.

c. Credit may be given for Road or Drainage Capital Improvements that are not located in the immediate vicinity of the Impact-Generating Development.

d. Credit may be given against drainage impact fees for wetland donation, preservation and/or improvements, addition of water quality elements, channel improvements, and other work that has a positive impact on the Major Drainage System.

2. Credits for contributions, construction or dedication of land for Road Capital Improvements or Drainage Capital Improvements shall be transferable within the same development, but shall not be paid for other public facilities. The credit shall not exceed the amount of the applicable impact fees due and payable for the proposed Impact-Generating Development.

3. When deemed appropriate for the furtherance of necessary infrastructure improvements, St. Tammany Parish Government may enter into Development Agreements, as authorized under La RS 33:4780.21, as part of credit agreements

established in accordance with this section, subject to all limitation of this section and the applicable statutes.

4. Credit shall be in an amount equal to fair market value of the land dedicated for right-of-way at the time of dedication, the fair market value of the construction at the time of its completion, or the value of the contribution or payment at the time it is made for construction of a Road Capital Road Improvement or a Drainage Capital Improvement.

5. Credits may include any dedication, construction, or contributions made by outside parties subject to the limitations of this subsection 2-009.00(B)IV.H.

6. Procedure for credit review.

a. The determination of any credit shall be undertaken through the submission of an Application for Credit Agreement, which shall be submitted to the Impact Fee Administrator.

b. If the proposed application involves a credit for any contribution, the following documentation must be provided:

- (1) A certified copy of the development approval in which the contribution was agreed;
- (2) If payment has been made, proof of payment; or
- (3) If payment has not been made, the proposed method of payment.

c. If the proposed application involves credit for the dedication of land:

- (1) A drawing and legal description of the land;
- (2) The appraised fair market value of the land at the date a building permit is proposed to be issued for the impact-Generating land development activity, prepared by a professional Real Estate Appraiser who is a member of the Member Appraisal Institute (MAI) or who is a member of Senior Residential Appraisers (SRA), and if applicable, a certified copy of the development permit in which the land was agreed to be dedicated.

d. If the proposed Application for Credit Agreement involves construction:

- (1) The proposed plan of the specific construction prepared and certified by a duly qualified and licensed Louisiana engineer or contractor;

(2) The projected costs for the suggested improvement, which shall be based on local information for similar improvements, along with the construction timetable for the completion thereof. Such estimated cost shall include the cost of construction or reconstruction, the cost of all labor and materials, the cost of all lands, property, rights, easements and franchises acquired, financing charges, interest prior to and during construction and for one (1) year after completion of construction, costs of plans and specifications, surveys of estimates of costs and of revenues, costs of professional services, and all other expenses necessary or incident to determining the feasibility or practicability of such construction or reconstruction.

e. The Impact Fee Administrator shall notify the Parish Council Chair of any Application for Credit Agreement within three (3) days of receipt of said application.

f. Within ten (10) days of receipt of the proposed Application for Credit Agreement, the Impact Fee Administrator shall determine if the application is complete. If it is determined that the proposed Agreement is not complete, the Impact Fee Administrator shall send a written statement to the applicant outlining the deficiencies. The Impact Fee Administrator shall take no further action on the proposed Application for Credit Agreement until all deficiencies have been corrected or otherwise settled.

g. Once the Impact Fee Administrator determines that the proposed Application for Credit Agreement is complete, it shall be reviewed within thirty (30) days. The Application for Credit Agreement shall be approved if it complies with the standards in subsections 2-009.00(B)IV.H.1. through H.5. above.

h. If the Application for Credit Agreement is approved by the Impact Fee Administrator, a Credit Agreement shall be prepared and signed by the applicant and St. Tammany Parish. It shall specifically outline the contribution, payment, construction or land dedication, the time by which it shall be completed, dedicated or paid, and any extensions thereof and the dollar credit the applicant shall receive for the contribution, payment or construction.

7. Appeal of credit decision.

A Fee Payer affected by the decision of the Impact Fee Administrator regarding credits may appeal such decision to the Parish Council by filing with the Impact Fee Administrator, within ten (10) days of the date of the written decision, a written notice stating and specifying briefly the grounds of the appeal. The Impact Fee Administrator shall place such appeal on the Council's agenda for the next regularly scheduled meeting. The Parish Council, after a hearing, shall affirm or

reverse the decision of the Impact Fee Administrator based on the standards in subsections 2-009.00(B)IV.H.1. through H.5. above. If the Parish Council reverses the decision, it shall direct the Impact Fee Administrator to readjust the credit in accordance with its findings. The decision of the Parish Council shall be final.

8. Amendments to Credit Agreement.

Any amendments to a Credit Agreement must meet all standards and conditions of subsection 2-009.00(B)IV.H including the procedure for credit review outlined in subsection 2-009.00(B)IV.H.6.

I. Fee Expenditures.

1. St. Tammany Parish shall establish the following Impact Fee Accounts:

a. St. Tammany Parish shall establish the appropriate Road Impact Fee Escrow Accounts, as deemed necessary by the Director of Finance, for the purpose of ensuring that Fee Payers receive sufficient benefit for road impact fees paid on projects in accordance with the standards of this Section.

b. St. Tammany Parish shall establish the appropriate Drainage Impact Fee Escrow Accounts, as deemed necessary by the Director of Finance, for the purpose of ensuring that Fee Payers receive sufficient benefit for drainage impact fees paid on projects in accordance with the standards of this Section.

2. All road impact fees collected by St. Tammany Parish shall be immediately deposited into the appropriate Road Impact Fee Account. All drainage impact fees collected by St. Tammany Parish shall be immediately deposited into the appropriate Drainage Impact Fee Account.

3. All proceeds in the Road and Drainage Impact Fee Accounts not immediately necessary for expenditure shall be invested in an interest-bearing account. All income derived from these investments shall be retained in the applicable Impact Fee Account. Records of the Road and Drainage Impact Fee Accounts shall be available for public inspection.

4. Each year, at the time the annual budget is reviewed, the Impact Fee Administrator shall recommend appropriations to be spent from the Impact Fee Accounts to the Parish Council. After review of the recommendation, the Council shall approve or modify the recommended expenditures of the Impact

Fee Account monies. Amendments of the list of these projects during the course of the fiscal year may be made by resolution of the Council. Any amount not appropriated from the Impact Fee Accounts, together with any interest earnings, shall be carried over to the following fiscal period.

a. Expenditures of the Road Impact Fee Fund shall be only for Non-Site-Related Improvements to the Major Road System in the Service Area, provided that funds collected prior to January 4, 2013 may be spent anywhere in the parish in accordance with the provisions of the prior Impact Fee Ordinance.

b. Expenditures of the Drainage Impact Fee Fund shall be only for Drainage Capital Improvements that benefit the Service Area, provided that funds collected prior to January 4, 2013 may be spent anywhere in the parish in accordance with the provisions of the prior Impact Fee Ordinance.

c. Expenditures shall be made from the Rural Road Impact Fee Fund only for Non-Site-Related Improvements to the Major Road System outside of the Service Area, but in such a manner as to address the road impacts of the development from which the funds were collected.

d. Expenditures shall be made from the Rural Drainage Impact Fee Fund for Drainage Capital Improvements outside of the Service Area, but in such a manner as to address the drainage impacts of the development from which the funds were collected.

5. Each year, the Impact Fee Administrator shall prepare a report to the Parish Council identifying the expenditures of the previous year for the projects for which the Council approved funds.

J. Refunds.

1. Effective January 4, 2013, if a building permit expires or is canceled without commencement of the construction, the fee payer shall be entitled to a refund, without interest, of the impact fee. The fee payer shall submit an application for the refund to the Impact Fee Administrator within 90 days of the expiration of the permit. Failure to submit the application for refund within the time specified constitutes a waiver of any claim to such monies. Upon review of the completed application, the Impact Fee Administrator shall issue the refund if it is clear the building permit has expired without the commencement of construction.

2. Refund of fees not spent: Any fees collected may be returned to the Fee Payer or the Fee Payer's successor in interest if the fees have not been spent within ten (10) years from the payment of the impact fee, along with interest of three percent

(3%) a year. Fees shall be deemed to be spent on the basis of the first fee collected shall be the first fee spent.

The refund shall be administered by the Impact Fee Administrator, and shall be undertaken through the following process:

a. A Refund Application shall be submitted within one (1) year following the end of the tenth year from the date on which the building permit was issued on the proposed development. The Refund Application shall include the following information:

1. A copy of the dated receipt issued for payment of the fee;
2. A copy of the building permit; and
3. Evidence that the applicant is the successor in interest to the fee payer.

b. Within ten (10) days of receipt of the Refund Application, the Impact Fee Administrator shall determine if it is complete. If the Impact Fee Administrator determines that the application is not complete, a written statement specifying the deficiencies shall be forwarded by mail to the person submitting the application. Unless the deficiencies are corrected, the Impact Fee Administrator shall take no further action on the Refund Application.

c. When the Impact Fee Administrator determines that the Refund Application is complete, it shall be reviewed within thirty (30) days, and shall be approved if it is determined that the Fee Payer or a successor in interest has paid a fee which has not been spent within the period of time permitted under this Impact Fee Ordinance. The refund shall include the fee paid plus interest.

3. Appeal of refund decision: A Fee Payer affected by a decision of the Impact Fee Administrator may appeal such decision to the Parish Council by filing with the Impact Fee Administrator, within ten (10) days of the date of the written decision, a written notice stating and specifying briefly the grounds of the appeal. The Impact Fee Administrator shall place such appeal on the Council's agenda. The Council, after a hearing, shall affirm or reverse the decision of the Impact Fee Administrator based on the standards in this subsection 2-009.00(B)IV.J. If the Parish Council reverses the decision of the Impact Fee Administrator, it shall direct the Administrator to readjust the refund in accordance with its findings. In no case shall the Council have the authority to negotiate the amount of the refund. The decision of the Parish Council shall be final.

K. Periodic Review.

At least once every five (5) years, the Impact Fee Administrator shall recommend to the Parish Council whether any changes should be made to the Road Impact Fee Study or the Drainage Impact Fee Study and the ordinance codified herein. The purpose of this review is to analyze the effects of inflation on actual costs, to assess potential changes in needs, to assess any changes in the characteristics of land uses, and to ensure that the road and drainage impact fees will not exceed a proportionate share of the costs attributable to new development.

(Ord. No. 04-0990, adopted 11/04/2004 - effective January 1, 2005; amended by Ord. No. 05-1038, adopted 01/06/2005; amended by Ord. No. 05-1069, adopted 03/03/2005; amended by Ord. 06-1369, adopted 09/07/2006; amended by Ord. No. 09-2050, adopted 05/07/2009; amended by Ord. No. 13-2876, adopted 01/03/2013)

V. Tree Bank Program Fee

The method for calculation for payments to the Tree Bank Program shall be based on the following formula: \$100.00 per caliper inch.

(Ord. No. 14-3234, adopted 11/06/2014)

(C) Public Works:

- a. Acceptance fee, roads, per application 50.00
- b. Flood zone verification 50.00

(Building permit applications are exempt from this fee)

(Ord. No. 88-975, adopted 07/21/88; Ord. No. 89-1026, adopted 01/09/89; Ord. No. 89-1101, adopted 06/19/89; Ord. No. 89-1160, adopted 10/19/89; Ord. No. 89-1175, adopted 10/30/89; Ord. No. 90-1369, adopted 11/15/90; Ord. No. 90-1388, adopted 12/20/90; Ord. No. 91-1530, adopted 11/21/91; by Ord. No. 96-2405, adopted 04/18/96; Ord. No. 97-2689, adopted 07/24/97)

(D) Culture and Recreation:

A. Library fines and fees (See Chapter 19):

1. Late fine:

Per day 0.05

Per book 1.00

Library card replacement, each 1.00

Book damage, minimum 0.50

Microfilm rental, per roll 3.00

(E) Government Access Channel:

St. Tammany Parish Government Access Channel (GAC-TV) provides duplication (dubbing) of master program tapes of regularly scheduled public meetings, special public meetings (if they are videotaped), and programs produced in-house. No program will be duplicated prior to being cablecast over the Government Access Channels.

No facilities will be made available for viewing master program tapes.

Under no circumstance will master video tapes be permitted to leave the GAC-TV office.

All dub requests must be in writing, and paid for in advance (NO EXCEPTIONS). Dubs will be completed in the order in which they are received in the GAC-TV office.

The time given for completion of dubs is estimated and not guaranteed.

Duplication (dubs) will be done only as duplicating equipment and staff are available during regular work hours (8:00 A.M. - 4:30 P.M.) Monday through Friday. Under no circumstance will overtime be incurred for duplication requests.

GAC-TV fees for video tape duplication (straight VHS dubs only, no editing out segments):

0-1 hour programs 15.00

1-2 hour programs 20.00

2-3 hour programs 25.00

3-5 hour programs 30.00

5-6 hour programs 35.00

Other Charges:

A surcharge of \$250.00, in addition to duplication fees, will be charged for duplication of all St. Tammany Parish tapes that have been archived with the Secretary of State, State of Louisiana.

Delays/priority

Requests by St. Tammany Parish staff will take priority over all dub requests and may cause a delay in completion time.

St. Tammany Parish staff will not be responsible for delays in completing dub requests caused by equipment and technical problems.

St. Tammany Parish staff will not be held responsible for program tapes found damaged or missing from tape files, or tapes that have incurred technical problems, such as partial loss of audio and/or video during taping of programs.

(Ord. No. 97-2689, adopted 07/24/97, amended by Ord. no. 03-0798, adopted 12/04/2003))

(F) Service Monitoring Fee

1. A uniform service monitoring fee of two percent (2%) on gross sales derived from the unincorporated portions of St. Tammany Parish is hereby imposed on all municipally owned utility companies currently operating in the Parish without a valid, written service agreement, on all renewed service agreements with municipal utility companies currently operating in the Parish with a valid, written service agreement, and on all publicly owned utility companies that wish to establish a franchise service area in unincorporated portions of St. Tammany in the future pursuant to La. R.S. 33:4361, said service agreement fee is being imposed to fund the monitoring of all activities associated with the placement and location of public utilities in Parish rights-of-way.

2. The service agreement fee will be computed according to a two percent (2%) schedule and payable quarterly on or before April 15 for the first quarter, July 15 for the second quarter, October 15 for the third quarter, and January 15 for the fourth quarter. Attached to the payment of the franchise fee will be a statement showing the gross sales or revenue derived from the unincorporated portions of St. Tammany Parish for the months reported. Delinquent balances shall accrue interest at twelve percent (12%) per annum beginning on the first day following the due date of the payment. (Ord. No. 97-2710, adopted 08/21/97)

Cross Reference: Sec. 12-201.00, Sec. 20-010.11, and Appendix A

(G) Management Information Services

(Ord. No. 05-1161, adopted 08/04/2005)

1. Geographic Information System

The Geographic Information System provides for the preparation and sale of data whether in paper or digital format. This data is a compilation of data from various sources at various scales and accuracy's.

A. Sale of GIS Data:

The department of GIS or such other agency as the Director of Management Information Services (primarily known as MIS) shall designate, may develop, implement and maintain a Geographic Information System (GIS) primarily for the use of the various agencies of the Parish and, if authorized by the Director of MIS or a designee, for the limited use of other persons, or entities. The GIS, as the same may be further defined in writing by the Director of MIS, shall be made up of digital data ("GIS data") electronically created, collected, formatted, manipulated or otherwise maintained by the Parish.

B. Procedures for Requesting GIS data:

St. Tammany Parish Department of MIS will not accept any GIS request by telephone. All GIS Data/Map request should use the Data/Map Request Form. (Attached, Exhibit A). All requests must be paid in advance. All requests, must be submitted by postal service, fax, email or in person.

C. Fees for GIS Data/Maps

c1. **Fixed Rate Costs** (Previously Formatted Digital Images)

Paper Maps/Paper Maps on other Media

30 x 40 Paper	\$ 35.00
8.5 x 11 Paper	\$ 5.00
8.5 x 14 Paper	\$ 7.00
11 x 17 Paper	\$ 10.00
Paper Map on CD Media	\$ 7.00
Paper Map on DVD Media	\$ 12.00
Paper Map on Floppy Disk Media	\$ 3.00

* If multi-media is required, the charge will be as follows:

The first media will be at the price listed above. The additional media will be charged at an hourly rate of \$50.00 an hour (minimum quarter hour billing), plus cost of media.

c2. **Layers** (Digital Source Data Files – Shapefiles, Imagery, Coverage)

The St. Tammany Parish GIS information is organized into layers. Below is a list of the layers and their availability at this time. This is the most popular option for engineering, planning and architectural firms that need the source data in digital format for use in their own GIS or CAD software packages. The Parish holds the right to change the contents of this list at any time without notice.

Note: The layers listed below may be requested for production on paper or paper map on media and will be charged at the fixed rate cost above and (if needed) the custom rate cost below.

St. Tammany Parish Coverage Layers	Available	Commercial	Non-Commercial
Parish Boundary	Yes	\$ 500.00	\$ 250.00
Parish Council Districts	Yes	\$ 500.00	\$ 250.00
Voting Precincts	Yes	\$ 500.00	\$ 250.00
Tax Districts	Yes	\$ 500.00	\$ 250.00
Wards	Yes	\$ 500.00	\$ 250.00
School Board Districts	No	\$ 500.00	\$ 250.00
Sewerage Districts	Yes	\$ 500.00	\$ 250.00
Water Districts	Yes	\$ 500.00	\$ 250.00
Louisiana Senate Districts (St. Tammany Only)	Yes	\$ 500.00	\$ 250.00
Louisiana House of Rep. (St. Tammany Only)	Yes	\$ 500.00	\$ 250.00
Lighting Districts	Yes	\$ 500.00	\$ 250.00
Enterprise Zones	Yes	\$ 500.00	\$ 250.00
Hospital Districts	Yes	\$ 500.00	\$ 250.00
Drainage Districts	Yes	\$ 500.00	\$ 250.00
Road Districts	Yes	\$ 500.00	\$ 250.00
Zoning Districts	Yes	\$ 500.00	\$ 250.00
Zoning Linear Features	Yes	\$ 500.00	\$ 250.00
6500 Ft. Photo Grid	Yes	\$ 500.00	\$ 250.00
Flood Zones (FEMA Q3 Data)	Yes	\$ 500.00	\$ 250.00

St. Tammany Parish Coverage Layers (ND2025)	Available	Commercial	Non-Commercial
Existing Land Use	Yes	\$ 500.00	\$ 250.00
Future Land Use	Yes	\$ 500.00	\$ 250.00
STATSGO Soils (Detailed Soils)	Yes	\$ 500.00	\$ 250.00
Hydric Soils	Yes	\$ 500.00	\$ 250.00
Natural Community Habitats	Yes	\$ 500.00	\$ 250.00
Flood Zones (FEMA Q3 Data)	Yes	\$ 500.00	\$ 250.00
Public Facilities	Yes	\$ 500.00	\$ 250.00
Property Layers	Available	Commercial	Non-Commercial
Lots	Partial	\$ 500.00	\$ 250.00
Ownership Hooks	No	\$ 500.00	\$ 250.00
Parcels	Partial	\$ 500.00	\$ 250.00
Village Owned Parcels	Partial	\$ 500.00	\$ 250.00
Survey Related Layers	Available	Commercial	Non-Commercial
Township and Range	Yes	\$ 500.00	\$ 250.00
Sections	Yes	\$ 500.00	\$ 250.00
Tammany Trace	Yes	\$ 500.00	\$ 250.00
Reference Layers	Available	Commercial	Non-Commercial
Centerline	Yes	\$ 500.00	\$ 250.00
Streets (Line work and Names)	Yes	\$ 500.00	\$ 250.00
Hydrology Line	Yes	\$ 500.00	\$ 250.00
Hydrology Poly	Yes	\$ 500.00	\$ 250.00
Major Regional Roads	Yes	\$ 500.00	\$ 250.00
Points of Interest	Yes	\$ 500.00	\$ 250.00
Railroad Tracks	Yes	\$ 500.00	\$ 250.00
Street Edges	Yes	\$ 500.00	\$ 250.00

Municipal Boundaries	Yes	\$ 500.00	\$ 250.00
Subdivisions	Yes	\$ 500.00	\$ 250.00
Schools	Yes	\$ 500.00	\$ 250.00
Parish Barn Sites	Yes	\$ 500.00	\$ 250.00
Parish Barn Areas	Yes	\$ 500.00	\$ 250.00
Watersheds	Yes	\$ 500.00	\$ 250.00
Zoning	Yes	\$ 500.00	\$ 250.00
Recreation Layers	Available Commercial	Non-Commercial	
Recreation Districts	Yes	\$ 500.00	\$ 250.00
Parks	Yes	\$ 500.00	\$ 250.00
Fire Layers	Available Commercial	Non-Commercial	
Fire Districts	Yes	\$ 500.00	\$ 250.00
911 Address Grids	Yes	\$ 500.00	\$ 250.00
Fire Stations	Yes	\$ 500.00	\$ 250.00
Census Layers	Available Commercial	Non-Commercial	
Census Blocks 1990	Yes	\$ 500.00	\$ 250.00
Census Blocks 2000	Yes	\$ 500.00	\$ 250.00
Census Tracts	Yes	\$ 500.00	\$ 250.00
Other	Available Commercial	Non-Commercial	
Contours Lydar (Atlas)	Yes	\$ 500.00	\$ 250.00
Spot Elevation Lydar (Atlas)	Yes	\$ 500.00	\$ 250.00
Building Footprints	Yes	\$ 500.00	\$ 250.00
Address Points	Yes	\$ 500.00	\$ 250.00
Cellular Towers	No	\$ 500.00	\$ 250.00

Billboards	No	\$ 500.00	\$ 250.00
Zip Codes	Yes	\$ 500.00	\$ 250.00
USGS Quad Coverage	Yes	\$ 500.00	\$ 250.00
Aerials	Available	Commercial	Non-Commercial
2000/2001	Yes	\$ 120.00 p/tile	\$ 60.00 p/tile

(one tile of aerial is 6500' x 6500')

Due to an existing license agreement, St. Tammany Parish Department of MIS is only authorized to provide copies of the centerline road file with the associated data to other Government agencies.

c3. **Custom Rate Costs** (any image that requires additional effort from staff other than simply running map generating programs.)

** The cost of this data will be at an hourly rate of \$50.00 per hour (minimum quarter hour billing) plus media, as listed above.

c4. **Postage** (if required) will be billed as follows:

\$ 2.00 per package plus postage

c5. **GIS Data Subscription**

St. Tammany Parish Department of MIS allows for public and private entities to receive regular updates of the GIS data through Bi-Annual or Quarterly updates. St. Tammany Parish Department of MIS charges a fee based on the subscription schedule identified in the table below.

Government Agencies Number of Updates Annual Cost

Quarterly Subscription	4	\$ 2,500.00
Bi-Annual Subscription	2	\$ 1,250.00

Private Sector Number of Updates Annual Cost

Quarterly Subscription	4	\$ 3,000.00
Bi-Annual Subscription	2	\$ 1,500.00

D. License Required for Digital Source Data Files:

The following information is an overview of information authorized and not authorized in the St. Tammany Parish Geographical Data Licensing Agreement. (Attachment, Exhibit B)

d1. It shall be unlawful for any person or entity, other than another governmental entity, to acquire, maintain or use any application GIS data without first obtaining a mutual, signed license agreement (hereinafter "license") issued by the Director of MIS or designee and in a form prescribed by the same, under the conditions set forth in this section and upon the payment of a fee as also provided for in this section;

d2. All GIS licenses issued pursuant to this section shall be executed by the person or entity requesting the GIS data ("licensee") and shall set forth the purposes for which the licensee intends to use the GIS data. The Director of MIS or a designee shall either approve or deny the licensees proposed use of the data and if such use is approved, the license shall be issued upon the agreement of the licensee that it acknowledges and will comply with the following expressed conditions and understandings;

d3. The licensee will not copy, reproduce, disseminate, transmit, license, sublicense, assign, lease, release, publish, post on the internet, transfer, sell, allow the use of, permit access to, distribute, allow interactive rights to, or otherwise make the GIS data available to any other person or entity in any form whatsoever, except as specifically provided for in the license and authorized by the Director of MIS;

d4. The licensee will keep and maintain the GIS data in a secure manner, will keep a record of the location of the GIS data, and will return the GIS data to the Parish or destroy the GIS data and inform the Parish of the same upon the cessation of the use of the GIS data;

d5. The licensee guarantees and has an ongoing and continual duty to notify any employees, agents, contractors or other individuals having access to the GIS data as a part of the licensee's authorized use of the GIS data of the restrictions set forth in this section and in the license, and to ensure that the employees, agents, contractors or other individuals comply with the same;

d6. The licensee acknowledges and understands that the GIS data is not a legally recorded map, survey, or legal document and that the GIS data may contain errors; the GIS data is for reference only and the licensee will not use or rely upon the GIS data in any other way;

d7. The licensee acknowledges and understands that the Parish has provided the GIS data on an "AS IS" basis and makes no representations, guarantees, or warranties regarding this GIS data whatsoever, including but not limited to representations, guarantees or warranties that the GIS data is fit for any purpose or is accurate, complete or correct; and further that the Parish expressly disclaims any and all liability

of any nature whatsoever arising out of any use of the GIS data by the licensee or by any other person or entity; licensee specifically releases the Parish from any claims or losses related hereto;

d8. The licensee shall defend, release, indemnify and save and hold harmless the Parish and its officers, agents and employees from any and all claims, damages, demands, liabilities, losses, actions, suits, costs, expenses, legal fees, judgments, causes of action or other legal, equitable or administrative proceedings of any kind whatsoever, of or by anyone whomsoever, regardless of the legal theory(ies) upon which premised, which in any way result from, are connect with, or arise out of, directly or indirectly, the actions or omissions of the licensee in connection with any use of the GIS data obtained by the licensee or any other person or entity, including actions or omissions of the licensee's officers, employees, agents, representatives, invitees, licensees, sub consultants, or any other individual obtaining access to the GIS data provided by the Parish to the licensee;

d9. The licensee will, upon request from the Parish, use its best efforts to assist the Parish in identifying any unauthorized use of the GIS data by any person or entity that may have gained possession of the GIS data provided by the Parish to the licensee;

d10. The licensee understands that any person who violates the terms and conditions of this Ordinance by failing to pay or violating any portion of this Ordinance, shall be guilty of an infraction and may be fined Twenty Five Thousand dollars (\$25,000.00), plus a reasonable attorney fee, all Parish administrative costs and court costs. In the event there are multiple violations, each violation will be deemed a separate offense;

d11. If any copying or reproduction of the GIS data is specifically provided for in the license and authorized by the Director of MIS or designee, the licensee shall affix a copyright and limitation on use notice, in the form, manner and location as is specified in the license, to all copies or reproductions of the GIS data that the licensee guarantees;

E. Third Party Access:

If it is necessary for Licensee to make the GIS data available to agents, contractors, consultants or other third parties for licensee's business purposes, licensee must obtain from 'each' agent, contractor, consultant or other third party a signed copy of the St. Tammany Parish Government Geographical Data Licensing Agreement. (Attachment, Exhibit B)

F. Data Sharing:

The following information is an overview of information authorized and not authorized in the attached St. Tammany Parish Geographical Data Licensing Sharing Agreement. (Attachment, Exhibit C)

f1. When it is in the best interest of St. Tammany Parish Government and other parties or entities to enter into an agreement to share data, a GIS Sharing Agreement will be required.

f2. Licensee and St. Tammany Parish agrees to reformat, reproject and copy the digital maps, at no cost to the licensee, and to permit the licensee to use said digital maps for the purposes of maintaining and updating a digital GIS layer, provided that the licensee does not reformat or copy or distribute the digital maps and otherwise complies with the terms of this agreement.

f3. The Licensee agrees to update, maintain and provide at no cost to St. Tammany Parish Government the digital GIS data developed using their GIS.

f4. The licensee agrees to update files and deliver to the Parish in ArcView format (SHP) quarterly.

f5. The licensee agrees that the digital maps will not be reformatted or copied, nor be further reproduced, distributed or permitted to be used by any other person, firm, corporation, association or entity.

f6. Failure to fulfill the terms of the sharing agreement will result in payment in full for the cost of the layers provided, as part of the agreement.

G. Deposit of Funds:

St. Tammany Parish Government GIS department previously established the St. Tammany Parish Mapping Fund. All fees collected under this Ordinance shall be deposited in this fund. All monies in the Mapping Fund shall be used to replenish supplies used to fill data request.

H. Miscellaneous:

The digital maps provided by the Parish shall remain the property of the Parish, which shall retain all rights commensurate with ownership, including the right to sell, release, license, and use or provide the digital maps to others as it deems appropriate in its sole discretion.

I. Venue:

In the event of a dispute, all claims shall be brought in the 22nd Judicial District Court in the Parish of St. Tammany.

(Ord. No. 05-1161, adopted 08/04/2005, amended by Ord. No. 09-2050, adopted 05/07/2009)

1. \$90.00 per acre (pro-rata after the first acre) up to a maximum of \$800.00. The fees are based on the total land area (all properties where lot lines will be adjusted) to be subdivided.

2. An additional and separate fee shall be required for the recordation of the survey plat as per the fee schedule of the Clerk of Court.

2. An additional and separate fee shall be required for the recordation of the survey plat as per the fee schedule of the Clerk of Court.

SEC. 2-010.00 Communication District No. 1

1. **Established:** There is established a Communication District entitled "St. Tammany Communication District No. 1 which shall comprise all of the territory lying wholly within the Parish. The District shall be a political and legal subdivision of the State, with power to sue and be sued in its corporate name and to incur debt and issue bonds. The issuance of debt shall be as prescribed in R.S. 33:9101.
2. **Purpose:** The purpose of the District is to shorten the time required for a citizen to request and receive emergency aid. The District is to establish the number 911 as the primary emergency telephone number for use by the District.
3. **Appointment of Board of Commissioners:** The Board of Commissioners shall consist of seven (7) members appointed by the following method:
 1. Three (3) members appointed by the Parish Council representing the Parish Governing Authority who may be Parish Council members;
 2. One (1) member appointed by the Parish President;
 3. One (1) member appointed by the Parish Council representing the Parish Sheriff's office which shall be nominated by the Sheriff;
 4. One (1) member appointed by the Parish Council representing the Municipal Police Chiefs who shall be nominated by a vote of said Police Chiefs;
 5. One (1) member appointed by the Parish Council representing the District Fire Chiefs who shall be nominated by a vote of said Fire Chiefs.
 6. The Executive Director of the District shall be a non-voting ex-officio member of the Board of Commissioners.

(Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 13-2982, adopted 07/11/2013)

4. **Powers; Methods; Funding:** The powers of the commission, methods available, and funding for the District shall be as prescribed in R.S. 33:9103-9106.

5. **Terms:** The Board members shall serve 4-year terms concurrently with the Parish President and Council/

(Ord. No. 86-620, adopted 05/15/86; amended by Ord. No. 96-2475, adopted 07/18/96; amended by Ord. No. 98-2949, adopted 9/24/98; amended by Ord. No. 00-0109, adopted 02/17/2000 and Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 13-2982, adopted 07/11/2013)

SEC. 2-010.01 Misuse of 911 Enhanced Emergency Phone System And Penalty

a) It shall be unlawful for any adult person, without proper cause, to dial into and use the parish enhanced emergency phone system (911) for any purpose other than requesting police, fire, or emergency medical service. Proper cause for use of the parish enhanced emergency system (911) shall be constituted when there is a legitimate and justified purpose for the presence of police, fire, or emergency medical personnel at the location indicated by the 911 generated call. The automatic location identifier and the automatic number within the parish enhanced emergency phone system (911) shall constitute evidence of the location of a violation of this section.

b) Any adult person violating the provisions of this section shall, upon conviction thereof by a court of law, be punished by a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00), or by imprisonment of not more than thirty (30) days in the parish jail or both.

c) Any minor violating the provisions of this section shall be dealt with in accordance with juvenile court law and procedure as set out in the Louisiana Statutes Annotated Code of Juvenile Procedure.

d) Any parent, guardian, or other adult person having the care and custody of a minor found guilty of violating this Section shall be punished by a fine of not less than One Hundred Dollars (\$100.00), and not more than Five Hundred Dollars (\$500.00).

e) Each transmission of/and dialing of the parish enhanced emergency phone system telephone number (911) shall constitute a separate offense under the penalties provided for in this Section.

f) Presumption of violation. In any prosecution charging a violation of any law or regulation governing the use without proper cause of the parish enhanced emergency phone system (911), proof that the home from in which the call was placed that was in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such violation, the registered owner of such home, shall be considered only presumptive evidence that the registered owner of such home was the person who placed such call without proper cause at the time such violation occurred. (added by Ord. No. 90-1298, adopted 06/21/90)

SEC. 2-010.02 Fixed Location Charge (E-911)

The Parish governing authority authorizes St. Tammany Parish Communications District No. 1 Board, pursuant to LSA R.S. 33:9101 et seq., as amended by Act 1029 of the

1999 Louisiana Legislature, the emergency telephone service charge (911 service charge) paid by service users of a fixed location wire line (a/k/a landline telephone exchange service line), whose service address is within the boundaries of the St. Tammany Parish Communications District No. 1, to be converted to a flat fee of \$ 0.60 per access line per month for each residential service user and \$1.60 per access line per month for each business service user.(Ord. 99-3189, adopted 11/18/99)

(Clerk's Note: The above rates were increased to \$1.00 for residential and \$2.00 for business when voters approved a proposition on the October 7, 2000 ballot. See Resolution C.S. No. C-0152, adopted 08/03/2000)

SEC. 2-010.03 Wireless Charge (E-911)

The Parish governing authority authorizes the St. Tammany Communications District No. 1, pursuant to LSA R.S. 33:9106, and Act 1029 of the 1999 Regular Session of the Louisiana Legislature, to begin collecting eighty-five cents (\$.85) per month per subscriber per device from wireless service providers providing service within the District.(Ord. 99-3190, adopted 11/18/99)

ARTICLE II WARDS, PRECINCTS AND DISTRICTS

SEC. 2-017.00 Wards

The Wards of the Parish shall be as follows:

Ward One

Beginning at the intersection of the centerline of the Tchefuncte River and the line between Range 9 and 10 East in Section 30, Township 5 South; thence southeast on the centerline of the mainstream of the Tchefuncte River to the mouth of said river at the shore of Lake Pontchartrain to the line between Range 9 and 10 East in Section 7, Township 8 South; thence north on said range line to the point of beginning.

Ward Two

Begin at the intersection of the centerline of the mainstream of the Tchefuncte River and the line dividing Townships 5 and 6 South; proceed in a northerly direction along the centerline of the mainstream of said river to the line dividing Washington and St. Tammany Parish; thence east along said Parish line to the Isabel Highway; thence follow the centerline of said Isabel Highway southerly to its intersection with the Old Military Road (now numbered La. Highway 1082); thence continue in a southerly direction along the centerline of Old Military Road to the township line dividing Townships 5 and 6 South; thence follow said township line west to the point of beginning.

Ward Three

Commencing at the junction of the Tchefuncte River and the Ponchitolawa Creek proceed northwest along the centerline of the mainstream of the Tchefuncte River to the line dividing Townships 5 and 6 South; thence follow said township line east to the Quarter section line of Section 1, Township 6 South, Range 11 East; thence follow said Quarter section line south through Sections 1, 12, 13, 24, 25 and 36 of Township 6 South, Range 11 East and Section 1 of Township 7 South, Range 11 East to the south line of said Section 1; thence east along said south section line to the range line dividing Range 11 and 12 East; thence South along said Range line to its intersection with Ponchitolawa Creek; thence westerly along the center line of the mainstream of said creek to its confluence with the Tchefuncte River; the point of beginning.

Ward Four

Commencing at the mouth of the Tchefuncte River, proceed northeast along the centerline of the mainstream of said river to its confluence with Ponchitolawa Creek; thence continue northeast along the centerline of the main stream of said creek to the line dividing Ranges 11 and 12 East; thence north on said range line to the northwest corner of Section 7, Township 7 South, Range 12 East; thence east along the north line of Sections 7, 8, 9 and 10, Township 7 South, Range 12 East to the northwest corner of Section 10, Township 7 South, Range 12 East; thence south along the east line of Sections 10, 15, 22, 27 and 34 of Township 7 South, Range 12 East, and Sections 3, 10, 15, 22, 27 and 34 of Township 8 South, Range 12 East and Sections 3, 10 and 15 of Township 9 South, Range 12 East to the north shore of Lake Pontchartrain, thence northwest along the natural shoreline of Lake Pontchartrain to the mouth of the Tchefuncte River, the point of beginning.

Ward Five

Begin at the Isabel Highway and the line bounding St. Tammany Parish on the north, follow the centerline of said Isabel Highway southerly to its intersection with Old Military Road (now numbered La. Highway 1082); thence continue southerly along the centerline of Old Military Road to the line dividing Townships 5 and 6 South; thence follow said township line east to the Pearl River; thence follow the centerline of the mainstream of the Pearl River northerly to the line bounding St. Tammany Parish on the north; thence follow said Parish boundary line west to Isabel Highway, the point of beginning.

Ward Six

Begin at the southwest corner of Section 35, Township 7 South, Range 12 East and proceed north on the west section line of Sections 35, 26, 14, 11 and 2 of Township 7 South, Range 12 East and Sections 35, 26, 23, 14, 11 and 2, Township 6 South, Range 12 East, to the township line dividing Townships 6 and 5 South; thence follow said township line east to the center line of the main stream of the Pearl River; thence meander southerly along the centerline of the mainstream of the Pearl River to the south line of Section 27, Township 7 South, Range 15 East; thence west on the south

lines of Sections 27, 28, 29 and 30 of Township 7 South, Range 15 East to the range line divided by Ranges 15 and 14 East; continue south on said range line to the township line between Townships 7 and 8 South; thence west along said township line to the southwest corner of Section 35, Township 7 South, Range 12 East; the point of beginning.

Ward Seven

Begin at the north shoreline of Lake Pontchartrain and the line common to Sections 14 and 15; Township 9 South, Range 12 East; thence north on the section lines of the western lines of Sections 14, 11, and 2 of Township 9 South, Range 12 East and Sections 35, 26, 48, 23, 14, 11 and 2 of Township 8 South, Range 12 East to the township line dividing Townships 8 and 7 South; thence along said township line east to the northeast corner of Section 4, Township 8 South, Range 13 East; thence proceed south along the eastern section lines of Sections 4, 9, 16, 21, 28 and 33 of Township 8 South, Range 13 East and Sections 4, 9 and 16 of Township 9 South, Range 13 East to the north shoreline of Lake Pontchartrain; thence meandering westerly along the natural shoreline of Lake Pontchartrain as existing, to the point of beginning.

Ward Eight

Commencing at the intersection of the centerline of the mainstream on the Pearl River at the mouth and the natural shoreline of Lake Pontchartrain, meander westerly along the natural shoreline of said lake to the centerline of Salt Bayou; thence follow the centerline of Salt Bayou northerly to its intersection with the centerline of Louisiana Highway 433; thence follow Louisiana Highway 433 northwest to its intersection with the line dividing Sections 14 and 15, Township 9 South, range 14 East; thence north along the eastern lines of Sections 15, 10 and 3 of Township 9 South, Range 14 East and Sections 34, 27, 22 and 15 Township 8 South, Range 14 East, to the northeast corner of Section 15, Township 8 South, Range 14 East; thence west along the south line of Section 10, Township 8 South, Range 14 East, to the southwest corner of same section; thence north to the line dividing Townships 8 and 7 South, Range 14 East; thence east along said township line to the southwest corner of Section 31, Township 7 South, Range 15 East; thence north along the west line of Section 31, Township 7 South, range 15 East; to the northwest corner of said section; thence continue east on the north lines of Sections 31, 32, 33 and 34 to the center line of the mainstream of the Pearl River; thence southerly along the center line of the mainstream of the Pearl River meander to the mouth of said river, the point of beginning.

Ward Nine

Begin at the intersection of the center line of the mainstream of Salt Bayou and the natural shoreline of Lake Pontchartrain; thence proceed westerly along the natural shoreline of Lake Pontchartrain to the western line of Section 22, Township 9 South, Range 13 East; thence north along the west line of Sections 22, 15, 10 and 3 of Township 9 South, Range 13 East; and Sections 34, 27, 22, 15, 10 and 3 of Township 8

South, Range 13 East to the township line dividing Townships 8 and 7 South, Range 13 East; thence east along said township line to the northeast corner of Section 4, Township 8 South, Range 14 East; thence south on the east lines of Sections 4 and 9 of Township 8 South, Range 14 East; to the northwest corner of Section 15, Township 8 South, Range 14 East; thence east along the north line of said Section 15 to the northeast corner of said section; thence south along the east line of Sections 15, 22, 27, 34, 3, 10 and 15 to its intersection at Louisiana Highway 433; thence follow the centerline of Louisiana Highway 433 southeast to the Salt Bayou; thence follow the centerline of the mainstream of Salt Bayou southerly to Lake Pontchartrain, the point of beginning.

Ward Ten

Commencing at the southeast corner of Section 3, Township 7 South, Range 12 East, proceed west on the south line of Sections 3, 4, 5 and 6 of Township 7 South, Range 12 East, to the quarter section line of Section 1, Township 7 South, Range 11 East; thence proceed north on said quarter section line of Section 1, township 7 South, Range 11 East and Sections 36, 25, 24, 13, 12 and 1 of Township 6 South, Range 11 East, to the line dividing Townships 5 and 6 South in Range 11 East; thence along said township line to the northeast corner of Section 3, township 6 South, Range 12 East; thence south along the eastern line of Sections 3, 10, 15, 22, 27 and 34 of Township 6 South, Range 12 East, to the southeast corner of said Section 3, the point of beginning.

EDITORIAL NOTE: The ward boundaries contained in this section were obtained by the Parish Engineering Department from the legal ward maps as of April 5, 1978.

SEC. 2-018.00 Precincts

The Parish of St. Tammany hereby ordains that it confirms and re-establishes St. Tammany Parish Code of Ordinances, Chapter 2, Precincts, to provide for voting precincts in conjunction with re-districting and in accordance with the 2010 Federal Decennial Census; and as reflected by the precinct numbers and descriptions {as follows}:

(Ord. No. 11-2503, adopted 04/20/2011.)

[PREVIOUS SECTION LANGUAGE: "*The following precincts were created for the purpose of establishing block boundaries for the 2000 Federal Decennial Census and in conjunction with reapportionment of elected officials and governing bodies. Thereafter, it is necessary to create new precincts, amend boundary descriptions, and reflect splits and mergers consistent with Louisiana State Law requirements for precinct populations.*"]

(Ord. No. 84-21 from boundaries described by the Parish Engineering Dept. on 3/27/78, repealed and replaced by Ord. No. 88-904, adopted 01/21/88, repealed and replaced by Ord. No. 98-2985, adopted 12/17/98, repealed and replaced by Ord. No. 01-0393,

adopted 11/15/2001, amended by Ord. No. 01-0415, adopted 12/20/2001, amended by Ord. No. 02-0446, adopted 02/07/2002, amended by Ord. No. 07-1495, adopted 01/04/2007; amended by Ord. 11-2503, adopted 04/20/2011; amended by Ord. 13-3054, adopted 12/05/2013.)

SEC. 2-018.01 Precinct descriptions

Precinct A01

Commence at the intersection of United Church Road and Lowe Davis Road, also the point of beginning; thence follow Lowe Davis Road northeast and east to its intersection with Allen Rd; thence follow Allen Rd. southwest to its intersection with Hwy. 435; thence follow Hwy. 435 south, southwest to its intersection with Level Street; thence follow Level Street continuing west to its intersection with La. 36; thence follow Hwy. 36 west to its intersection with Dahlia Street; thence follow Dahlia Street north to its intersection with Progress Street; thence follow Progress Street west to its intersection with Rose Street; thence follow Rose Street north to its intersection with Emancipation Street; thence follow Emancipation Street west to its intersection with United Church Road; thence follow United Church Road north to its intersection with Lowe Davis Road, also the point of beginning.

Precinct A02

Commence at the intersection of Hoffman Road and Hwy. 59, also the point of beginning; thence follow Hwy. 59 north to its intersection with Harrison Road; thence follow Harrison Road west to its intersection with a canal leading into the southern branch of the Abita River; thence follow the canal north to its intersection with the southern branch of the Abita River; thence follow the southern branch of the Abita River east to its intersection with Hwy. 59; thence follow Hwy. 59 north into the Town of Abita Springs to its intersection with Level Street; thence follow Level Street east becoming Burvant Street; thence follow Burvant Street continuing east, then northeast and east to its intersection with Polaris Street; thence follow Polaris Street south and east to its intersection with Landry Lane; thence follow Landry Lane south, east, and south to its intersection with a branch of the Abita River; thence follow the branch of the Abita River west and northwest to its intersection with an unnamed road leading to Hwy. 36; thence follow the unnamed road southwest, southeast, and southwest to its intersection with Hwy. 36 (Hickory Hwy.); thence follow Hwy. 36 (Hickory Hwy.) northwest to its intersection with the southern branch of the Abita River; thence follow the southern branch of the Abita River southwest, west, and northwest to its intersection with the Tammany Trace; thence follow the Tammany Trace southwest to its intersection with Hoffman Road; thence follow Hoffman Road west to its intersection with Hwy. 59, also the point of beginning.

Precinct A03

Commence at the intersection of Allen Rd. and Lowe Davis Road, also the point of beginning; thence follow Lowe Davis Road northeast and east to its intersection with Beef Branch; thence follow Beef Branch southeast, south, southwest, and south to its intersection with an unnamed stream north of Hwy. 435; thence follow the unnamed stream west and southwest to its intersection with McIntyre Road; thence follow McIntyre Road southeast crossing Hwy. 435 and becoming Keen Road; thence follow Keen Road continuing southeast to its intersection with Abita Creek; thence follow Abita Creek southwest to its intersection with the Abita River; thence follow the Abita River northeast and southeast to its intersection with an unnamed road north of Burvant Street; thence follow the unnamed road southwest and south to its intersection with Burvant Street; thence follow Burvant Street southwest and west to its intersection with Hwy. 435; thence follow Hwy. 435 north and northeast to its intersection with Allen Rd.; thence follow Allen Rd. northeast to its intersection with Lowe Davis Rd., also the point of beginning.

Precinct A04

Commence at the intersection of Hwy. 36 and Level St. also the point of beginning; thence follow Level St. west to its intersection with Hwy. 59; thence follow Hwy. 59 south to its intersection with the Abita River; thence follow Abita River west, north west to its intersection with a northwestern branch of said river; thence follow said northwestern branch of the Abita River north, northwest to its intersection with Hwy. 36; thence follow LA Hwy 36 east and southeast to its intersection with Level St. and the point of beginning.

Precinct C01

Commence at the intersection of West 21st Avenue and Menetre Drive in the City of Covington, also the point of beginning; thence follow Menetre Drive southwest, south, and southwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River west, northwest, west, north, northeast, and north to its intersection with US Hwy. 190; thence follow US Hwy. 190 east to its intersection with West 21st Avenue; thence follow West 21st Avenue southeast to its intersection with Menetre Drive, also the point of beginning.

Precinct C02

Commence at the intersection of Menetre Drive and West 15th Avenue in the City of Covington, also the point of beginning; thence follow West 15th Avenue southeast to its intersection with South Jefferson Avenue; thence follow South Jefferson Avenue southwest to its intersection with West 8th Avenue; thence follow West 8th Avenue northwest to its intersection with an unnamed creek northeast of the Tchefuncte River; thence follow the unnamed creek southeast and southwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northwest, north, and northwest to

its intersection with Menetre Drive; thence follow Menetre Drive northeast to its intersection with West 15th Avenue, also the point of beginning.

Precinct C03

Commence at the intersection of West 15th Avenue and Menetre Drive in the City of Covington, also the point of beginning; thence follow Menetre Drive north and northeast to its intersection with West 21st Avenue; thence follow West 21st Avenue southeast to its intersection with North Jefferson Avenue; thence follow North Jefferson Avenue southwest to its intersection with West 15th Avenue; thence follow West 15th Avenue northwest to its intersection with Menetre Drive, also the point of beginning.

Precinct C04

Commence at the intersection of South Jefferson Avenue and West 21st Avenue in the City of Covington, also the point of beginning; thence follow West 21st Avenue southeast to its intersection with East Boston Street; thence follow East Boston Street continuing southeast, then northeast to its intersection with South Vermont Street; thence follow South Vermont Street south to its intersection with South Jahncke Avenue; thence follow South Jahncke Avenue southwest and southeast to its intersection with Old Landing Road; thence follow Old Landing Road southwest and south to its intersection with Riverview Drive; thence follow Riverview Drive east to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southeast, south, and southwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northwest, north, northeast, southeast, northeast, northwest, northeast, and northwest to its intersection with an unnamed creek northeast of the Tchefuncte River; thence follow the unnamed creek northeast and northwest to its intersection with West 8th Avenue; thence follow West 8th Avenue southeast to its intersection with South Jefferson Avenue; thence follow South Jefferson Avenue northeast to its intersection with West 21st Avenue, also the point of beginning.

Precinct C05

Commence at the intersection of East Boston Street and South Vermont Street in the City of Covington, also the point of beginning; thence follow South Vermont Street south to its intersection with South Jahncke Avenue; thence follow South Jahncke Avenue southwest and southeast to its intersection with Old Landing Road; thence follow Old Landing Road southwest and south to its intersection with Riverview Drive; thence follow Riverview Drive east to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River north, northeast, northwest, north, northeast, north, east, northeast, and north to its intersection with East Boston Street; thence follow East Boston Street southwest to its intersection with South Vermont Street, also the point of beginning.

Precinct C06

Commence at the intersection of West 23rd Avenue and North Tyler Street in the City of Covington, also the point of beginning; thence follow North Tyler Street northeast to its intersection with North Columbia Street; thence follow North Columbia Street northwest and north to its intersection with Hwy. 190; thence follow Hwy. 190 northwest becoming Hwy. 25; thence follow Hwy. 25 continuing northwest to its intersection with an electric power line northwest of Covington High School; thence follow the electric power line southwest to its intersection with Penn Mill Road; thence follow Penn Mill Road south a short distance to its intersection with Hwy. 190; thence follow Hwy. 190 east to its intersection with West 21st Street; thence follow West 21st Street southeast to its intersection with North Lincoln Street; thence follow North Lincoln Street northeast to its intersection with West 23rd Avenue; thence follow West 23rd Avenue southeast to its intersection with North Tyler Street, also the point of beginning.

Precinct C07

Commence at the intersection of West 23rd Avenue and North Tyler Street in the City of Covington, also the point of beginning; thence follow North Tyler Street northeast to its intersection with North Columbia Street; thence follow North Columbia Street southeast to its intersection with North Jefferson Avenue; thence follow North Jefferson Avenue southwest to its intersection with East 23rd Avenue; thence follow East 23rd Avenue northwest becoming West 23rd Avenue to its intersection with North Tyler Street, also the point of beginning.

Precinct C08

Commence at the intersection of East 33rd Avenue and North Columbia Street in the City of Covington, also the point of beginning; thence follow North Columbia Street southeast to its intersection with North Jefferson Avenue; thence follow North Jefferson Avenue southwest to its intersection with East Boston Avenue; thence follow East Boston Avenue southeast and northeast to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River northeast, north, northwest, northeast, and north to its intersection with the Little Bogue Falaya River; thence follow the Little Bogue Falaya River east, northeast, east, and northeast to its intersection with Holly Drive; thence follow Holly Drive northwest to its intersection with Dogwood Lane; thence follow Dogwood Lane north, northeast, and north to its intersection with Johnsen Road; thence follow Johnsen Road west to its intersection with Hwy. 437 (Lee Road); thence follow Hwy. 437 (Lee Road) southwest to its intersection with East 33rd Avenue; thence follow East 33rd Avenue southwest to its intersection with North Columbia Street, also the point of beginning.

Precinct C09

Commence at the intersection of East 33rd Avenue and North Columbia Street in the City of Covington, also the point of beginning; thence follow North Columbia Street northwest and north to its intersection with Hwy. 190; thence follow Hwy. 190 northwest becoming Hwy. 25; thence follow Hwy. 25 continuing northwest to its intersection with

River Road; thence follow River Road northeast, southeast, east, and southeast to its intersection with Hosmer Mill Road; thence follow Hosmer Mill Road northeast to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southeast, south, east, northeast, southeast, east, southeast, east, south, southeast, southwest, and southeast to its intersection with Hwy. 437 (Lee Road); thence follow Hwy. 437 (Lee Road) southwest to its intersection with East 33rd Avenue; thence follow East 33rd Avenue southwest to its intersection with North Columbia Street, also the point of beginning.

Precinct C10

Commence at the intersection of West 21st Avenue and Lincoln St, also the point of beginning; thence follow Lincoln St. north to its intersection with West 23rd Street; thence follow West 23rd Street southeast to its intersection with North Jefferson Avenue; thence follow North Jefferson Avenue southwest to its intersection with West 21st Avenue; thence follow West 21st Avenue northwest to its intersection with Lincoln St, also the point of beginning.

Precinct C11

Commence at the intersection of Hwy. 190 and the Tchefuncte River, also the point of beginning; thence follow the Tchefuncte River north, northeast, northwest to its intersection with Horse Branch; thence follow Horse Branch northeast to its intersection with an eastern branch of Horse Branch; thence follow said eastern branch of Horse Branch northeast to its intersection with Penn Mill Rd.; thence follow Penn Mill Rd. southeast and south to its intersection with Hwy. 190; thence follow Hwy. 190 west to its intersection with the Tchefuncte River, also the point of beginning.

Precinct F01

Commence at the intersection of Hwy. 40 (Uneedus Road) and Anthony Road, also the point of beginning; thence follow Anthony Road north to its intersection with Lee Settlement Road; thence follow Lee Settlement Road east to its intersection with Hay Hollow Road; thence follow Hay Hollow Road northwest, north, east, north, east, north, and northeast to its intersection with Hwy. 25; thence follow Hwy. 25 southeast to its intersection with Verger Road; thence follow Verger Road east to its intersection with Varnado Road; thence follow Varnado Road north to its intersection with an unnamed road south of Dismal Branch; thence follow the unnamed road east, north, east, and northwest to its intersection with Dismal Branch; thence follow Dismal Branch east to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southeast, south, southwest, southeast, south, and southeast to its intersection with Morgan Branch; thence follow Morgan Branch west, southwest, northwest, west, southwest, northwest, and north to its intersection with Hwy. 40 (Uneedus Road); thence follow Hwy. 40 (Uneedus Road) southwest and west to its intersection with Anthony Road, also the point of beginning.

Precinct MD1

Commence at the intersection of the Tchefuncte River and Bayou De Zaire, also the point of beginning; thence follow Bayou De Zaire north, northwest, and west to its intersection with Hwy. 21; thence follow Hwy. 21 north and northeast to its intersection with Dummy Line Road; thence follow Dummy Line Road northwest to its intersection with Black River; thence follow Black River south, southwest, south, southeast, and south to its intersection with the shore line of Lake Pontchartrain; thence follow the shore line of Lake Pontchartrain west, northwest, west, and southwest to its intersection with the St. Tammany Parish/Tangipahoa Parish boundary line; thence follow the St. Tammany Parish/Tangipahoa Parish boundary line into Lake Pontchartrain to its intersection with the St. Tammany Parish/Jefferson Parish boundary line; thence follow the St. Tammany Parish/Jefferson Parish boundary line southeast to its intersection with a straight line extension leading into the Tchefuncte River; thence follow the straight line extension north to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northeast, north, northwest, and north to its intersection with Bayou De Zaire, also the point of beginning.

Precinct M01

Commence at the intersection of the Lake Pontchartrain Causeway and the St. Tammany Parish/Jefferson Parish boundary line in Lake Pontchartrain, also the point of beginning; thence follow the St. Tammany Parish/Jefferson Parish boundary line northwest to its intersection with a straight line extension leading to the east bank of the Tchefuncte River; thence follow the straight line extension north to its intersection with the east bank of the Tchefuncte River; thence follow the east bank of the Tchefuncte River northeast and east to its intersection with an unnamed canal which runs parallel with the shoreline of Lake Pontchartrain; thence follow the canal southeast, east, and southeast to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba northeast to its intersection with an unnamed road northwest of Lewisburg; thence follow the unnamed road northwest and north to its intersection with an electric power line; thence follow the electric power line southeast to its intersection with Skipper Drive; thence follow Skipper Drive northeast to its intersection with Live Oak Blvd.; thence follow Live Oak Blvd. northwest to its intersection with Chestnut Street; thence follow Chestnut Street northeast to its intersection with Weldon Park Drive; thence follow Weldon Park Drive southeast to its intersection with Hickory Street; thence follow Hickory Street northeast to its intersection with West Causeway Approach Hwy.; thence follow West Causeway Approach Hwy. southeast to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba northeast to its intersection with North Causeway Blvd.; thence follow North Causeway Blvd. southwest becoming the Lake Pontchartrain Causeway; thence follow the Lake Pontchartrain Causeway continuing southwest to its intersection with the St. Tammany Parish/Jefferson Parish boundary line, also the point of beginning.

Precinct M02

Commence at the intersection of North Causeway Blvd. and East Florida Street in the City of Mandeville, also the point of beginning; thence follow East Florida Street southeast to its intersection with Wilkinson Street; thence follow Wilkinson Street southwest to its intersection with Monroe Street; thence follow Monroe Street northwest to its intersection with North Causeway Blvd.; thence follow North Causeway Blvd. northeast to its intersection with East Florida Street, also the point of beginning.

Precinct M03

Commence at the intersection of North Causeway Blvd. and Monroe Street in the City of Mandeville, also the point of beginning; thence follow Monroe Street southeast to its intersection with Wilkinson Street; thence follow Wilkinson Street southwest to its intersection with Lakeshore Drive; thence follow Lakeshore Drive northwest to its intersection where Lakeshore Drive meets Lake Pontchartrain east of Sunset Point Park; thence follow a straight line extension into Lake Pontchartrain to its intersection with the St. Tammany Parish/Orleans Parish boundary line; thence follow the St. Tammany Parish/Orleans Parish boundary line northwest to its intersection with the St. Tammany Parish/Jefferson Parish boundary line; thence follow the St. Tammany Parish/Jefferson Parish boundary line continuing northwest to its intersection with the Lake Pontchartrain Causeway; thence follow the Lake Pontchartrain Causeway northeast becoming North Causeway Blvd. to its intersection with Monroe Street, also the point of beginning.

Precinct M04

Commence at the intersection of East Florida Street and Gerard Street in the City of Mandeville, also the point of beginning; thence follow Gerard Street southwest to its intersection with Lakeshore Drive; thence follow Lakeshore Drive southeast to its intersection with Little Bayou Castine; thence follow Little Bayou Castine south to its intersection with the shoreline of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain northwest to its intersection where the shoreline meets Lakeshore Drive east of Sunset Point Park; thence follow Lakeshore Drive southeast to its intersection with Wilkinson Street; thence follow Wilkinson Street northeast to its intersection with East Florida Street; thence follow East Florida Street southeast to its intersection with Gerard Street, also the point of beginning.

Precinct M05

Commence at the intersection of Gerard Street and East Florida Street in the City of Mandeville, also the point of beginning; thence follow East Florida Street southeast to its intersection with Atalin Street; thence follow Atalin Street southwest to its intersection with a canal leading into Bayou Castine; thence follow the canal east and south to its intersection with Bayou Castine; thence follow Bayou Castine southwest to its intersection where Bayou Castine flows into Lake Pontchartrain; thence follow a straight line extension into Lake Pontchartrain south to its intersection with the St. Tammany Parish/Orleans Parish boundary line; thence follow the St. Tammany Parish/Orleans

Parish boundary line northwest to its intersection with a straight line extension leading to a point east of Sunset Point Park; thence follow the straight line extension north to its intersection with the shoreline of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain southeast to its intersection with Little Bayou Castine; thence follow Little Bayou Castine north to its intersection with Lakeshore Drive; thence follow Lakeshore Drive northwest to its intersection with Gerard Street; thence follow Gerard Street northeast to its intersection with East Florida Street, also the point of beginning.

Precinct M06

Commence at the intersection of West Causeway Approach Hwy. and Hwy. 22, also the point of beginning; thence follow Hwy. 22 northwest to its intersection with Heavens Drive; thence follow Heavens Drive south, southeast, and south to its intersection with an electric power line south of Beau Rivage subdivision; thence follow the electric power line southeast to its intersection with Skipper Drive; thence follow Skipper Drive northeast to its intersection with Live Oak Blvd.; thence follow Live Oak Blvd. northwest to its intersection with Chestnut Street; thence follow Chestnut Street northeast to its intersection with Weldon Park Drive; thence follow Weldon Park Drive southeast to its intersection with Hickory Street; thence follow Hickory Street northeast to its intersection with West Causeway Approach Hwy.; thence follow West Causeway Approach Hwy. northwest to its intersection with Hwy. 22, also the point of beginning.

Precinct M07

Commence at the intersection of North Causeway Blvd. and Hwy. 190, also the point of beginning; thence follow Hwy. 190 north to its intersection with Ashbury Dr. (aka LA Hwy 3228); thence follow Ashbury Dr. southeast to Emerald Dr. also US Hwy 190; thence follow US Hwy 190 southeast its intersection with East Causeway Blvd.; thence follow East Causeway Blvd. northwest to its intersection with Florida St.; thence follow Florida St. northwest to North Causeway Blvd.; thence follow North Causeway Blvd. North to US Hwy. 190, also the point of beginning.

Precinct M08

Commence at the intersection of Hwy. 22 and West Causeway Approach Hwy., also the point of beginning; thence follow West Causeway Approach Hwy. southeast to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba northeast to its intersection with North Causeway Blvd.; thence follow North Causeway Blvd. north and northeast to its intersection with Hwy. 22; thence follow Hwy. 22 northwest to its intersection with West Causeway Approach Hwy., also the point of beginning.

Precinct M09

Commence at the intersection of Florida St. (a/k/a Hwy. 190) and Atalin St., also the point of beginning, thence follow Atalin St. south to its intersection with Bayou Castine; thence follow the meanderings of Bayou Castine northeast to its intersection with

Florida St. (a/k/a Hwy. 190); thence follow Florida St. (a/k/a Hwy. 190) northwest to its intersection with Atalin St., also the point of beginning.

Precinct M10

Commence at the intersection of East Florida Street and Soult Street, also the point of beginning; thence follow Soult Street northeast to its intersection with a canal between Quail Creek South and New Canaan Hills subdivisions; thence follow the canal east, southeast, east, southeast, east, south, and east to its intersection with Log Cabin Road; thence follow Log Cabin Road northeast to its intersection with Cane Bayou; thence follow Cane Bayou south, southwest, south, southwest, and south to its intersection where Cane Bayou flows into Lake Pontchartrain; thence follow a straight line extension south into Lake Pontchartrain to its intersection with the St. Tammany Parish/Orleans Parish boundary line; thence follow the St. Tammany Parish/Orleans Parish boundary line northwest to its intersection with a straight line extension leading to Bayou Castine; thence follow the straight line extension north to its intersection with Bayou Castine; thence follow Bayou Castine northeast to its intersection with Florida St. (a/k/a Hwy. 190); thence follow Florida St. (a/k/a Hwy. 190) northwest to its intersection with Soult St., also the point of beginning.

Precinct P01

Commence at the intersection of Hickory Street (Hwy. 41 Spur) and Hwy. 41, also the point of beginning; thence follow Hwy. 41 southwest, south, and southeast becoming Watts Road; thence follow Watts Road continuing southeast, then east to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) south and southeast to its intersection with the I-59 Service Road; thence follow the I-59 Service Road northeast, northwest, north, and northeast to its intersection with Porter's River Road; thence follow Porter's River Road east, northeast, and north to its intersection with a boat launch leading into Porter's River; thence follow Porter's River northeast, northwest, and northeast to its intersection with the West Pearl River; thence follow the West Pearl River northwest to its intersection with I-59; thence follow I-59 southwest to its intersection with Gum Creek; thence follow Gum Creek northwest, west, northwest, west, south, southeast, and southwest to its intersection with Hickory Street (Hwy. 41 Spur); thence follow Hickory Street (Hwy. 41 Spur) northwest to its intersection with Hwy. 41, also the point of beginning.

Precinct S01

Commence at the intersection of Hwy. 11 (Front Street) and I-12, also the point of beginning; thence follow I-12 east and southeast to its intersection with Hwy. 1091 (Robert Blvd); thence follow Hwy. 1091 (Robert Blvd.) southwest to its intersection with Pinewood Drive; thence follow Pinewood Drive west to its intersection with Driftwood Circle; thence follow Driftwood Circle south, west, and northwest to its intersection with Ninth Street; thence follow Ninth Street southwest to its intersection with North Blvd.; thence follow North Blvd. west to its intersection with Hwy. 11 (Front Street); thence

follow Hwy. 11 (Front Street) northeast to its intersection with I-12, also the point of beginning.

Precinct S02

Commence at the intersection of Pinewood Drive and Hwy. 1091 (Robert Blvd.), also the point of beginning; thence follow Hwy. 1091 (Robert Blvd.) southwest to its intersection with North Blvd.; thence follow North Blvd. northwest, west, northwest, and west to its intersection with Ninth street; thence follow Ninth Street northeast to its intersection with Driftwood Circle; thence follow Driftwood Circle southeast, east, and north to its intersection with Pinewood Drive; thence follow Pinewood Drive east to its intersection with Hwy. 1091 (Robert Blvd.), also the point of beginning.

Precinct S03

Commence at the intersection of North Blvd. and Hwy. 1091 (Robert Blvd.), also the point of beginning; thence follow Hwy. 1091 (Robert Blvd.) southwest to its intersection with the W-14 Canal; thence follow the W-14 Canal northwest, west, northwest, and northeast to its intersection with North Blvd.; thence follow North Blvd. east, southeast, east, and southeast to its intersection with Hwy. 1091 (Robert Blvd.), also the point of beginning.

Precinct S04

Commence at the intersection of Hwy. 1091 (Robert Blvd.) and Timberlane Drive, also the point of beginning; thence follow Timberlane Drive south to its intersection with Cardinal Drive; thence follow Cardinal Drive west, south, and west to its intersection with Audubon Drive; thence follow Audubon Drive south to its intersection with the W-15, L-1 Canal; thence follow the W-15, L-1 Canal west to its intersection with the W-14 Canal; thence follow the W-14 Canal north to its intersection with Hwy. 1091 (Robert Blvd.); thence follow Hwy. 1091 (Robert Blvd.) northeast to its intersection with Timberlane Drive, also the point of beginning.

Precinct S05

Commence at the intersection of Timberlane Drive and Hwy. 1091 (Robert Blvd.), also the point of beginning; thence follow Hwy. 1091 (Robert Blvd.) northeast to its intersection with I-12; thence follow I-12 southeast to its intersection with I-10; thence follow I-10 southwest to its intersection with the W-15, L-1 Canal; thence follow the W-15, L-1 Canal west to its intersection with Audubon Drive; thence follow Audubon Drive north to its intersection with Cardinal Drive; thence follow Cardinal Drive east, north, and east to its intersection with Timberlane Drive; thence follow Timberlane Drive north to its intersection with Hwy. 1091 (Robert Blvd.), also the point of beginning.

Precinct S06

Commence at the intersection of West Gause Blvd. (Hwy 190) and Hwy. 11 (Front Street), also the point of beginning; thence follow Hwy. 11 (Front Street) southwest to its intersection with Bayou Pattasat; thence follow Bayou Pattasat northwest to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca southwest to its intersection with Bayou Liberty Road; thence follow Bayou Liberty Road northwest to its intersection with East Street; thence follow East Street north to its intersection with Sloat Road; thence follow Sloat Road east to its intersection with Vincent Road; thence follow Vincent Road northeast and north to its intersection with Salmen Street; thence follow Salmen Street east to its intersection with Sullivan Road; thence follow Sullivan Road northwest to its intersection with Forestwood Drive; thence follow Forestwood Drive north to its intersection with West Hall Avenue; thence follow West Hall Avenue east to its intersection with Kaycee Drive; thence follow Kaycee Drive north to its intersection with Twin Oaks Drive (St. Christopher Drive); thence follow Twin Oaks Drive (St. Christopher Drive) east to its intersection with St. Scholastica Drive; thence follow St. Scholastica Drive south, southeast, and south to its intersection with West Hall Avenue; thence follow West Hall Avenue east to its intersection with Bayou Vincent; thence follow Bayou Vincent northeast and north to its intersection with West Gause Blvd. (Hwy. 190); thence follow West Gause Blvd. (Hwy. 190) southeast to its intersection with Hwy. 11 (Front Street), also the point of beginning.

Precinct S07

Commence at the intersection of West Gause Blvd. (Hwy 190) and Carroll Road, also the point of beginning; thence follow Carroll Road south and southwest to its intersection with Bayou Liberty Road; thence follow Bayou Liberty Road east and southeast to its intersection with East Street; thence follow East Street north to its intersection with Sloat Road; thence follow Sloat Road east to its intersection with Vincent Road; thence follow Vincent Road northeast to its intersection with Salmen Street; thence follow Salmen Street east to its intersection with Sullivan Road; thence follow Sullivan Road northwest to its intersection with Forestwood Drive; thence follow Forestwood Drive north to its intersection with West Hall Avenue; thence follow West Hall Avenue east to its intersection with Kaycee Drive; thence follow Kaycee Drive north to its intersection with Twin Oaks Drive (St. Christopher Drive); thence follow Twin Oaks Drive (St. Christopher Drive) east to its intersection with St. Scholastica Drive; thence follow St. Scholastica Drive south, southeast, and south to its intersection with West Hall Avenue; thence follow West Hall Avenue east to its intersection with Bayou Vincent; thence follow Bayou Vincent northeast and north to its intersection with West Gause Blvd. (Hwy. 190); thence follow West Gause Blvd. (Hwy. 190) north to its intersection with Carroll Road, also the point of beginning.

Precinct S08

Commence at the intersection of I-10 and Gause Blvd., also the point of beginning; thence follow Gause Blvd. west to its intersection with Rue Rochelle; thence follow Rue Rochelle north to its intersection with Independence Drive; thence follow Independence Drive west to its intersection with the W-14 Canal; thence follow the W-14 Canal north

to its intersection with the W-15, L-1 Canal; thence follow the W-15, L-1 Canal east to its intersection with I-10; thence follow I-10 southwest to its intersection with Gause Blvd., also the point of beginning.

Precinct S09

Commence at the intersection of Gause Blvd. and Rue Rochelle, also the point of beginning; thence follow Rue Rochelle north to its intersection with Independence Drive; thence follow Independence Drive west to its intersection with the W-14 Canal; thence follow the W-14 Canal south to its intersection with Gause Blvd.; thence follow Gause Blvd. east to its intersection with Rue Rochelle, also the point of beginning.

Precinct S10

Commence at the intersection of Fremaux Avenue and Hwy. 11 (Front Street), also the point of beginning; thence follow Hwy. 11 (Front Street) northeast to its intersection with Indiana Street; thence follow Indiana Street east to its intersection with Ninth Street; thence follow Ninth Street south to its intersection with Stadium Drive; thence follow Stadium Drive east and south to its intersection with Tower Drive; thence follow Tower Drive east to its intersection with Robert Blvd.; thence follow Robert Blvd. south to its intersection with Gause Blvd.; thence follow Gause Blvd. east to its intersection with 14th Street; thence follow 14th Street south to its intersection with Florida Street; thence follow Florida Street east to its intersection with the W-14 Canal; thence follow the W-14 Canal south and southwest to its intersection with Fremaux Avenue; thence follow Fremaux Avenue west to its intersection with Hwy. 11 (Front Street), also the point of beginning.

Precinct S11

Commence at the intersection of Lakewood Avenue and Old Fremaux Avenue, also the point of beginning; thence follow Old Fremaux Avenue east to its intersection with Marsha Drive; thence follow Marsha Drive south to its intersection with Alice Avenue; thence follow Alice Avenue east to its intersection with McKinney Road; thence follow McKinney Road south to its intersection with Hwy. 190 Business (Fremaux Avenue or Shortcut Road); thence follow Hwy. 190 Business (Fremaux Avenue or Shortcut Road) northwest and west to its intersection with the W-14 Canal; thence follow the W-14 Canal northeast and north to its intersection with Florida Avenue; thence follow Florida Avenue east to its intersection with Lakewood Drive; thence follow Lakewood Drive south, southwest, and south to its intersection with Fremaux Avenue, also the point of beginning.

Precinct S12

Commence at the intersection of Hwy. 11 (Front Street) and Fremaux Avenue, also the point of beginning; thence follow Fremaux Avenue east to its intersection with 9th Street; thence follow 9th Street south to its intersection with the extension of Warren

Street; thence follow the extension of and Warren Street west to its intersection with 5th Street; thence follow 5th Street south to its intersection with Erlanger Street; thence follow Erlanger Street west to its intersection with 2nd Street; thence follow 2nd Street south to its intersection with Robert Street; thence follow Robert Street west to its intersection with 1st Street; thence follow 1st Street south to its intersection with Brakefield Street; thence follow Brakefield Street west to its intersection with Carey Street; thence follow Carey Street south to its intersection with a southern branch of Bayou Bonfouca; thence follow the branch of Bayou Bonfouca southeast to its intersection with Cleveland Street; thence follow Cleveland Street northwest to its intersection with Mary Street; thence follow Mary Street southwest to its intersection with Codifer Street; thence follow Codifer Street southeast to its intersection with Sargent Alfred Street; thence follow Sargent Alfred Street southwest to its intersection with Hwy. 433 (Old Spanish Trail); thence follow Hwy. 433 (Old Spanish Trail) northwest and west to its intersection with Pontchartrain Drive; thence follow Pontchartrain Drive northwest to its intersection with Hwy. 11 (Front Street); thence follow Hwy. 11 (Front Street) northeast to its intersection with Fremaux Avenue, also the point of beginning.

Precinct S13

Commence at the intersection of Hwy. 11 (Front Street) and Pontchartrain Drive, also the point of beginning; thence follow Pontchartrain Drive a short distance northwest to its intersection with the west tracks of the Illinois Central Gulf Railroad; thence follow the west tracks of the Illinois Central Gulf Railroad southwest to its intersection with Bayou Lasseigne; thence follow Bayou Lasseigne northwest to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca northeast, southeast, and northeast to its intersection with Bayou Pattasat; thence follow Bayou Pattasat southeast to its intersection with Hwy. 11 (Front Street); thence follow Hwy. 11 (Front Street) southwest to its intersection with Pontchartrain Drive, also the point of beginning.

Precinct S15

Commence at the intersection of Pontchartrain Drive and the west tracks of the Illinois Central Railroad, also the point of beginning; thence follow the west tracks of the Illinois Central Railroad southwest and southeast to its intersection with the Illinois Central Railroad; thence follow the Illinois Central Railroad southwest to its intersection with Schneider Canal; thence follow Schneider Canal southeast to its intersection with Pontchartrain Drive; thence follow Pontchartrain Drive northeast and northwest to its intersection with the west tracks of the Illinois Central Railroad, also the point of beginning.

Precinct S16

Commence at the intersection of Pontchartrain Drive and Old Spanish Trail, also the point of beginning; thence follow Old Spanish Trail southeast to its intersection with Lopez Street; thence follow Lopez Street west to its intersection with Hickory Drive;

thence follow Hickory Drive northwest and west to its intersection with Broad Street; thence follow Broad Street northwest to its intersection with Pontchartrain Drive; thence follow Pontchartrain Drive northeast and northwest to its intersection with Old Spanish Trail, also the point of beginning.

Precinct S17

Commence at the intersection of Pontchartrain Drive and Schneider Canal, also the point of beginning; thence follow Schneider Canal east, south, east, and southeast to its intersection with West Howze Beach; thence follow West Howze Beach northeast to its intersection with Old Spanish Trail; thence follow Old Spanish Trail northwest to its intersection with Lopez Street; thence follow Lopez Street west to its intersection with Hickory Drive; thence follow Hickory Drive northwest and west to its intersection with Broad Street; thence follow Broad Street northwest to its intersection with Pontchartrain Drive; thence follow Pontchartrain Drive southwest to its intersection with Schneider Canal, also the point of beginning.

Precinct S18

Commence at the intersection of Bayou Bonfouca and Bayou Lasseigne, also the point of beginning; thence follow Bayou Lasseigne southeast to its intersection with the west tracks of the Illinois Central Gulf Railroad; thence follow the west tracks of the Illinois Central Gulf Railroad southwest and southeast to its intersection with the Illinois Central Railroad; thence follow the Illinois Central Railroad continuing southwest to its intersection with Schneider Canal; thence follow Schneider Canal southeast to its intersection with Pontchartrain Drive (Hwy. 11); thence follow Pontchartrain Drive (Hwy. 11) southwest to its intersection with the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain; thence follow the St. Tammany Parish/Orleans Parish boundary line west and northwest to its intersection with a straight line extension from the point where Bayou Bonfouca flows into Lake Pontchartrain; thence follow the straight line extension north to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca northeast, south, southeast, north, east, southeast, east, northwest, northeast, east, northeast, east, and northeast to its intersection with Bayou Lasseigne, also the point of beginning.

Precinct S19

Commence at the intersection of West Gause Blvd. and North Harrison Road, also the point of beginning; thence follow North Harrison Road northwest to its intersection with LaGrange Road; thence follow LaGrange Road northeast to its intersection with a drainage canal which flows into Bayou Vincent; thence follow the drainage canal southeast to its intersection with Bayou Vincent; thence follow Bayou Vincent northeast, northwest, north, and northeast to its intersection with the abandoned Illinois Central Railroad; thence follow the abandoned Illinois Central Railroad northwest to its intersection with Browns Village Road; thence follow Browns Village Road east to its intersection with Hwy. 11 (Front Street); thence follow Hwy. 11 (Front Street) southwest

to its intersection with North Blvd.; thence follow North Blvd. east to its intersection with the W-14 Canal; thence follow the W-14 Canal southwest, south, southeast, east, northeast, southeast, south, southeast, and southwest to its intersection with Gause Blvd.; thence follow Gause Blvd. west to its intersection with Robert Blvd.; thence follow Robert Blvd. north to its intersection with Tower Drive; thence follow Tower Drive west to its intersection with Stadium Drive; thence follow Stadium Drive north and west to its intersection with Ninth Street; thence follow Ninth Street north to its intersection with Indiana Street; thence follow Indiana Street west to its intersection with Hwy. 11 (Front Street); thence follow Hwy. 11 (Front Street) southwest to its intersection with West Gause Blvd.; thence follow W. Gause Blvd. northwest to its intersection with North Harrison Road, also the point of beginning.

Precinct S21

Commence at the intersection of Hwy. 190 East and Brookter Road, also the point of beginning; thence follow Brookter Road south and southeast to its intersection with Kingspoint Road; thence follow Kingspoint Road southwest to its intersection with Windrift Drive; thence follow Windrift Drive northwest to its intersection with the W-14 Canal; thence follow the W-14 Canal continuing northwest, then southwest, west, northwest, north, northwest, north, and northeast to its intersection with Fremaux Avenue; thence follow Fremaux Avenue east becoming Hwy. 190 East; thence follow Hwy. 190 East continuing east, then southeast to its intersection with Brookter Road, also the point of beginning.

Precinct S22

Commence at the intersection of Eden Isles Blvd. and Oak Harbor Blvd., also the point of beginning; thence follow Oak Harbor Blvd. east, northeast, west, southwest, north, and west to its intersection with Hwy. 11; thence follow Hwy. 11 northeast to its intersection with Schneider Canal; thence follow Schneider Canal east, southeast, east, and southeast to its intersection with West Howze Beach Road; thence follow West Howze Beach Road northeast to its intersection with Hwy. 433 (Old Spanish Trail); thence follow Hwy. 433 (Old Spanish Trail) northwest to its intersection with Terrance Avenue; thence follow Terrance Avenue northeast and north to its intersection with Ash Street; thence follow Ash Street west to its intersection with 10th Avenue; thence follow 10th Avenue north to its intersection with Daney Street; thence follow Daney Street east to its intersection with the W-14 Canal; thence follow the meanderings of the W-14 Canal southeast, east, and northeast to its intersection with I-10; thence follow I-10 southwest to its intersection with an unnamed stream; thence follow the unnamed stream northwest to its intersection with the I-10 Service Road; thence follow the I-10 Service Road northeast to its intersection with Eden Isles Blvd.; thence follow Eden Isles Blvd. northwest to its intersection with Oak Harbor Blvd., also the point of beginning.

Precinct S23

Commence at the intersection of I-10 and Gause Blvd., also the point of beginning; thence follow Gause Blvd. west to its intersection with 14th Street; thence follow 14th Street south to its intersection with Florida Avenue, thence follow Florida Avenue east to its intersection with Lakewood Drive; thence follow Lakewood Drive south and west to its intersection with Old Fremaux Avenue; thence follow Old Fremaux Avenue east to its intersection with Marsha Drive, thence follow Marsha Drive south to its intersection with Alice Avenue, thence follow Alice Avenue east to its intersection with McKinney Road, thence follow McKinney Road south to Fremaux Avenue (Shortcut Road), thence follow Fremaux Avenue (Shortcut Road) southeast to I-10; thence follow I-10 northeast to its intersection with Gause Blvd., also the point of beginning.

Precinct S24

Commence at the intersection of Sargent Alfred St. and Old Spanish Trail, also the point of beginning; thence follow Old Spanish Trail southeast to its intersection with Terrace Avenue; thence follow Terrace Avenue northeast and north to its intersection with Ash Street; thence follow Ash Street west to its intersection with 10th Street; thence follow 10th Street north to its intersection with Public Street; thence follow Public Street west to its intersection with 8th Street; thence follow 8th Street north to its intersection with Cleveland Street; thence follow Cleveland Street west, northwest, west, and northwest to its intersection with Mary St.; thence follow Mary St. south to its intersection with Codifer St.; thence follow Codifer St. southeast to its intersection with Sgt. Alfred Dr.; thence follow Sgt. Alfred Dr. southwest to its intersection with Old Spanish Trail, also the point of beginning.

Precinct S25

Commence at the intersection of 9th St. and Fremaux Avenue, also the point of beginning; thence follow Fremaux Avenue east to its intersection with the W-14 Canal; thence follow the W-14 Canal southwest, south, southeast, and south to its intersection with Daney Street; thence follow Daney Street west to its intersection with 10th Avenue; thence follow 10th Avenue south to its intersection with Public Street; thence follow Public Street west to its intersection with 8th Street; thence follow 8th Street north to its intersection with Cleveland Street; thence follow Cleveland Street west, northwest, west to its intersection with a souther branch of Bayou Bonfouca; thence follow said branch northwest to its intersection with Carey St.; thence follow Carey St. north to its intersection with Brakefield St.; thence follow Brakefield St. east to its intersection with 1st St.; thence follow 1st St. north to its intersection with Robert St.; thence follow Robert St. east to its intersection with 2nd St.; thence follow 2nd St. north to its intersection with Erlanger St.; thence follow Erlanger St. east to its intersection with 5th St.; thence follow 5th St. north to its intersection with Warren St.; thence follow Warren St. east to its intersection with 9th St.; thence follow 9th St. north to its intersection with Fremaux Avenue, also the point of beginning.

Precinct 101

Commence at the intersection of the St. Tammany Parish/Tangipahoa Parish boundary line and the Tchefuncte River, also the point of beginning; thence follow the Tchefuncte River southeast, south, southeast, south, and southeast to its intersection with Soap and Tallow Branch; thence follow Soap and Tallow Branch west, northwest, and southwest to its intersection with Rousseau Drive; thence follow Rousseau Drive southeast to its intersection with Hwy. 1085 (Bootlegger Road); thence follow Hwy. 1085 (Bootlegger Road) southwest and west to its intersection with Hwy. 1077; thence follow Hwy. 1077 southeast to its intersection with I-12; thence follow I-12 northwest to its intersection with the St. Tammany Parish/Tangipahoa Parish boundary line; thence follow the St. Tammany Parish/Tangipahoa Parish boundary line north to its intersection with the Tchefuncte River, also the point of beginning.

Precinct 102

Commence at the intersection of the St. Tammany Parish/Tangipahoa Parish boundary line and Hwy. 22, also the point of beginning; thence follow Hwy. 22 east and southeast to its intersection with Perrilloux Road; thence follow Perrilloux Road northeast, west, and north to its intersection with Brewster Road; thence follow Brewster Road east to its intersection with the Black River; thence follow the meanderings of the Black River in a general southerly direction to its intersection with the shore line of Lake Pontchartrain; thence follow the shore line and its meanderings west and southwest to its intersection with the St. Tammany Parish/Tangipahoa Parish boundary line; thence follow the St. Tammany Parish/Tangipahoa Parish boundary line north to its intersection with Hwy 22, also the point of beginning.

Precinct 103

Commence at the intersection of I-12 and Hwy. 21, also the point of beginning; thence follow Hwy. 21 southwest and south to its intersection with Bayou De Zaire; thence follow Bayou De Zaire east and southeast to its intersection with the Tchefuncte River; thence follow the Tchefuncte River north, east, north, northwest, east, north, northwest, north, northeast, southeast, northeast, south, southeast, east, north, east, southeast, east, north, northeast, northwest, and northeast to its intersection with I-12; thence follow I-12 northwest to its intersection with Hwy. 21, also the point of beginning.

Precinct 104

Commence at the intersection of I-12 and Hwy. 1077, also the point of the beginning; thence follow Hwy. 1077 southeast to its intersection with Dummy Line Road; thence follow Dummy Line Road northwest to its intersection with the Black River; thence follow the meanderings of the Black River in a general northerly direction to its intersection with Brewster Road; thence follow Brewster Road east to its intersection with Perrilloux Road; thence follow Perrilloux Road north to its intersection with Hwy. 1085; thence

follow Hwy. 1085 northeast to its intersection with I-12; thence follow I-12 southeast to its intersection with Hwy. 1077, also the point of beginning.

Precinct 105

Commence at the intersection of I-12 and the Tchefuncte River, also the point of beginning; thence follow the Tchefuncte River northeast, north, west, north, northeast, northwest, west, and northwest to its intersection with Soap and Tallow Branch; thence follow Soap and Tallow Branch west, northwest, and southwest to its intersection with Rousseau Drive; thence follow Rousseau Drive southeast to its intersection with Hwy. 1085 (Bootlegger Road); thence follow Hwy. 1085 (Bootlegger Road) southwest and west to its intersection with Hwy. 1077; thence follow Hwy. 1077 southeast to its intersection with I-12; thence follow I-12 southeast to its intersection with the Tchefuncte River, also the point of beginning.

Precinct 106

Commence at the intersection of the St. Tammany Parish/Tangipahoa Parish boundary line and I-12, also the point of beginning; thence follow I-12 southeast to its intersection with Hwy. 1085 (Bootlegger Road); thence follow Hwy. 1085 (Bootlegger Road) southwest to its intersection with Perrilloux Road; thence follow Perrilloux Road south, east, and southwest to its intersection with Hwy. 22; thence follow Hwy. 22 northwest and west to its intersection with the St. Tammany Parish/Tangipahoa Parish boundary line; thence follow the St. Tammany Parish/Tangipahoa Parish boundary line north to its intersection with I-12, also the point of beginning.

Precinct 107

Commence at the intersection of Hwy. 1077 and I-12, also the point of beginning; thence follow I-12 southeast to its intersection with Hwy. 21; thence follow Hwy. 21 southwest to its intersection with Dummy Line Road; thence follow Dummy Line Road northwest to its intersection Hwy. 1077; thence follow Hwy. 1077 north and northwest to its intersection with I-12, also the point of beginning.

Precinct 201

Commence at the intersection of the St. Tammany Parish/Washington Parish boundary line and the Tchefuncte River, which is also the St. Tammany Parish/Tangipahoa Parish boundary line, also the point of beginning; thence follow the Tchefuncte River south, southeast, south, southeast, south, southwest, southeast, and south to its intersection with Hwy. 40 (Uneedus Road); thence follow Hwy. 40 (Uneedus Road) southeast and south to its intersection with Anthony Road; thence follow Anthony Road north to its intersection with Lee Settlement Road; thence follow Lee Settlement Road east to its intersection with Hay Hollow Road; thence follow Hay Hollow Road northwest, north,

east, north, east, north, and northeast to its intersection with Hwy. 25; thence follow Hwy. 25 southeast to its intersection with Verger Road; thence follow Verger Road east to its intersection with Varnado Road; thence follow Varnado Road north to its intersection with an unnamed road south of Dismal Branch; thence follow the unnamed road east, north, east, and northwest to its intersection with Dismal Branch; thence follow Dismal Branch east to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southeast, south, and southwest to its intersection with Hwy. 40 (Bush-Folsom Road); thence follow Hwy. 40 (Bush-Folsom Road) east to its intersection with Hwy. 1080 (a/k/a Factory Rd.); thence follow Hwy. 1080 (a/k/a Factory Rd.) north, east and north to its intersection with Hwy. 437; thence follow Hwy. 437 north to its intersection with the St. Tammany Parish/Washington Parish boundary line; thence follow said line northwest to its intersection with the St. Tammany Parish/Tangipahoa Parish boundary line and the Tchefuncte River, also the point of beginning.

Precinct 202

Commence at the intersection of Hwy. 40 (Uneedus Road) and the Tchefuncte River, which is also the St. Tammany Parish/Tangipahoa Parish boundary line, also the point of beginning; thence follow the Tchefuncte River south, southwest, east, south, southeast, southwest, east, south, southwest, and southeast to its intersection with Hwy. 1077 & Hwy. 1078 (Bennett Bridge Road); thence follow Hwy. 1077 & Hwy. 1078 (Bennett Bridge Road) northeast, east, and southeast to its intersection with Hwy. 1077 (Savannah Road); thence follow Hwy. 1077 (Savannah Road) northeast to its intersection with Hwy. 1077 (Willie Road); thence follow Hwy. 1077 (Willie Road) southeast, east, southeast, and east to its intersection with Hwy. 25; thence follow Hwy. 25 southeast to its intersection with Million Dollar Road; thence follow Million Dollar Road east to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River northeast, north, northwest, north, northeast, and north to its intersection with Simalusa Creek; thence follow Simalusa Creek northeast, southeast, and northeast to its intersection with an unnamed road connecting Bruhl Road and Jesse Hyatt Road; thence follow the unnamed road west to its intersection with Bruhl Road; thence follow Bruhl Road north, west, and southwest to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River northwest, north, northwest, north, and northwest to its intersection with Beason Creek; thence follow Beason Creek north northeast, north, and northeast to its intersection with Hwy. 40; thence follow Hwy. 40 west to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southwest, southeast, south, and southeast to its intersection with Morgan Branch; thence follow Morgan Branch west, southwest, northwest, west, southwest, northwest, and north to its intersection with Hwy. 40 (Uneedus Road); thence follow Hwy. 40 (Uneedus Road) southwest, west, and north to its intersection with the Tchefuncte River, which is also the St. Tammany Parish/Tangipahoa Parish boundary line, also the point of beginning.

Precinct 203

Commence at the intersection of the St. Tammany Parish/Washington Parish boundary line and Hwy. 437 (Middle Road), also the point of beginning; thence follow Hwy. 437 (Middle Road) southwest, southeast, south, southwest, south, and southeast to its intersection with Bill's Creek; thence follow Bill's Creek southwest, west, southwest, south, southwest, south, southwest, and southeast to its intersection with Simalusa Creek; thence follow Simalusa Creek south, southwest, northwest, and southwest to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River south, southwest, south, southeast, south, and southwest to its intersection with Million Dollar Road; thence follow Million Dollar Road east, north, east, north, and east to its intersection with La Tice Branch; thence follow La Tice Branch northeast, east, and northeast to its intersection with Hwy. 40 (Bush-Folsom Road); thence follow Hwy. 40 (Bush-Folsom Road) northwest to its intersection with Jarrell Road; thence follow Jarrell Road northeast, north, and east to its intersection with Hwy. 1129 (Lee Road); thence follow Hwy. 1129 (Lee Road) north and northwest to its intersection with Lee Road; thence follow Lee Road north, northeast, north, northwest, northeast, and north to its intersection with the St. Tammany Parish/Washington Parish boundary line; thence follow the St. Tammany Parish/Washington Parish boundary line northwest to its intersection with Hwy. 437 (Middle Road), also the point of beginning.

Precinct 204

Commence at the intersection of Hwy.1080 (North Factory Road) and Hwy. 437 (Middle Road), also the point of beginning; thence follow Hwy. 437 (Middle Road) southwest, southeast, south, southwest, south, and southeast to its intersection with Bill's Creek; thence follow the meanderings of Bill's Creek southwest, west, southwest, south, southwest, south, southwest, and southeast to its intersection with Simalusa Creek; thence follow the meanderings of Simalusa Creek south and southwest to its intersection with an unnamed road connecting Bruhl Road and Jesse Hyatt Road; thence follow the unnamed road west to its intersection with Bruhl Road; thence follow Bruhl Road north, west, and southwest to its intersection with the Bogue Falaya River; thence follow the meanderings of the Bogue Falaya River northwest, north, northwest, north, and northwest to its intersection with Beason Creek; thence follow the meanderings of Beason Creek north, northeast, north, northeast, north, and northeast to its intersection with Hwy. 40; thence follow Hwy. 40 west to its intersection with Hwy.1080 (North Factory Road); thence follow Hwy. 1080 (North Factory Road) north, northeast, east, north, and northeast to its intersection with Hwy. 437 (Middle Road), also the point of beginning.

Precinct 205

Commence at the intersection of the St. Tammany Parish/Washington Parish boundary line and Lee Road, also the point of beginning; thence follow Lee Road south, southwest, southeast, south, southwest, and south to its intersection with Hwy. 1129 (Lee Road); thence follow Hwy. 1129 (Lee Road) southeast and south to its intersection with Fairhaven Road; thence follow Fairhaven Road east to its intersection with a Louisiana Gas pipeline and right-of-way; thence follow the Louisiana Gas pipeline and

right-of-way south and southeast to its intersection with Hwy. 1081 (Stafford Road); thence follow Hwy. 1081 (Stafford Road) east and southeast to its intersection with Pat O'Brien Road; thence follow Pat O'Brien Road north, northwest, north, and east to its intersection with Hwy. 1082 (Old Military Road); thence follow Hwy. 1082 (Old Military Road) northeast, north, and northeast to its intersection with Hwy. 40 (Bush-Folsom Road); thence follow Hwy. 40 (Bush-Folsom Road) northwest to its intersection with Isabel Swamp Road; thence follow Isabel Swamp Road continuing northwest, then northeast, north, northwest, and northeast to its intersection with the St. Tammany Parish/Washington Parish boundary line; thence follow the St. Tammany Parish/Washington Parish boundary line northwest to its intersection with Lee Road, also the point of beginning.

Precinct 206

Commence at the intersection of La Tice Branch and Hwy. 40 (Bush-Folsom Road), also the point of beginning; thence follow Hwy. 40 (Bush-Folsom Road) northwest to its intersection with Jarrell Road; thence follow Jarrell Road northeast, north, and east to its intersection with Hwy. 1129 (Lee Road); thence follow Hwy. 1129 (Lee Road) north to its intersection with Fairhaven Road; thence follow Fairhaven Road east to its intersection with a Louisiana Gas pipeline and right-of-way; thence follow the Louisiana Gas pipeline and right-of-way south and southeast to its intersection with Hwy. 1081 (Stafford Road); thence follow Hwy. 1081 (Stafford Road) east and southeast to its intersection with Pat O'Brien Road; thence follow Pat O'Brien Road north, northwest, north, and east to its intersection with Hwy. 1082 (Old Military Road); thence follow Hwy. 1082 (Old Military Road) southwest to its intersection with a Louisiana Gas pipeline and right-of-way; thence follow the Louisiana Gas pipeline and right-of-way northwest to its intersection with an electric power line; thence follow the electric power line southwest to its intersection with North Fitzmorris Road; thence follow North Fitzmorris Road northwest and west to its intersection with La Tice Branch; thence follow La Tice Branch north, northeast, north, northeast, north, northwest, and northeast to its intersection with Hwy. 40 (Bush-Folsom Road), also the point of beginning.

Precinct 207

Commence at the intersection of Hwy. 25 and Hwy. 1078 (Bennett Bridge Road), also the point of beginning; thence follow Hwy. 1078 (Bennett Bridge Road) west and northwest to its intersection with Cowpen Branch; thence follow Cowpen Branch south and southwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northwest, west, northwest, north, and northwest to its intersection with Hwy. 1077 & Hwy. 1078 (Bennett Bridge Road); thence follow Hwy. 1077 & Hwy. 1078 (Bennett Bridge Road) northeast, east, and southeast to its intersection with Hwy. 1077 (Savannah Road); thence follow Hwy. 1077 (Savannah Road) northeast to its intersection with Hwy. 1077 (Willie Road); thence follow Hwy. 1077 (Willie Road) southeast, east, southeast, and east to its intersection with Hwy. 25; thence follow Hwy. 25 southeast to its intersection with Hwy. 1078 (Bennett Bridge Road), also the point of beginning.

Precinct 301

Commence at the intersection of Hwy. 25 and Hwy. 1078 (Bennett Bridge Road), also the point of beginning; thence follow Hwy. 1078 (Bennett Bridge Road) west and northwest to its intersection with Cowpen Branch; thence follow Cowpen Branch south and southwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River southeast, south, southeast, south, and southeast to its intersection with Horse Branch; thence follow Horse Branch north, north, northeast to its intersection with an eastern branch of Horse Branch; thence follow said eastern branch of Horse Branch north, northeast to its intersection with Penn Mill Rd.; thence follow Penn Mill Rd. southeast, south, to its intersection with an electric power line; thence follow the electric power line northeast to its intersection with Hwy. 25; thence follow Hwy. 25 northwest to its intersection with Hwy. 1078 (Bennett Bridge Road), also the point of beginning.

Precinct 302

Commence at the intersection of La Tice Branch and Million Dollar Road, also the point of beginning; thence follow Million Dollar Road west, south, west, south, and west to its intersection with Hwy. 25; thence follow Hwy. 25 southeast to its intersection with River Road; thence follow River Road northeast, southeast, east, and southeast to its intersection with Hosmer Mill Road; thence follow Hosmer Mill Road northeast to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River southeast, south, east, northeast, southeast, east, southeast, east, south, southeast, southwest, and southeast to its intersection with Hwy. 437 (Lee Road); thence follow Hwy. 437 (Lee Road) northeast and north to its intersection with North Fitzmorris Road; thence follow North Fitzmorris Road northwest to its intersection with La Tice Branch; thence follow La Tice Branch north, northeast, north, northeast, and north to its intersection with Million Dollar Road, also the point of beginning.

Precinct 303

Commence at the intersection of Hwy. 21 (Military Road) and Hwy. 1082 (Old Military Road), also the point of beginning; thence follow Hwy. 1082 (Old Military Road) north and northeast to its intersection with a Louisiana Gas pipeline and right-of-way; thence follow the Louisiana Gas pipeline and right-of-way northwest to its intersection with an electric power line; thence follow the electric power line southwest to its intersection with Hwy. 437 (Lee Road); thence follow Hwy. 437 (Lee Road) south and southwest to its intersection with Johnsen Road; thence follow Johnsen Road east to its intersection with Dogwood Lane; thence follow Dogwood Lane south, southwest, and south to its intersection with Holly Drive; thence follow Holly Drive southeast to its intersection with Hwy. 21 (Military Road); thence follow Hwy. 21 (Military Road) northeast to its intersection with Wilson Road; thence follow Wilson Road east to its intersection with Hwy. 59; thence follow Hwy. 59 north to its intersection with Hwy. 21 (Military Road);

thence follow Hwy. 21 (Military Road) southwest to its intersection with Hwy. 1082 (Old Military Road), also the point of beginning.

Precinct 304

Commence at the intersection of Hwy. 59 and Wilson Road, also the point of beginning; thence follow Wilson Road west to its intersection with Hwy. 21 (Military Road); thence follow Hwy. 21 (Military Road) south and southwest to its intersection with Holly Drive; thence follow Holly Drive northwest to its intersection with the Little Bogue Falaya River; thence follow the Little Bogue Falaya River southwest, west, southwest, and west to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River south, southwest, southeast, south, and southwest to its intersection with Hwy. 190; thence follow Hwy. 190 northeast to its intersection with Hwy. 21 (Military Road); thence follow Hwy. 21 (Military Road) north and northeast to its intersection with Hwy. 36; thence follow Hwy. 36 east to its intersection with Dahlia Street; thence follow Dahlia Street north to its intersection with Progress Street; thence follow Progress Street west to its intersection with Rose Street; thence follow Rose Street north to its intersection with Emancipation Street; thence follow Emancipation Street west to its intersection with United Church Road; thence follow United Church Road north to its intersection with Lowe Davis Road; thence follow Lowe Davis Road northeast to its intersection with Hwy. 59; thence follow Hwy. 59 north to its intersection with Wilson Road, also the point of beginning.

Precinct 305

Commence at the intersection of Hwy. 36 and Hwy. 21 (Military Road), also the point of beginning; thence follow Hwy. 21 (Military Road) southwest and south to its intersection with Hwy. 190; thence follow Hwy. 190 southeast to its intersection with the Abita River; thence follow the Abita River east, northeast, east, northeast, east, and northeast to its intersection with an unnamed branch of the Abita River; thence follow the unnamed branch north and northwest to its intersection with Hwy. 36; thence follow Hwy. 36 west and southwest to its intersection with Hwy. 21. (Military Road), also the point of beginning.

Precinct 306

Commence at the intersection of Hwy. 190 and Ponchitalawa Creek, also the point of beginning; thence follow Ponchitalawa Creek west to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northwest and northeast to its intersection with the Interstate 12; thence follow Interstate 12, southeast to its intersection with Hwy. 190; thence follow Hwy. 190 southwest to its intersection with Ponchitalawa Creek, also the point of beginning.

Precinct 307

Commence at the intersection of Hwy. 190 and Ninth Avenue, also the point of beginning; thence follow Ninth Avenue east to its intersection with K Street; thence follow K Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue east to its intersection with Seventh Street; thence follow Seventh Street south to its intersection with Madison Avenue; thence follow Madison Avenue east to its intersection with Eleventh Street; thence follow Eleventh Street south to its intersection with Helenbirg Road; thence follow Helenbirg Road southwest to its intersection with an unnamed creek; thence follow the unnamed creek northwest to its intersection with a drainage canal; thence follow the drainage canal north, northeast, northwest, and north to its intersection with Crestwood Blvd.; thence follow Crestwood Blvd. west to its intersection with Hwy. 190; thence follow Hwy. 190 north to its intersection with Ninth Avenue, also the point of beginning.

Precinct 308

Commence at the intersection of Hwy. 190 and 2nd Avenue, also the point of beginning; thence follow 2nd Avenue east and northeast to its intersection with Harrison Avenue; thence follow Harrison Avenue east to its intersection with a canal leading into the southern branch of the Abita River; thence follow the canal north to its intersection with the southern branch of the Abita River; thence follow the southern branch of the Abita River west and northwest to its intersection with the Abita River; thence follow the Abita River west, southwest, west, southwest, and west to its intersection with Hwy. 190; thence follow Hwy. 190 southeast to its intersection with 2nd Avenue, also the point of beginning.

Precinct 309

Commence at the intersection of Hwy. 190 and Harrison Avenue, also the point of beginning; thence follow Harrison Avenue east, northeast, and east to its intersection with Sixth Street; thence follow Sixth Street south to its intersection with Quincy Avenue; thence follow Quincy Avenue west, south, and west to its intersection with Hwy. 190; thence follow Hwy. 190 north to its intersection with Harrison Avenue, also the point of beginning.

Precinct 310

Commence at the intersection of Hwy. 190 and Interstate 12, also the point of beginning; thence follow Interstate 12 west to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northwest and northeast to its intersection with the Bogue Falaya River; thence follow the Bogue Falaya River continuing northeast, then north, northeast, northwest, north, northeast, north, east, northeast, north, and northeast to its intersection with Hwy. 190; thence follow Hwy. 190 northeast, south, southeast, and south to its intersection with Interstate 12, also the point of beginning.

Precinct 311

Commence at the intersection of Parker Dr. and LA Hwy 59, also the point of beginning; thence follow Parker Drive northwest to its intersection with Soell Dr., thence follow Soell Dr. southwest to its intersection with 11th Ave.; thence follow 11th Ave. northwest to its intersection with North St.; thence follow North St. southwest to its intersection with Lincoln St.; thence follow Lincoln St. west to its intersection with 11th St.; thence follow 11th St. north to Washington Ave.; thence follow Washington Ave. east to Fuschia St.; thence follow Fuschia St. north to Harrison Ave.; thence follow Harrison Ave. east to its intersection with Hwy 59 and the point of beginning.

Precinct 312

Commence at the intersection of Lincoln Street and Eleventh Street, also the point of beginning; thence follow Eleventh Street south to its intersection with Helenbirg Road; thence follow Helenbirg Road southwest to its intersection with an unnamed creek; thence follow the unnamed creek northwest to its intersection with a drainage canal; thence follow the drainage canal north, northeast, northwest, and north to its intersection with Crestwood Blvd.; thence follow Crestwood Blvd. west to its intersection with Hwy. 190; thence follow Hwy. 190 south to its intersection with the Ponchitalawa Creek; thence follow the meanderings of the Ponchitalawa Creek east and northeast to its intersection with Hwy. 59; thence follow Hwy. 59 north to its intersection with Parker Drive; thence follow Parker Drive northwest to its intersection with Soell Drive; thence follow Soell Drive northeast to its intersection with Eleventh Avenue; thence follow Eleventh Avenue northwest to its intersection with North Street; thence follow North Street southwest to its intersection with Lincoln Street; thence follow Lincoln Street west to its intersection with Eleventh Street, also the point of beginning.

Precinct 313

Commence at the intersection of Sixth Street and Harrison Avenue, also the point of beginning; thence follow Harrison Avenue east to its intersection with Fuchsia Street; thence follow Fuchsia Street south to its intersection with Washington Avenue; thence follow Washington Avenue west to its intersection with Eleventh Street; thence follow Eleventh Street south to its intersection with Madison Avenue; thence follow Madison Avenue west to its intersection with Seventh Street; thence follow Seventh Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue west to its intersection with Sixth Street; thence follow Sixth Street north to its intersection with Harrison Avenue, also the point of beginning.

Precinct 401

Commence at the intersection of Hwy. 22 and the Tchefuncte River, also the point of beginning; thence follow the meanderings of the Tchefuncte River south, southwest, and south to its intersection with an unnamed canal which runs parallel with the shoreline of Lake Pontchartrain; thence follow the unnamed canal southeast, east, and southeast to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba northeast to its intersection with an unnamed creek northwest of Lewisburg; thence

follow the unnamed creek northwest to its intersection with an unnamed road extension of Heavens Drive; thence follow along the extension north, northwest, and northeast to its intersection with an electric power line running to the northwest and southeast; thence follow the electric power line northwest approximately 1,050', thence continue north along said power line approximately 420' thence continue west along said power line approximately 700', thence continue northwest along said power line approximately 840' to its intersection with an electric power line that runs to the north; thence follow the north bound electric power line north approximately 570', thence continue northwest along said powerline approximately 890' to a point approximately 230' east of Woodridge Boulevard, thence follow the powerline as it runs parallel to Woodridge Boulevard approximately 4,000' to its intersection with Hwy. 22; thence follow Hwy. 22 west, southwest and west to its intersection with the Tchefuncte River, also the point of beginning.

Precinct 402

Commence at the intersection of Hwy. 22 and the Tchefuncte River, also the point of beginning; thence follow the Tchefuncte River north, east, north, northwest, east, north, northwest, north, northeast, southeast, northeast, and south to its intersection with a branch of the Tchefuncte River; thence follow the branch of the Tchefuncte River southwest to its intersection with the boat launch of Beau Chene Marina; thence follow the boat launch west, south, and east to its intersection with Marina Blvd.; thence follow Marina Blvd. southeast, southwest, southeast, and southwest to its intersection with Hwy. 22; thence follow Hwy. 22 northwest and southwest to its intersection with the Tchefuncte River, also the point of beginning.

Precinct 403

Commence at the intersection of Hwy. 190 and Greenleaves Blvd., also the point of beginning; thence follow Greenleaves Blvd. northeast to its intersection with the retention pond between Chateau Loire Blvd. and Richard Drive West; thence follow the retention pond southeast and southwest to its intersection with a drainage ditch; thence follow the drainage ditch south and southeast to its intersection with Sandlewood Drive; thence follow Sandlewood Drive east to its intersection with Goldenwood Street; thence follow Goldenwood Street southwest to its intersection with Driftwood Street; thence follow Driftwood Street southeast to its intersection with Wilkinson Street; thence follow Wilkinson Street southwest to its intersection with America Street; thence follow America Street southeast to its intersection with the Tammany Trace; thence follow the Tammany Trace northeast to its intersection with Destin Street; thence follow Destin Street southeast to its intersection with Lamarque Street; thence follow Lamarque Street southwest to its intersection with East Florida Street; thence follow East Florida Street northwest to its intersection with Hwy. 190; thence follow Hwy. 190 north and northwest to its intersection with Greenleaves Blvd., also the point of beginning.

Precinct 404

Commence at the intersection of Hwy. 190 and Country Club Drive, also the point of beginning; thence follow Country Club Drive west and northwest to its intersection where Country Club Drive meets the boat launch of Covington Country Club; thence follow the boat launch continuing northwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River southwest and south to its intersection with Bayou Tete L'Ours; thence follow Bayou Tete L'Ours southeast to its intersection with Hwy. 190; thence follow Hwy. 190 north to its intersection with Country Club Drive, also the point of beginning.

Precinct 405

Commence at the intersection of Hwy. 59 and Sharp Road, also the point of beginning; thence follow Sharp Road west, southwest, northwest, and west to its intersection with Westwood Drive; thence follow Westwood Drive northeast and north to its intersection with Dove Park Road; thence follow Dove Park Road east to its intersection with Buras Ranch Road; thence follow Buras Ranch Road north to its intersection with Little Ponchitalawa Creek; thence follow Little Ponchitalawa Creek west and northwest to its intersection with Ponchitalawa Creek; thence follow Ponchitalawa Creek north to its intersection with I-12; thence follow I-12 southeast to its intersection with Hwy. 59; thence follow Hwy. 59 south and southwest to its intersection with Sharp Road, also the point of beginning.

Precinct 406

Commence at the intersection of Hwy. 1088 and Kipp Road, also the point of beginning; thence follow Kipp Road north and northeast to its intersection with Hwy. 36 (Hickory Hwy.); thence follow Hwy. 36 (Hickory Hwy.) northwest to its intersection with the southern branch of the Abita River; thence follow the southern branch of the Abita River southwest, west, and northwest to its intersection with the Tammany Trace; thence follow the Tammany Trace southwest to its intersection with Hoffman Road; thence follow Hoffman Road west to its intersection with Hwy. 59; thence follow Hwy. 59 south to its intersection with Ponchitalawa Creek; thence follow Ponchitalawa Creek east, southeast, south, southeast, southwest, southeast, east, and northeast to its intersection with an electric power line; thence follow the electric power line southeast to its intersection with another electric power line; thence follow this electric power line east and southeast to its intersection with Hwy. 1088; thence follow Hwy. 1088 northeast, east, and northeast to its intersection with Kipp Road, also the point of beginning.

Precinct 407

Commence at the intersection of Sharp Road and the Tammany Trace, also the point of beginning; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south, and southwest to its intersection with Hwy. 190; thence follow Hwy. 190 northwest to its intersection with Meadowbrook Blvd.; thence follow Meadowbrook Blvd. east to its intersection with

Meadowbrook Drive; thence follow Meadowbrook Drive north to its intersection with Clearwater Drive; thence follow Clearwater Drive northeast to its intersection with Springwater Drive; thence follow Springwater Drive northwest to its intersection with Ridge Way Drive; thence follow Ridge Way Drive northeast to its intersection with Spanish Moss Court; thence follow Spanish Moss Court northwest to its intersection with a drainage ditch leading into a retention pond; thence follow the drainage ditch north to its intersection with the retention pond; thence follow the retention pond northwest to its intersection where the northwest corner of the retention pond flows into a culvert; thence follow the culvert continuing northwest to its intersection with Sharp Road; thence follow Sharp Road east, southeast, northeast, and east to its intersection with the Tammany Trace, also the point of beginning.

Precinct 408

Commence at the intersection of Hwy. 1088 and Sout Street, also the point of beginning; thence follow Sout Street south and southwest to its intersection with Labarre Street; thence follow Labarre Street northwest to its intersection with Albert Street; thence follow Albert Street southwest to its intersection with Dupard Street; thence follow Dupard Street northwest to its intersection with Lamarque Street; thence follow Lamarque Street northeast to its intersection with Destin Street; thence follow Destin Street northwest to its intersection with Hwy. 59; thence follow Hwy. 59 northeast and north to its intersection with Hwy. 1088; thence follow Hwy. 1088 northeast to its intersection with Sout Street, also the point of beginning.

Precinct 409

Commence at the intersection of Hwy. 1088 and I-12, also the point of beginning; thence follow I-12 southeast to its intersection with Log Cabin Road; thence follow Log Cabin Road southwest to its intersection with Cane Bayou; thence follow Cane Bayou south, southwest, and south to its intersection with Hwy. 190; thence follow Hwy. 190 southeast to its intersection with North Pontchartrain Drive; thence follow North Pontchartrain Drive north, northeast, east, and southeast to its intersection with Fish Hatchery Road; thence follow Fish Hatchery Road northeast, northwest, north, northeast, and north to its intersection with Beaver Ball Road; thence follow Beaver Ball Road northeast, north, northwest, north, and northwest to its intersection with Hwy. 1088; thence follow Hwy. 1088 southwest, west, and southwest to its intersection with I-12, also the point of beginning.

Precinct 410

Commence at the intersection of Lonesome Road and Greenleaves Blvd., also the point of beginning; thence follow Greenleaves Blvd. southeast and southwest to its intersection with the retention pond between Chateau Loire Blvd. and Richard Drive West; thence follow the retention pond southeast and southwest to its intersection with a drainage ditch; thence follow the drainage ditch south and southeast to its intersection with Sandlewood Drive; thence follow Sandlewood Drive east to its intersection with

Goldenwood Street; thence follow Goldenwood Street southwest to its intersection with Driftwood Street; thence follow Driftwood Street southeast to its intersection with Wilkinson Street; thence follow Wilkinson Street southwest to its intersection with America Street; thence follow America Street southeast to its intersection with the Tammany Trace; thence follow the Tammany Trace northeast to its intersection with Lonesome Road; thence follow Lonesome Road west and southwest to its intersection with Greenleaves Blvd., also the point of beginning.

Precinct 411

Commence at the intersection of I-12 and Hwy. 59, also the point of beginning; thence follow Hwy. 59 south and southwest to its intersection with Hwy. 1088; thence follow Hwy. 1088 northeast to its intersection with Spring Blvd.; thence follow Spring Blvd. south to its intersection with Chestnut Oak Drive; thence follow Chestnut Oak Drive southwest, south, southeast, and northeast, then its extension east to its intersection with Soutl Street; thence follow Soutl Street north to its intersection with Hwy. 1088; thence follow Hwy. 1088 northeast to its intersection with I-12; thence follow I-12 northwest to its intersection with Hwy. 59, also the point of beginning.

Precinct 412

Commence at the intersection of Sycamore St. and Soutl Street, also the point of beginning; thence follow Soutl Street south to its intersection with a canal between Quail Creek South and New Canaan Hills subdivisions; thence follow the canal east, southeast, east, southeast, east, south, and east to its intersection with Log Cabin Road; thence follow Log Cabin Road northeast to its intersection with I-12; thence follow I-12 northwest to its intersection with Hwy. 1088; thence follow Hwy. 1088 southwest to its intersection with Sycamore St.; thence follow Sycamore St. south and west to its intersection with Soutl Street, also the point of beginning.

Precinct 413

Commence at the intersection of Hwy. 190 and Hwy. 22, also the point of beginning; thence follow Hwy. 22 northwest to its intersection with Beau Chene Blvd.; thence follow Beau Chene Blvd. northeast to its intersection with Beau Chene Drive; thence follow Beau Chene Drive southeast, east, and north to its intersection with North Beau Chene Drive; thence follow North Beau Chene Drive northwest and west to its intersection with Kiskatom Lane; thence follow Kiskatom Lane northwest and north to its intersection with Bayou Tete L'Ours; thence follow Bayou Tete L'Ours southeast to its intersection with Hwy. 190; thence follow Hwy. 190 southwest to its intersection with Hwy. 22, also the point of beginning.

Precinct 414

Commence at the intersection of Lonesome Road and Hwy. 190; follow Hwy 190 northwest to its intersection with Bayou Chinchuba; thence follow the meanderings of

Bayou Chinchuba northeast and east to its intersection with the Tammany Trace; thence follow the Tammany Trace southwest to its intersection with Lonesome Road; thence follow Lonesome Road northwest and southwest to its intersection with Hwy. 190, also the point of beginning.

Precinct 415

Commence at the intersection of Hwy. 190 and Lonesome Road, also the point of beginning; thence follow Lonesome Road northeast to its intersection with Greenleaves Blvd.; thence follow Greenleaves Blvd. southeast and southwest to its intersection with Hwy. 190; thence follow Hwy. 190 northwest to its intersection with Lonesome Road, also the point of beginning.

Precinct 416

Commence at the intersection of Ashbury Dr. (a/k/a Hwy. 3228), and Sharp Rd., also the point of beginning; thence follow Ashbury Dr. southwest and southeast to its intersection with Meadowbrook Blvd.; thence follow Meadowbrook Blvd. east to its intersection with Meadowbrook Drive; thence follow Meadowbrook Drive north to its intersection with Clearwater Drive; thence follow Clearwater Drive northeast to its intersection with Springwater Drive; thence follow Springwater Drive northwest to its intersection with Ridge Way Drive; thence follow Ridge Way Drive northeast to its intersection with Spanish Moss Court; thence follow Spanish Moss Court northwest to its intersection with a drainage ditch leading into a retention pond; thence follow the drainage ditch north to its intersection with the retention pond; thence follow the retention pond northwest to its intersection where the northwest corner of the retention pond flows into a culvert; thence follow the culvert continuing northwest to its intersection with Sharp Road; thence follow Sharp Road west and southwest to its intersection with Ashbury Dr.(a/ka Hwy. 3228), also the point of beginning.

Precinct 417

Commence at the intersection of Sharp Rd. and Ashbury Dr., also the point of beginning; thence follow Sharp Road continuing northeast, then east to its intersection with Westwood Drive; thence follow Westwood Drive northeast and north to its intersection with Dove Park Road; thence follow Dove Park Road east to its intersection with Buras Ranch Road; thence follow Buras Ranch Road north to its intersection with Little Ponchitalawa Creek; thence follow Little Ponchitalawa Creek west and northwest to its intersection with Ponchitalawa Creek; thence follow Ponchitalawa Creek west, southwest, and west to its intersection with Hwy. 190; thence follow Hwy. 190 south and southwest to its intersection with Ashbury Dr. (a/k/a Hwy. 3228), thence follow Ashbury Dr. (a/k/a Hwy. 3228) southeast to its intersection with Sharp Rd., also the point of beginning.

Precinct 418

Commence at the intersection of Hwy. 190 and Country Club Drive, also the point of beginning; thence follow Country Club Drive west and northwest to its intersection where Country Club Drive meets the boat launch of Covington Country Club; thence follow the boat launch continuing northwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River northeast to its intersection with Ponchitalawa Creek; thence follow Ponchitalawa Creek east to its intersection with Hwy. 190; thence follow Hwy. 190 south and southwest to its intersection with Country Club Drive, also the point of beginning.

Precinct 419

Commence at the intersection of Hwy. 22 and Beau Chene Blvd., also the point of beginning; thence follow Beau Chene Blvd. northeast to its intersection with Beau Chene Drive; thence follow Beau Chene Drive southeast, east, and north to its intersection with North Beau Chene Drive; thence follow North Beau Chene Drive northwest and west to its intersection with Kiskatom Lane; thence follow Kiskatom Lane northwest and north to its intersection with Bayou Tete L'Ours; thence follow Bayou Tete L'Ours northwest to its intersection with the Tchefuncte River; thence follow the Tchefuncte River west, northwest, west, southwest, west, northwest, and north to its intersection with a branch of the Tchefuncte River; thence follow the branch of the Tchefuncte River southwest to its intersection with the boat launch of Beau Chene Marina; thence follow the boat launch west, south, and east to its intersection with Marina Blvd.; thence follow Marina Blvd. southeast, southwest, southeast, and southwest to its intersection with Hwy. 22; thence follow Hwy. 22 southeast to its intersection with Beau Chene Blvd., also the point of beginning.

Precinct 420

Commence at the intersection of I-12 and Ponchitalawa Creek, also the point of beginning; thence follow Ponchitalawa Creek northwest, northeast, east, northwest, northeast, southeast, northeast, southeast, east, southeast, south, southeast, southwest, southeast, east, and northeast to its intersection with an electric power line; thence follow the electric power line southeast to its intersection with another electric power line; thence follow this electric power line east and southeast to its intersection with Hwy. 1088; thence follow Hwy. 1088 southwest to its intersection with I-12; thence follow I-12 northwest to its intersection with Ponchitalawa Creek, also the point of beginning.

Precinct 421 (Precinct 401 split into Precincts 401 and 421)

Commence at the intersection of Hwy. 22 and Heavens Drive, also the point of beginning, thence follow Heavens Drive south and southeast to its intersection with its unnamed road extension; thence follow along the extension south to its intersection with an electric power line running to the northwest and southeast; thence follow the electric power line northwest approximately 1,050', thence continue north along said power line approximately 420' thence continue west along said power line

approximately 700', thence continue northwest along said power line approximately 840' to its intersection with an electric power line that runs to the north; thence follow the north bound electric power line north approximately 570', thence continue northwest along said powerline approximately 890' to a point approximately 230' east of Woodridge Boulevard, thence follow the powerline as it runs parallel to Woodridge Boulevard approximately 4,000' to its intersection with Hwy. 22; thence follow Hwy. 22 southeast to its intersection with Heavens Drive, also the point of beginning.

Precinct 422

Commence at the intersection of Hwy. 1088 and Soutl St., also the point of beginning; thence follow Soutl St. south to its intersection with Sycamore St.; thence follow Sycamore St. east and north to its intersection with Hwy. 1088; thence follow Hwy. 1088 southwest to its intersection with Soutl St., also the point of beginning.

Precinct 423

Commence at the intersection of Desoto St., and Hwy. 190, also the point of beginning; thence follow Desoto St. northeast to its intersection with Ashbury Dr. (a/k/a Hwy. 3228); thence follow Ashbury Dr. (a/k/a Hwy. 3228) northwest to its intersection with Hwy. 190; thence follow Hwy. 190 southwest to its intersection with Desoto St., also the point of beginning.

Precinct 424

Commence at the intersection of Desoto St. and Hwy. 190, also the point of beginning; thence follow Hwy. 190 southwest to its intersection with Hwy. 22 (a/k/a Emerald St.); thence follow Hwy. 22 (a/k/a Emerald St.) southeast to its intersection with Ashbury Dr. (a/k/a Hwy. 3228); thence follow Ashbury Dr. (a/k/a Hwy. 3228) northwest to its intersection with Desoto St.; thence follow Desoto St. southwest to its intersection with Hwy. 190, also the point of beginning.

Precinct 426

Commence at the intersection of Soutl Street and Labarre Street, also the point of beginning; thence follow Labarre Street northwest to its intersection with Albert Street; thence follow Albert Street southwest to its intersection with Dupard Street; thence follow Dupard Street northwest to its intersection with Lamarque Street; thence follow Lamarque Street southwest to its intersection with Florida Street (Hwy. 190); thence follow Florida Street (Hwy. 190) southeast to its intersection with Soutl Street; thence follow Soutl Street northeast to its intersection with Labarre Street, also the point of beginning.

Precinct 427

Commence at the intersection of the Tammany Trace and Sharp Road, also the point of beginning; thence follow Sharp Road east to its intersection with Hwy. 59; thence follow Hwy. 59 southwest to its intersection with Destin Street; thence follow Destin Street northwest to its intersection with the Tammany Trace; thence follow the Tammany Trace northeast to its intersection with Sharp Road, also the point of beginning.

Precinct 501

Commence at the intersection of the St. Tammany Parish/Washington Parish boundary line and the Bogue Chitto River, also the point of beginning; thence follow the Bogue Chitto River southeast, east, northeast, south, southeast, east, southeast, east, northeast, southeast, east, southeast, east, south, and southwest to its intersection with Dobson Bayou; thence follow Dobson Bayou east, northeast, north, east, and southeast to its intersection with Hell's Gate Bayou; thence follow Hell's Gate Bayou east, northeast, and east to its intersection with the Pearl River, which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River north, east, northeast, north, west, northwest, north, northeast, northwest, west, southwest, north, west, north, northeast, southeast, and north to its intersection with the St. Tammany Parish/Washington Parish boundary line; thence follow the St. Tammany Parish/Washington Parish boundary line west to its intersection with the Bogue Chitto River, also the point of beginning.

Precinct 502

Commence at the intersection of the St. Tammany Parish/Washington Parish boundary line and the Bogue Chitto River, also the point of beginning; thence follow the Bogue Chitto River southeast, east, northeast, south, southeast, east, southeast, east, northeast, and southeast to its intersection with Hwy. 21 (Military Road); thence follow Hwy. 21 (Military Road) south, southwest, west, and southwest to its intersection with Hwy. 1083 (Ben Williams Road); thence follow Hwy. 1083 (Ben Williams Road) north, northwest, north, northeast, north, northwest, and north to its intersection with Hwy. 40 (Bush-Folsom Road); thence follow Hwy. 40 (Bush-Folsom Road) northwest, west, and northwest to its intersection with Isabel Swamp Road; thence follow Isabel Swamp Road continuing northwest, then northeast, north, northwest, and northeast to its intersection with the St. Tammany Parish/Washington Parish boundary line; thence follow the St. Tammany Parish/Washington Parish boundary line northwest and west to its intersection with the Bogue Chitto River, also the point of beginning.

Precinct 503

Commence at the intersection of the Bogue Chitto River and Hwy. 21 (Military Road), also the point of beginning; thence follow Hwy. 21 (Military Road) south, southwest, west, and southwest to its intersection with Money Hill Pkwy.; thence follow Money Hill Pkwy. east, southeast, south, southwest, southeast, south, southeast, west, and southwest to its intersection with Hwy. 435 (Talisheek Hwy.); thence follow Hwy. 435 (Talisheek Hwy.) northeast, east, and northeast to its intersection with an unnamed

gravel road; thence follow the unnamed gravel road north, northwest, northeast, and northwest to its intersection with Talisheek Creek; thence follow Talisheek Creek north and northeast to its intersection with the Gulf Mobile and Ohio Railroad; thence follow the Gulf Mobile and Ohio Railroad southeast to its intersection with LeBlanc Road; thence follow LeBlanc Road east to its intersection with Vernon Talley Road; thence follow Vernon Talley Road northeast and east to its intersection with Hwy. 41 (Bogalusa Hwy.); thence follow Hwy. 41 (Bogalusa Hwy.) northeast and north to its intersection with Hickory Fields Road; thence follow Hickory Fields Road east, south, southwest, southeast, east, and southeast to its intersection with a boat launch leading into the Pearl River Canal; thence follow the boat launch east to its intersection with the Pearl River Canal; thence follow the Pearl River Canal southeast, south, and southeast to its intersection with a gas pipeline southeast of Meyers Road; thence follow the gas pipeline northeast to its intersection with the West Pearl River; thence follow the West Pearl River northwest, northeast, northwest, west, north, northwest, north, west, northwest, and north to its intersection with Wilson Slough; thence follow Wilson Slough northeast, east, southeast, and east to its intersection with the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River northeast, northwest, southeast, north, northwest, west, northwest, east, northwest, north, northwest, southwest, and north to its intersection with Hell's Gate Bayou; thence follow Hell's Gate Bayou west, southwest, and west to its intersection with Dobson Bayou; thence follow Dobson Bayou northwest, west, south, southwest, and west to its intersection with the Bogue Chitto River; thence follow the Bogue Chitto River northeast, north, west, northwest, west, and northwest to its intersection with Hwy. 21 (Military Road), also the point of beginning.

Precinct 504

Commence at the intersection of Hwy. 1083 and Lowe Davis Rd., also the point of beginning; thence follow Hwy. 1038 north to its intersection with LA Hwy 21; thence follow LA Hwy 21 northeast to its intersection with Money Hill Pkwy.; thence follow Money Hill Pkwy. south to its intersection with Hwy. 435 (Talisheek Hwy.); thence follow Hwy. 435 (Talisheek Hwy.) south and southwest to its intersection with McIntyre Rd.; thence follow McIntyre Rd. north to its intersection with a branch of the Abita River, thence follow said branch east and northeast and west, northwest to its intersection with Hwy. 1083 and Lowe Davis Rd., also the point of beginning.

Precinct 505

Commence at the intersection of Hwy. 1082 (Old Military Road) and Hwy. 21 (Military Road), also the point of beginning; thence follow Hwy. 21 (Military Road) northeast to its intersection with Hwy. 59; thence follow Hwy. 59 south to its intersection with Lowe Davis Road; thence follow Lowe Davis Road northeast and east to its intersection with Hwy. 1083; thence follow Hwy. 1083 north and northwest to its intersection with Hwy. 21 (Military Rd.); thence follow Hwy. 21 (Military Rd.) northeast to its intersection with the northern part of Hwy. 1083; thence follow Hwy. 1083 north, northeast and northwest to its intersection with Hwy. 40 (Bush-Folsom Road); thence follow Hwy. 40 (Bush-Folsom

Road) northwest and west to its intersection with Hwy. 1082 (Old Military Road); thence follow Hwy. 1082 (Old Military Road) south, southwest, and south to its intersection with Hwy. 21 (Military Road), also the point of beginning.

Precinct 601

Commence at the intersection of Hwy. 435 (Talisheek Hwy.) and Keen Road, also the point of beginning; thence follow Keen Road southeast to its intersection with Abita Creek; thence follow Abita Creek southwest to its intersection with the Abita River; thence follow the Abita River northeast and southeast to its intersection with an unnamed road north of Burvant Street; thence follow the unnamed road southwest and south to its intersection with Burvant Street; thence follow Burvant Street northeast and east to its intersection with Polaris Street; thence follow Polaris Street south and east to its intersection with Landry Lane; thence follow Landry Lane south, east, and south to its intersection with a branch of the Abita River; thence follow the branch of the Abita River west and northwest to its intersection with an unnamed road leading to Hwy. 36; thence follow the unnamed road southwest, southeast, and southwest to its intersection with Hwy. 36 (Hickory Hwy.); thence follow Hwy. 36 (Hickory Hwy.) southeast and east to its intersection with Pine Island Road; thence go northeast along Pine Island Road to its intersection with John Bennett Road; thence follow John Bennett Road northwest to its intersection with Peg Keller Road; thence follow Peg Keller Road southeast and northeast approximately 13,200 feet to its intersection with an unnamed gravel road; thence follow the unnamed gravel road northwest, north, northwest, west, and northwest to its intersection with Woodland Road; thence follow Woodland Road south to its intersection with an unnamed road connecting Woodland Road and Mule Bay; thence follow the unnamed road southwest and northwest crossing Mule Bay, then continue northwest, then southwest, north, northwest, east, northeast, north, northwest, and north to its intersection with Hwy. 435 (Talisheek Hwy.); thence follow Hwy. 435 (Talisheek Hwy.) southwest, west, southwest, west, and southwest to its intersection with Keen Road, also the point of beginning.

Precinct 602

Commence at the intersection of Wilson Slough and the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border, also the point of beginning; thence follow the meanderings of the Pearl River southwest, southeast, northwest, southeast, southwest, southeast, east, northeast, east, south, southwest, northwest, southwest, south, southeast, south, west, southwest, southeast, southwest, south, west, southeast, northeast, southwest, southeast, southwest, south, east, northeast, south, southwest, southeast, west, southwest, and southeast to its intersection with Holmes Bayou; thence follow the meanderings of Holmes Bayou south, west, south, southeast, south, southeast, southwest, southeast, and south to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River west, northwest, and southwest to its intersection with the Pearl River Canal; thence follow the meanderings of the Pearl River Canal west and northwest to its intersection with a boat launch leading to Lock No. 1 Road; thence follow the boat

launch southwest to its intersection with Lock No. 1; thence follow Lock No. 1 Road west, northwest, and southwest to its intersection with Hwy. 41; thence follow Hwy. 41 northwest to its intersection with Firetower Road; thence follow Firetower Road southwest and northwest to its intersection with Peg Keller Road; thence follow Peg Keller Road west and southwest to its intersection with an unnamed gravel road; thence follow the unnamed gravel road north, northwest, north, northwest, west, and northwest to its intersection with Woodland Road; thence follow Woodland Road south to its intersection with an unnamed road connecting Woodland Road and Mule Bay; thence follow the unnamed road southwest and northwest crossing Mule Bay, then continue northwest, then southwest, north, northwest, east, northeast, north, northwest, and north to its intersection with Hwy. 435 (Talisheek Hwy.); thence follow Hwy. 435 (Talisheek Hwy.) northeast to its intersection with an unnamed gravel road; thence follow the unnamed gravel road north, northwest, northeast, and northwest to its intersection with Talisheek Creek; thence follow the meanderings of Talisheek Creek north and northeast to its intersection with the Gulf Mobile and Ohio Railroad tracks; thence follow the Gulf Mobile and Ohio Railroad tracks southeast to its intersection with LeBlanc Lane; thence follow LeBlanc Lane southeast and east to its intersection with Vernon Talley Road; thence follow Vernon Talley Road northeast and east to its intersection with Hwy. 41 (Bogalusa Hwy.); thence follow Hwy. 41 (Bogalusa Hwy.) northeast and north to its intersection with Hickory Fields Road; thence follow Hickory Fields Road east, south, southwest, southeast, east, and southeast to its intersection with a boat launch leading into the Pearl River Canal; thence follow the boat launch east to its intersection with the Pearl River Canal; thence follow the meanderings of the Pearl River Canal southeast, south, and southeast to its intersection with a gas pipeline southeast of Meyers Road; thence follow the gas pipeline northeast to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River northwest, northeast, northwest, west, north, northwest, north, west, northwest, and north to its intersection with Wilson Slough; thence follow Wilson Slough northeast, east, southeast, and east to its intersection with the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border, also the point of beginning.

Precinct 603

Commence at the intersection of Hwy. 36 and Hwy. 41, also the point of beginning; thence follow Hwy. 41 southeast, south, southwest, and southeast to its intersection with Pine Street Extension; thence follow Pine Street Extension southwest, west, northwest, west, and southwest to its intersection with CC 19 Road; thence follow CC 19 Road northwest to its intersection with an electric power line; thence follow the electric power line continuing northwest and north to its intersection with Hwy. 36; thence follow Hwy. 36 southeast and east to its intersection with Hwy. 41, also the point of beginning.

Precinct 604

Commence at the intersection of I-59 and Old Hwy. 11, also the point of beginning; thence follow Old Hwy. 11 southeast, east, and northeast to its intersection with the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River northwest, northeast, north, northwest, west, northwest, west, and southwest to its intersection with Holmes Bayou; thence follow Holmes Bayou south, west, south, southeast, south, southeast, southwest, southeast, and south to its intersection with the West Pearl River; thence follow the West Pearl River west, northwest, and southwest to its intersection with the Pearl River Canal; thence follow the Pearl River Canal west and northwest to its intersection with a boat launch leading to Lock No. 1 Road; thence follow the boat launch southwest to its intersection with Lock No. 1 Road; thence follow Lock No. 1 Road west, northwest, and southwest to its intersection with Hwy. 41; thence follow Hwy. 41 southeast, southwest, south, southeast, and south to its intersection with Hickory Street; thence follow Hickory Street southeast to its intersection with Gum Creek; thence follow Gum Creek northeast, north, northwest, and east to its intersection with Old Channel; thence follow Old Channel southeast, east, south, southeast, and east to its intersection with I-59; thence follow I-59 northeast to its intersection with Old Hwy. 11, also the point of beginning.

Precinct 605

Commence at the intersection of Fish Hatchery Road and Beaver Ball Road, also the point of beginning; thence follow Beaver Ball Road northeast, north, northwest, north, and northwest to its intersection with Hwy. 1088; thence follow Hwy. 1088 southwest to its intersection with Kipp Road; thence follow Kipp Road north to its intersection with Hwy. 36; thence follow Hwy. 36 southeast to its intersection with an electric power line; thence follow the electric power line south to its intersection with Horse Shoe Island Rd.; thence follow Horse Shoe Island Rd. southwest to its intersection with Hwy. 434; thence follow Hwy. 434 north to its intersection with Bayou Lacombe; thence follow Bayou Lacombe south and southwest to its intersection with Krentel Rd.; thence follow Krentel Rd. northwest to its intersection with Fish Hatchery Rd.; thence follow Fish Hatchery Rd. Northeast to its intersection with Beaver Ball Road, also the point of beginning.

Precinct 606

Commence at the intersection of Hwy. 36 (Hickory Hwy.) and Hwy. 41 (Bogalusa Hwy.), also the point of beginning; thence follow Hwy. 41 (Bogalusa Hwy.) northwest, north, northeast, and northwest to its intersection with Firetower Road; thence follow Firetower Road southwest and northwest to its intersection with Peg Keller Road; thence follow Peg Keller Road west to its intersection with the Gulf Mobile and Ohio Railroad; thence follow the Gulf Mobile and Ohio Railroad southeast to its intersection with Hwy. 36 (Hickory Hwy.); thence follow Hwy. 36 (Hickory Hwy.) east to its intersection with Hwy. 41 (Bogalusa Hwy.), also the point of beginning.

Precinct 607

Commence at the intersection of Horse Shoe Island Rd. and an electric powering, also the point of beginning; thence follow said powering south and southeast to its intersection with CC19 Rd.; thence follow CC19 Rd. northwest to its intersection with Dixie Ranch Rd.; thence follow Dixie Ranch Rd. south and southeast to its intersection with an electric powerline; thence follow said electric powerline west to its intersection with Bayou Lacombe; thence follow Bayou Lacombe north, north east to its intersection with Hwy. 434; thence follow Hwy. 434 south to its intersection with Horseshoe Island Rd.; thence follow Horseshoe Island northeast to its intersection with an electric powerline, also the point of beginning.

Precinct 609 (Precinct 601 split into Precinct 601 and 609)

Commence at the intersection of Hwy. 36 and Pine Island Road; thence go northeast along Pine Island Road to its intersection with John Bennett Road; thence follow John Bennett Road northwest to its intersection with Peg Keller Road; thence follow Peg Keller Road southeast and northeast to its intersection with the Gulf Mobile and Ohio Railroad; thence follow the Gulf Mobile and Ohio Railroad southeast to its intersection with Hwy. 36; thence follow Hwy. 36 northwest to its intersection with Pine Island Road, also the point of beginning.

Precinct 701

Commence at the intersection of Hwy. 434 and Hwy. 190, also the point of beginning; thence follow Hwy. 190 southwest, west, and northwest to its intersection with North Pontchartrain Drive; thence follow North Pontchartrain Drive north, northeast, east, and southeast to its intersection with Fish Hatchery Road; thence follow Fish Hatchery Road northeast, northwest, north, and northeast to its intersection with Krentel Road; thence follow Krentel Road southeast to its intersection with Bayou Lacombe; thence follow Bayou Lacombe southwest to its intersection with an electric power line; thence follow the electric power line southeast and east to its intersection with Hwy. 434; thence follow Hwy. 434 southwest, south, and southwest to its intersection with Hwy. 190, also the point of beginning.

Precinct 702

Commence at the intersection of Hwy. 190 and Hwy. 434, also the point of beginning; thence follow Hwy. 434 northeast, north, and northeast to its intersection with an electric power line; thence follow the electric power line northeast to Firetower Road; thence follow Firetower Road south to its intersection with Cypress Bayou; thence follow Cypress Bayou southwest and south to its intersection with Berry Todd Road; thence follow Berry Todd Road west, southwest, west, and southwest to its intersection with Mill Road; thence follow Mill Road south, west, southwest, northwest, and south to its intersection with Hwy. 190; thence follow Hwy. 190 northwest, west, and southwest to its intersection with Hwy. 434, also the point of beginning.

Precinct 703

Commence at the intersection of Hwy. 190 and Bayou Lacombe, also the point of beginning; thence follow Bayou Lacombe southeast, east, southeast, southwest, southeast, southwest, south, and southeast to its intersection where Bayou Lacombe flows into Lake Pontchartrain; thence follow a straight line extension south to its intersection with the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain; thence follow the St. Tammany Parish/Orleans Parish boundary line southeast, east, and northeast to its intersection with a straight line extension leading to Cane Bayou; thence follow the straight line extension north to its intersection with Cane Bayou; thence follow Cane Bayou continuing north, then northeast to its intersection with Hwy. 190; thence follow Hwy. 190 southeast and northeast to its intersection with Bayou Lacombe, also the point of beginning.

Precinct 704

Commence at the intersection of Hwy. 190 and Bayou Lacombe, also the point of beginning; thence follow Bayou Lacombe southeast, east, southeast, southwest, southeast, southwest, south, and southeast to its intersection with the shore line of Lake Pontchartrain; thence follow the shore line of Lake Pontchartrain east and southeast to its intersection with a pipeline leading into Lake Pontchartrain; thence follow the pipeline northeast to its intersection with Bayou Paquet Road; thence follow Bayou Paquet Road east and southeast to its intersection with Transmitter Road; thence follow Transmitter Road north to its intersection with Hwy. 190; thence follow Hwy. 190 west, northwest, and southwest to its intersection with Bayou Lacombe, also the point of beginning.

Precinct 705

Commence at the intersection of Transmitter Road and the Tammany Trace, also the point of beginning; thence follow the Tammany Trace east to its intersection with Park Avenue; thence follow Park Avenue south and southwest to its intersection with Bayou Paquet; thence follow Bayou Paquet southeast and south to its intersection with Bayou Paquet Road; thence follow Bayou Paquet Road southeast to its intersection with Thompson Road; thence follow Thompson Road southwest and southeast to its intersection with Bayou Liberty; thence follow Bayou Liberty southwest, west, southwest, and southeast to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca southwest to its intersection with where Bayou Bonfouca flows into Lake Pontchartrain; thence follow a straight line extension south to its intersection with the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain; thence follow the St. Tammany Parish/Orleans Parish boundary line west and southwest to its intersection with a straight line extension leading to Bayou Lacombe; thence follow the straight line extension north to its intersection where Bayou Lacombe meets the shoreline of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain east and southeast to its intersection with a pipeline leading into Lake Pontchartrain; thence follow the pipeline northeast to its intersection with Bayou Paquet Road; thence follow Bayou Paquet Road east and southeast to its intersection with Transmitter Road;

thence follow Transmitter Road north to its intersection with the Tammany Trace, also the point of beginning.

Precinct 706

Commence at the intersection of Berry Todd Road and Cypress Bayou, also the point of beginning; thence follow Cypress Bayou south, west, and southwest to its intersection with Shannon Drive; thence follow Shannon Drive east to its intersection with North Tranquility Road; thence follow North Tranquility Road south to its intersection with Hwy. 190; thence follow Hwy. 190 northwest a short distance to its intersection with South Tranquility Road; thence follow South Tranquility Road south to its intersection with the Tammany Trace; thence follow the Tammany Trace west to its intersection with Transmitter Road; thence follow Transmitter Road north to its intersection with Hwy. 190; thence follow Hwy. 190 west and northwest to its intersection with Mill Road; thence follow Mill Road north, southeast, northeast, east, and north to its intersection with Berry Todd Road; thence follow Berry Todd Road northeast, east, northeast, and east to its intersection with Cypress Bayou, also the point of beginning.

Precinct 801

Commence at the intersection of I-59 and Old Hwy. 11, also the point of beginning; thence follow Old Hwy. 11 southeast, east, and northeast to its intersection with the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River southeast, southwest, and southeast to its intersection with English Bayou; thence follow English Bayou southwest, west, and northwest to its intersection with Craddock Slough; thence follow Craddock Slough southwest, south, west, northwest, and south to its intersection with Otter Bayou; thence follow Otter Bayou southwest to its intersection with the West Pearl River; thence follow the West Pearl River southeast, south, and southwest to its intersection with Davis Landing boat launch; thence follow Davis Landing boat launch west and southwest to its intersection with Davis Landing Road; thence follow Davis Landing Road west, south, and west to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) northwest, northeast, north, northwest, north, northeast, and northwest to its intersection with the I-59 Service Road; thence follow the I-59 Service Road northeast, northwest, north, and northeast to its intersection with Porter's River Road; thence follow Porter's River Road east, northeast, and north to its intersection with a boat launch leading into Porter's River; thence follow Porter's River northeast, northwest, and northeast to its intersection with the West Pearl River; thence follow the West Pearl River northwest to its intersection with I-59; thence follow I-59 northeast to its intersection with Old Hwy. 11, also the point of beginning.

Precinct 802

Commence at the intersection of I-12 and Hwy. 11, also the point of beginning; thence follow Hwy. 11 northeast to its intersection with Haas Road; thence follow Haas Road east to its intersection with Pebblebrook Drive; thence follow Pebblebrook Drive south to

its intersection with Hunter's Creek Road; thence follow Hunter's Creek Road west to its intersection with Miller's Creek Lane; thence follow Miller's Creek Lane southwest to its intersection with Kelly Drive; thence follow Kelly Drive west to its intersection with Bluefield Drive; thence follow Bluefield Drive southeast and south to its intersection with Meredith Drive; thence follow Meredith Drive west to its intersection with Defiance Drive; thence follow Defiance Drive south to its intersection with Lenwood Drive; thence follow Lenwood Drive west to its intersection with Whisperwood Blvd.; thence follow Whisperwood Blvd. southwest, south, southeast, and south to its intersection with Brownsitch Road; thence follow Brownsitch Road east to its intersection with Hwy. 1091 (Robert Road); thence follow Hwy. 1091 (Robert Road) southwest to its intersection with I-12; thence follow I-12 northwest and west to its intersection with Hwy. 11, also the point of beginning.

Precinct 803

Commence at the intersection of Haas Road and Hwy.1091, also the point of beginning; thence follow Hwy. 1091 south and southeast to its intersection with Dean Road; thence follow Dean Road and its extension northeast to its intersection with I -59; thence follow I-59 south and southwest to its intersection with I-12; thence follow I-12 northeast to its intersection with Hwy. 1091; thence follow Hwy. 1091 northeast to its intersection with Brownsitch Road; thence follow Brownsitch Road west to its intersection with Whisperwood Blvd; thence follow Whisperwood Blvd. north, northwest, north, and northeast to its intersection with Lenwood Drive; thence follow Lenwood Drive east to its intersection with Defiance Drive; thence follow Defiance Drive north to its intersection with Meredith Drive; thence follow Meredith Drive east to its intersection with Bluefield Drive; thence follow Bluefield Drive north and northwest to its intersection with Kelly Drive; thence follow Kelly Drive east to its intersection with Millers Creek Lane; thence follow Millers Creek Lane northeast to its intersection with Hunters Creek Road; thence follow Hunters Creek Road east to its intersection with Pebblebrook Drive; thence follow Pebblebrook Drive north to its intersection with Haas Road; thence follow Haas Road east to its intersection with Hwy. 1091, also the point of beginning.

Precinct 804

Commence at the intersection of I-59 and I-10, also the point of beginning; thence follow I-10 southeast, east, and northeast to its intersection with the Pearl River which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River north, northeast, northwest, north, and northwest to its intersection with English Bayou; thence follow English Bayou southwest, west, and northwest to its intersection with Craddock Slough; thence follow Craddock Slough southwest, south, west, northwest, and south to its intersection with Otter Bayou; thence follow Otter Bayou southwest to its intersection with the West Pearl River; thence follow the West Pearl River southeast, south, and southwest to its intersection with Davis Landing boat launch; thence follow Davis Landing boat launch west and southwest to its intersection with Davis Landing Road; thence follow Davis Landing Road west, south, and west to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090

(Military Road) northwest, northeast, north, northwest, north, northeast, and northwest to its intersection with I-59; thence follow I-59 south and southwest to its intersection with I-10, also the point of beginning.

Precinct 805

Commence at the intersection of I-10 and Gause Blvd., also the point of beginning; thence follow Gause Blvd. east and northeast to its intersection with Amber Street; thence follow Amber Street north to its intersection with Lake Village Blvd.; thence follow Lake Village Blvd. east and southeast to its intersection with Cross Gates Blvd.; thence follow Cross Gates Blvd. northeast to its intersection with Hwy. 1090 (North Military Road); thence follow Hwy. 1090 (North Military Road) northwest to its intersection with I-10; thence follow I-10 northwest and southwest to its intersection with Gause Blvd., also the point of beginning.

Precinct 806

Commence at the intersection of Gause Blvd. East (Hwy. 190) and French Branch, also the point of beginning; thence follow the meanderings of French Branch southeast to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) southwest to its intersection with Rue Esplanade; thence follow Rue Esplanade and its extension northwest to its intersection with Rue Holiday; thence follow Rue Holiday continuing northwest, then west to its intersection with Pearl Acres Road; thence follow Pearl Acres Road north to its intersection with Gause Blvd. East (Hwy. 190); thence follow Gause Blvd. East (Hwy. 190) northeast to its intersection with French Branch, also the point of beginning.

Precinct 807

Commence at the intersection of I-10 and Hwy. 1090 (Military Road), also the point of beginning; thence follow Hwy. 1090 (Military Road) southeast to its intersection with Herwig Bluff Road; thence follow Herwig Bluff Road and its extension east and northeast to a branch leading to the West Pearl River; thence follow the branch southeast to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River northwest to its intersection with I-10; thence follow I-10 west and northwest to its intersection with Hwy. 1090 (Military Road), also the point of beginning.

Precinct 808

Commence at the intersection of Doubloon Branch and Hwy. 1090 (Military Road), also the point of beginning; thence follow Hwy. 1090 (Military Road) northeast to its intersection with an electric power line; thence follow the electric power line northeast to its intersection with the West Pearl River; thence follow the West Pearl River southeast to its intersection with Doubloon Branch; thence follow Doubloon Branch west,

southwest, and northwest to its intersection with Hwy. 1090 (Military Road), also the point of beginning.

Precinct 809

Commence at the intersection of Doubloon Branch and Hwy. 190 East, also the point of beginning; thence follow Hwy. 190 East northwest, west, and northwest to its intersection with Brookter Road; thence follow Brookter Road south and southeast to its intersection with Kingspoint Blvd.; thence follow Kingspoint Blvd. southwest to its intersection with Voters Road; thence follow Voters Road east to its intersection with Brookter Road; thence follow Brookter Road south to its intersection with the levee which encircles New Kingspoint subdivision; thence follow the levee east, south, and west to its intersection with the W-14 Canal via the pumping station; thence follow the W-14 Canal southeast to its intersection with Doubloon Branch; thence follow Doubloon Branch northeast, east, north, northwest, east, northeast, northwest, and northeast to its intersection with Hwy. 190 East, also the point of beginning.

Precinct 810

Commence at the intersection of Doubloon Branch and Hwy. 1090 (Military Road), also the point of beginning; thence follow Hwy. 1090 (Military Road) south to its intersection with Hwy. 190 East; thence follow Hwy. 190 East southeast and east to its intersection with Hwy. 90; thence follow Hwy. 90 northeast and east to its intersection with the Pearl River, which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the Pearl River north, northwest, north, east, north, northwest, north, northwest, west, north, northeast, and north to its intersection with I-10; thence follow I-10 southwest and west to its intersection with the West Pearl River; thence follow the West Pearl River southeast, south, and southeast to its intersection with Doubloon Branch; thence follow Doubloon Branch west, southwest, and northwest to its intersection with Hwy. 1090 (Military Road), also the point of beginning.

Precinct 811

Commence at the intersection of Hwy. 1090 (Military Road) and Gause Blvd., also the point of beginning; thence follow Gause Blvd. southwest to its intersection with French Branch; thence follow French Branch southeast to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) north, northeast, and northwest to its intersection with Gause Blvd., also the point of beginning.

Precinct 812

Commence at the intersection of Hwy. 1090 (Military Road) and Gause Blvd., also the point of beginning; thence follow Gause Blvd. southwest to its intersection with Amber Street; thence follow Amber Street north to its intersection with Lake Village Blvd.; thence follow Lake Village Blvd. east and southeast to its intersection with Cross Gates Blvd.; thence follow Cross Gates Blvd. northeast to its intersection with Hwy. 1090

(Military Road); thence follow Hwy. 1090 (Military Road) southeast to its intersection with Gause Blvd., also the point of beginning.

Precinct 813

Commence at the intersection of I-10 and Gause Blvd., also the point of beginning; thence follow Gause Blvd. east and northeast to its intersection with Pearl Acres Road; thence follow Pearl Acres Road south to its intersection with Rue Holiday; thence follow Rue Holiday west to its intersection with North Holiday Drive; thence follow North Holiday Drive southwest and west to its intersection with an electric power line; thence follow the electric power line southeast to its intersection with Hwy. 190 East; thence follow Hwy. 190 East west and northwest becoming Hwy. 190 West; thence follow Hwy. 190 West continuing northwest to its intersection with I-10; thence follow I-10 northeast to its intersection with Gause Blvd., also the point of beginning.

Precinct 814

Commence at the intersection of Voters Road and Brookter Road, also the point of beginning; thence follow Brookter Road south to its intersection with the levee which encircles New Kingspoint subdivision; thence follow the levee east, south, and west crossing the W-14 Canal via the pumping stations on each side; thence continue southwest, west, north, and northeast to its intersection with Kingspoint Blvd.; thence follow Kingspoint Blvd. northwest to its intersection with Voters Road; thence follow Voters Road east to its intersection with Brookter Street, also the point of beginning.

Precinct 815

Commence at the intersection of Dean Road and Hwy. 1091, also the point of beginning; thence follow Hwy. 1091 northwest, north, and northwest to its intersection with the Illinois Central Railroad tracks; thence follow the Illinois Central Railroad tracks northeast to its intersection with Watts Road; thence follow Watts Road southeast to its intersection with Hwy. 1090; thence follow Hwy. 1090 continuing southeast to its intersection with I-59; thence follow I-59 south to its intersection with the extension of Dean Road; thence follow the extension of Dean Road southwest to its intersection with Hwy 1091, also the point of beginning.

Precinct 816

Commence at the intersection of Hwy. 1090 (Military Road) and Rue Esplanade, also the point of beginning; thence follow Rue Esplanade and its extension northwest to its intersection with Rue Holiday; thence follow Rue Holiday continuing northwest, then west to its intersection with North Holiday Drive; thence follow North Holiday Drive southwest and west to its intersection with an electric power line; thence follow the electric power line southeast to its intersection with Hwy. 190 Business (Shortcut Hwy.); thence follow Hwy 190 Business (Shortcut Hwy.) east and southeast to its intersection

with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) north and northeast to its intersection with Rue Esplanade, also the point of beginning.

Precinct 817

Commence at the intersection of Hwy. 1090 (Military Road) and Herwig Bluff Road, also the point of beginning; thence follow Herwig Bluff Road and its extension east and northeast to a branch leading to the West Pearl River; thence follow the branch southeast to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River southeast and south to its intersection with an electric power line; thence follow the electric power line southwest to its intersection with Hwy. 1090 (Military Road); thence follow Hwy. 1090 (Military Road) north and northwest to its intersection with Herwig Bluff Road, also the point of beginning.

Precinct 901

Commence at the intersection of Hwy. 190 and the Tammany Trace, also the point of beginning; thence follow the Tammany Trace east to its intersection with Camp Villere Road; thence follow Camp Villere Road north to its intersection with I-12; thence follow I-12 northwest to its intersection with Bayou Liberty; thence follow Bayou Liberty north and northwest to its intersection with the west branch of Bayou Liberty; thence follow the west branch of Bayou Liberty west, northwest, north, and northwest to its intersection with CC19 Road; thence follow CC19 Road northwest and west to its intersection with Dixie Ranch Road; thence follow Dixie Ranch Road south, southeast, and south to its intersection with Cypress Bayou; thence follow Cypress Bayou west, southwest, south, west, and southwest to its intersection with Shannon Drive; thence follow Shannon Drive east to its intersection with North Tranquility Road; thence follow North Tranquility Road south to its intersection with Hwy. 190; thence follow Hwy. 190 northwest a short distance to its intersection with South Tranquility Road; thence follow South Tranquility Road south to its intersection with the Tammany Trace; thence follow the Tammany Trace east to its intersection with Thompson Road; thence follow Thompson Road northeast to its intersection with Hwy. 190; thence follow Hwy. 190 southeast, east, northeast, and southeast to its intersection with the Tammany Trace, also the point of beginning.

Precinct 902

Commence at the intersection of Camp Villere Road and I-12, also the point of beginning; thence follow I-12 east to its intersection with a drainage canal which flows into Bayou Vincent; thence follow the drainage canal southeast to its intersection with Bayou Vincent; thence follow Bayou Vincent northeast, northwest, north, and northeast to its intersection with the abandoned Illinois Central Railroad; thence follow the abandoned Illinois Central Railroad northwest to its intersection with Browns Village Road; thence follow Browns Village Road east to its intersection with Bayou Vincent; thence follow Bayou Vincent northeast, north, northeast, northwest, north, northeast, north, northwest, northeast, and north to its intersection with Receiving Station Road;

thence follow Receiving Station Road west, northwest, west, and northwest to its intersection with CC 33 Road; thence follow CC33 Road southwest to its intersection with CC19 Road; thence follow CC19 Road southeast and south to its intersection with an unnamed gravel road north of Camp Villere; thence follow the unnamed gravel road west to its intersection with Camp Villere Road; thence follow Camp Villere Road southeast, southwest, and south to its intersection with I-12, also the point of beginning.

Precinct 903

Commence at the intersection of Receiving Station Road and CC33 Road, also the point of beginning; thence follow CC33 Road northeast and east to its intersection with Pine Street Extension; thence follow Pine Street Extension continuing east, then southeast, east, and northeast to its intersection with Watts Road; thence follow Watts Road southeast to its intersection with Gum Bayou; thence follow Gum Bayou south, southwest, and southeast to its intersection with Son Moore Road; thence follow Son Moore Road west, southeast, and east to its intersection with Gum Bayou; thence follow Gum Bayou southwest and southeast to its intersection with Hwy. 11; thence follow Hwy. 11 southwest to its intersection with 5th Avenue; thence follow 5th Avenue northwest to its intersection with 8th Street; thence follow 8th Street northeast to its intersection with Pearl River Street; thence follow Pearl River Street west to its intersection with 12th Street; thence follow 12th Street southwest to its intersection with 4th Avenue; thence follow 4th Avenue northwest to its intersection with 15th Street; thence follow 15th Street northeast and northwest to its intersection with Pearl River Street; thence follow Pearl River Street west to its intersection with 17th Street; thence follow 17th Street southwest to its intersection with 3rd Avenue; thence follow 3rd Avenue northwest and west to its intersection with Receiving Station Road; thence follow Receiving Station Road northwest, west, and northwest to its intersection with CC 33 Road, also the point of beginning.

Precinct 904

Commence at the intersection of Bayou Liberty and Hwy. 190 (Gause Blvd. West), also the point of beginning; thence follow Hwy. 190 (Gause Blvd. West) east and southeast to its intersection with Carroll Road; thence follow Carroll Road south and southwest to its intersection with Liberty Drive; thence follow Liberty Drive west to its intersection with East Avenue; thence follow East Avenue south to its intersection with Garden Drive; thence follow Garden Drive and its extension northwest to its intersection with the W-12 L1 Canal; thence follow the W-12 L1 Canal southwest to its intersection with Bayou Liberty; thence follow the meanderings of Bayou Liberty northwest to its intersection with Hwy. 190 (Gause Blvd. West), also the point of beginning.

Precinct 905

Commence at the intersection of the Tammany Trace and Hwy. 433 (Thompson Road), also the point of beginning; thence follow Hwy. 433 (Thompson Road) southwest to its intersection with a Drainage Canal which encircles Ozone Woods subdivision; thence

follow the meanderings of the Drainage Canal northwest and northeast encircling Ozone Woods subdivision to its intersection with the Tammany Trace; thence follow the Tammany Trace east to its intersection with Hwy. 433 (Thompson Road), also the point of beginning.

Precinct 906

Commence at the intersection of Thompson Road and Hwy. 190, also the point of beginning; thence follow Hwy. 190 east to its intersection with Bayou Liberty; thence follow Bayou Liberty south, southeast, south, southeast, and south to its intersection with Jefferson Avenue; thence follow Jefferson Avenue northeast and southeast to its intersection with Bayou Liberty Road; thence follow Bayou Liberty Road southwest to its intersection with Napoleon Avenue; thence follow Napoleon Avenue southeast to its intersection with Benjamin Road; thence follow Benjamin Road southwest and southeast to its intersection with Laurent Road; thence follow Laurent Road southwest, northwest, and southwest to its intersection with Nunez Road; thence follow Nunez Road north to its intersection with Bayou Liberty Road; thence follow Bayou Liberty Road west to its intersection with Thompson Road; thence follow Thompson Road northwest and northeast to its intersection with Hwy. 190, also the point of beginning.

Precinct 907

Commence at the intersection of Carroll Road and Bayou Liberty Road, also the point of beginning; thence follow Bayou Liberty Road southwest to its intersection with Jefferson Avenue; thence follow Jefferson Avenue northwest and southwest to its intersection with Bayou Liberty; thence follow Bayou Liberty north and northwest to its intersection with the W-12, L-1 Canal; thence follow the W-12, L-1 Canal northeast to its intersection with Garden Drive; thence follow Garden Drive east and southeast to its intersection with East Street; thence follow East Street northeast to its intersection with Liberty Drive; thence follow Liberty Drive east to its intersection with Carroll Road; thence follow Carroll Road southeast to its intersection with Bayou Liberty Road, also the point of beginning.

Precinct 908

Commence at the intersection of Bayou Bonfouca and Bayou Liberty, also the point of beginning; thence follow Bayou Liberty north, northwest, north, northeast, east, and northeast to its intersection with Thompson Road; thence follow Thompson Road southeast to its intersection with Bayou Liberty Road; thence follow Bayou Liberty Road east to its intersection with Nunez Road; thence follow Nunez Road south to its intersection with Laurent Road; thence follow Laurent Road northeast to its intersection with Baldwin Drive; thence follow Baldwin Drive southeast to its intersection with Ridgewood Drive; thence follow Ridgewood Drive southwest to its intersection with Dunbar Drive; thence follow Dunbar Drive southeast to its intersection with a gravel driveway into the Baldwin property; thence follow the gravel driveway continuing southeast, then east, southeast, and south to its intersection with a cleared path leading

to a boat launch on the property leading into Bayou Bonfouca; thence follow the cleared path southeast and southwest to its intersection with a boat launch leading into Bayou Bonfouca; thence follow the boat launch south to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca west, southwest, west, south, west, and northwest to its intersection with Bayou Liberty, also the point of beginning.

Precinct 909

Commence at the intersection of the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain and I-10; thence follow I-10 northeast to its intersection with the extension of Windrift Drive; thence follow the extension of and Windrift Drive southeast to its intersection with Kingspoint Blvd; thence follow Kingspoint Blvd southwest to its intersection with the levee which encircles New Kingspoint subdivision; thence follow the levee southwest, south, and east to its intersection with the W-14 canal via the pumping station; thence follow the W-14 canal southeast and southwest to its intersection with an unnamed waterway which leads into Big Branch Marsh National Wildlife Refuge; thence follow the unnamed waterway southeast and south through the Big Branch Marsh to its intersection with Salt Bayou; thence follow the meanderings of Salt Bayou east, northeast, east, southeast, and east to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River southeast, southwest, east, southwest, and south to its intersection with the St. Tammany Parish/Orleans Parish boundary line in the Rigolets; thence follow St. Tammany Parish/Orleans Parish boundary line northwest, west, southwest, west, northwest, and southwest into Lake Pontchartrain with its intersection with I-10, also the point of beginning.

Precinct 910

Commence at the intersection of Moonraker Drive and Eden Isles Blvd., also the point of beginning; thence follow Eden Isles Blvd. southeast to its intersection with Howze Beach Road; thence follow Howze Beach Road southwest to its intersection with an unnamed stream; thence follow the unnamed stream southeast to its intersection with I-10; thence follow I-10 southwest to its intersection with the shoreline of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain northwest to its intersection with the mouth of Grand Lagoon; thence follow Grand Lagoon northeast to its intersection with the Diversion Canal; thence follow the Diversion Canal northwest, northeast, and northwest to its intersection with the bridge on Moonraker Drive; thence follow Moonraker Drive northeast to its intersection with Eden Isles Blvd., also the point of beginning.

Precinct 911

Commence at the intersection of Hwy. 11 and the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain, also the point of beginning; thence follow the St. Tammany Parish/Orleans Parish boundary line east and southeast to its intersection with I-10; thence follow I-10 northeast to its intersection with the shoreline of Lake

Pontchartrain; thence follow the shoreline of Lake Pontchartrain northwest to its intersection with the mouth of Grand Lagoon; thence follow Grand Lagoon northeast to its intersection with the Diversion Canal; thence follow the Diversion Canal northwest, northeast, and northwest to its intersection with the bridge on Moonraker Drive; thence follow Moonraker Drive northeast to its intersection with Eden Isles Blvd.; thence follow Eden Isles Blvd. northwest to its intersection with Hwy. 11; thence follow Hwy. 11 southwest to its intersection with the St. Tammany Parish/Orleans Parish boundary line in Lake Pontchartrain, also the point of beginning.

Precinct 912

Commence at the intersection of Bayou Bonfouca and Bayou Liberty Road, also the point of beginning; thence follow Bayou Liberty Road northwest, west, and southwest to its intersection with Napoleon Avenue; thence follow Napoleon Avenue southeast to its intersection with Benjamin Road; thence follow Benjamin Road southwest and southeast to its intersection with Laurent Road; thence follow Laurent Road southwest, northwest, and southwest to its intersection with Baldwin Drive; thence follow Baldwin Drive southeast to its intersection with Ridgewood Drive; thence follow Ridgewood Drive southwest to its intersection with Dunbar Drive; thence follow Dunbar Drive southeast to its intersection with a gravel driveway into the Baldwin property; thence follow the gravel driveway continuing southeast, then east, southeast, and south to its intersection with a cleared path leading to a boat launch on the property leading into Bayou Bonfouca; thence follow the cleared path southeast and southwest to its intersection with a boat launch leading into Bayou Bonfouca; thence follow the boat launch south to its intersection with Bayou Bonfouca; thence follow Bayou Bonfouca east, northeast, north, northeast, southeast, and northeast to its intersection with Bayou Liberty Road, also the point of beginning.

Precinct 913

Commence at the intersection of Journey Road and the west branch of Bayou Liberty, also the point of beginning; thence follow the west branch of Bayou Liberty southeast and east to its intersection with the east branch of Bayou Liberty south of Belair subdivision; thence follow the east branch of Bayou Liberty north, northeast, east, northeast, and north to its intersection with Journey Road; thence follow Journey Road northwest and west to its intersection with Bayou Liberty, also the point of beginning.

Precinct 914

Commence at the intersection of Browns Village Road and the Hwy. 11, also the point of beginning; thence follow Hwy. 11 northeast to its intersection with Haas Road; thence follow Haas Road east to its intersection with Hwy. 1091 (Robert Road); thence follow Hwy. 1091 (Robert Road) northwest, north, and northwest to its intersection with the Illinois Central Railroad; thence follow the Illinois Central Railroad northeast to its intersection with Watts Road; thence follow Watts Road northwest to its intersection with Gum Bayou; thence follow Gum Bayou south, southwest, and southeast to its

intersection with Son Moore Road; thence follow Son Moore Road west, southeast, and east to its intersection with Gum Bayou; thence follow Gum Bayou southwest and southeast to its intersection with Hwy. 11; thence follow Hwy. 11 southwest to its intersection with 5th Avenue; thence follow 5th Avenue northwest to its intersection with 8th Street; thence follow 8th Street northeast to its intersection with Pearl River Street; thence follow Pearl River Street west to its intersection with 12th Street; thence follow 12th Street southwest to its intersection with 4th Avenue; thence follow 4th Avenue northwest to its intersection with 15th Street; thence follow 15th Street northeast and northwest to its intersection with Pearl River Street; thence follow Pearl River Street west to its intersection with 17th Street; thence follow 17th Street southwest to its intersection with 3rd Avenue; thence follow 3rd Avenue northwest and west to its intersection with Receiving Station Road; thence follow Receiving Station Road northwest and west to its intersection with Bayou Vincent; thence follow Bayou Vincent south, southwest, southeast, southwest, south, and southwest to its intersection with Browns Village Road; thence follow Browns Village Road east to its intersection with Hwy. 11, also the point of beginning.

Precinct 915

Commence at the intersection of I-12 and Bayou Liberty, also the point of beginning; thence follow Bayou Liberty northwest to its intersection with the east branch of Bayou Liberty south of Belair subdivision; thence follow the east branch of Bayou Liberty north, northeast, east, northeast, and north to its intersection with Journey Road; thence follow Journey Road northwest, west, and northwest to its intersection with the west branch of Bayou Liberty; thence follow the west branch of Bayou Liberty northwest, north, and northwest to its intersection with CC19 Road; thence follow CC19 Road southeast and south to its intersection with an unnamed gravel road north of Camp Villere; thence follow the unnamed gravel road west to its intersection with Camp Villere Road; thence follow Camp Villere Road southeast, southwest, and south to its intersection with I-12; thence follow I-12 west and northwest to its intersection with Bayou Liberty, also the point of beginning.

Precinct 916

Commence at the intersection of the Tammany Trace and Hwy. 190 (Gause Blvd. West), also the point of beginning; thence follow Hwy. 190 (Gause Blvd. West) southeast to its intersection with North Harrison Road; thence follow North Harrison Road northwest to its intersection with Lagrange Road; thence follow Lagrange Road northeast to its intersection with a drainage canal which flows into Bayou Vincent; thence follow the meanderings of the Bayou Vincent Drainage Canal northwest, north, and northwest to its intersection with I-12; thence follow I-12 west to its intersection with the extension of Camp Villere Road; thence follow the extension of and Camp Villere Road south to its intersection with the Tammany Trace; thence follow the Tammany Trace west to its intersection with Hwy. 190 (Gause Blvd. West); also the point of beginning.

Precinct 917

Commence at the intersection of Hwy. 433 (Thompson Road) and Bayou Paquet Road, also the point of beginning; thence follow Bayou Paquet Road northwest to its intersection with Bayou Paquet; thence follow the meanderings of Bayou Paquet in a general north and northwest direction to its intersection with Park Avenue; thence follow Park Avenue northeast and north to its intersection with the Tammany Trace; thence follow the Tammany Trace east to its intersection with a Drainage Canal which encircles Ozone Woods subdivision; thence follow the meanderings of the Drainage Canal southwest and southeast encircling Ozone Woods subdivision to its intersection with Hwy. 433 (Thompson Road); thence follow Hwy. 433 (Thompson Road) southwest to its intersection with Bayou Paquet Road, also the point of beginning.

Precinct 918

Commence at the intersection of Hwy. 190 Business (Shortcut Hwy.) and Doubloon Branch; thence follow the meanderings of Doubloon Branch south, southeast, southwest, west, northwest, south, southeast, west, and southwest to its intersection with the W-14 canal; thence follow the W-14 canal southeast and southwest to its intersection with an unnamed waterway which leads into Big Branch Marsh National Wildlife Refuge; thence follow the unnamed waterway southeast and south through the Big Branch Marsh to its intersection with Salt Bayou; thence follow the meanderings of Salt Bayou east, northeast, east, southeast, and east to its intersection with the West Pearl River; thence follow the meanderings of the West Pearl River southeast, southwest, east, southwest, and south to its intersection with the St. Tammany Parish/Orleans Parish boundary line in the Rigolets; thence follow the St. Tammany Parish/Orleans Parish boundary line east and southeast to its intersection with the St. Tammany Parish/St. Bernard Parish boundary line; thence follow the St. Tammany Parish/St. Bernard Parish boundary line continuing southeast, then east and northeast through Lake Borgne to its intersection with the Pearl River, which is also the St. Tammany Parish boundary line at the Louisiana/Mississippi border; thence follow the meanderings of the Pearl River northwest, west, southwest, west, northwest, and north to its intersection with Hwy. 90; thence follow Hwy. 90 west and southwest to its intersection with Hwy. 190 Business (Shortcut Hwy.); thence follow Hwy 190 Business (Shortcut Hwy.) west and northwest to its intersection with Doubloon Branch, also the point of beginning.

Precinct 921

Commence at the intersection Hwy. 11 (Pontchartrain Drive) and Eden Isles Blvd., also the point of beginning; thence follow Eden Isles Blvd. southeast to its intersection with Oak Harbor Blvd; thence follow Oak Harbor Blvd. east, northeast, west, southwest, north, and west to its intersection with Hwy. 11 (Pontchartrain Drive); thence follow Hwy. 11 (Pontchartrain Drive) southwest to its intersection with Eden Isles Blvd., also the point of beginning.

(Ord. No. 11-2503, adopted 04/20/2011.)

SEC. 2-019.00 Council Districts - Established

The reapportionment of the St. Tammany Parish Council is enacted, containing whole election precincts, with fourteen (14) single member representative districts which will become effective for voting purposes immediately upon final adoption, subject to U.S. Justice Department approval pursuant to the Voting Rights Act of 1965; and will become effective for parish governing authority according to state law, at the end of the term of the incumbent parish council members. The legal descriptive boundaries by precincts for these districts are.....adopted herewith.

(Ord. No. 01-0372, adopted 10/04/2001; amended by Ord. 01-0394, adopted 11/15/2001; amended by Ord. 01-0416, adopted 12/20/2001; amended by Ord. No. 11-2502, adopted 04/20/2011).

SEC. 2-020.00 Same - Boundaries

The Council Districts shall be as follows:

District 1 - consists of Precincts 103, 104, 105, 106, 107, 306, C01, C02, C03, C04 and C05.

District 2 -consists of Precincts 206, 302, 303, 304, 305, 307, 308, 309, 313, A04 and C09.

District 3 - consists of Precincts 101, 201, 202, 204, 207, 301, C06, C07, C08, C10, C11 and F01.

District 4 -consists of Precincts 102, 401, 402, 404, 413, 418, 419, 421, M01, M06 and MD1.

District 5 - consists of Precincts 310, 311, 312, 405, 407, 411, 416, 417, 420, 423, 424 and A02.

District 6 - consists of Precincts 203, 205, 501, 502, 503, 504, 505, 601, 602, 604, 606, A01 and A03.

District 7 - consists of Precincts 406, 408, 409, 412, 422, 701, 702, 703, 704 and M10.

District 8 - consists of Precincts 802, 803, 805, S01, S02, S03, S04, S05, S08 and S09.

District 9 - consists of Precincts 801, 804, 807, 808, 812, 815, 817, 903 and P01.

District 10 - consists of Precincts 403, 410, 414, 415, 426, 427, M02, M03, M04, M05, M07, M08 and M09.

District 11 - consists of Precincts 603, 605, 607, 705, 706, 901, 905, 906, 913, 915, 916 and 917.

District 12 - consists of Precincts 907, 912, 921, S06, S10, S11, S12, S13, S15, S16, S17 and S22.

District 13 - consists of Precincts 806, 810, 811, 813, 816, 908, 909, 910, 911, 918 and S18.

District 14 - consists of Precincts 809, 814, 902, 904, 914, S07, S19, S21, S23, S24 and S25.

(Under Police Jury form of government, Districts were established per Ord. No. 83-514, adopted 01/20/83; Repealed and Replaced by Ord. No. 91-1440, adopted 05/06/91) (Home Rule Charter established Parish Council/Parish President form of government commencing January 1, 2000.)

(Following the 2000 Federal Decennial Census and becoming effective January 2004, Ord. No. 01-0372, adopted 10/04/2001; amended by Ord. 01-0394, adopted 11/15/2001; amended by Ord. 01-0416, adopted 12/20/2001.)

(Following the 2010 Federal Decennial Census and becoming effective January 2012, the above reflected Council Districts were established by Ord. No. 11-2502, adopted 04/20/2011).

ARTICLE III PARISH COUNCIL

SEC. 2-030.00 Parish Council Salaries

1. The monthly compensation to be received by all elected members of the St. Tammany Parish Council shall be as follows:

On January 1, 2016, and every January 1st thereafter, council member salaries will increase by the average percentage increase of all St. Tammany Parish Government employees for that year as determined by the St. Tammany Parish Director of Finance.

Monthly Compensation for subsequent years shall remain at this level unless amended by the Council pursuant to Parish Charter Section 2-05(B).

2. Reimbursements

A. Council members are entitled to reimbursement for reasonable expenses incurred in carrying out their official duties.

B. Reimbursement shall be authorized only upon submission of properly documented receipts.

C. Authorized items for reimbursement:

1. Mileage shall be reimbursed for the use of a personal vehicle for out of parish business related travel. Mileage shall be based on the most current federal/state standard mileage rate. Reimbursement requests shall be documented from the vehicle's actual odometer reading or calculated using the recommended route of travel.

2. Expenses incurred for lodging and meals to attend out of parish government functions, when such lodging and meals are not prepaid by the parish.

3. Cellular Phone Stipend Program

A. Council members are entitled to a cellular phone stipend to cover the reasonable expenses incurred in the performance of their official duties.

B. Stipends will be paid in accordance with a multi-tier program with each tier representing an allotment of minutes and features necessary for council members to conduct business according to individual need.

C. Council Members will each be placed in a tier level of stipend according to the number of minutes and features they require after consulting with the Council Administrator.

D. The Council Administrator will review annually the tier level of stipend with each Council Member to confirm the appropriate amount of stipend is being paid according to actual minutes and features used during the previous year.

E. Council staff members requiring a cellular phone as part of their duties will also participate in this stipend program.

(Ord. No. 09-2017, adopted 03/05/2009; amended by Ord. No. 11-2452, adopted 02/03/2011; amended by Ord. No. 14-3210, adopted 10/02/2014)

SEC. 2-031.00 St. Tammany Parish Council Rules And Procedures

The following sections outline the St. Tammany Parish Council Rules and Procedures.

SEC. 2-031.01 Officers

A. A Chairman shall be elected yearly by a majority vote of the Council. He shall preside over all meetings and be an ex-officio member of all committees. The Chairman shall not be elected any earlier than the November Regular Monthly Meeting.

B. A Vice-Chairman shall be elected yearly by a majority vote of the Council. The Vice-Chairman shall serve in the absence of the Chairman. The Vice-Chairman shall not be elected any earlier than the November Regular Monthly Meeting.

C. There shall be a Sergeant-At-Arms appointed yearly by the Chairman, whose duty is to keep order in the meetings.

E. There shall be a Parliamentarian appointed yearly by the Chairman of the Council, whose job it is to keep a copy of Robert's Rules of Order and answer any procedure issues when called upon to do so. (Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94)

SEC. 2-031.03 Council Committees

A. There shall be the following Standing Parish Council Committees:

1. Agenda Review Committee

a. The Committee will review the agenda for each Regular Council Meeting and make recommendations to the full Council on those agenda items it elects. The Committee may also hear any other matter placed on its agenda by a committee member.

b. The Committee will be comprised of seven (7) parish council members appointed annually by the Council Chairman.

c. The Council Vice-Chairman will serve as one of the seven Committee members and as the Committee's Chairman. In the event that the Vice-Chairman or other member of the Committee cannot attend a meeting, the Council Chairman or other council member not an appointed regular committee member may sit in his/her stead.

(amended by Ord. No. 06-1371, adopted 09/07/2006)

d. Committee meetings will be held prior to all Regular Council Meetings on the date, time and place determined by the Council Chairman.

e. Committee Meeting Notices will be posted at the Parish Government Administrative Complex and by other means as required by law.

2. Finance Review Committee

a. The Committee will review the Parish budget and any amendments thereto, any financial item which it elects to place on its agenda and make recommendations to the full Council regarding same.

b. The Committee will be comprised of seven (7) parish council members appointed by the Council Chairman.

c. The Council Chairman will appoint one of the Committee members to serve as the Committee's Chairman. In the event that the Committee Chairman or other member of the Committee cannot attend a meeting, the Council Chairman may designate another Council member to sit in his/her stead.

d. Committee meetings will be held at least quarterly prior to Regular Council Meetings with the ability of the Committee Chairman to call special meetings upon giving proper legal notice.

B. In addition to the Standing Committees the Council Chairman, or the Council by resolution, may create Special Ad Hoc Committees and Advisory Workgroups.

1. Special Ad Hoc Committees may be created to address a particular issue and make recommendations on that issue to the full Council. They will be made up of no more than seven (7) council members. Meeting notices will not be required for Ad Hoc Committee meetings.

2. Advisory Workgroups may be created to make advisory recommendations to the Parish Council on any matter. They may be made up of no more than seven (7) council members and any number of parish staff and lay persons. Meeting notices will not be required for Advisory Workgroup meetings.

(Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94; amended by Ord. No. 02-0457, adopted 03/07/2002; amended by Ord. No. 06-1256, adopted 03/02/2006; amended by Ord. No. 06-1371, adopted 09/07/2006; amended by Ord. No. 12-2731 adopted 05/03/2012)

SEC. 2-031.04 Agendas

A. Deadline - The Wednesday prior to the Regular Council Meeting, at 9:00 A.M. shall be established as the Regular Agenda Deadline. The Tuesday prior to committee meetings at 9:00 a.m. shall be established as the Committee Agenda Deadline.

B. Agenda of all Meetings shall be posted at the Government Complex to give twenty-four (24) hours notice to the public and shall be mailed to be received by Council members twenty-four (24) hours prior to the meeting.

C. Only those items on the meeting agenda can be voted on at that meeting.

D. Any item not on the a Regular Agenda can be considered with ten (10) [affirmative] votes of the Jury; any items not on a committee agenda can be considered with a majority vote of committee members present.

E. Any item on the Agenda may be moved up with ten (10) [affirmative] votes of the Jury; any item on the committee agendas can be moved up with a majority vote of committee members present. (Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted 9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; amended by Ord. No. 94-2066, adopted 09/15/94)

SEC. 2-031.05 Agenda Format

A. Call to Order, Invocation, Pledge of Allegiance, and Roll Call.

B. Presentations

C. Consent Calendar:

1. The Minutes of the previous month's Meetings.

a. Waiving of the reading of the minutes, adoption as presented and authorization to publish in the Official Journal.

2. Ordinances for Introduction.

a. Ordinances for Introduction shall be introduced by title only, sponsored by a Council Member , shall not require public reading, and be presented in full written form when considered at Committee Meetings.

3. Resolutions (except those of appointments).

a. Resolutions shall be sponsored by a Council Member and shall not require public reading.

4. Licenses and Permit Applications.

a. Granting of licenses and permits subject to Sheriff's Office approval if applicable, and meeting all Parish requirements.

5. Any item may be removed from the Consent Calendar for individual consideration prior to the adoption of the Consent Calendar. All items shall be removed together by one motion. Any items not removed shall be introduced/adopted on consent by one motion and vote.

D. The remaining Order of business shall be taken as follows:

1. Appearers.

(1) All meetings of the Parish Council are open to the general public. Any person wishing to speak relative to an item on the agenda shall be allowed to do so upon consideration of that matter. A two (2) minute time limitation is established for each person wishing to speak for/against an item on the agenda.

(2) Appearers must be on the published Agenda which shall state the purpose for which they are appearing; said purpose shall not relate to an item previously listed on the Agenda. (Ord. No. 94-2066, adopted 04/15/94).

(3) Appearers wishing to discuss items not listed on a meeting agenda shall be considered upon receiving a unanimous vote of council members present. A three (3) minute time limitation is established for items not on the agenda.

(4) The Council Chairman shall have the option of extending time limitations on issues when deemed necessary.

E. Appeals of Decisions of the Planning/Zoning Commission.

1. Appearers involved in the appeal process shall be allowed five (5) minutes per side (for/against), with a two (2) minute rebuttal per side. Large groups shall be required to select one or more specific individuals to share the total time allocation.

F. Ordinances for Adoption and Public Hearing.

1. All Ordinances for adoption at the Meeting must be on the Agenda, unless qualifying as an emergency under Section 2-14 of the Home Rule Charter.

a. The Chairman shall read the Title of each Ordinance prior to consideration.

b. Ordinances adopted shall state the members voting , members absent, and the vote cast by each [member].

G. Resolution of Nominations/Appointments.

1. Appointments to parish-wide boards and commissions must lay over after nomination until the following council meeting, unless the rule is suspended by ten (10) votes of the Council.

2. Individual District nominations/appointments shall not require a lay over period.

H. Award of bids.

I. Matters for Discussion.

J. Executive Session.

K. Off-The-Floor Agenda

a. Deadline - 10:00 a.m. on the Wednesday prior to the regular Council meeting shall be established as the deadline for the Off-The-Floor Agenda.

b. Format - Items will be placed on the Off-The-Floor Agenda in the order in which they are received in final form, and must each include an administrative comment stating the reasons for their placement on the agenda consistent with the following requirements:

1. Involving an issue of public health, safety and welfare; or
2. Of a time sensitive nature; or
3. Of an emergency nature.

c. Sponsor - All items Off-The-Floor must be sponsored by a council member who has been fully apprised of the subject matter of the item.

d. Procedure - Following the hearing of matters on the regular agenda, the Council may open the Off-The-Floor agenda upon the unanimous vote of council members present. The title of each item shall be read by the Chairman prior to consideration.

L. Other Matters

a. Items received after agenda deadlines may be individually considered at the end of the meeting upon a unanimous vote of council members present taken on each item after the sponsoring council member having read the title of the item and provided a description of the matter and the necessity for it being presented.

b. Ordinances presented by a council member at the end of the meeting must be in writing and in the form required for final adoption pursuant to Home Rule Charter Section 2-12.

(Ord. No. 08-1927, adopted 09/11/2008)

SEC. 2-031.06 Suspension Of Rules

A. Suspension of Police Jury Rules and Procedures shall require ten (10) [affirmative] votes of the Police Jury. (Ord. No. 80-01, adopted 06/19/80; Ord. No. 80-43, adopted

9/11/80; Ord. No. 81-252, adopted 8/20/81; are repealed and replaced by Ord. No. 88-905, adopted 1/21/88; amended by Ord. No. 88-983, adopted 09/15/88; Ord. No. 94-2066, adopted 09/15/94)

SEC. 2-032.00 Roberts Rules

This Section Repealed by incorporation into Ord. No. 88-905, adopted 01/21/88 as Sec. 2-031.02 paragraph (F) supra.

SEC. 2-033.00 Recission of an Appointee for Failure to Timely Return Oath

EDITORIAL NOTE: This is a new section created by the authority of Ord. No. 96-2502, adopted 09/19/96.

1. After sixty (60) days from the date of appointment by the Police Jury to the membership of a political subdivision, it shall be cause for the recission of the subject appointment, and said appointment shall be rescinded whenever the appointee fails to timely and properly execute and return to the Police Jury for processing his/her oath of office, all in a manner which is set forth or otherwise contemplated by the provisions of this ordinance.
2. Whenever an appointment to the membership of a board of a political subdivision is rescinded in a manner as set forth in Section 1 of this ordinance, the Police Jury may restore the appointment or effect a replacement appointment thereto, all in a manner set forth in Chapter 2 (Administration) of the Code of Ordinances of St. Tammany Parish, Louisiana.
3. The Parish Manager is hereby authorized to effect any and all reasonable and practical procedures which may be necessary to implement the provisions set forth in this ordinance, which shall include, but shall not be limited to, using the mailing address for the appointee which is on file with the Registrar of Voters for St. Tammany Parish for the purposes of notification.
4. Term Defined: For the purposes set forth in Section 1 of this ordinance and at the sole discretion of the Police Jury, the term "After sixty (60) days from" may mean "If the Police Jury subsequent to".

(Ord. No. 96-2502, adopted 09/19/96)

SEC. 2-034.00 Candidates for Elected or Appointed Positions

The following shall apply to all potential, nominated and/or qualified candidates for local, state or federal elected and/or appointed positions:

1. Regular or special meetings of the Council shall not be used as a forum for candidates or individuals seeking an elected office or a politically appointed position.
2. No individual shall be placed as an appearer on any Parish Council agenda for the purpose of announcing, promoting or campaigning for elected office or a political appointment.
3. No individual, in attendance at regular or special meetings, will be granted permission to publicly address the Council or the audience for purposes of announcing, promoting, or campaigning for an elected office or a political appointment.

(Ord. No. 00-0118, adopted 02/17/2000)

ARTICLE IV OFFICERS AND EMPLOYEES

DIVISION 1 GENERALLY

SEC. 2-046.00 Liability Of Parish For Legal Fees, Judgments, Etc., Incurred By Police Jury Members While Acting In Their Official Capacity

1. While St. Tammany Parish is not responsible for any judgment, compromise agreement or settlement, legal fee or cost incurred by the Police Jury or any of all members thereof who is (are) sued, the Parish shall pay the judgment, compromise agreement or settlement, legal fees and costs where litigation results from an act or failure to act by the Juror(s) in his or her official capacity, as defined herein, and under the conditions and exclusions listed below.
2. St. Tammany Parish shall not be responsible for costs or legal fees incurred in the defense of the Police Jury or Police Jury Member(s) where an insurer has undertaken the defense of same and has employed an attorney or attorneys to represent it or them; otherwise, the Parish shall be responsible.
3. Should the Parish obtain appropriate insurance to protect against such claims and/or judgments which is inadequate to pay the entire amount of any judgment or compromise agreement or settlement, legal fees and costs, then the Parish of St. Tammany shall pay that excess amount.
4. Nothing contained herein shall prohibit St. Tammany Parish from entering into a compromise settlement or agreement with the claimant prior to any judgment.
5. The following acts are expressly excluded from the insurance and indemnity agreement:
6. Where the Police Jury or Police Jury member(s) is (are) a defendant(s) in a suit filed by the Parish.
7. Where the Police Jury Member(s) is (are) guilty of wilful misconduct or wrongdoing.
8. Where the Police Jury Member(s) is (are) guilty of an intentional act of physical violence or threatened physical violence.

9. Where the Police Jury Member(s) is(are) guilty of a grossly negligent act, or failure to act, which driving under the influence of intoxicating beverages, as defined in the state criminal code. (Ord. No. 81-117, adopted 02/05/81)

CROSS REFERENCE: Sec. 1-009.00, "Officers and Employees Not Liable for Failure to Perform Duties"; Section 2-051.00 through Section 2-057.00, Division 5 "Notification of Police Jury Members of Capital Improvements, Special Programs, Etc." especially Section 2-056.0 "Violation; Penalties" of the Code of Ordinances for St. Tammany Parish, Louisiana, 1989 edition; Chapter 6, Article III, "Discrimination in Employment Prohibited"; Sec. 20-001.00, " Closing, Abandoning, Revoking, Dedication of Streets, Roads".

DIVISION 2 PARISH PERSONNEL POLICIES AND PROCEDURES

EDITORIAL NOTE: The entire St. Tammany Parish Personnel Policies and Procedures have been incorporated into Appendix E of this Code of Ordinances and is on file in the Personnel Department.

SEC. 2-048.00 Title

1. The administration, management, and conduct of any and all personnel policies and procedures for the employees of the St. Tammany Parish Police Jury shall be at all times subject to the provisions of the St. Tammany Parish Personnel Policies and Procedures, and as may be amended from time to time be a resolution of the Police Jury as set forth in Section 2 hereof, a copy of which is available for review by the public at the administrative offices of the Police Jury located at 428 E. Boston Street, Covington; 21490 Koop Drive, Mandeville; or 520 Old Spanish Trail, Slidell.
2. The St. Tammany Parish Personnel Policies and Procedures, as of December 31, 1997, are made a part of this Code as **Appendix E**. Amendments made after December 31, 1997 will be available for public review at the administrative offices of the Police Jury listed in item 1.
3. A copy of the St. Tammany Parish Personnel Policies and Procedures shall be provided to every existing employee and to each employee hired by the Police Jury.
4. The provisions of the St. Tammany Parish Personnel Policies and Procedures may be amended from time to time by a resolution of the Police Jury, the favorable vote on which must be a majority of the membership of the Police Jury.
5. The provision of the St. Tammany Parish Personnel Policies and Procedures shall become effective upon the effective date of this ordinance, except that those provisions which relate to the accrual of annual and sick leave shall become effective on January 1, 1996. (Ord. No. 81-201, adopted 05/21/81; revised Ord. No. 88-1002, adopted 11/17/88; amended by Ord. No. 95-2335, adopted 12/14/95)

SEC. 2-048.01 Parish Manager

(A) The Parish Manager shall be the executive and administrative head of the Division of Parish personnel and shall direct and supervise all its administrative and technical activities. In addition to the duties imposed elsewhere, he shall:

(1) Establish and maintain, through the personnel division, a roster of all

employees in the Parish service, in which shall be set forth, as to each

employee, the class title of the position held, the salary or pay, any change

in class title, pay or status, and any other necessary data.

(2) Appoint in accordance with administrative procedures employees of the personnel division, and experts and special assistants necessary to carry out the provisions of this Division.

(3) Develop, in cooperation with organization units and others, training and educational programs for Parish employees.

(4) Investigate, from time to time, the operation and effect of this Division and the rules and regulations as director to the Police Jury.

(5) Perform any other acts and functions considered necessary or desirable to carry out the purposes in this Division or as directed by the Police Jury. (item 5 deleted, 6 becomes 5 in revision by Ord. No. 88-1002, adopted 11/17/88)

(B) The Parish Manager may designate an Assistant Parish Manager to act as his assistant. In case of absence of the Parish Manager or his inability from any cause to discharge the powers and duties of his office, the powers and duties shall devolve upon the Assistant Parish Manager.

(C) The Parish Manager may select officers or employees in the Parish personnel system to act as examiners in the preparation and rating of tests. An appointing authority shall excuse any employee in his division from his regular duties for the time required for his work as an examiner. Officers and employees shall not be entitled to extra pay for their service as examiners, but shall be entitled to reimbursement for necessary traveling and other expenses.

(D) The Parish Manager may, for the purpose of assisting in the examination of candidates for positions of high responsibility and positions requiring unusual qualities or qualifications, request approval from the Police Jury to retain the services of persons from within or without the state who, because of their experience or for other reasons, have special acquaintance with the qualities or qualifications requisite for such

positions. (Ord. No. 81-201, adopted 05/21/81; Ord. No. 84-69, adopted 04/19/84; revised with changes Ord. No. 88-1002, adopted 11/17/88)

SEC. 2-048.02 Rules

(A) The Parish Manager shall recommend to the Police Jury rules necessary or desirable for carrying out the provisions of this Division and may from time to time, recommend amendments or additions thereto.

(B) When such rules or amendments or additions to rules are recommended by the Parish Manager, the Parish Manager shall cause same to be posted in conspicuous place(s) in Parish governmental offices and buildings so as to properly notify employees of the proposed rule, amendment or addition. The Parish Manager shall further transmit copies thereof to all Police Jury members and to every Parish Departmental Director. The Parish Manager shall additionally retain copies thereof in the division's office for inspection by any interested employee or citizen.

(C) When posted, said rule, amendment or addition shall bear a date and the notation that same is being promulgated thereby for thirty (30) consecutive calendar days so that protest there against, if any, can be lodged with the Parish Manager. Should no protest be lodged within said time period, same shall thereafter be deemed adopted and shall become a permanent part of the rules, implementable as such.

(D) When a protest has been lodged with the Parish Manager, or has an alternative to promulgation as is above recited, the Police Jury shall hold public hearings thereof and may by resolution approve, alter, amend or reject the recommendations of the Parish Manager wholly or in part, or modify them and approve them as so modified.

(E) The Police Jury may from time to time propose and adopt new rules or amendments or additions to the rules on its own initiative.

(F) Rules adopted under this section shall have the force and effect of law. Among other things, the rules shall provide for the method of administering the classification plan and the pay plan; the establishment, maintenance, consolidation and cancellation of lists; the application of service ratings; the hours of work attendance regulation, vacations, and leaves of absence for employees in the classified personnel system, and the order and manner in which layoffs shall be effected. Such rules may include any provisions relating to Parish employment which are necessary or appropriate to give effect to the provisions and purposes of this Division.

(G) The powers herein conferred upon the Parish Manager shall be subject to the provisions of this Division and of the rules adopted hereunder, and may be exercised by regulation or by order as the Parish Manager sees fit. His powers and duties shall not be limited or restricted by the authorization to adopt rules, except to the extent that rules are adopted hereunder. (Ord. No. 81-201, adopted 05/21/81; Ord. No. 84-69, adopted 04/19/84; Revised by Ord. No. 88-1002, adopted 11/17/88)

SEC. 2-048.03 Federal Funds And Assistance

Wherever the provisions of any law of the United States, or of any rule, order or regulation of any Federal agency or authority, providing or administering Federal funds for use in Louisiana, either directly or indirectly or as a grant-in-aid, or to be matched or otherwise, impose other or higher merit standards or different classifications than are required by the provision of this Division, the provision of the laws, classification, rules or regulations of the United States or any Federal agency may be adopted by the Police Jury as rules and regulations of the Parish and shall when so adopted govern the class of employment and employees affected thereby, regardless of anything in this Division to the contrary. (Ord. No. 81-201, adopted 05/21/88; Revised with changes Ord. No. 88-1002, adopted 11/17/88)

SEC. 2-048.04 Post Employment Health Plan

A Post Employment Health Plan is hereby established for the exclusive benefit of public employees separating from service to provide reimbursement of qualified post employment expenses for medical premium payments incurred during Post Employment Period. The following shall comprise the Post Employment Health Plan for employees hired under the Police Jury. (Reso. P.J.S. No. 98-8598, adopted 3/19/98)

An employee with three (3) or more years of service who resigns and does not retire is:

paid for 1/3 of sick time; and

the remaining 2/3 of sick time is deposited into individual employee accounts.

For annual, paid up to 300 hours and remaining time deposited into employee accounts

An employee who retires with a minimum of ten (10) years of service is:

paid for 1/3 of sick time; and

has the option, up until 01/01/2000 *, to either roll over remaining 2/3 of sick time to an individual account, or roll over as service time to their retirement account.

For annual, paid up to 300 hours; and

has the option, up until 01/01/2000 *, to either roll over any remaining time to an individual account, or roll over as service time to their retirement account.

(*five year phase-in period), after this date, time cannot be rolled into retirement, but only into individual employee accounts.)

Employees hired prior to 01/01/98, who retire with the following years of service, will be subject to the below scale:

10-15 years service with STPPJ, employee pays 75% of premium

16-19 years service with STPPJ, employee pays 50% of premium

20+ years service with STPPJ, employee pays 25% of premium

Permanent employees hired after 01/01/98, will **not** be subject to the retiree scale, and will rely solely on the money that is funded into their accounts over a period of time, along with any benefit time rolled into accounts at the time of their retirement.

(Resolution P.J.S. No. 97-8427, adopted 10/23/97; Reso. P.J.S. No. 98-8598, adopted 3/19/98); (Ord. No. 95-2335 allows amendments to be made to the Parish Personnel Policies and Procedures by adoption of a Resolution.)

DIVISION 3 CODE OF ETHICS

SEC. 2-050.00 Code Of Ethics For The Government Of St. Tammany Parish

EDITORIAL NOTE: Ord. No. 90-1257 states in part that "it is the desire of this governing body to establish a more stringent code of ethics for the St. Tammany Parish Police Jury than is currently provided by Louisiana Revised Statutes Title 42, Chapter 15 and referenced in the Code of Ordinances" and further said ordinance states that "this ordinance shall become effective and be deemed enacted immediately upon publication".

The Code of Ethics which shall bind and apply to all Officers, Officials and Employees of St. Tammany Parish, Louisiana, whether appointed or elected, paid or unpaid, except the Judicial Department, shall be the Code of Ethics of the State of Louisiana as is contained in Louisiana Revised Statutes Title 42, Chapter 15, as amended.

In addition to the State Code of Ethics referenced hereinabove, the following provisions shall apply to all officers, officials and employees of St. Tammany Parish, Louisiana, whether appointed or elected, paid or unpaid, except the Judicial Department. (Ord. No. 81-196, adopted 05/21/81; Amended by Ord. No. 90-1257, adopted 04/19/90)

ADDITIONAL EDITORIAL NOTE: Sections 2-050.0 through 2-050.1 entitled "Board of Ethics", as created by Ordinance No. 81-196, adopted 05/21/81, are hereby repealed by Ord. No. 89-1035, adopted 01/19/89.

SEC. 2-050.01 Selection Of Persons For Professional Services

A) Each person who is to be retained or employed to perform professional services for St. Tammany Parish or any of its departments, districts, boards or commissions shall be selected by the St. Tammany Parish Police Jury from the list of those persons submitting statements of qualification and/or proposals.

B) Any person submitting a statement of qualification and/or proposal shall submit to the St. Tammany Parish Police Jury data concerning his experience, previous projects undertaken, present projects now being performed by him, scope and amount of work on hand, the names of key personnel who will be assigned to the project, and any other information that may be appropriate in selecting the person for the particular project under consideration. The Police Jury by resolution, may develop standard questionnaire forms to be used for submitting such data and may from time to time amend such form(s) by resolution to require additional information. The St. Tammany Parish Police Jury shall not consider any person who does not submit a completed questionnaire form(s).

C) Any person submitting a statement of qualification and/or proposal shall also execute and submit an affidavit attesting:

1) That affiant has not and will not employ any person, corporation, firm, association, or other organization, either directly or indirectly, to secure the public contract under which he is to receive payment, other than persons regularly employed by the affiant whose services in connection with the project or in securing the public contract are in the regular course of their duties for affiant;

2) That no part of the contract price was paid or will be paid to any person, corporation, firm, association, or other organization for soliciting the contract, other than the payment of their normal compensation to persons regularly employed by the affiant whose services with the project are in the regular course of their duties for affiant; and

3) That the affiant shall state any and all campaign contributions he has made to elected officials of the St. Tammany Parish Police Jury during the current term, and that he has not made any contributions to or in support of elected officials of the St. Tammany Parish Police Jury through or in the name of another person either directly or indirectly.

D) The St. Tammany Parish Police Jury shall not consider any person who does not have the appropriate professional license and/or occupational license as required by law; nor shall the St. Tammany Parish Police Jury consider any person who does not submit the questionnaire and affidavit required by this Section or who submits an incomplete questionnaire or affidavit. Any false or misleading information on any questionnaire or affidavit shall be a basis for voiding the contract and prohibiting the affiant from being considered on any future project for a period of 24 months.

E) The following guides, among other factors that the St. Tammany Police Jury deems appropriate, shall be used by the Police Jury in selecting persons for professional services:

1) Professional training and experience, both generally and in relation to the type and magnitude of work required for the particular project;

2) Capacity for timely completion of the work, taking into consideration the person's current and projected workload and professional and support manpower;

3) Past and current professional accomplishments, for which opinions of clients or former clients and information gathered by inspection of current or recent projects may be considered;

4) The nature, quantity and value of Parish work previously performed and presently being performed by the person, it being generally desirable to allocate such work among persons who are desirous and qualified to perform such work;

5) Past performance by the person on public contracts, including any problems with time delays, cost overruns, and design inadequacies for which said person was held to be at fault, involved in prior projects as evidenced by documentation provided by the Administration; and

6) An analysis of whether problems as indicated in paragraph (5) herein resulted in litigation between the public entity and the person performing professional services, particularly if he is currently involved in unsettled litigation with a public entity or has been involved in litigation with a public entity where the public entity prevailed.

F) The St. Tammany Parish Police Jury may, for each individual job or project, establish those qualifications and guidelines which it deems necessary to select the person to be retained or employed for such job or project.

G) As used in this Section (definitions):

1) "Campaign Contribution" is a gift, conveyance, payment, deposit of money, and/or anything of economic value (including, but not limited to, tickets for fund raiser events) which was, is and shall be paid, loaned, granted, given, donated, transferred, and/or is the forgiveness of a loan or a debt by any person for the purpose of supporting, opposing, or otherwise influencing, directly or indirectly, the nomination or election of an individual elected to or seeking nomination to public office, whether or not such is made before or after the election.

2) "Candidate" is a candidate for public office as described in Title 18 (Election Code) of the Louisiana Revised Statutes of 1950 as amended.

3) "Elected Official" shall mean all members of the St. Tammany Parish Police Jury.

4) "Individual" is a human being of the male or female gender.

5) "Person" is an individual, partnership, association, labor union, political committee, corporation, or other legal entity, including their subsidiaries and shall include the officers, directors and shareholders or any person owning and/or having a controlling

interest therein. For the purpose of this Section, "person" shall also include subcontractors, successors and assigns.

H) If the person seeking to be retained or employed to perform professional services for the Parish is owed money by an elected official of the St. Tammany Parish Police Jury, he shall disclose said debts in the questionnaire and affidavit provided for in Section B and Section C herein.

(Ord. No. 90-1257, adopted 04/19/90)

SEC. 2-050.02 Extension Of Contracts

The provisions of Sec. 2-050.01(c) shall also be applicable to any person seeking Police Jury approval for the extension of an existing professional services contract, or otherwise seeking the exercise of any option clause which requires Police Jury approval. (Ord. No. 90-1257, adopted 04/19/90)

SEC. 2-050.03 Recusal Of Certain Elected Officials From Voting

In addition to the recusal provisions of La. R.S. 42:1120, if any member of the St. Tammany Parish Police Jury, in the discharge of an official duty of a legislative nature, would be required to vote on a matter involving a campaign contributor who contributes in excess of \$2,500.00 for such official's current term of office or candidacy therefor, or more than \$1,000.00 in any 12-month period, he shall recuse himself from voting, or if he does not recuse himself, he shall prepare a sworn statement describing the matter in question, the nature of the potential conflict, and the reasons why, despite the conflict, the member is able to cast a vote that is fair, objective and in the public interest. The member shall deliver this statement to the President of the Police Jury, or the Vice-President, in his absence, who shall cause the statement to be recorded in the official journal or minutes of the Police Jury prior to a vote being taken on the matter in potential conflict. If there is insufficient time for the member to prepare such a statement, the conditions of this Section may be met by the member reading the required information into such minutes immediately prior to the vote. (Ord. No. 90-1257, adopted 04/19/90)

SEC. 2-050.04 Prohibited Campaign Contribution

No elected official or candidate as herein defined shall accept any campaign contributions from any gaming/gambling interests.

1. any applicant or holder of

(a) a casino operating contract

(b) a riverboat gaming/gambling license

(c) a video poker truck stop, pari-mutual or off-track wagering facility license

(d) a manufacturer, distributor or owner of gaming devices;

2. any owner, director, officer, or key employee of any of the above; and

3. spouses and minor children of those listed above. (Ord. No. 95-2290, adopted 09/21/95)

SEC. 2-050.04.1 Violation; Penalty

Whoever violates the provisions of this Section shall be guilty of a misdemeanor punishable by a fine of not less than THREE HUNDRED DOLLARS (\$300.00) nor more than FIVE HUNDRED DOLLARS (\$500.00), or a term of imprisonment for a period of THIRTY (30) days, or both, at the discretion of the court. (Ord. No. 95-2290, adopted 09/21/95)

SEC. 2-050.05 Parish Stationery

The use of parish letterhead and assorted stationery items is hereby restricted to official parish business only. (Reso. P.J.S. 96-7621, adopted 05/16/96).

DIVISION 4. NOTIFICATION OF CAPITAL IMPROVEMENTS, SPECIAL PROGRAMS, ETC.

CROSS REFERENCE: Chapter 2, Article IX, Section 2-110.02 "Approval Required".

SEC. 2-051.00 Definitions

A) **Capital Improvement:** Capital Improvement shall mean the erection of any Parish building structure or bridge, or the replacement or closing thereof or any portion thereof except as shown in routine maintenance; same shall also refer to Parish road improvements requiring scarifying, or shaping of the base, or the overlay thereof of more than twenty-five (25) feet or the pulling of ditches of more than two hundred linear feet (200), the widening or deepening or cleaning of bayous or drainage canals to whatever extent shall constitute a capital improvement for the purposes hereof; the replacement of any culvert which is situated under any Parish road and which replacement would require a delay or detour of vehicular traffic shall also constitute a capital improvement for the purposes hereof.

B) **Routine Maintenance:** Routine maintenance shall mean and include the filling of potholes, the fixing of a bridge guardrail or patching the surface thereof or any overlay or shaping of a road/road base if less than twenty-five feet (25) or the pulling of ditches of less than two hundred linear feet (200).

C) **Detour:** Detour shall mean the rerouting of vehicular traffic to effect road, bridge or other repairs.

D) **Special Programs:** Special programs as used herein shall mean any Federal, State or local special program in which funds, food, commodities, produce, dairy products, building materials, insulation and the like are distributed in whole or in part to individuals through an agency of the Parish; same shall not include Welfare, Medicare, Medicaid, or veterans or unemployment programs and the like which are a matter of general classification and universal application. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-052.00 Notice Required

The administration shall designate a person or persons thereby to be responsible for notice to the Police Jury Members (or their successors in office) required hereunder. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-053.00 Police Jury Members To Whom Notices Are To Be Transmitted

For all capital improvements performed or authorized by the Parish, the District Police Jury Member, or his successor in Office, in whose District the work is to be performed and the two (2) Police Jury Members at large, or their successors in office, shall be notified in writing of the capital improvement proposed to be undertaken at least twenty-four hours (24) prior to the commencement of work; the written notice shall specify the approximate commencement time and the nature and extent of the capital improvement. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-054.00 Special Programs

In the event of special programs as defined in Subsection 2-051(D) within the Parish, the administration s designee shall notify all Police Jury Members (or their successors in office) in writing thereof at least one calendar week prior to the distribution and the writing shall designate the nature of the program and the time, date and place of the distribution, and which Parish agency is involved in the distribution. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-055.00 Emergencies

In the event of a bona fide emergency, that is, where life or property is imperiled due to an act of God or a natural or man-made catastrophe, or arising from conditions beyond the control of the Parish, no written notice shall be required (if otherwise required herein); however the administration s designee shall make good faith effort to contact by telephone the Police Jury Members required to be contacted hereunder. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-055.01 Improvements Or Programs Under Control Of Other Than Parish Agency

Should the capital improvement(s) or special programs within the Parish be under the total administration and control of other than a Parish agency, no notice is required unless the Parish Manager or administration is made aware thereof, in which event the notices as required hereunder shall be transmitted to the required Police Jury Members. (Ord. No. 83-552, adopted 03/17/83)

SEC. 2-056.00 Violation; Penalties

The wilful failure of the administration s designee to issue the required notices hereunder, or failure by the administration to make such designation of a Parish employee, shall constitute a violation hereof and the employee violating these provisions is subject to suspension from Parish employment without pay for one week for the first offense; thereafter, if the violation again occurs by the same employee, it shall constitute cause for termination of employment. (Ord. No. 83-552, adopted 03/17/83)

CROSS REFERENCE: Section 1-009.00, entitled "Officers, Employees Not Liable To Fine For Failure To Perform Duties" of the Code of Ordinances for St. Tammany Parish, Louisiana, 1989 edition.

SEC. 2-057.00 Utilization of Parish Approved Bond Counsel

All boards and commissions under the governing authority of the St. Tammany Parish Police Jury shall utilize the Parish approved Bond Counsel of record for all projects requiring capital financing. (Ord. No. 96-2546, adopted 11/21/96)

ARTICLE V ST. TAMMANY PARISH TOURIST COMMISSION

SEC. 2-061.00 Created, Purpose, Name

There is hereby created the St. Tammany Parish Tourist and Convention Commission, being formed for the purpose of promoting conventions and tourism in the Parish.

(Ord. No. 658; amended by Ord. No. 85-516, adopted 09/21/85; repealed and revised Ord. No. 85-529, adopted 12/09/85; amended by Ord. No. 90-1348, adopted 10/18/90; amended by Ord. No. 02-0515, adopted 08/01/2002).

SEC. 2-062.00 Powers Of Board Of Commissioners

The Board of Commissioners of the Tourist and Convention Commission created in this Article shall have those powers as designated in Louisiana Revised Statutes 33:4574 through 33:4574.3.

(Ord. No. 658; amended by Ord. No. 85-516, adopted 09/21/85; repealed and revised Ord. No. 85-529, adopted 12/09/85; amended by Ord. No. 02-0515, adopted 08/01/2002)

SEC. 2-063.00 Membership

- a.) The St. Tammany Parish Tourist and Convention Commission shall be composed of seven (7) regular members who shall be known as Commissioners; and two (2) alternate members who shall serve when called upon to constitute a meeting quorum or other purpose necessary to Commission function. The Commissioners shall serve without compensation and shall be registered voters of the Parish.
- b.) Six (6) regular Commissioners shall be appointed by the Parish Council, one (1) regular commissioner shall be appointed by the Parish President.
- c.) To the extent reasonably possible, there shall be equal representation of both the east side and west side of the parish in the make-up of the Commission, based upon the individual domiciles of the commissioners.
- d.) One (1) commissioner shall be a member of the St. Tammany Hotel/Motel & Campground Association.
- e.) The two (2) alternate members shall be appointed by the Parish Council.
- f.) Each commissioner and alternate member appointed by the Parish Council shall be appointed for a term of three (3) years, pursuant to state law [R.S. 33:4574F(2)]. Terms shall be staggered in order to enhance and promote continuity of service by the commission. The Commissioner appointed by the Parish President shall serve a one (1) year term and be domiciled in Ward 8 or Ward 9 during every other term of office and shall be domiciled in the remainder of the parish during the alternate years.
- g.) All commissioners appointed as outlined herein above may be selected from a list of names submitted to the St. Tammany Parish Council and President by the Tourist Commission Nominating Committee containing the nominees' resumes and verification of their interest in one or more aspects of the tourist industry. Alternate members shall be appointed directly by the Parish Council.
- (h) Commission membership shall not be term limited. However, any incumbent commissioner seeking a third or higher term on the Commission must participate in the Nominating Committee process prior to being considered for reappointment by the Parish Council.

(Ord. No. 02-0515, adopted 08/01/2002; amended by Ord. No. 02-0557, adopted 10/10/2002; amended by Ord. 08-1762, adopted 03/06/2008; amended by Ord. No. 11-2626, adopted 11/03/2011).

SEC. 2-064.00 Tourist Commission Nominating Committee; Nomination And Appointment Procedures

A. There is hereby created a Tourist Commission Nominating Committee which shall serve as an advisory board to Parish Government for purposes of submitting nominations for appointment to the St. Tammany Tourist and Convention Commission. It is the desire and intent of Parish Government to involve as many different elements of the parish community interested in the tourism industry as possible in the selection process for commissioners.

B. The Committee shall consist of fifteen (15) members comprised of the following:

1. a. There shall be eleven (11) members appointed by the following organizations with each organization having one (1) appointment:

St. Tammany Hotel/Motel & Campground Association

Northshore Chapter of the Louisiana Restaurant Association

St. Tammany-East Chamber of Commerce

St. Tammany-West Chamber of Commerce

St. Tammany Parish Art Association

St. Tammany Economic Development Foundation

Young Men's Business Club of Slidell

Slidell Heritage Foundation

Northlake Nature Center, Inc.

St. Tammany Commission on Cultural Affairs

Tammany Trace Foundation

b. The Parish Council may substitute member organizations at any time by Ordinance.

2. There shall be three (3) committee members nominated and appointed by the Parish Council. Nothing herein shall preclude council members from being nominated for appointment.

3. There shall be one (1) committee member nominated and appointed by the Parish President Nothing herein shall preclude the Parish President or his designee from assuming the appointment.

C. Neither a commissioner of the Tourist and Convention Commission nor any commission staff may serve as a member of the nominating committee. An alternate member to the Commission may also be a nominating committee member.

D. Whenever a vacancy occurs or a new appointment is required for a Parish Council appointment to the Tourist and Convention Commission, the Parish Council shall request the Tourist Commission Nominating Committee to convene and compile a list of not less than two (2) nominations for submission for appointment to fill the vacancy. For purposes only of convening the committee, the representative of the St. Tammany Hotel/Motel & Campground Association or Louisiana Restaurant Association shall serve as the contact member. Each time the committee meets, it shall elect a chairman to conduct the meeting.

E. Any individual, group or association in St. Tammany Parish that has an interest in one or more aspects of the tourist industry may submit to the Nominating Committee the names of potential commissioners together with a resume and verification of the individual's interest in the tourist industry. Thereafter, the Committee shall screen the qualifications and may consider nominating the individual for appointment as a commissioner of the St. Tammany Parish Tourist and Convention Commission when a vacancy occurs.

(Ord. No. 02-0515, adopted 08/01/2002; amended by Ord. No. 11-2626, adopted 11/03/2011).

SEC 2-065.00 Officers of the Tourist Commission

The commissioners so appointed shall elect from among themselves a chairman who shall serve as such for one (1) year. In addition to the chairman, the commission shall elect from its membership a vice-chairman, secretary and treasurer. The office of secretary and treasurer may be combined if the Commission so elects.

(Ord. No. 658; amended by Ord. No. 85-516, adopted 09/21/85; repealed and revised Ord. No. 85-529, adopted 12/09/85; amended by Ord. No. 90-1348, adopted 10/18/90; Ord. No. 02-0515, adopted 08/01/2002)

CROSS REFERENCE: The name change required by Ord. No. 90-1348, adopted 10/18/90. See also Sections 12-023.70, 12-023.77 and 12-023.78.

SEC. 2-068.00 St. Tammany Parish Commission on Cultural Affairs

The St. Tammany Parish Commission on Cultural Affairs is the official local art agency and humanities commission of St. Tammany Parish. As such, this Commission is specifically authorized to seek any and all grants of any nature whatsoever. It shall be comprised of nine (9) members with appointments parish wide. There shall be five (5)

members nominated and appointed by the Parish Council. There shall be four (4) members nominated and appointed by the Parish President.

(Ord. 00-0157, adopted 06/01/2000; amended by Ord. 03-0629, adopted 03/06/2003, amended to rename by Ord. 08-1753, adopted 02/14/2008)

ARTICLE VI SPECIAL DISTRICT BUDGETS

SEC. 2-071.00 Legislative Intent

1. Preparation and adoption of a budget by a special district in which the law requires that the Police Jury also approve such budget, shall fully comply with the provisions herein and any preparation and adoption of the budget by the special district contrary to any provisions of this Article is hereby expressly prohibited.
2. It is the intent of the Police Jury that this Article shall apply to all special districts created pursuant to and under authority of Section 19 of Article VI of the Louisiana Constitution of 1974; those special districts continued in existence and provided for in the transitional provisions of Article XIV, Section 16 of the Louisiana Constitution of 1974; and any and all other special districts created by constitutional, state statutory or local Ordinance authority or a combination of one or more authorities, when any law Ordinance requires that the Police Jury approve the budget of the political special district or political subdivision. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-072.00 Preparation, Contents

The governing board or commission of each district shall cause to be prepared a comprehensive budget presenting a complete financial plan for the ensuing fiscal year.

The chief executive or administrative officer of the political subdivision or, in the absence of such positions, other appropriate official, shall prepare the proposed budget.

The budget document setting forth the proposed financial plan shall include the following:

1. A budget message signed by the budget preparer which shall include a summary description of the proposed financial plan, policies, and objectives, and a discussion of the most important features.
2. A consolidated statement for the ensuing fiscal year showing the estimated fund balances of the political subdivision at the beginning of the year, estimates of all revenues and receipts to be received, recommended expenditures for current expenses and permanent improvements, and the estimated fund balances at the conclusion of the fiscal year.
3. Statements for the last completed fiscal year, estimates covering the entire current fiscal year, and projections for the ensuing fiscal year, as follows:

1. A statement of revenues and receipts, itemized by source. The revenue statement shall include any unexpected surpluses, delinquent taxes, and the estimated percentage of taxes collectable.
2. A statement of expenditures, itemized by agency, department, or organizational unit, showing the amounts for each major function, program or service, or both. The expenditure statement shall distinguish between ordinary recurring expenses of operation, unusual expenses, and capital outlay. There shall be narrative explanations of the spending agency, office, department, or other organizational unit as to its purpose and policies, increases and decreases in items, and other appropriate descriptive or qualitative data. Capital outlay items may be incorporated in a budget document containing both operating and capital outlay expenditures or in a separate capital budget document. There shall be a clear description of all capital improvements and acquisitions, estimates of costs, method of financing, recommended time for initiation and completion, and the estimated annual cost of operating and maintaining such capital improvements or acquisitions.
3. Statements of the general fund and each special or restricted fund, showing the resources available at the beginning of the fiscal year, revenues and receipts, expenditures, and the fund balances at the end of the fiscal year.
4. A statement of the total outstanding indebtedness, the amount of debt authorized but unissued, the annual debt redemption and interest requirements, and the condition of sinking funds or other assets held for redemption of debt. Any interim loans shall be identified.

The total of proposed expenditures shall not exceed the total of estimated funds available for the ensuing fiscal year.

A budget proposed for consideration of the governing authority of any district, political subdivision or special district shall be accompanied by complete and adopted appropriation Ordinance or other legal instrument necessary to adopt and implement the budget. The instrument of adoption of the budget shall contain appropriate language and provisions to the effect that the budget is adopted by the board or commission subject to the final approval of the Police Jury before said budget is considered finally legally adopted and implemented and said instrument of adoption shall be signed by the chairman of the board or commission and such other officials as may be required by law. The clerk or secretary of the board or commission shall certify that the legal instrument is official, true and correct and shall show on the face of said instrument, a roll call vote of the members voting on said instrument. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-073.00 Completion And Submission To Governing Authority Of Special District

The proposed budget for political subdivisions of special districts shall be completed and submitted to the governing authority of that political subdivision or special district by the person or officer required by this Article or other provision of law to prepare the budget at such time to allow for the budget to be made available for public inspection no later than fifteen days (15) prior to the date scheduled for the adoption by the board or commission of the political subdivision or special district. If the special district or political subdivision does not have a legal or official office, inspection shall be available only at the office of the Police Jury. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-074.00 Notice, Public Hearing

1. Upon completion of the proposed budget and, if applicable, its submission to the governing authority of that political subdivision, the political subdivision shall cause to be published a notice stating that the proposed budget is available for public inspection. The notice shall also state that a public hearing on the proposed budget shall be held with the date, time and place of the hearing specified in the notice. Where applicable, publication shall be in the official journal of the political subdivision. Where there is no requirement that the political subdivision have an official journal, publication shall be in the official journal of the governing authority of the Parish in which the political subdivision is located. In cases where the political subdivision is located within the boundaries of more than one Parish, publication shall be in the official journal of the governing authority of each Parish.
2. No proposed budget shall be considered for adoption or otherwise finalized until at least one public hearing has been conducted on the proposal. Nothing herein shall prohibit one or more political subdivisions from conducting joint public hearings.
3. No proposed budget shall be considered for adoption or otherwise finalized until a general summary indicative of the proposed budget has been published. The summary may be published in the same advertisement as the notice of availability of the proposed budget and the public hearing, but shall be published at least ten days (10) prior to the date of the first public hearing and shall include the amount of estimated funds available and anticipated expenditures. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-075.00 Public Inspection

The proposed budget of a political subdivision shall be available for public inspection at the legal office of the governing authority of the special district and at the office of the St. Tammany Parish Police Jury for a minimum period of fifteen days (15) prior to its adoption by the political subdivision or district. If the special district or political subdivision does not have a legal or official office, or if the office is a private business or residence, public inspection shall be at the office of the St. Tammany Parish Police Jury, Administrative Complex, in Covington, Louisiana, or other officially designated public place of the Police Jury. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-076.00 Adoption

1. All action necessary to adopt and otherwise finalize and implement the budget for an ensuing fiscal year shall be taken prior to the end of the fiscal year in progress.
2. Upon completion of all such action, all political subdivisions or special districts shall certify to the public that the budget has been adopted by publishing such notice in the same manner as herein provided for the notice on availability of the proposed budget and a public hearing.
3. The adopted budget shall be balanced with approved expenditures not exceeding the total of estimated funds available.
4. The adopted budget shall contain the same information as that required for the proposed budget according to Section 2-072.0(C). (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-077.00 Appropriation Ordinances

Before the beginning of the fiscal year, the governing authority shall enact an Ordinance or Resolution making appropriations for the ensuing fiscal year. The amounts appropriated for the several offices, departments, boards, commissions, and other spending agencies shall not exceed the amounts fixed therefor in the budget adopted by the governing authority. Nothing contained in this Section shall be construed to prohibit the governing authority from amending or making an appropriation to and for a contingent fund to be used in cases of emergency (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-078.00 Failure To Make Appropriation, Budget, Reappropriation

1. If, at the end of any fiscal year, the appropriations necessary for the support of the political subdivision for the ensuing fiscal year have not been made, then fifty percent (50%) of the amounts appropriated in the appropriation Ordinance or Resolution for the last completed fiscal year shall be deemed reappropriated for the several objects and purposes specified in such appropriation Ordinance or Resolution.
2. If, at the end of any fiscal year, a political subdivision or special district has not adopted, in accordance with this Article and other applicable law, a budget for the ensuing fiscal year with the necessary appropriations, then subject to paragraph (a) above, those political subdivisions or special districts which are required by law to have their budgets approved by the Police Jury or parish governing authority shall within ten days (10) thereof serve notice of their failure to adopt a budget for the ensuing fiscal year to the Police Jury, said notice to be by certified mail. Upon receipt of such notice, the Police Jury shall have the option of scheduling a joint public hearing with the board or commission of the political subdivision or special district to consider adoption of the budget whereat a majority vote of both bodies present shall prevail, or, the Police Jury President may return the matter to the political subdivision or special district which will suffice as a requirement that an acceptable budget must be adopted by said

political subdivision or special district within forty-five (45) days from date of said letter.

3. Under no circumstances shall a political subdivision or special district exceed a period of ninety days (90) into any ensuing fiscal year without adopting a budget in compliance with law.
4. Considering the application of paragraph (A) above to those political subdivisions or special districts which have not adopted a current budget for the ensuing fiscal year, it is the intent of this Article that until a budget is adopted in compliance with law, no expenditures or funding can occur for any objects or purposes under paragraph (A) above other than for those objects or purposes identified and contained in the prior budget. Any attempt to expand the appropriations or funds to new objects and purposes is hereby expressly prohibited. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-079.00 Contracts

1. During the fiscal year, no office, department, board, commission, or other spending agency shall expend or contract to expend any money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money for any of the purposes for which provisions are made in the appropriation Ordinance or Resolution, in excess of the amounts appropriated in said Ordinance or Resolution for such office, department, board, commission, other expending agency, or purpose for such fiscal year. Any expenditure or contract, verbal or written, made in violation of this Section shall be void and no monies belonging thereto shall be paid thereon.
2. Any official of a political subdivision who knowingly authorized or made such payment or incurred such obligation or caused such payment or disbursement to be authorized or made such obligation to be incurred also shall be liable to the political subdivision for any amount so paid. However, no official of a political subdivision shall be held liable if the official has formally submitted a written memorandum to the governing authority of the political subdivision stating that approving such obligation will cause a violation to occur or will cause payment or disbursement to be authorized that exceeds the expenditures approved in the appropriation Ordinance. For the purposes of this Section the term "official" shall mean any officer or employee of the political subdivision who is subordinate to the governing authority.
3. The members of the governing authority shall not be personally liable for expenditures which are within the budget adopted in accordance with the provisions of this Article, but which exceed revenue collections.
4. Nothing contained in this Section shall prevent the making of contracts for governmental services or for capital outlay for a period exceeding one (1) year if such contracts are allowed otherwise by law. Any contract so made shall be executory only for the amounts agreed to be paid for such services to be rendered in succeeding fiscal years.
5. All contracts for services, labor, public works or capital outlay shall be separately identified with certainty by contractor name and amount in the appropriation

Ordinance of the budget or in any amendments thereto provided however that nothing contained herein shall prohibit the political subdivision or special district from administering to emergencies as provided for in law and in Section 2-082.0 herein. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-080.00 Filing

1. Upon the adopting of the budget, the governing authority of the political subdivision or special district shall cause a copy of such budget to be filed in the Office of the Legislative Auditor within thirty days (30) after commencement of the budget year or, within such other required time as law or the Legislative Auditor may require. Exemption from this requirement is allowed only in those cases where the political subdivision or special district files with the Police Jury a copy of a certification or letter from the Legislative Auditor at the time it submits its budget to the Police Jury, stating that the particular political subdivision or special district is not required by law or the Legislative Auditor's Office to file its budget with the Legislative Auditor.
2. It shall be the duty of the chairman of any board or commission of any political subdivision or special district to report any communicated non-compliance found by [the] Legislative Auditor to the President of the St. Tammany Parish Police Jury within fifteen days (15) of receipt of said communication attaching a copy of any alleged non-compliance to the report. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-081.00 Approval By The Police Jury

After receipt of the budget and appropriating instrument of the political subdivision or special district in the form and extent as required in this Article, the Clerk or Secretary of the St. Tammany Parish Police Jury shall cause the budget to be placed on the agenda of the next regular Police Jury meeting in compliance with law as to subject matter notice and posting of the agenda or at the next scheduled special meeting, whichever is earlier. The Police Jury shall review the entire budget and either accept it or reject it. Should the budget be rejected because of any objection to any part or parts therein, the budget shall be returned to the board or commission of the political subdivision or special district with suggestions or instructions of what must be corrected or accomplished in order to obtain Police Jury approval. Once the board or commission of the political subdivision or special district complies with these requirements, it shall resubmit the budget to the Clerk or Secretary of the Police Jury in accordance with the procedures for submitting initial budgets established in other provisions of this Article provided however, that any reconsideration of the budget by the board or commission of a political subdivision or special district does not have to comply with the provisions of advertisement or public inspection. Minimal requirements of the open meetings law however will be required. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-082.00 Amendments

Where there is a governing body of the political subdivision, any amendment involving transfer of funds from one department, office, agency or other entity to another or from one program or function to another or increases in expenditures resulting from revenues exceeding amounts estimated, shall require the approval of the governing body. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-083.00 Emergencies

Nothing in this Article shall prohibit the expenditure of funds in cases of an emergency. For purposes of this Article, an "emergency" means an unforeseen mischance bringing with it destruction or injury of life or property or the imminent threat of such destruction or injury. (Ord. No. 84-64, adopted 03/15/84)

SEC. 2-084.00 Violations

1. Violations of this Article may be enforced by legal proceedings seeking mandamus, injunction or declaratory relief to require compliance herewith.
2. Non-compliance with any provisions of this Article shall be grounds for removal of any member of any board or commission of the political subdivisions or special districts covered herein for any willful refusal, failure or negligence to perform any of the requirements or provisions herein. It shall also be grounds for removal from office of any member of any board or commission when any officer or employee under the employment and general supervision of the board or commission willfully refuses or fails to perform any duty established herein which has been assigned said officer or employee by the board or commission or by law, provided however, that it shall be a defense to the removal of any member of a board or commission that said employee or officer has been disciplined by the board or commission prior to the institution of or the notice of a removal hearing by the appointing authority of the board or commission members.
3. The duties herein established are deemed lawful and mandatory duties and any willful refusal or failure to perform any of said duties may subject the violator of same to criminal malfeasance as provided for by law. (Ord. No. 84-64, adopted 03/15/84)

ARTICLE VII DEPARTMENTAL ORGANIZATION

SEC. 2-091.00 Establishment of Departments

The Parish Administration shall be divided into specific offices and departments. The President hereby creates effective as per Sections 2-12(C) or 4-12(C) of the Home Rule Charter, and to take effect immediately from the time of abolition of all prior parish governmental departments, agencies and/or offices, the following Parish departments, offices and agencies, as per law and the Home Rule Charter. Each of the following departments shall be staffed by one or more Directors as designated by the Parish President according to the Parish Charter:

Office of the President

Department of Finance

Department of Public Works

Department of Facilities Management

Department of Environmental Services

Department of Planning and Development

(All references in the Code of Ordinances to the Department of Planning shall mean the Department of Planning and Development)

Department of Human Resources

Legal Department

Department of Technology

Department of Animal Services

Department of Fire Services

Department of Homeland Security and Emergency Operations

Department of Health and Human Services

Department of Public Information

Department of Grants

Department of Culture, Recreation and Tourism

Department of Economic Development

Department of Procurement

Department of Inspections and Enforcement

(Ord. No. 84-42, adopted 03/15/84; Ord. No. 84-141, adopted 06/21/84; Ord. No. 88-918, adopted 02/21/88; amended by Ord. No. 94-1991, adopted 06/16/94; amended by Ord. No. 95-2333, adopted 12/14/95; amended by Ord. No. 97-2754, adopted 10/23/97; amended by Ord. No. 00-0109, adopted 02/17/2000; amended by Ord. No. 00-0177, adopted 07/06/2000; amended by Ord. No. 12-2761, adopted 07/12/2012; amended by

Ord. No. 13-2998, adopted 08/01/2013; amended by Ord. No. 14-3109, adopted 03/06/2014; amended by Ord. No. 15-3303, adopted 04/02/2015; amended by Ord. No. 16-3450, adopted 01/14/2016)

SEC. 2-092.00 Duties of Departments

DUTIES AND RESPONSIBILITIES

The general duties and responsibilities of each office and/or department herein shall be as follows:

- A. To perform such services as is necessary to carry out its legislative functions.
- B. To ensure the safety, health and well-being of the citizens of this Parish.
- C. To be responsive and responsible to the needs of the citizens of St. Tammany Parish.
- D. To perform other such activities not enumerated herein as directed by the President, Chief Administrative officer and/or Deputy Chief Administrative Officer(s).

The further duties of these offices, agencies and/or departments shall be as follows:

1. The Office of the President shall include the Parish President, Chief Administrative Officer, one or more Deputy Chief Administrative Officers, Chief Financial Officer, Executive Counsel, and such administrative assistants and clerical staff necessary to perform the charges mandated by the Charter and effectively govern the day to day affairs of parish government. The President shall also possess those powers outlined in the Parish Charter, together with those inherent duties and powers not otherwise enumerated in the Charter as are necessary to operate the affairs of this Parish. All duties previously listed for the Parish Manager under section 2-048 shall now be transferred to the position of the Chief Administrative Officer (CAO); the CAO is directly answerable to the President. The CAO shall have the authority to establish a hierarchy and/or chain-of-command between and among the Departments and Officers, except the Legal Department and Finance Department, who shall answer directly to the President. The prior Parish code is amended accordingly.

(a) The Office of the CAO shall include the Legislative Liaison and shall carry out intergovernmental relations.

2. The Department of Finance, under the direction of the Chief Financial Officer, shall provide such administrative and technical support to ensure that the finances of St. Tammany Parish are maintained and fiscally sound. This department shall maintain all Parish accounting, budgeting, collection of funds, financial reporting, investing and maintenance of indebtedness; distribution of Parish funds shall be included in the powers and duties of this Department. Custodian of securities for developmental

obligations to this Parish shall likewise be responsibility of this Department. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

3. The Department of Public Works shall include but is not limited to Infrastructure Maintenance, Drainage Maintenance, Vehicle Maintenance and Tammany Trace Maintenance. This Department shall be responsible for the scheduling, coordinating and administration of Public Works activities in this Parish that involve or that in anyway are related to the maintenance of all Parish roads, bridges and/or drainage structures. This Department shall also be responsible for administration of the District Capital projects and the Lighting Districts. This Department shall oversee all activities and maintain all documentation for Parish road and/or drainage maintenance activity. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department. This Department shall include the Sub-Department of Engineering which shall be supervised by a director who, in turn, is under the supervision of the director of the Department of Public Works. The Sub- Department of Engineering shall include but is not limited to the oversight and administration of major road, drainage and capital projects. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department as provided for in the Code of Ordinances, Subdivision Regulatory Ordinance No. 499 and any other applicable regulations. The Director of Engineering shall be, at the time of his/her appointment, a Professional Engineer licensed by the Louisiana Professional Engineering and Land Surveying Board and shall have been engaged in the practice of engineering for a period of five years.

4. The Department of Facilities Management shall include but is not limited to the general upkeep, maintenance and repair of all Parish owned grounds, buildings and movables. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

5. The Department of Environmental Services shall provide control, monitoring and inspection of water and sewer services as well as regulatory authority over solid waste collection, hauling, transfer and disposal, septage, on-site wastewater treatment, individual water wells and litter enforcement and abatement. The Department shall also continue to implement the authorities of the former Environmental Services Commission (R.S. 33:4064.1, et seq.) transferred to the Parish by Act 146 of the First Extraordinary Session of the 2000 Louisiana Legislature, and operate and maintain Parish-owned water and sewer utility systems. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

6. The Department of Planning and Development shall serve as a one-stop Department for all permitting, planning, development, zoning and land use regulation within the Parish. This Department shall oversee the administration of all land use control and building permitting activities of the Parish, including but not limited to permitting of land clearing and site development. Said duties shall include those outlined in Louisiana Revised Statutes 33:101-119 (Planning), 33:4780.40-4780.50, and/or the St. Tammany

Parish Code of Ordinances, as same may be amended, restated and/or re-codified from time to time. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

All references in the Code of Ordinances to the Department of Planning shall mean the Department of Planning and Development.

7. The Department of Human Resources. This Department shall administer all payroll functions and general oversight of payroll; recruiting and staffing; employment and regulatory compliance; employee orientation, development and training; personnel rules and policy development and documentation; compensation and benefits administration; employee safety, welfare, wellness and health; records management; administration of employee grievance procedure for dismissals, demotions and other disciplinary matters; and employee services and counseling. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

8. The Legal Department. In accordance with Home Rule Charter Section 4-03(A) Legal Department, the District Attorney of the judicial district serving St. Tammany Parish shall serve as legal adviser to the Council, President and all departments, offices and agencies and represent the Parish government in legal proceedings. Counsel serving as legal adviser to the Parish President shall be under the direction of the President in carrying out the President's duties as Chief Executive Officer of the Parish government. The legal department shall include the Office of Risk Management. The Assistant District Attorney serving as Director of the legal department will be responsible for coordination of the provision of legal services for Parish government. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

9. The Department of Technology shall provide technology systems and services, geographical information services and archive management to the Parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

10. The Department of Animal Services shall pursue the health, safety and welfare needs of animals and citizens in St. Tammany Parish by protecting citizens from dangers and nuisances caused by uncontrolled animals, enforcing the legal protections of animals from mistreatment and by promoting, motivating and enforcing responsible pet ownership. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

11. The Department of Fire Services shall serve as liaison among the independent fire districts and St. Tammany Parish. The Department shall assist the independent fire districts to provide the best available fire protection to their communities. The Department shall assist the Homeland Security and Emergency Operations Department in planning and preparing for emergencies. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

12. The Department of Homeland Security and Emergency Operations shall develop, manage, coordinate and maintain a comprehensive and effective preparation and response to all hazards that may occur or which pose a threat to property, health, safety and/or welfare of residents of St. Tammany Parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

13. The Department of Health and Human Services shall include serving as liaison for community service and health care agencies, programs and facilities. The Department shall coordinate emergency special needs shelters and coordinate with the Department of Homeland Security and Emergency Operations. The Department shall coordinate outreach services to outlying areas of the Parish to provide health and human services. This Department shall be responsible to provide information and the processing of applications for community service programs and homeless shelter assistance programs. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

14. The Department of Public Information shall include the Public Information Officer and Access St. Tammany, the Government Access Channels. The Department shall be responsible for all related communications and information distribution functions as deemed necessary by St. Tammany Parish Government. These offices shall provide such administrative and technical support as is necessary to service the needs of the Parish of St. Tammany, and its citizens. Said duties shall include, but not be limited to, Media Relations, Access St. Tammany production and programming, maintenance or the Parish websites, responsibility for the Parish's social media outlets and all other actions necessary to carry out the functions of the Department.

15. The Department of Grants shall include the preparation of all intergovernmental grant applications on behalf of the Parish; oversight, financial administration and general administration of and compliance with awarded grants; and informing departments, offices and agencies of all relevant local, state and federal grant programs. The Department shall be responsible for administration of the Transit Program. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

16. The Department of Culture, Recreation and Tourism shall be responsible for administration of programs and initiatives related to culture, recreation and/or tourism, such as arts programs, Camp Salmen, I-10 Twin Span Fishing Pier, Tammany Trace and other public recreation venues and programs. The Department shall promote and encourage tourism in St. Tammany Parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

17. The Department of Economic Development shall be responsible for promoting St. Tammany Parish for attraction of business; increasing business investment; developing economic opportunity; retaining of existing businesses; and developing of business recruitment capabilities. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

18. The Department of Procurement shall be responsible for all procurement, purchasing of goods, materials and services and contracting on behalf of the Parish. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

19. The Department of Inspections and Enforcement shall be responsible for enforcing the St. Tammany Parish Code of Ordinances and conducting inspections, under the direction of the Parish Chief Building Official, relative to land use regulations; permitting; building, electrical, mechanical, and plumbing codes; and fill ordinances. Said duties shall include, but not be limited to, any and all actions necessary to carry out the functions of the Department.

All director appointments existing as of 01/14/2016 are confirmed.

(Ord. No. 84-42, adopted 03/15/84; Ord. No. 84-141, adopted 06/21/84; Ord. No. 88-918, adopted 02/18/88; Ord. No. 88-1002, adopted 03/14/88; amended by Ord. No. 97-2754, adopted 10/23/97; amended by Ord. No. 00-0109, adopted 02/17/2000, amended by Ord. No. 00-0177, adopted 07/06/2000; amended by Ord. No. 12-2761, adopted 07/12/2012; amended by Ord. No. 13-2998, adopted 08/01/2013; amended by Ord. No. 14-3109, adopted 03/06/2014; amended by Ord. No. 15-3303, adopted 04/02/2015; amended by Ord. No. 16-3450, adopted 01/14/2016)

SEC. 2-092.01 Special Project Responsibilities

Special project assignments shall reside with the Parish Manager. (Ord. No. 94-1991, adopted 06/16/94; amended by Ord. No. 95-2333, adopted 12/14/95)

ARTICLE VIII PARISH BUILDINGS

Sec. 2-100.00 Legislative Findings

The Police Jury finds that the regulation and control of smoking in enclosed public places is a matter of vital concern affecting the public health, safety and welfare of the citizens and visitors to St. Tammany Parish. (Ord. No. 93-1804, adopted 08/19/93)

Sec. 2-100.01 Parish Buildings

(a) St. Tammany Parish (Police Jury) is the owner in title to immovable properties throughout the Parish, some which house governmental offices and public facilities to provide services and administer the daily operations of the parish.

(b) Any structure, or portion thereof, which is owned, leased, rented and/or otherwise occupied by a political subdivision of the State of Louisiana or the Parish of St. Tammany shall be subject to all or part of the provisions of this ordinance upon adoption of a resolution by the governing authority of said political subdivision.

(Ord. No. 93-1804, adopted 08/19/93)

Sec. 2-100.02 Smoking Regulations

The smoking of cigarettes, cigars, pipes, or other tobacco substances, shall be prohibited in all public buildings owned, operated or leased by or for St. Tammany Parish (Police Jury). These smoking prohibitions are not limited to inhaling lighted tobacco devices, but also include loose or compressed tobacco or tobacco derivatives which are chewed, dipped, sniffed or ingested in any manner which may result in expectorates. (Ord. No. 93-1804, adopted 08/19/93; amended by Ord. No. 96-2529, adopted 10/17/96)

Sec. 2-100.02.1 Designated Smoking Areas

This section was created by the authority of Ord. No. 93-1804, adopted 08/19/93, and has been deleted by effect of Ord. No. 96-2529, adopted 10/17/96)

Sec. 2-100.03 Posting of Signs

"NO SMOKING" signs shall be placed on exterior doors and in strategic locations inside all buildings owned, operated or leased for public purposes and shall be clearly visible to the general public. (Ord. No. 93-1804, adopted 08/19/93)

Sec. 2-100.04 Exemptions

Exempt from the provisions of this ordinance is that area of the Covington Administrative Complex which is leased and operated as an alcohol beverage establishment commonly known as "Tugy s". (Ord. No. 93-1804, adopted 08/19/93)

Sec. 2-100.05 Violation; Penalty

Violation of this Section shall be punishable by a fine not to exceed FIFTY DOLLARS (\$50.00) or imprisonment for a term not to exceed THIRTY (30) days or both. Each violation hereof shall constitute a separate offense. (Ord. No. 93-1804, adopted 08/19/93)

No person shall remain on the grounds of the St. Tammany Parish Prison, and shall be deemed as trespassing, after being instructed to leave said property by any law enforcement officer or any other official prison personnel.

This section shall not apply to any law enforcement officer nor to any individual who is transacting lawful prison, or judicial system, business.

Any person found to be in violation of this section shall be subject to a fine of not more than one hundred dollars (\$100.00) and/or imprisonment for a period of not more than ten (10) days.

Sec. 2-101.00 Concession Stands Operated by Blind/Visually Impaired in Parish Owned Buildings

All departments, agencies, boards or commissions occupying buildings which are owned by St. Tammany Parish shall in all cases give preference in the operation of concession stands to blind persons under the administration of the Louisiana Department of Social Services rehabilitation services program. No additional concession stands shall be permitted to operate on the same premises. No blind person under this ordinance shall be required to pay any fee, service charge, or equivalent thereof, for the operation of concession stands, except those incurred while obtaining necessary State and Parish operating permits

SEC. 2-101.01 Exclusions

The provisions of this section shall not apply to the placement of vending machines in parish owned buildings, nor to the operation of concession stands on:

- 1) parish property operated as recreational facilities,
- 2) boat launch facilities,
- 3) civic auditoriums, event centers and fairgrounds,
- 4) the Tammany Trace.

SEC. 2-101.02 Desirability And Proper Operation

Prior to the provisions of this section being applied on any parish property, there shall first be a determination by the department, agency, board or commission having control and custody of such property that a concession stand is desirable on the property and that a concession stand may be properly and satisfactorily operated on such property without undue interference with the use and needs thereof for public purposes.

SEC. 2-101.03 Contract Provisions

If there exists in a parish owned building a concession stand operated by those other than the blind and without the benefit of a contract, the provisions of this ordinance shall apply and said concession stand will be required to terminate business within ninety (90) days of the effective date of this ordinance. Those operating under contract shall terminate business upon expiration of their contract and any options to renew contained therein.

SEC. 2-101.04 Definitions

- 1) "Concession Stand" - a manned snack bar for the sale of food stuffs and non-alcoholic beverages which are not cooked, prepared or packaged on parish property.
- 2) "Vending Machine" - a mechanical, unmanned device used for the dispensing of food stuffs and beverages.
- 3) "Blind" or "Visually Impaired" - a person who is totally without the ability to see or one whose vision with prescription glasses or optical lenses is so defective as to prevent the performance of ordinary activity for which eyesight is essential without assistance.

(Ord. No. 02-0571, adopted 07/11/2002)

SEC. 2-102.00 St. Tammany Parish Justice Center

1. St. Tammany Parish is the owner in title of immovable property at 701 N. Columbia Street, and associated properties to same, to be known as the St. Tammany Parish Justice Center, hereafter referred to as "Justice Center."
2. This facility shall house governmental offices for the purpose of providing services to the public.
3. All agencies and/or political subdivisions of St. Tammany Parish and the State of Louisiana, hereafter referred to as "Agency or Agencies," which occupy space in this facility shall do so under the law and guidelines established within this section, subject to their constitutional and statutory powers provided by state law.
4. All persons using the building shall adhere to the law and guidelines established within this section.

Sec. 2-102.01 General Building Guidelines

1. The Justice Center Building Manager, hereafter called "Building Manager," shall oversee all operations of the Justice Center.
2. No change shall be made to any physical characteristic of the Justice Center without prior approval of the Building Manager.

Sec. 2-102.02 Advisory Committee

1. Under the direction of the Building Manager, an Advisory Committee shall be formed, consisting of the following members:
 1. Building Manager
 2. One Representative from each Agency
2. The Advisory Committee shall be charged with developing policies and procedures for the administration and operation of the Justice Center to ensure the following:

1. That the facility provides a safe and efficient operation to all users.
 2. That the facility is maintained at a level of service which promotes continuity throughout the building.
 3. That all Agencies are kept abreast of problems, technical changes and building issues which could affect their operations.
 4. That all Agencies work together to develop the appropriate solution to any problem, technical change or building issue.
3. All policies and procedures are subject to final approval of the CAO or his designated representative.

Sec. 2-102.03 Non-Smoking Facility

1. The smoking of cigarettes, cigars, pipes, or use of other tobacco products shall be prohibited in the Justice Center.
2. The smoking of cigarettes, cigars, pipes, or use of other tobacco products is permitted on the grounds of the Justice Center in the designated smoking areas only.
3. "No Smoking" signs shall be posted on exterior doors and at other strategic locations which are clearly visible to the public.

Sec. 2-102.04 Firearms

1. Firearm carriage and use are prohibited inside the building, except by on duty law enforcement personnel wearing a "Class A" law enforcement uniform.

(Ord. No. 03-0666, adopted 05/01/2003)

ARTICLE IX PURCHASING PROCEDURES FOR PARISH BOARDS AND COMMISSIONS

EDITORIAL NOTE: This Article is a new article created by the authority of Ord. No. 95-2276, adopted 09/21/95.

SEC. 2-110.00 Purchasing Procedure

Resolution P. J. S. 90-4670 is hereby ratified as the established purchasing procedures for St. Tammany Parish and shall read as follows:

A B C D

1. Purchases under \$1,500 X
- . Purchases \$1,500 - \$4,999 X
- . Purchases \$5,000 - \$9,999 X

. Purchases exceeding \$10,000 X

. Purchases exceeding \$500.00 (FIVE HUNDRED DOLLARS), but less than \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) shall require no competitive bidding, but three telephone quotes shall be obtained by the Purchasing Office, if time permits.

. Purchases of \$1,500.00 (ONE THOUSAND FIVE HUNDRED DOLLARS) or more, but less than \$5,000.00 (FIVE THOUSAND DOLLARS) shall be made by soliciting telephone or facsimile quotations lower than the accepted bidders by the Purchasing Office. If quotations lower than the accepted quotation are received, the rejection shall be recorded in the purchase file.

. Purchases of \$5,000.00 (FIVE THOUSAND DOLLARS) or more, but less than \$10,000.00 (TEN THOUSAND DOLLARS) shall be made by sending out written quotations for bids to at least five bona fide qualified bidders by the Purchasing Office. Additionally, the public entity may advertise at its discretion. If quotations lower than the accepted quotation are received, the reasons for their rejection shall be recorded in the purchase file.

. Purchases in excess of \$10,000.00 (TEN THOUSAND DOLLARS) will be forwarded to the Purchasing Office for public advisement.

(Ord. No. 95-2276, adopted 09/21/95)

SEC. 2-110.01 Distribution

Upon enactment of this ordinance, all funded Parish Boards and Commissions, except Hospital Districts 1 and 2 and all Boards and Commissions for which the Police Jury currently provides accounting services, shall be provided with a copy of this Ordinance, as well as a copy of the Resolution P.J.S. No. 90-4670. (Ord. No. 95-2276, adopted 09/21/95)

SEC. 2-110.02 Approval Required; Review

All said Boards and Commissions shall require the approval of the Police Jury for all capital construction and renovation projects with a cost in excess of \$10,000.00 (TEN THOUSAND DOLLARS), and furthermore, the Parish Treasurer may review purchasing procedures of said Boards and Commissions in order to: 1) Ensure compliance with this ordinance; and 2) Ensure that procedures are in place which require a release from vendors, suppliers and/or subcontractors before final payment is issued. (Ord. No. 95-2276, adopted 09/21/95)

CROSS REFERENCE: Chapter 2, Article IV, Division 5 Capital Improvements, Special Programs, etc.

SEC. 2-110.03 Violation

Violation of the established purchasing procedures shall constitute "just cause" for the removal of one or all members appointed to a Board or Commission created by the Police Jury. (Ord. No. 95-2276, adopted 09/21/95)

SEC. 2-110.04 Personal Liability

The wilful or wanton misconduct on part of any Board member or members in connection with directives of this ordinance may result in personal liability for any damages sustained by the St. Tammany Parish Police Jury as consequence thereof. (Ord. No. 95-2276, adopted 09/21/95)

ARTICLE X QUALIFICATIONS - MEMBERS OF BOARDS, PANELS, COMMISSIONS

SEC. 2-115.00 Members

All members of a Parish Board, Panel, and/or Commission shall meet the following qualifications:

- (a) be of the age of eighteen (18) years or older,
- (b) be a resident and domiciled in the Parish of St. Tammany for a period of six consecutive months immediately prior to nomination,
- (c) be of good moral character,
- (d) be a registered voter of this Parish,
- (e) be subject to the Code of Governmental Ethics at La. R.S. 42:1101 et seq. or as per law,
- (f) unless otherwise authorized by law, shall not be paid compensation whatsoever for the privilege to serve hereunder.

Members of all Boards, Panels, Committees and Commissions which are only concerned with certain areas of the parish (not parish wide) shall be nominated by the council member(s) representing the affected district(s). In cases where the Parish President is authorized to appoint a member(s), the appointment shall be made from the residents of the affected district(s).

SEC. 2-115.01 Appointments

All positions on any Board, Panel, Committee, and Commission to be nominated by the Parish President, said nominee shall be unilaterally and exclusively appointed by the Parish President and immediately confirmed without delay and shall not require further

action from or by the Parish Council. Appointments to Boards, Panels, Committees or Commissions by the Council shall be by resolution, or as per law.

SEC. 2-115.02 Terms

Terms of office for all Boards, Panels, Committees and Commissions shall be those set out in the statute, ordinance and/or resolution originally creating each Board, Panel, Committee and Commission.

(Ord. No. 00-0157, adopted 06-01-2000)

ARTICLE XI 22ND JUDICIAL DISTRICT CHILDREN/YOUTH PLANNING BOARD

Sec. 2-116.00 22nd Judicial District Children and Youth Planning Board Created

In accordance with La. R.S. 46:1941.1 et seq., there is hereby created the 22nd Judicial District Children and Youth Planning Board to be composed of members appointed by the governing authorities of St. Tammany and Washington Parishes.

The sole responsibility of parish government herein is establishment and appointment of the board and nothing contained in said statutes mandates that the parish is responsible for funding operational expenses of the board.

Sec. 2-116.01 Purpose and Function of Board

The purpose of the 22nd Judicial District Children and Youth Planning Board is to assist in the formulation of a comprehensive plan for the development, implementation, and operation of services and programs that address the needs of children and youth, including those at risk for, or identified with, social, emotional, or developmental problems, including, but not limited to educational failure, abuse, neglect, exposure to violence, juvenile or parental mental illness, juvenile or parental substance abuse, poverty, developmental disabilities and delinquency.

The board is intended to encourage collaborative efforts among local stakeholders for assessing the physical, social, behavioral, and educational needs of children and youth in their respective communities and for assisting in the development of comprehensive plans to address such needs. The infrastructure for planning is intended to be data-driven in order to select appropriate evidence-based programs which will maximize available resources.

Sec. 2-116.02 Legislative Authorization

The Louisiana State Legislature authorizes the establishment of children and youth planning boards to assist in development, implementation, and operation of services which encourage positive development, diversion of children and youth from the

criminal justice and the foster care system, reduction in the commitments of youth to state institutions, and providing community response to the growing rate of juvenile delinquency.

The coordination and implementation of services shall include, but are not limited to prevention, early intervention, diversion, alternatives to home displacement, alternatives to incarceration, and treatment services. Through such boards, the state intends to foster and promote a continuum of community-based services and systems reflecting service integration at the state and community or local levels.

The Louisiana Children's Cabinet, a state agency within the Office of the Governor, shall facilitate the creation of children and youth planning boards by offering guidance and technical assistance to local communities and governing authorities, including resource identification, needs assessments, monitoring and performance evaluation, strategic planning and other forms of assistance and support.

Sec. 2-116.03 Board Composition; Terms; Duties

The 22nd Judicial District Children and Youth Planning Board shall encompass the Parishes of St. Tammany and Washington and consist of fourteen (14) members, ten (10) appointed by the St. Tammany Parish governing authority and four (4) appointed by the Washington Parish governing authority.

Those appointed shall include, but need not be limited to: members of the education community, criminal justice community, health care community, social services community, faith-based community, business and labor communities, and parenting and youth organizations.

Terms of all members shall be for a period of two (2) years. Vacancies shall be filled by the original appointing authority in the same manner provided by state law.

Board members representing St. Tammany shall include eight (8) appointed by the Parish Council and two (2) appointed by the Parish President.

The duties and responsibilities of Board members shall be as provided in La. R.S. 46:1941.8.

(Ord. 05-1204, adopted 10/06/2005)

ARTICLE XII FINANCE AUTHORITY OF ST. TAMMANY PARISH

SEC. 2-121.00 Authority

Pursuant to the provisions of the Public Trust Law, particularly R.S. 9:2341(A), the creation of the Finance Authority of St. Tammany Parish, under the terms of a Trust Indenture dated this date, is hereby expressly approved and the form, terms and

provisions of said Trust Indenture be and the same are in all respects approved, a copy of said Trust Indenture being on file in the office of the Clerk of this Parish Council.

(Ord. 06-1368, adopted 09/07/2006)

SEC. 2-121.01 Beneficiary

The Parish Council accepts the beneficial interest of said Trust on behalf of the Parish as Beneficiary and does hereby empower, authorize and direct the Parish President to execute an acceptance on behalf of the Parish of the beneficial interest in the Trust created by the foregoing Trust Indenture.

SEC. 2-121.02 Trustees

The initial Trustees of said Trust, all being citizens and residents of St. Tammany Parish, and their terms of office, are as follows:

(Ord. 06-1368, adopted 09/07/2006)

NAME TERM

PETER LINK 1 YEAR

Executive Vice President-Security Officer

Parish National Bank

RICHARD L MULLER 2 YEARS

President-First Community Bank

RONALD RANDOLPH 2 YEAR

Director of Accounting Services

St. Tammany Parish Public School System

CHRIS KELLER 3 YEARS

CEO - Resource Bank

DAVE ANDERSON 3 YEARS

Vice President-Hancock Bank

In the event that an appointed Trustee is unable to complete his term of office, the following individuals have been named as alternates to serve in his place:

ALTERNATES

RALPH MENETRE, III

Sr. Vice President-Chase Commercial Real Estate

REBECCA B. ROHRBOUGH

Vice President-Whitney National Bank

PETER J. CAVIGNAC

Vice President-Whitney National Bank

All Trustees (after the initial term set forth above) shall serve for a term of three (3) years upon their appointment. The successors to said Trustees shall be appointed by this Parish Council as the governing authority of the Parish of St. Tammany, Louisiana, in accordance with the provisions of said Trust Indenture.

(Ord. 06-1368, adopted 09/07/2006)

SEC. 2-121.03 Trust Approval

Application be and the same is hereby formally made to the State Bond Commission, Baton Rouge, Louisiana, for approval of said Trust in accordance with the provisions of the Trust Indenture; and further, that a certified copy of this ordinance and an executed copy of said Trust Indenture shall be forwarded to the State Bond Commission, together with a letter requesting the prompt consideration and approval of this application. (Ord. 06-1368, adopted 09/07/2006)

SEC. 2-121.04 Recordation

Upon the execution of said Trust Indenture by the Settlor and the Trustees, an executed copy thereof, together with the written acceptance of the beneficial interest endorsed thereon, shall be recorded in the official records of the Clerk of Court of the Parish of St. Tammany , in accordance with the provisions of R.S. 9:2342(A).

(Ord. 06-1368, adopted 09/07/2006)

ARTICLE XIII ECONOMIC DEVELOPMENT INCENTIVE POLICY

REPEALED BY THE PARISH COUNCIL THROUGH ORD. NO. 10-2379, ADOPTED 11/04/2010.

Originally established by Ord. 06-1475, adopted 12/07/2006.

ARTICLE XIV ST. TAMMANY GEOGRAPHIC INFORMATION SYSTEM DISTRICT

Section 2-140.00 St. Tammany Parish Geographic Information System District.

There is established a geographic information system district entitled "St. Tammany Parish Geographic Information System District" (herein, the "District"), whose jurisdiction shall be coterminous with the territorial boundaries of the Parish of St. Tammany. The District shall be a political subdivision of the state of Louisiana.

Section 2-140.01 Purpose.

(1) The purpose of the District shall be for the development and application of geographic information systems, including but not limited to base data regarding property ownership, population, demographics, political boundaries, emergency service areas, land use, streets, addresses, roads, bridges, utilities, easements, servitudes, rights-of-way, subdivisions, flood plains and subdivision restrictions.

(2) The District may also assist with homeland security and emergency preparedness as well as the technical aspects and support of the various geographic information system computer systems of political subdivisions and other public entities within the Parish of St. Tammany, including but not limited to advice and support on geographic information system hardware, software, networking, or other such geographic information system information technology issues.

(3) The District may also share data, efficiencies, and purchasing power with other political subdivisions and public entities within the Parish of St. Tammany.

Section 2-140.02 Board of Commissioners; Membership.

The District shall be governed by a Board of Commissioners (herein, the "Board"), composed of no less than five (5) and no more than nine (9). Each member must have demonstrated GIS or Technology expertise in the area of GIS and/or Information Technology.

(1) The President of the St. Tammany Parish Government or their designee.

(2) The Assessor of the Parish of St. Tammany or their designee.

(3) One (1) member shall be appointed by the governing board of the St. Tammany Parish Communication District No. 1, and such appointee may also be a board member of the St. Tammany Parish Communication District No. 1.

(4) The St. Tammany Parish Council shall appoint one (1) member nominated by a majority of the mayors of the municipalities located in St. Tammany Parish.

(5) The St. Tammany Parish Council shall appoint one (1) member nominated by a majority of the chiefs of the fire districts located in St. Tammany Parish.

(6) The St. Tammany Parish Council may appoint up to four (4) additional members of the board. Each additional member shall represent a political subdivision, organization or other entity located within St. Tammany Parish. Only one (1) member may be appointed to represent any particular political subdivision, organization or other entity. The St. Tammany Parish Council may establish additional criteria that a political subdivision, organization or other entity must meet for representation on the board.

Section 2-140.03 Board of Commissioners; Term; Reappointment; Compensation.

(1) Each board member serving pursuant to Sec. 2-140.02(1) and (2) shall serve during their term of office.

(2) Board members serving pursuant to Sec. 2-140.02(3), (4) and (5) shall serve four (4) year terms after the initial terms provided for in this paragraph. One (1) member shall serve an initial term of two (2) years; one (1) member shall serve three (3) years; and one (1) member shall serve four (4) years, all as determined by lot at the first meeting of the board. Board members serving pursuant to Sec. 2-140.02(6) shall serve four (4) year terms. The first two (2) members appointed pursuant to Sec. 2-140.02(6) shall serve initial terms of two (2) years.

(3) Any designee serving on the board shall serve at the pleasure of the designating authority.

(4) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(5) Members of the board shall be eligible for reappointment.

(6) Members of the board shall serve without compensation.

Section 2-140.04 Officers; Quorum; Rules.

(1) The board shall elect from its members a chair, vice chair, secretary and treasurer. The board may combine such offices or elect other officers as it deems necessary.

(2) The board shall keep minutes of all meetings and shall make them available through the secretary of the board to residents of the District. The minute books and archives of the District shall be maintained by the secretary of the board. The monies, funds and accounts of the District shall be in the official custody of the board.

(3) The board may adopt bylaws or such other rules and regulations as it deems necessary or advisable for conducting its business affairs.

(4) The board shall hold regular meetings at least quarterly and may hold special meetings at such times and places within the District as may be prescribed by the board.

(5) A majority of the members of the board shall constitute a quorum for the transaction of business.

Section 2-140.05 Powers and Duties.

(1) The District shall have and exercise all powers of a political subdivision necessary or convenient for the purpose of funding the District and carrying out its objects and purposes, including but not limited to the following:

(a) to incur debt;

(b) to sue and be sued;

(c) to adopt, use and alter at will a corporate seal;

(d) to adopt bylaws and rules and regulations;

(e) to receive by gift, grant, donation or otherwise any sum of money, property, aid, or assistance from the United States, the state of Louisiana or any political subdivision thereof, or any person, firm or corporation;

(f) to enter into contracts, agreements or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity or individual;

(g) to elect officers and appoint agents and employees, prescribe their duties and fix their compensation;

(h) to acquire property by purchase, gift, grant, donation, lease or otherwise;

(i) to establish monetary, bank and investment accounts; and

(j) to establish committees or subcommittees.

(2) The provisions of this paragraph shall not be construed to authorize or grant the power of expropriation to the District.

Section 2-140.06 Budget.

(1) The District shall adopt an annual budget in accordance with the Local Government Budget Act, LSA R.S. 39:1301, et seq., as same may be amended, restated or re-codified from time to time.

(2) The District shall be subject to audit by the Legislative Auditor pursuant to LSA R.S. 24:513, as same may be amended, restated or re-codified from time to time.

(Ord. No. 14-3222, adopted 10/02/2014)

CHAPTER 3 AIRPORTS AND AIRCRAFT ALCOHOLIC BEVERAGES AND AMBULANCES

ARTICLE I AIRPORT ZONING

SEC. 3-001.00 Short Title

This Article shall be known and may be cited as the "Airport Hazard Ordinance".

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 10-2387, adopted 11/04/2010)

SEC. 3-001.01 Intergovernmental Agreement

The Police Jury will enter into an Intergovernmental Agreement with the City of Slidell, subject to the following conditions:

- a) There be no transfer of ownership of land to the Slidell Airport;
- b) That a long term lease for ninety-nine (99) years be established;
- c) That the City of Slidell be allowed to annex the Airport area;
- d) That the City of Slidell be required to manage the Airport directly;
- e) That in the event the City of Slidell chooses to allow a third party lease, they will provide St. Tammany Parish with a six (6) month notice, and the Parish will have the option to either approve such third party lease or return the management of the Airport to the Parish;
- g) Additionally, the City of Slidell will annex Airport Road from the point which they own today north of Interstate 12 to the Slidell Airport; and
- h) That the Parish will continue to provide maintenance and police responsibility on said road.

(Ord. No. 90-1216, adopted 01/18/90)

EDITORIAL NOTE: By Inter-Governmental Agreement dated January 25, 1990, management of the Slidell Airport was transferred to the City of Slidell. Said agreement recorded in COB 1411, folio 224 and MOB 1362, folio 880 of the official records of St. Tammany Parish, Louisiana.

SEC. 3-002.00 Airport Hazard Ordinance

To provide protection from the hazard created by structures or trees that in effect reduce the size of the area available for the landing, takeoff, and maneuvering of aircraft, and in the interest of the public health, public safety, and general welfare to prevent airport hazards to the extent legally possible, and by the exercise of its police power as the governing authority of St. Tammany Parish, the said St. Tammany Parish Council hereby designates this Article as the Airport Hazard Ordinance.

It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or interest in land.

(Taken from preamble, statement of purpose, intent and legal authority of Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

SEC. 3-002.03 Definitions

As used herein, unless the context otherwise requires:

(1)a Airport (Slidell): the Slidell Municipal Airport generally located north of Interstate 12 at the northern end of Airport Road, Slidell, LA.

(1)b Airport (Abita): the St. Tammany Regional Airport generally located south of Louisiana Highway 36 approximately three miles southeast of Abita Springs, LA.

(2) Airport Elevation: The highest point of an airport's usable landing area measured in feet from mean sea level.

(3) Airport Hazard: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

(4)a Airport Manager (Slidell): That person appointed by the Mayor of Slidell to manage the day to day operation of the Slidell Airport. (Ord. No. 91-1543, adopted 12/19/91)

(4)b Airport Manager (Abita): That person appointed by the Parish President of St. Tammany Parish to manage the day to day operation of the St. Tammany Regional Airport. (Ord. No. 10-2387, adopted 11/04/2010)

(5) Structure: An object constructed or installed by man, including, but without limitation to, buildings, towers, smokestacks, earth information, and overhead transmission lines.

(6) Tree: Any object of natural growth.

(7) Nonconformance Use: Any pre-existing structure, object, of natural growth, or use of land which is inconsistent with the provisions of this Article or an amendment thereto.

(8) Height: For the purpose of determining the height limits in all zones set forth in this Article and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

(9) Person: An individual, firm, partnership, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

(10) Airport Hazard Adjustment Board (abolished by Ord.10-2387, adopted 11/04/2010)

(11) Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

(12) Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

(13) Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

(14) Non-precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military airport planning document.

(15) Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in Part 77 of the Federal Aviation Regulations, (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

(16) Approach, Transitional, Horizontal, and Conical Zones: These zones apply to the area under the approach, transitional, and conical surfaces defined in FAR Part 77.

(17) Federal Aviation Administration (FAA) - That agency of the United States Department of Transportation with authority to regulate and oversee all aspects of civil aviation in the United States.

(18) Local Governing Authority with jurisdiction over building permits, zoning and other similar regulatory functions for the property in question.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTE: Ord. No. 91-1543, adopted 12/19/91 consolidated Sections 3-002.01-3-002.15 into Section 3-002.03 entitled Definitions herein, renumbering said definitions as subsections 1-16 inclusive, added subparagraph (4) "Airport Manager", reinstated a Board of Adjustment changing the name to the "Airport Hazard Adjustment Board" in subparagraph (10) and omitted "and approved" from subparagraph 14. Ord. 10-2387, adopted 11/04/2010 expanded definition of Airport Manager to add St. Tammany Regional Airport, abolished the Airport Hazard Adjustment Board, and added Definitions 17 and 18.

SEC. 3-003.00 Airport Zones

In order to carry out the provisions of this Article, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to a particular airport.

A. Such zones are shown on Slidell Airport Hazard Zoning Map consisting of 1 sheet prepared by Hamilton, Meyer, and Associates, and dated June 23, 1980 which is attached to Ordinance No. 91-1543, adopted 12/19/91 and made apart hereof [by reference]. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) Horizontal Zone: The horizontal zone is hereby established by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs of drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

(2) Conical Zone - The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

(3) Precision Instrument Runway Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline being the continuation of the centerline of the runway.

(4) Runway Larger Than Utility With A Visibility Minimum As Greater Than 3/4 Mile Non-Precision Instrument Approach Zone -The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

B. Such zones are shown in the St. Tammany Regional Airport - Airport Layout Plan Update - Airport Airspace Plan consisting of one (1) sheet (being 3 of 8) prepared by Buchart Horn, Inc., and dated June 4, 2008 and made apart hereof [by reference]. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) Horizontal Zone: The horizontal zone is hereby established by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs of drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

(2) Conical Zone - The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

(3) Precision Instrument Runway Approach Zone: The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline being the continuation of the centerline of the runway.

(4) Runway Larger Than Utility With A Visibility Minimum As Greater Than 3/4 Mile Non-Precision Instrument Approach Zone -The inner edge of this approach zone coincides with the width of the primary surface and is one thousand (1,000) feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(Ord. No. 10-2387, adopted 11/04/2010)

SEC. 3-004.00 Airport Zone Height Limitations

Except as otherwise provided in this Article, no structure or tree shall be erected, altered, allowed to grow, or be maintained in any zone created by this Article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

(1) **Transitional Zones:** Slopes upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of the same elevation as the primary surface and the approach zones, and extending to a height of 150 feet above the airport elevation which is 27 feet above mean sea level. In addition to the foregoing, there are established height limits sloping upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, height limits sloping upward and outward seven (7) feet horizontally for each foot vertically shall be maintained beginning at the sides of and as the same elevation as precision instrument

runway approach surface, and extending to a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

(2) **Horizontal Zone:** One hundred and fifty (150) feet above the airport elevation or a height of 178 feet above mean sea level.

(3) **Conical Zone** - Slopes upward and outward twenty (20) feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and at one hundred and fifty (150) feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

(4) **Precision Instrument Runway Approach Zone** Slopes upward fifty (50) feet vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slope upward forty (40) feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.

(5) **Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Zone:** Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

(6) **Height Limitations:** Nothing in this Article shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height up to 50 feet above the surface of the land. Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

EDITORIAL NOTE: Amendment by Ord. No. 91-1543, adopted 12/19/91 changed the numbering of subsections from A-F to (1)-(6) and added "3/4" to the caption of subtitle (4).

SEC. 3-005.00 Use Restrictions

Notwithstanding any other provisions of this Article, no use may be made of land or water within any zone established by this Article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport or otherwise in any way create a hazard or endanger the landing, takeoff, or maneuvering of aircraft intending to use the airport. (Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

SEC. 3-006.00 Nonconforming Uses

(1) Regulations Not Retroactive: The regulations prescribed by this Article shall not be construed to require the removal, lowering, or other changes or alterations of any structure or tree not conforming to the regulations as of the effective date of this Article, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Article, and is diligently prosecuted.

(2) Marking and Lighting: Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Manager to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the local governing authority.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

SEC. 3-007.00 Permits

(1) Future Uses: No material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefore shall have been applied for and granted.

(a) However, a permit for a tree or structure of less than 75 feet of vertical height above the ground shall not be required in the horizontal distance of 4,200 feet from each end of the runway except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for the respective zone.

(b) Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particulars to determine whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

(2) Existing Uses: No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a conforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Article or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(3) Nonconforming Uses Abandoned Or Destroyed: Whenever the Airport Manager determines that a nonconforming tree or structure, upon approval of Parish Building

Inspector, has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(4) Variances: Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property not in accordance with the regulations prescribed in this Article, may apply to the Airport Manager for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and relief granted would not be contrary to the public interest, but will do substantial justice and be in accordance with the spirit of this Article, and as permissible by all applicable FAA regulation.

(5) Hazard Marking and Lighting: Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Article and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the local governing authority at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTE: Amendment by Ord. No. 91-1543, adopted 12/19/91 changed the numbering of subsections from A-E to (1)-(5) and 1-2 to (a)-(b); in subparagraph (3) changed "Airport Authority No. 1 of St. Tammany Parish" to "Slidell Airport Manager", changed "finds" to "determines", changed "Airport Authority No. 1 of St. Tammany Parish" to "Slidell Airport Manager", inserted ", upon approval of [the] Parish Building Inspector, "; in subparagraph (4) added "Hazard"; in subparagraph (5) changed "Airport Authority No. 1 of St. Tammany Parish" to "City of Slidell".

SEC. 3-008.00 Enforcement

It shall be the duty of the the Director of the Parish Department of Planning to to identify the potential conflict between any proposed structure and these regulations and refer them to the Airport Manager for review.

It shall be the duty of the Airport Manager to administer and cause the enforce the regulations prescribed herein through the various enforcement agencies of the local governing authority . Applications for permits and variances shall be made to the Airport Manager upon a form furnished by him. Applications required by the Article to be submitted to the Airport Manager shall be promptly considered and granted or denied by him.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTE: Amendment by Ord. No. 91-1543, adopted 12/19/91 changed "Public Works" to "Development" and added "Airport Hazard".

SEC. 3-009.00 Board Of Airport Hazard Adjustment; Abolished

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; abolished by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTE: Amendment by Ord. No. 91-1543, adopted 12/19/91 reorganized former subsection A 1-3 into subparagraph 1, added "Hazard Adjustment", omitted "have and" prior to "[to]"; renumbered subparagraphs from B-E to 2-5; in subparagraph 2 changed the appointing authority from all board members being appointed by the St. Tammany Parish Police Jury to a shared appointing authority with the City of Slidell and the fifth member appointed by the said board, added "Hazard Adjustment"; in subparagraph 3 added "Hazard Adjustment": in subparagraph 4 added "Hazard Adjustment"; and in subparagraph 5 added "Hazard Adjustment".

SEC. 3-010.00 Appeals

1. Any person aggrieved or any taxpayer affected by any decision of the Airport Manager made in his administration of this Article, may appeal to Board of Adjustment of the local governing authority.
2. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment, by filing with the staff of the Board of Adjustment a notice of appeal specifying the grounds thereof. The staff of the Board of Adjustment shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.
3. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Airport Manager certifies to the Board of Adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Board of Adjustment on notice to the Airport Manager and on due cause shown.
4. The Board of Adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
5. The Board of Adjustment may, in conformity with the provision of this Article, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination, as may be appropriate under the circumstances.

(Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTE: Amendment by Ord. No. 91-1543, adopted 12/19/91 reorganized former subsection A -E to 1-5, in subparagraph 1 changed "this" to "his" and added "Hazard Adjustment" to each subparagraph.

SEC. 3-011.00 Judicial Review

Any person aggrieved, or any taxpayer affected, by any decision of the Board of Adjustment, may appeal to the Court of proper jurisdiction as provided in LSA R.S. 2:387 of the Public Laws of proper jurisdiction. (Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91; amended by Ord. No. 10-2387, adopted 11/04/2010)

EDITORIAL NOTATION: Amendment by Ord. No. 91-1543, adopted 12/19/91 added "Hazard Adjustment".

SEC. 3-012.00 Penalties

Each violation of this Article or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than One Hundred (\$100.00) Dollars or imprisonment for not more than thirty (30) days or both; and each day a violation continues to exist shall constitute a separate offense. (Ord. No. 80-29, adopted 08/21/80; amended by Ord. No. 91-1543, adopted 12/19/91)

SEC. 3-013.00 Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this Article and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land or any other matter, the more stringent limitation or requirement shall govern and prevail. (Ord. No. 80-29, adopted 08/21/80)

SEC. 3-014.00 Effective Date

This Ordinance shall become effective thirty (30) days after the first date of publication. (Ord. No. 91-1543, adopted 12/19/91)

ARTICLE II AIR TRAFFIC CONTROL

SEC. 3-021.00 Approaching Aircraft

1. All approaching aircraft will conform with the traffic for the active runway. The active runway will be determined by contacting Unicom (122.8) for field advisory and/or reference to the landing direction indicator (LDI).

2. Approaching aircraft and local traffic will use standard left-hand patterns for both runways.
3. Entry will be made at a forty-five degree angle to the down-wind leg.
4. Entry may also be made at a forty-five degree angle to the upwind leg for aircraft approaching from the right of the active runway.
5. Aircraft making a straight-in approach will determine visually and by radio that such an approach will not interfere with any aircraft making a standard traffic pattern.
6. Said aircraft making a straight-in approach will announce such intentions on the radio to other aircraft in the traffic pattern. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-022.00 Departing Aircraft

1. All departing aircraft shall use the active runway in use at the time.
2. Departing aircraft remaining in the traffic pattern will make standard left-hand traffic pattern. For aircraft departing south, maintain a straight-out climb to one thousand feet (1,000 ft.), then a left or right-hand turn may be made. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-023.00 Traffic Pattern Altitude

Traffic pattern altitude will be eight hundred feet (800 ft.), except that high performance aircraft requiring a higher level will use one thousand three hundred feet (1,300 ft.). The downwind leg for light aircraft will be one-half mile from runway; for high performance aircraft one mile from runway. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-024.00 Taxi Speeds

Taxi speeds on the runway will be such that the aircraft can stop in thirty feet (30 ft.) and ten feet (10 ft.) on the ramp, approximately fifteen miles per hour (15 mph) and five miles per hour (5 mph), respectively. Pilots are reminded to exercise extreme caution while maneuvering in the ramp area due to other aircraft and vehicular traffic. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-025.00 Acrobatic Flight; Skydiving

Acrobatic flight as defined in FAR 91.71 and skydiving are prohibited within the airfield boundaries except with FAA [Federal Aviation Administration] waiver in conjunction with an approved air show or demonstration. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-026.00 Runup

Runup will be done at a forty-five degree angle to ramp, taxiway or runway with tail toward grass. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-027.00 Calm Wind Runway

The calm wind runway will be Runway 17. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-028.00 UNICOM

This airport has UNICOM (122.8 MHZ). (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-029.00 Clearance

Pilots are reminded that an announcement of intent to depart or land is not clearance. Each pilot shall visually clear the area before takeoff or landing. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-030.00 Landing Pattern

Altitudes - High performance aircraft, one thousand three hundred feet (1,300 ft.); all other aircraft, eight hundred feet (800 ft.). (Ord. No. 81-192, adopted 05/07/81)

EDITORIAL NOTE: A copy of the approach pattern and angles of approach is on file with the Secretary of the Police Jury.

SEC. 3-031.00 Takeoff Pattern

Aircraft departing shall use a left or right-hand turnout after leaving one thousand feet (1,000 ft.). (Ord. No. 81-192, adopted 05/07/81)

EDITORIAL NOTE: A copy of the takeoff pattern and angles of turn is on file with the Secretary of the Police Jury.

SEC. 3-032.00 Monitoring Of Implementation Of Provisions

The monitoring of the implementation of this Article is vested in the Board of Commissioners of Airport Authority No. 1. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-033.00 Authority To Establish Regulations

The St. Tammany Parish Council herewith delegates, authorizes and empowers the Board of Airport Authority No. 1 to establish and promulgate regulations consistent herewith. (Ord. No. 81-192, adopted 05/07/81)

SEC. 3-034.00 Penalty For Violation

It shall be unlawful to violate any of the terms and provisions hereof and shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of the Code of Ordinances. (Ord. No. 81-192, adopted 05/07/81)

ARTICLE III AIRPORT AUTHORITY NO. 2

EDITORIAL NOTE: Airport Authority No. 2 is also known as the Greater St. Tammany Airport and was created by a Resolution on 11/21/63.

SEC. 3-035.00 Airport Authority No. 2, Created

Airport Authority No. 2, created by resolution by the authority of the provisions of Section 602 of Title 2 of the Louisiana Revised Statutes of 1950, comprises Wards 1, 2, 3, 4, and 10 of St. Tammany Parish, Louisiana. (Resolution adopted 11/21/63)

ARTICLE V ALCOHOLIC BEVERAGES, IN GENERAL

EDITORIAL NOTE: Article V formerly appeared as Article I in Chapter 3, of the Code of Ordinances of St. Tammany Parish Louisiana as published by the Municipal Code Corp. 1979-87 as Sections 3-1 through 3-4. Article II appears as Article V of Chapter 3, Sections 3-101.00 through 3-104.00 of this publication.

SEC. 3-101.01 Misrepresentation of Age

A. It shall be unlawful for any individual under the age of twenty-one (21) years to present or offer written, printed, or photostatic evidence of age and identity which is false, fraudulent, or not actually his own for the purpose of obtaining or purchasing alcoholic beverages or attempting to enter a licensed establishment where the sale of alcoholic beverage constitutes the main business. (Ord. No. 94-2070, adopted 09/15/94; amended by Ord. No. 94-2124, adopted 11/17/94)

STATE REFERENCE: LSA R.S. 14:333

SEC. 3-101.02 Unlawful Use of License

A. It shall be unlawful for any individual to:

1. Display, cause, or permit to be displayed, or to have in one's possession any canceled, revoked, suspended, or fictitious operator's or chauffeur's license, or an operator's or chauffeur's license which has been intentionally altered, or has been caused to be altered;
2. Lend one's operator's or chauffeur's license to any person or knowingly permit the use thereof by another;
3. Display or represent as one's own any operator's or chauffeur's license not issued to him. (Ord. No. 94-2070, adopted 09/15/94; amended by Ord. No. 94-2124, adopted 11/17/94)

STATE REFERENCE: LSA R.S. 32:414.1 prohibits the unlawful use of licenses.

SEC. 3-101.03 Violation; Penalty

A. The use of a false or fictitious name and/or identification by anyone under 21 years of age for purposes of obtaining and/or purchasing alcoholic beverages or attempting to enter a licensed alcoholic beverage outlet shall constitute a misdemeanor, punishable by one or more of the following in accordance with R.S. 14:333:

1. A fine not to exceed TWO HUNDRED DOLLARS (\$200.00);
2. An appropriate amount of community service not to exceed THIRTY (30) hours;
3. Suspension of violator's driver's license for not more than NINETY (90) days;
4. TWENTY FIVE DOLLARS (\$25.00) finder's fee as set forth herein;
5. All court and other costs of the proceeding.

B. Each violation hereof shall constitute a separate offense punishable as outlined herein. The imposition of a fine/penalty for any one violation shall not excuse the violation nor shall it be permitted to continue.

C. Nothing contained herein shall prevent the Parish from taking such other lawful action deemed necessary by the District Attorney to prevent or remedy violations.

D. "Licensed Premises" shall mean an establishment licensed under Title 26 of the Louisiana Revised Statutes of 1950, as Amended, where the sale of alcoholic beverages is a part of its business. (Ord. No. 94-2070, adopted 09/15/94; amended by Ord. No. 94-2124, adopted 11/17/94)

STATE REFERENCE: LSA R.S. 14:333 (B) provides for penalties.

SEC. 3-101.04 Enforcement

Upon determination, any owner, merchant, seller or operator of a duly licensed alcoholic beverage outlet shall confiscate and surrender every false or fictitious identification to an agency responsible for enforcement hereof. Such person shall be eligible for the \$25.00 finders fee upon conviction of the guilty party by a duly authorized court. Said finders fee shall be taxed as costs of the proceeding and will be paid by the St. Tammany Parish Police Jury upon receipt from the St. Tammany Parish Sheriff's Office. (Ord. No. 94-2070, adopted 09/15/94; amended by Ord. No. 94-2124, adopted 11/17/94)

SEC. 3-102.00 Tax

By virtue of authority granted by Act 190 of the Louisiana Legislature of 1946, there is hereby levied, in addition to all other excises, licenses or privilege taxes presently

imposed, a tax on all beer, porter, ale, fruit juices and/or wine, having an alcoholic content of not less than one-half of one percent (0.5%) or more than six percent (6%), by volume, of one dollar and fifty cents (\$1.50) per standard barrel of thirty-one gallons (31 gal.), or any like rate of any other quantity, or for the fractional parts of such barrel sold for consumption in the parish, within the meaning and intent of the provisions of Act 190 of the Louisiana Legislature of 1946.

The tax herein levied shall be collected by any and all Louisiana wholesale dealers from their vendees purchasing for consumption in the parish on each sale and shall be remitted by said wholesale dealers to the collector of revenue of the State of Louisiana, for each month, on or before the twentieth day of each succeeding month, respectively, all in accordance with rules and regulations promulgated by the collector of revenue and as provided by section 19 of Act 190 of 1946 and for the account of the Parish.

Failure of the wholesale dealer to collect and remit the tax levied, when due, or failure to pay the tax when due, by a purchaser for consumption in the Parish, shall ipso facto, render them liable for the amount of taxes found to be due together with a penalty of twenty percent (20%) of the amount of tax due, plus an additional amount of ten percent (10%) of the tax and penalty, as attorney s fees if referred to an attorney for collection. (Ord. No. 100, Bk. 2, P. 148, adopted 10/21/46)

SEC. 3-102.01 Verification of Tax Payment

No alcoholic beverage permit or occupational license will be issued or renewed by the Parish Council without verification that all Parish of St. Tammany sales taxes owed by the applicant are paid in full.

(Ord. 00-0225, adopted 11/02/2000)

SEC. 3-102.02 Sales Tax Certification

The Parish Department of Planning or the Parish Sheriff as Tax Collector, when applicable, will provide a sales tax certification form to the applicant to be attached to the original or renewal application for occupational and liquor licenses. The Sheriff's office shall certify that all sales taxes owed the Parish of St. Tammany are paid or shall indicate the extent of the delinquency prior to the issuance of any permit or license.

(Ord. 00-0225, adopted 11/02/2000)

SEC. 3-102.03 Revocation of License

The Parish Council, after public hearing, may revoke the alcoholic beverage and/or occupational license of any establishment doing business within unincorporated areas of the parish of St. Tammany and owing taxes and/or license fees to the Parish, if said taxes and/or license fees are delinquent for 60 days. Said revocation is in addition to

any other recourse against the delinquent taxpayer permitted by the Parish Code of Ordinances or State law.

The revocation may be suspended if a payment schedule is worked out with the approval of the Tax Collector and the Parish Administration. If for any reason, the current taxes or license fees become delinquent or a payment on the payment schedule becomes more than 30 days delinquent, the payment agreement will be null and void and the current license(s) revoked.

The Parish Council will be notified in writing through the Council Clerk of any arrangements or revocations made by the Tax Collector and the delinquent party.

(Ord. 00-0225, adopted 11/02/2000)

SEC. 3-102.04 Sheriffs Authorization

The Parish Sheriff, as Tax Collector, is authorized and empowered to take any and all actions which it, in the exercise of its discretion, deems necessary to promulgate the provisions of this section.

(Ord. 00-0225, adopted 11/02/2000)

SEC. 3-103.00 Definitions

EDITORIAL NOTE: This section, formerly called "Sales in Ward 4", by the authority of Ord. No. 85-368, adopted 04/18/85, has been deleted and repealed by the authority of Ord. No. 97-2580, adopted 02/20/97)

A. Alcoholic Beverages: For the purpose of this Article, the term "Alcoholic Beverages" shall be defined as follows: Any fluid, or any solid capable of being converted into fluid, suitable for human consumption, and containing more than one-half of one percent (0.5%) alcohol by volume, including, but not limited to, malts, vinous, spiritous, alcoholic or intoxicating liquors, beer, porter, ale, stout, fruit juices, cider or wine. (Ord. No. 100, Bk. 2, P. 148, adopted 10/21/46; amended by Ord. No. 97-2580, adopted 02/20/97)

SEC. 3-104.00 Hours of Operation

EDITORIAL NOTE: This section, formerly called "Sales in Wards Other than Ward 4", by the authority of Ord. No. 85-463, adopted 08/15/85, has been deleted and repealed by the authority of Ord. No. 97-2580, adopted 02/20/97)

A. Closing.

1. All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Tammany to sell or dispense alcoholic beverages at retail, pursuant to a Class "A" permit, shall close their doors to entry at 2:00 a.m. daily and shall remain

closed until 6:00 a.m. daily. No such Class "A" permittee, licensed for the retail sale of alcoholic beverages for consumption on the premises shall sell alcohol between the hours of 2:00 a.m. and 6:00 a.m. daily.

B. Exceptions.

1) The provisions of this section shall not apply on the following days: January 1; the Saturday and Monday preceding Mardi Gras Day; and Mardi Gras Day itself.

2) Restaurants and cafeterias, which derive sixty percent (60%) or more of their total business from the sale of food items, shall be exempt from the closure provisions of this section provided however, that such restaurants or cafeterias shall be prohibited from selling or dispensing alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. daily.

3) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Tammany to sell alcoholic beverages at retail for off-premise consumption, pursuant to a Class "B" permit, shall be exempt from the closure provisions; provided however that such retail outlets shall be prohibited from selling or dispensing alcoholic beverages between the hours of 2:00 a.m. and 6:00 a.m. daily.

C. Penalties.

Any person or permittee who violates any provisions of this section shall be fined not more than TWO HUNDRED DOLLARS (\$200.00) for the first offense; not more than FIVE HUNDRED DOLLARS (\$500.00) for the second offense; and for a third or subsequent offense, not more than FIVE HUNDRED DOLLARS (\$500.00) and/or suspension and/or revocation of the permit to sell or dispense alcoholic beverages, as provided by law.

(Ord. No. 85-463, adopted 08/15/85; amended by Ord. No. 97-2580, adopted 02/20/97; amended by Ord. No. 97-2687, adopted 07/24/97)

SEC. 3-105.00 Open Containers

A. Definitions

1) "Motor vehicle" means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public highways, but does not include a vehicle operated exclusively on a rail or rails.

2) "Alcoholic beverage" means any of the following:

(a) Beer, ale, porter, stout, and other similar fermented beverages, including sake or similar products, of

any name or description containing one-half of one percent or more of alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefor.

(b) Wine of not less than one-half of one percent of alcohol by volume.

(c) Distilled spirits which is that substance known as ethyl alcohol, ethanol, or spirits of wine in any form, including all dilutions and mixtures thereof from whatever source or by whatever process produced

(3)(a) "Open alcoholic beverage container" means any bottle, can, or other receptacle that contains any amount of alcoholic beverage and to which any of the following is applicable:

- (i) It is open or has a broken seal.
- (ii) Its contents have been partially removed.

(b) "Open alcoholic beverage container" shall not mean any bottle, can, or other receptacle that contains a frozen alcoholic beverage unless the lid is removed, a straw protrudes therefrom, or the contents of the receptacle have been partially removed.
(Editorial Note: See La.R.S. 32:300)

B. Open Containers Off Premises.

1) No holder of a permit for the retail sale of alcoholic beverages shall knowingly permit any individual, whether patron, customer, employee or otherwise, to remove any alcoholic beverage from the premises in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise, unless said container is unopened and sealed.

2) No person, whether patron, customer, employee or otherwise, shall remove any alcoholic beverage from the premises of a holder of a permit for the retail sale of alcoholic beverages in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise unless said container is unopened and sealed.

3) All holders of permits for the sale of alcoholic beverages shall post a conspicuous notice inside their premises, as well as by each exit, stating that it is illegal to remove any alcoholic beverages from the premises in any type of unsealed or open container of any kind, and that said violators shall be subject to fine and/or imprisonment as provided in parish ordinances.

4) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or which a straw does not protrude.

C. Exceptions.

The provisions of paragraph B of this Section shall not apply to the Saturday and Monday proceeding Mardi Gras Day and Mardi Gras Day itself.

D. Penalties.

Whoever violates any provision of paragraph B of this Section shall be fined not more than TWO HUNDRED DOLLARS (\$200.00) for each offense. (Editorial Note: Ord. No. 97-2581, adopted 02/10/97)

E. Possession of alcoholic beverages in motor vehicles

1) It shall be unlawful for the operator of a motor vehicle or the passenger in or on a motor vehicle, while the motor vehicle is operated on a public highway or right-of-way, to possess an open alcoholic beverage container, or to consume an alcoholic beverage, in the passenger area of a motor vehicle.

2) "Passenger area" means the area designed to seat the driver and passengers while the motor vehicle is in operation and any area that is readily accessible to the driver or a passenger while in their seating positions, including the glove compartment. It shall not mean a locked glove compartment or behind the last upright seat, or any area not normally occupied by the driver or a passenger in a motor vehicle that is not equipped with a trunk.

3) "Public highway or right-of-way" means the entire width between and immediately adjacent to the boundary lines of publicly maintained highways or roads when any part thereof is open to the use of the public.

4) Whoever violates the provisions of paragraph E of Section 3-105.00 shall not be taken into custody by the arresting officer, but instead shall be required either to deposit his driver's license with the arresting officer or give his written promise to appear. Furthermore, a violation of the provisions of this Section shall not be included in the records kept by the commissioner required in R.S. 32:393.1.

5) Whoever violates the provisions of paragraph E of this Section shall be fined not more than FIVE HUNDRED DOLLARS (\$500.00). Court costs shall be assessed in addition to the fine authorized by this Subsection.

6) For purposes of enforcement of paragraph E of this Section, the observance of a glass, cup, or other container that, on its face, does not indicate that the container contains an alcoholic beverage, shall not, absent other circumstances, constitute probable cause for a law enforcement officer to stop and question a person.

7) The provisions of paragraph E of this Section shall not apply to the following persons or in the following areas:

(a) Any person operating or occupying a motor vehicle who, as a condition of his employment and while acting in the course and scope of such employment, is required to carry open alcoholic beverage containers, provided that the operator or passenger does not consume the alcoholic beverages.

(b) Any paid fare passenger on a common or contract carrier vehicle, as defined in R.S. 45:162.

(c) Any paid fare passenger on a public carrier vehicle, as defined in R.S. 45:200.2.

(d) Any passenger in a courtesy vehicle which is operated as a courtesy vehicle.

(e) Any passenger of a self-contained motor home which is in excess of twenty-one feet in length.

(f) Possession of an open container of alcoholic beverage in the trunk of a motor vehicle.

(g) If the motor vehicle is not equipped with a trunk, possession of an open container or alcoholic beverages in any of the following areas:

(1) In a locked glove or utility compartment.

(2) In an area of the vehicle not normally occupied by, and not readily accessible, to the driver or passengers.

8) Passengers and krewe members riding on a parade float.

(9) Any passenger in a privately owned limousine the driver of which possesses a Class D commercial driver's license. (Editorial Note Paragraph E: See La.R.S. 32:300)

(Ord. No. 97-2581, adopted 02/20/97; amended by Ord. No. 12-2872, adopted 12/06/2012.)

ARTICLE VI REPEALED and RESERVED

(The provisions contained within Article VI and all of its Sections were repealed in their entirety, and with Article VI retained and reserved for future use, by Ord. No. 12-2706, adopted 04/05/2012)

(HISTORICAL REFERENCES: Ord. No. 10, adopted 1931; Ord. No. 72, adopted 11/10/1931; Ord. No. 119, adopted 06/17/1948; Ord. No. 80-64, adopted 10/23/1980; Ord. No. 84-269, adopted 11/15/1984; Ord. No. 86-622, adopted 05/15/1986; Ord. no. 87-831, adopted 07/16/1987; ord. No. 89-1147, adopted 09/21/1989; Ord. No. 89-1177, adopted 10/19/1989; Ord. No. 91-1535, adopted 12/19/1991; Ord. No. 94-1952, adopted 04/21/1994; Ord. No. 04-0973, adopted 09/02/2004)

ARTICLE VII ALL WARDS

SEC. 3-154.00 Scope

The provisions of this Article shall apply in all wards of the Parish.

(Ord. No. 89-1147, adopted 09/21/1989; amended by Ord. 12-2706, adopted 04/05/2012; amended by 13-2988, adopted 08/01/2013)

SEC. 3-155.00 Definitions

For the purposes of this Article, the following terms have the respective meanings ascribed to them, except in those instances where the context indicates a different meaning:

SEC. 3-155.01 Alcoholic Beverages

Any fluid or any solid capable of being converted into fluid, suitable for human consumption, and containing more than one-half of one percent (0.5%) alcohol by volume, including malt, vinous, spirituous, alcoholic or intoxicating liquors, beer, porter, ale, stout, fruit juices, cider or wine.

SEC. 3-155.02 Beverages Of High Alcoholic Content

Alcoholic beverages containing more than six percent (6%) alcohol by volume.

SEC. 3-155.03 Beverages Of Low Alcoholic Content

Alcoholic beverages containing not more than six per cent (6%) alcohol by volume.

SEC. 3-155.04 Handle

To sell, use, distribute, store, consume or otherwise handle.

SEC. 3-155.05 Malt Beverages

Beverages obtained by alcoholic fermentation or an infusion or concoction, of barley or other grain, malt, and hops in water, including, among other things, ale, beer, stout, porter, and the like.

SEC. 3-155.06 Package House

A place where a person sells alcoholic beverages in closed containers, prepared for transportation and consumption off the premises.

SEC. 3-155.07 Private Club

Any establishment which engages in the dispensing of alcoholic beverages of low or high content directly or indirectly through the sale of alcohol, containers, ice or nonalcoholic beverages intended for consumption in conjunction with alcoholic beverages. Also included in this definition is any establishment which permits patrons to introduce alcoholic beverages from external sources to the premises. (Ord. No. 84-269, adopted 11/15/84)

SEC. 3-155.08 Retail Dealer

Any person who offers for sale, exposes for sale, has in his possession for sale or distribution, or sells alcoholic beverages of any quantity to other than licensed wholesale or retail dealers.

SEC. 3-155.09 Wholesale Dealer

Those persons who sell alcoholic beverages to licensed wholesale dealers or licensed retail dealers within the state or to any person for delivery beyond the borders of the state. (Ord. No. 84-269, adopted 11/15/84) **STATE REFERENCE:** LSA R.S. 26:2

SEC. 3-156.00 Permits Required

1. No private club or business shall permit the consumption of alcoholic beverages without the proper permit authorizing same by the Parish and without the proper state permit.
2. No permit will be issued for a shorter period than six months (6 mos.), beginning January 1 and July 1 of each year. All permits shall be paid for in advance, and shall be obtained before the beginning of the period for which same is issued.
3. All applications for permits shall be filed in writing on a form and in the manner required by the Parish Department of Development, which application shall be passed upon and approved by the Department Director or his/her designee. Applications for renewals of any permit at the time of its expiration shall be filed as hereinabove recited and shall be considered as an original application. (Ord. No. 72, Bk. 1, P. 603; Ord. No. 84-269, adopted 11/15/84; amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: Power to require permits from dealers of beverages of high alcoholic content, LSA R.S. 26:73; power to require permits from dealers of beverages of low alcoholic content, LSA R.S. 26:273.

SEC. 3-157.00 Classes Of Permits

A. There shall be three (3) classes of permits for the sale of beverages of High Alcoholic Content issued by St. Tammany Parish to an applicant meeting the requirements of the Louisiana Alcoholic Beverage Control Law contained within Title 26 of the Louisiana Revised Statutes, as follows:

1. **Wholesale Permit:** For those selling such beverages at wholesale; and
2. **Retail Permit:** For those selling such beverages at retail; and
3. **Restaurant Permit:** For those selling such beverages in a restaurant establishment or dinner theater.

B. There shall be four (4) classes of permits for the sale of beverages of Low Alcoholic Content as follows:

1. **Wholesale Permit:** For those selling such beverages at wholesale;
2. **Class A Retail Dealer:** For those selling such beverages for consumption on or off the licensed premises;
3. **Class B Retail Dealer:** For those selling such beverages in sealed containers prepared for transportation and consumption off the licensed premises;
4. **Class "R" Restaurant:** For those selling such beverages and light wine for consumption in a restaurant/cafeteria.

a. As used in this Section, "light wine" means any non-effervescent alcoholic beverage, known as still wine, derived from the juice of any fruit or synthesis thereof, of an alcoholic content of not more than fourteen percent (14%) by volume.

b. The provisions of this Section shall apply only to restaurants holding Class "R" permits.

c. Restaurants/cafeterias selling high content alcoholic beverages will also require a Restaurant Permit described in subsection A above.

C. Special Event Permit:

1. Special Events are events open to the general public where alcoholic beverages are sold, or included as part of a general admission or other type fee. Special Events do not include private parties where no sales are made or fee charged.

2. For Special Events, St. Tammany Parish will issue a special, temporary retail alcoholic beverage permit, or permit letter, through the Department of Development for the duration of UP TO three (3) consecutive days only. A wholesaler can deliver beverages only to the place listed on the permit and only on the days allowed by the permit. A maximum 12 Special Event permits may be issued to any one person, partnership, corporation, or entity within a single calendar year. Multiple permits may be applied for and issued for a consecutive period of dates not to exceed 12 days total. Special Event permits will not be required to pay an annual permit fee required by Sec. 3-158.00.

3. All Special Event permits or permit letters issued by the Parish, regardless of type, are retail alcoholic beverage permits. As such, and in accordance with the provisions of La. R.S. 26:85 and 273, any individual or organization engaged in business as a producer, manufacturer or wholesaler of alcoholic beverages or any organization whose

membership is composed of persons engaged in business as a manufacturer or wholesaler of alcoholic beverages does not qualify for a Special Event permit, unless allowed an exception under state law.

4. Application for a Parish Special Event Permit or Permit Letter shall be made by submission of a completed and signed copy of the State Office of Alcohol and Tobacco Control (OATC) special event application form, to be filed with that Office, to the Parish Department of Development no less than twelve (12) days prior to the start date of the Special Event and an application fee of \$25.00 .

5. Upon submission and approval of the above required documents and fee by the Parish Department of Development, a permit or permit letter will be provided to the applicant granting permission to sell or otherwise provide alcoholic beverages at the special event, subject to issuance of a state permit for the special event issued by the State OATC.

6. Once received, it is required of the applicant to provide a copy of the State OATC permit to the Department of Development prior to the start date of the Special Event. Failure to provide a copy of the State OATC permit to the parish may result in an immediate revocation of the parish permit and the disallowance of the sale or other provision of alcoholic beverages at the special event.

7. A Special Event occurring on parish property must also comply with any requirements applicable to the use of parish property in addition to these provisions for the sale or inclusion of alcoholic beverages at the Special Event.

(Amended by Ord. No. 13-2988, adopted 08/01/2013; amended by Ord. No. 14-3166, adopted 07/10/2014)

SEC. 3-158.00 Permit Fees

The annual fee for permit to sell beverages of high alcoholic content, shall be as follows:

1. Wholesale Dealer, per year \$525.00
2. Retail Dealer, first year \$525.00
3. Retail Dealer, renewal *\$325.00* (plus \$100.00 if previous year's gross sales were at least \$50,000.00); or (plus \$200.00 if previous year's gross sales were at least \$100,000.00.)
4. Restaurant, per year \$150.00

The annual fee for permit to sell beverages of low alcoholic content shall be as follows:

1. Wholesale, per year \$125.00
2. Class A Retail, per year 72.00
3. Class B Retail, per year 60.00
4. Class R (Restaurant), per year 25.00

The fees required by the provisions of this Section shall be paid to the Sheriff and Ex-Officio Tax Collector of the Parish.

(Ord. No. 72, Bk. 1, P. 603; Ord. No. 85-340, adopted 02/28/85; Ord. No. 87-830, adopted 07/16/87; Ord. No. 87-832, adopted 07/16/87; amended by Ord. No. 94-1952, adopted 04/21/94; amended by Ord. No. 13-2988, adopted 08/01/2013)

SEC. 3-159.00 Permit Applications Generally

All applications for permits required by this Article shall be filed with the St. Tammany Parish Department of Development. All applications for renewal of permits shall be filed with the St. Tammany Parish Sheriff on or before October first. A copy of the renewal application shall be sent to the St. Tammany Parish Department of Development.

In the event a business shall commence prior to July first of any year, a whole year's permit fee shall be paid and collected, and if said business shall commence subsequent to July first of any year, one-half of the annual permit fee shall be paid and collected.

(Ord. No. 80-64, adopted 10/23/80; amended by Ord. No. 89-1147, adopted 09/21/89; amended by Ord. No. 89-1177, adopted 10/19/89; amended by Ord. No. 13-2988, adopted 08/01/2013)

SEC. 3-160.00 Probation Of Permit Fee

In the event a business shall commence prior to July first of any year, a whole year's permit fee shall be paid and collected, and if said business shall commence subsequent to July first of any year, one-half of the annual permit fee shall be paid and collected.

(Ord. No. 72, Bk. 1, P. 603)

SEC. 3-161.00 Qualifications Of Applicants For Permits Generally

A. Applicants for local permits of all kinds which are within the scope of this article shall meet the following qualifications and conditions.

1. Is a person of good character and reputation and over eighteen (18) years of age.
2. Is a citizen of the United States and of the State of Louisiana and a resident of the State of Louisiana continuously for a period of not less than two years (2 yrs.) next preceding the date of the filing of the application.
3. Is the owner of the premises or has a bona fide written lease therefor.
4. Has not been convicted of a felony under the laws of the United States, the State of Louisiana, or any other state.
5. Has not been convicted in this or any other state or by the United States of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place, or illegal dealing in narcotics.

6. Has not had revoked a license or permit to sell or deal in alcoholic beverages issued by the United States or any other state for five years (5) prior to the application, or been convicted or had judgment against him involving alcoholic beverages by this state or any other state or the United States for five years (5) prior to the application.
7. Has not been convicted of violating any of the provisions of the State laws regulating the sale of alcoholic beverages.
8. Has not been convicted of violation of the provisions of this Article; if so, the granting or denial of a permit is within the discretion of the Department of Development.
9. Is not the spouse of a person whose application has been denied or whose permit has been revoked, unless judicially separated or divorced.

B. If the applicant is a partnership or anyone in partnership with or financed by another, all members of the partnership or all persons furnishing the money shall also possess all the qualifications required by the applicant. The application shall name all partners or financial backers and furnish their proper addresses. If the applicant is a corporation or limited liability company, the requirement as to citizenship and residency does not apply to officers, directors, stockholders, managers and/or members of the corporation or limited liability company. If the applicant's business is to be conducted wholly or partly by one or more managers, agents, servants, employees or other representatives, that person shall also possess the qualifications required of the applicant.

C. If the applicant, or any other person required to have the same qualifications, does not possess the required qualifications, the permit shall be denied.

(Ord. No. 72, Bk. 1, P. 603; amended by Ord. No. 12-2706, adopted 04/05/2012; amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:79; 26:279

SEC. 3-162.00 Misstatements Or Suppression Of Facts In Permit Application

Any misstatement or suppression of fact in an application or accompanying affidavit for a permit required by this Article is a ground for denial or cancellation of the permit.

STATE REFERENCE: LSA R.S. 26:82, 26:281 **CROSS REFERENCE:** Section 3-125.00 this Code.

SEC. 3-163.00 Additional Grounds For Denial Of Permits

In addition to any other causes enumerated in this Article, the Department of Development may deny or cancel any permit required by this Article for any one of the following causes:

1. If the holder of a permit to sell alcoholic beverages, or any of the persons who must possess the same qualifications fails to possess the qualifications required in Section 3-161.00 of this Code.
2. If the permit was granted to any person who is or has been engaged in an alcoholic beverage business with a person whose application for a permit has been denied or whose permit has been revoked.
3. If there was any misstatement or suppression of fact in the application for the permit.
4. If the holder of any permit has been convicted by any court of competent jurisdiction of any one of the following offenses:
 - a. Violation of the Sunday closing law;
 - b. Violation of any municipal or parish ordinance providing for closing hours.
5. If, without a proper license, a retailer allows any person to consume any alcoholic beverage on the licensed premises or on any parking lot or open or closed space within or contiguous to the licensed premises.
6. If any dealer or any person described in Section 3-161.00(B) of this Code violates or has violated any provision of this Article.
7. If any dealer fails to pay any excise taxes due by any regulated business to the State or to any Parish or municipality.

(Ord. No. 80-64, adopted 10/23/80; amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:286; Permit from health unit is prerequisite to alcoholic beverage license see "Health and Sanitation" this Code.

SEC. 3-164.00 Location Restrictions

A. No permit required by the provisions of this Article shall be granted for any premises situated within five hundred feet (500 ft.) or less distance of a public playground, a building occupied exclusively as a church, or synagogue, public library, public playground, full-time daycare center, correctional facility housing inmates, including, but not limited to, halfway houses, or school, except a school for business education conducted as a business college or school. The measurement to be taken shall be as a person walks using the sidewalk from the nearest point of the property line of the church or synagogue, public library, public playground, full-time day care center, correctional facility housing inmates, including, but not limited to, halfway houses, or school to the nearest point of the premises to be licensed as described in the application, provided, however that these restrictions shall not apply to any premises which are maintained as

a bona fide hotel, railway car, or fraternal organization. In undeveloped rural areas, the distance shall be measured in a straight line from the nearest point to the nearest point of the respective premises or grounds. The restrictions contained in this section do not apply to a premises which are maintained as a bona fide hotel, railroad car, fraternal organization, nor to any premises which were licensed to deal in alcoholic beverages for a period of one year prior to June 01, 2015.

(1) For purposes of determining the method of measurement under the provisions of this Section, undeveloped rural areas are those areas of unincorporated St. Tammany Parish situated north of the Urban Growth Boundary Line.

B. Except with the written consent or approval provided for in paragraph (1) herein below, a permit for the sale of beverages of high alcoholic content, other than one specifically limited to the sale of beer and wine, shall not be granted for any facility selling alcoholic beverages for consumption on premises that is situated on property located adjacent to single-family residentially zoned property or where the facility selling alcoholic beverages is situated within five hundred feet (500 ft.) or less of single-family residentially zoned property. The measurement to be taken shall be as provided for in paragraph A herein above.

(1) To be issued a permit when the provisions of paragraph B of this Section apply, the owner of a facility applying for an alcoholic beverage permit shall apply for and obtain approval of an Entertainment Overlay zoning designation issued by the Zoning Commission through the process and procedures set forth in the Unified Development Code Volume I- Zoning. If the residentially zoned property is a subdivision, the owner of the facility shall obtain the written notarized consent of the homeowners' association, if existing, or must apply for and obtain an Entertainment Overlay issued by the Zoning Commission.

C. The provisions of paragraph B of this Section shall exclude special events as defined elsewhere in this Article, convenience stores or any facility selling packaged liquor which will not be consumed on premises, country clubs, marinas, facilities within mixed use developments, such as TND's and PUD's, commercial developments which supply and maintain 100 foot no-cut buffers between the development and single-family residentially zoned properties, and shall not apply to any facility that is permitted prior to June 20, 2015.

(Amended by Ord. No. 15-3315, adopted 05/07/2015)

STATE REFERENCE: LSA R.S. 26:80, 26:279 **CROSS REFERENCE:** Section 3-127.00 this Code.

SEC. 3-165.00 Effect Of Multiple Locations Of Business

1. Any retail liquor dealer making delivery of spirits, wine, beer, or other malt liquors, or any retail dealer in malt liquors making delivery of beer or other malt

liquors, at places other than places of business specified on permit, except pursuant to prior specific orders received at such place of business, is subject to separate tax as retail liquor dealer, or retail dealer in fermented malt liquor, as the case may be, at such place where sales are made.

2. Each such dealer who has paid the tax at one place of business does not incur further tax for the sales of beer or other malt liquors to another such dealer holding a proper tax stamp if the sales are consummated at the place of business where the latter's tax stamp is held. (Ord. No. 72, Bk. 1, P. 603)

CROSS REFERENCE: Section 3-128.00 this Code.

SEC. 3-166.00 Expiration Assignment, Etc. Of Permit

1. Permits issued under this Article are not assignable or heritable and are good only from the time of issuance to December Thirty-first of the year for which issued, unless sooner suspended or revoked.
2. Where the location of the business is changed, the change shall be noted on the permit by the issuing authority. (Ord. No. 72, Bk. 1, P. 603)

CROSS REFERENCE: Section 3-129.00 this Code.

SEC. 3-167.00 Penalty For Late Renewal Application; Denial For Same

Should any retail dealer or wholesale dealer fail to file his application for renewal of the Parish permit required by this Article for any ensuing year on or before the first day of October of each year, a penalty shall be imposed of ten percent (10%) of the amount due for the permit applied for during the month of November, or an additional twenty percent (20%) of the amount due for the permit if applied for during the month of December.

No renewal application shall be received or accepted after December thirty-first of each year for the ensuing year and if application for renewal has not been filed before December thirty-first the establishment is prohibited, and it shall be unlawful for the licensee to sell or dispense alcoholic beverages therein until a new application for permit is filed with the Parish Department of Development.

(Ord. No. 80-64, adopted 10/23/80; amended by Ord. No. 94-1952, adopted 04/21/94; amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:86, 26:284. **CROSS REFERENCE:** Section 3-130.00 this Code.

SEC. 3-168.00 Display Of Permit

The permit required by the provisions of this Article shall be prominently displayed by the licensee in his place of business so as to be easily seen and read by the public.

STATE REFERENCE: LSA R.S. 26:75, 26:275. **CROSS REFERENCE:** Section 3-131.00 this Code.

SEC. 3-169.00 Unauthorized Sales

No person holding a retail dealer s permit, and no servant, agent or employee of the permittee shall sell, offer for sale, possess or permit the consumption on the licensed premises of any kind or type of beverages, the sale or possession of which is not authorized under his permit issued pursuant to this Article.

STATE REFERENCE: LSA R.S. 26:88(1), 26:285(6). **CROSS REFERENCE:** Section 3-132.00 this Code.

SEC. 3-170.00 Sales To Minors

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall upon the licensed premises sell or serve alcoholic beverages to any person under the age of twenty-one years (21).

(Amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:285(1) **CROSS REFERENCE:** Section 3-133.00 this Code.

SEC. 3-171.00 Minors On Premises

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall intentionally entice, aid or permit any person under the age of eighteen years (18 yrs.) to visit any place where alcoholic beverages are the principal commodity sold or given away.

(Amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:285(3) **CROSS REFERENCE:** Section 3-134.00 this Code.

SEC. 3-172.00 Employment Of Minors

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall upon the licensed premises employ anyone under eighteen years (18 yrs) of age when the sale of alcoholic beverages constitutes the main business. If alcoholic beverages do not constitute the main business, an employee under eighteen years (18 yrs.) of age shall not handle or work with alcoholic beverages.

STATE REFERENCE: LSA R.S. 26:88(9), 26:285(9) **CROSS REFERENCE:** Section 3-135.00 this Code.

SEC. 3-173.00 Sale To Intoxicated Persons

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall upon the licensed premises sell or serve beverages of either low or high alcoholic content to any intoxicated person.

STATE REFERENCE: LSA R.S. 26:88(2), 26:285(2) **CROSS REFERENCE:** Section 3-136.00 this Code.

SEC. 3-174.00 Prostitutes On Premises

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall permit any prostitute to frequent the licensed premises.

STATE REFERENCE: LSA R.S. 26:88(4) and 26:285(4) **CROSS REFERENCE:** Section 3-137.00 this Code.

SEC. 3-175.00 B-Girls

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall employ or permit females, commonly known as B-girls to frequent the premises and solicit patrons for drinks or to accept drinks from patrons and receive therefor any commission or any enumeration in any other way.

STATE REFERENCE: LSA R.S. 26:88(8) and 26:285(8) **CROSS REFERENCE:** Section 3-138.00 this Code.

SEC. 3-176.00 Disturbing The Peace

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall, upon the licensed premises, permit any disturbance of the peace or obscenity, or any lewd, immoral or improper entertainment, conduct or practices on the licensed premises.

STATE REFERENCE: LSA R.S. 26:88(5) and 26:285(5) **CROSS REFERENCE:** Section 3-139.00 this Code.

SEC. 3-176.01 Disorderly Conduct

No person holding a retail dealer s permit, and no servant, agent, or employee of permittee, shall participate in or allow any nude or partially nude dancer, host, hostess, waiter or waitress on the premises, whether in a capacity as an employee, entertainer, guest, invitee, patron, or otherwise.

Definitions:

"Nude" or "Partially Nude" is defined as less than completely or opaquely covered and exposing:

- a) Human genitals, pubic region;
- b) All of the buttocks area;
- c) Female breast area below a point immediately above the top of the areola.

(Ord. No. 91-1535, adopted 12/19/91)

CROSS REFERENCE: See also Section 3-139.01 and Section 15-800.00.

SEC. 3-177.00 Gambling

No person holding a retail dealer s permit, and no servant, agent or employee of the permittee shall intentionally conduct illegal gambling, as defined by law, on the premises described in the application for the required permit.

STATE REFERENCE: LSA R.S. 26:88(7), 26:285(7) **CROSS REFERENCE:** Section 3-140.00 this Code.

SEC. 3-178.00 Billiards

No person holding a retail dealer s permit and no servant, agent or employee of the permittee shall upon the licensed premises permit the playing of pool or billiards by any person under eighteen years (18 yrs.) of age, or permit such a person to frequent the licensed premises operating a pool or billiard hall.

STATE REFERENCE: LSA R.S. 26:88(11), 26:285(11) **CROSS REFERENCE:** Section 3-141.00 this Code.

SEC. 3-179.00 Violations; Penalty

Any person convicted of violations of provisions of Article VI and Article VII shall be guilty of a misdemeanor, and said conviction shall be grounds for revocation or suspension of a violator s permit, which permit may be revoked according to the laws of St. Tammany Parish and the State of Louisiana. (Amended by Ord. No. 94-2042, adopted 08/18/94)

In addition and/or in lieu of the above penalty, any alcohol beverage permit holder who is charged within the previous 12 months for violations hereof shall be subject to the following penalties:

1. Three Violations: \$500.00 fine and 30 day suspension

2. Four to Six Violations: \$1,000.00 fine and 60 day suspension

3. Seven or More Violations: Revocation of License

(Ord. No. 94-2042, adopted 08/18/94)

STATE REFERENCE: LSA R.S. 26:93 **CROSS REFERENCE:** Section 3-142.00 this Code.

SEC. 3-179.01 Prohibited Acts

No person in any Ward of St. Tammany Parish holding a retail dealer s permit and no agent, associate, employer, servant or representative of any such person shall do or permit any of the following acts to be done on or about the licensed premises:

(1) Permit or allow any individual to illegally carry a weapon or dangerous instrumentality upon licensed premises pursuant to LSA R.S. 14:95 and/or to illegally use such weapons or dangerous instrumentalities in violation of LSA R.S. 14:95 or any municipal ordinance.

(2) Illegally sell, offer for sale, distribute, possess, possess with intent to distribute or permit the use or consumption on or about the licensed premises of any kind or type of controlled dangerous substance as defined in LSA R.S. 40:961 et seq.

(3) Permit or allow playing of live or recorded music and/or permit or allow any loud noise or nuisance which is so unreasonably intrusive or offensive as to interfere with the comfortable enjoyment or use of the property of a person residing in the area of the licensed premises in violation of Louisiana Air Control Law, LSA R.S. 30:2051 et seq.

(4) Permit or allow licensed premises to be in violation of any rules or regulations of the Fire Marshall or of any rules or regulations of any health or sanitation agency or department.

(5) Permit, allow or aid any person, whether on foot or in a motor vehicle, to visit or loiter in or about the licensed premises in such a manner as to obstruct any public road or highway, or to impede, restrict or otherwise interfere with an individual s access or right of way to any public road or highway.

(6) Intentionally or knowingly permit, allow or aid any person to violate any State, Federal or municipal law in or about the licensed premises.

(Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-179.02 Violations, Penalties

Any person convicted of violations of provisions of this Article shall be guilty of a misdemeanor, and said conviction shall be grounds for revocation or suspension of a violator s permit, which permit may be revoked according to the laws of this State.

(Ord. No. 89-1147, adopted 09/21/89; amended by Ord. No. 13-2988, adopted 08/01/2013)

STATE REFERENCE: LSA R.S. 26:93 for similar provisions.

SEC. 3-180.00 Suspension, Revocation Of Permits; Hearing

Wherever the words "cancel" or "cancellation" of a permit are used in this Article, same shall be construed to mean and allow for either a suspension of a permit or the revocation thereof.

For the purposes hereof, "suspension" of a license is meant as temporary cessation of sales of alcoholic beverages as imposed by the Parish Council or the proper agency of the State of Louisiana on the licensee after hearing for a time certain. No alcoholic beverage may be sold or dispensed at the licensed location during the period from the commencement of the period of suspension to its expiration as determined by the Parish Council or appropriate State agency.

For purposes hereof, "revocation" of a license is meant and construed as a prohibition against the licensee and also against the licensed premises from selling or dispensing alcoholic beverages for a period of one (1) year. A revocation shall be imposed for a violation of the provisions of this Article, as determined by the Parish Council or the proper hearing agency of the State of Louisiana.

"Hearing" shall be an administrative, public proceeding conducted by the Parish Council under rules of procedure established in Section 3-185.00 et seq. of the Code of Ordinances of this Parish and duly promulgated. Said proceeding may be instituted by either the Parish law enforcement authority, any other law enforcement authority, the District Attorney s Office or by any citizen or citizens who have resided in the Parish for six (6) or more months prior to filing a complaint, where a violation of any provision(s) of Article VII hereof is alleged.

Upon receipt of the citizen complaint, the Secretary of the Alcohol Beverage Control Committee shall conduct a preliminary investigation to determine whether or not sufficient facts exist to justify conducting a hearing.

(Ord. No. 81-113, adopted 02/05/81; amended by Ord. No. 89-1147, adopted 09/21/89; amended by Ord. No. 13-2988, adopted 08/01/2013)

CROSS REFERENCE: Section 3-143.00 this Code.

ARTICLE VIII PERMIT PROVISIONS APPLICABLE TO ARTICLES VI & VII

Any reference to Article VI in the title and sections of Article VIII is deleted.

(Ord. No. 12-2706, adopted 04/05/2012)

SEC. 3-185.00 Authority

The St. Tammany Parish Department of Development, Division of Permits, is authorized to approve applications for permits and issuance of alcoholic beverage licenses.

The St. Tammany Parish Police Jury shall be the authority to determine whether a parish permit is suspended or revoked under the provisions of this Chapter.

Nothing herein shall be construed, nor meant to contravene or usurp any power or authority granted to Board of Tax Appeals, State of Louisiana, or State Office of Alcoholic Beverage Control, Dept. of Public Safety. (Ord. No. 81-114, adopted 02/05/81; amended by Ord. No. 94-1952, adopted 04/21/94)

SEC. 3-185.01 Determination To Issue Or Withhold Permit

The right to determine what persons shall or shall not be licensed this Chapter shall be exercised in the following manner:

1. Investigation of Applications: The St. Tammany Parish Sheriff shall investigate all applications filed with the Parish for issuance of licenses, and the applications for renewals filed with that Department under the delegation given him by the Police Jury, shall notify the Department of Development, Division of Permits, that the application has been approved or disapproved for issuance by him or that an application for renewal should be rejected. The decision to withhold a Parish permit shall be made by the Division of Permits within two days (2) after notice of the recommendation to that effect has been received from the Sheriff. Within that period, the Division of Permits shall notify the applicant in writing by certified mail given to the address shown in the application, or by service through the Sheriff s department thereof, of the Sheriff s recommendation to withhold and the reasons assigned therefor. When so addressed and mailed, or served as the case may be, the notice shall be conclusively presumed to have been received by the applicant.

2. Opposition to Issuance or Renewal of Permit: Any person who has been a citizen of this Parish for at least six (6) consecutive months prior to the filing of the application may oppose the issuance of a permit or any renewal thereof at any time prior to its issuance, by filing a sworn petition of opposition with the Police Jury. The person must state in his affidavit of opposition that he, together with witnesses if any, will appear at a hearing to be conducted by the Police Jury to establish the allegations of the opposition and the particular cause or causes alleged as grounds for withholding or not reissuing

the permit. In such event, the Parish license shall be withheld pending the determination by the Police Jury at a hearing set for that purpose.

(Ord. No. 81-114, adopted 02/05/81; amended by Ord. No. 94-1952, adopted 04/21/94)

SEC. 3-185.02 Hearing - Initiation

1. **Examination of Business by Sheriff s Department:** The Sheriff s Department shall make periodic examinations of the business of all persons holding permits from the Parish. The Parish Sheriff, or any member of his department observing any violation of the provisions of Articles VI and VII of this Chapter shall prepare and file, upon information and belief based upon what has been observed, a petition for withholding, suspending or revoking of a permit, setting forth the facts and circumstances of the violation(s) and asking that the Police Jury set a date, place and time as to when the applicant or permittee should appear and show cause why the permit should not be withheld, suspended or revoked.
2. **Citizens:** A hearing may be initiated on the sworn petition of any citizen meeting the residency requirements as shown in Section 3-185.01(B) above. (Ord. No. 81-114, adopted 02/05/81)
3. **District Attorney s Office and any other Law Enforcement Authority:** The District Attorney s Office and any other law enforcement authority, or any member of their respective departments observing any violation of the provision of Articles VI and VII of this Chapter may prepare and file, upon information and belief based upon what has been observed, a petition for withholding, suspending or revoking of a permit, setting forth the facts and circumstances of the violation(s) and asking that the Police Jury set a date, place and time as to when the applicant or permittee should appear and show cause why the permits should not be withheld, suspended or revoked. (Ord. No. 1147, adopted 09/21/89)

SEC. 3-186.00 Same - Notice

Whenever the Police Jury is to hold a hearing pursuant hereto, it shall issue a written summons or notice to the applicant for issuance or renewal, or the permittee as the case may be, directing him, her or them to show cause why the application should not be refused, or why the permit should not be suspended or revoked.

1. The notice or summons shall state the time, place and hour of the hearing, which shall be not less than ten (10) nor more than twenty (20) work days from the date of the notice. The notice or summons shall enumerate the cause or causes alleged for refusing the application or for suspending or revoking the permit. When a citizen[s] petition has been filed, a copy thereof shall accompany the notice or summons.
2. **Service:** Service of the notice or summons shall be by registered mail or through the Sheriff s Department to the applicant or permittee at the address shown on the application or permit and when so addressed and mailed or service made,

same shall be conclusively presumed to have been received. (Ord. No. 81-114, adopted 02/05/81)

SEC. 3-186.01 Same - Location; Open To The Public

Hearings by the Police Jury shall be at the Parish Courthouse, Covington, or such other place within the Parish as the Police Jury directs. The conduct of said hearings shall be open to the public. (Ord. No. 81-114, adopted 02/05/81, Sec. 5) The St. Tammany Parish Police Jury delegates all its authority to conduct hearings to the Alcohol Beverage Control Committee, sometimes hereinafter referred to as ABCC. (Ord. No. 81-114, adopted 02/05/81; amended by Ord. 89-1147, adopted 09/21/89)

SEC. 3-186.02 Same - Rules Of Conduct

1. Hearings shall be conducted by the Alcohol Beverage Control Committee of the St. Tammany Parish Police Jury, which is comprised of seven (7) members of the Police Jury to be appointed by the Police Jury President at a meeting, regular or special, at which meeting a simple majority [of the Police Jury] is present. (Amended Ord. No. 1147, adopted 09/21/89)
2. The party seeking the withholding, suspension or revocation bears the burden of proof and shall present the case first.
3. The parties to the hearing are entitled to be represented by an attorney-at-law of their choice and at their expense. The District Attorney's Office may represent the party seeking the withholding, suspension or revocation. (Amended Ord. No. 1147, adopted 09/21/89)
4. Generally, the civil rules of evidence and procedure of the Twenty-Second Judicial District Court shall be followed; however, the hearing is administrative in nature and is therefore informal, and it shall be so conducted as to afford all parties a fair, impartial and equitable opportunity to be heard.
5. Any exceptions to the jurisdiction or to the complaint must be filed in writing prior to the hearing. Same shall be argued before commencement of the hearing and may be disposed of by the Police Jury at that time or referred to the merits of the hearing.
6. The ABCC may issue subpoenas for documents or persons and it shall examine witnesses and receive testimony at the hearing. A Notary Public or proper party shall administer oaths to those testifying. (Amended Ord. No. 1147, adopted 09/21/89)
7. A request for issuance of subpoenas, for persons or documents must be filed with the Secretary of the ABCC by the party seeking production thereof at least five (5) work days before the date of the hearing. The Secretary of the ABCC shall issue such subpoena to the person or persons whose attendance is sought, with documents, through the Sheriff's Department to the address shown on the request. No transcript is required, nor is it necessary that the testimony received be reduced to writing. Any party desiring same shall make prior arrangements with the ABCC Secretary who shall select a court reporter to transcribe the

proceedings at the expense of the party seeking the transcript. (Amended Ord. No. 1147, adopted 09/21/89)

8. The ABCC Secretary shall receive and number all exhibits and shall retain them for not more than six months (6 mos.) after the hearing is completed. (Amended Ord. No. 1147, adopted 09/21/89)
9. Issuance of all subpoenas shall be at the expense of the person requesting same, as shall be the witness fee, if any.

(Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 1147, adopted 09/21/89)

SEC. 3-187.00 Same - Deliberations Of Police Jury; Decisions

1. While the hearing shall be conducted in a manner open to the public, the deliberations of the ABCC at the conclusion of the hearing are not; the ABCC may conclude to grant or deny the relief sought, and in the case a revocation only is sought, may issue an order of suspension. (Amended Ord. No. 1147, adopted 09/21/89)
2. The ABCC shall decide the issue by a majority vote of the majority present and its decision shall be announced in an open meeting by the presiding officer. (Amended Ord. No. 1147, adopted 09/21/89)
3. Alternatively, it may take any matter under advisement and issue a written decision, provided that the signatures of the majority [and dissenting ABCC members, if any] are affixed to the decision. (Ord. No. 81-114, adopted 02/05/81)

SEC. 3-187.02 Failure Of Permittee Or Applicant To Appear; Continuances

If a permittee or applicant who has been notified of a hearing does not appear, the hearing may proceed and the Alcohol Beverage Control Committee may consider and dispose of the case; however, in all cases, upon application or its own initiation, the Police Jury may grant continuances from time to time. If the continuance be to a fixed future date by written consent or is granted in the presence of the applicant, permittee or his counsel, no further notice of the hearing date need be given. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-187.01 Appeals

1. The decisions of the Alcohol Beverage Control Committee in withholding, suspending or revoking permits are final and binding on all parties unless appealed in the manner provided in LSA R.S. 26:104 and finally reversed by the courts. (Amended Ord. No. 89-1147, adopted 09/21/89)
2. In accordance therewith, any party aggrieved by a decision of the Alcohol Beverage Control Committee may, within ten days (10) of receipt of the ABCC's decision, take a devolutive appeal to the Twenty Second Judicial District Court. (Amended Ord. No. 89-1147, adopted 09/21/89)
3. Such appeals shall be filed in said District Court in the same manner as original suits are instituted therein. The appeals shall be tried de novo. Either party may

amend and supplement his pleadings and additional witnesses may be called and heard.

4. When there has been a previous criminal prosecution for the same or a similar act upon which the refusal, suspension or revocation of a permit is being considered, evidence of an acquittal in a court of competent jurisdiction is admissible in the trial of the appeal.
5. The proceeding in the District Court arising hereunder shall be heard summarily by the Court, without a jury, and shall take precedence over other civil cases; however, no action can be filed therein until the matter of refusal to issue, suspension or revocation has been heard by the Alcohol Beverage Control Committee because otherwise the administrative remedy afforded shall not have been exhausted. (Amended Ord. No. 89-1147, adopted 09/21/89)
6. Within ten calendar days (10) after the signing of the judgment by the District Court, the Alcohol Beverage Control Committee or the applicant for a permit or permittee, as the case may be, may devolutively appeal the judgment to the appellate court of proper jurisdiction. These appeals shall be perfected in the manner provided for in civil cases and shall be devolutive only. (Amended Ord. No. 89-1147, adopted 09/21/89)
7. Should District Court determine the decision of the Alcohol Beverage Control Committee in withholding, suspending or revoking the permit was in error, the decision of the Alcohol Beverage Control Committee shall not be voided if the Alcohol Beverage Control Committee takes an appeal to the Court of Appeals within the time provided for suspensive appeals. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-187.02 Failure Of Permittee Or Applicant To Appear; Continuances

If a permittee or applicant who has been notified of a hearing does not appear, the hearing may proceed and the Alcohol Beverage Control Committee may consider and dispose of the case; however, in all cases, upon application or its own initiation, the Police Jury may grant continuances from time to time. If the continuance be to a fixed future date by written consent or is granted in the presence of the applicant, permittee or his counsel, no further notice of the hearing date need be given. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-188.00 Failure To Comply With Subpoena

If any person fails to comply with subpoena issued by Alcohol Beverage Control Committee or a witness refuses to testify in any matter which he may be lawfully interrogated, the Alcohol Beverage Control Committee by majority vote of those present shall adjudge him guilty of contempt and may fine him not more than Three Hundred (\$300.00) Dollars or imprison him for not more than thirty days (30) in the Parish Prison, or both. The Parish Sheriff shall execute the judgment of contempt. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-188.01 Reopened Cases

When the Alcohol Beverage Control Committee withholds, suspends or revokes a permit, it shall retain jurisdiction to reopen the case at anytime upon petition or upon its own motion, and for good cause shown it may modify, revise or reverse its former findings, and all such reopened cases shall be heard and determined under the same rules or procedures as [the] original hearings. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-188.02 Causes For Withholding, Suspending, Revoking Permits

No permit shall be withheld, suspended or revoked except for the causes specified in Articles VI and VII of this Article. However, if a person holds more than one permit and only one of them is withheld, suspended or revoked, the Alcohol Beverage Control Committee may withhold, suspend or revoke all of his permits. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

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SEC. 3-189.00 Conviction Of Violation Of Alcoholic Beverage Ordinances Upon Refusal; Suspension Or Revocation Permits

Conviction by a court of violation of the provisions of the Parish Alcoholic Beverage Ordinances is not a condition precedent to the refusal, suspension or a revocation by the Alcohol Beverage Control Committee. The Alcohol Beverage Control Committee may withhold, suspend or revoke permits for violation(s) regardless of any prosecution in the court or of the result of any such prosecution. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-189.01 Effect Of Revocation Or Suspension Of Permit Upon Other Penalty

The revocation or suspension of a permit is in addition to and not in lieu of or a limitation of any other penalty imposed by law. (Ord. No. 81-114, adopted 02/05/81)

SEC. 3-189.02 Reissuance Of Permit After Revocation

When a permit is revoked for any legal cause, the Alcohol Beverage Control Committee may, at the same time, order that no local permit shall be issued covering the same premises until one year after the date of revocation. (Ord. No. 81-114, adopted 02/05/81; amended Ord. No. 89-1147, adopted 09/21/89)

SEC. 3-190.00 Repealed

EDITORIAL NOTE: This Section repealed by Ord. No. 12-2872, adopted 12/06/2012. Previously added by authority of Ordinance No. 91-1442, adopted 05/16/91.

SEC. 3-190.02 Repealed

Editorial Note: This Section repealed by Ord. No. 12-2872, adopted 12/06/2012. Previously added by Ord. No. 91-1442, adopted 05/16/91.

SEC. 3-190.03 Repealed

Editorial Note: This Section repealed by Ord. No. 12-2872, adopted 12/06/2012. Previously added by Ord. No. 12-2749, adopted 07/12/2012.

SEC. 3-190.04 Repealed

Editorial Note: This Section repealed by Ord. No. 12-2872, adopted 12/06/2012. Previously added by Ord. No. 91-1442, adopted 05/16/91, and amended by Ord. No. 12-2749, adopted 07/12/2012.

SEC. 3-190.05 Repealed

Editorial Note: The provisions of this Section were repealed in their entirety pursuant to Ord. No. 12-2749, adopted 07/12/2012.

ARTICLE IX DISPENSER'S CERTIFICATE

SEC. 3-191.00 Required

No person or manager or supervisor of any person shall dispense beverages of any alcoholic content in any business licensed under this Article without having been certified or qualified to do so by the Sheriff of St. Tammany Parish and without having complied with the provisions of this article. (Ord. No. 329, Bk. 5, P. 269; Ord. NO. 81-302, adopted 12/17/81; amended by Ord. No. 2015, adopted 06/16/94; amended by Ord. No. 94-2042, adopted 08/18/94)

SEC. 3-192.00 Application; Certificate

(a) Each applicant desiring a certificate of qualification to dispense alcoholic beverages shall be photographed and finger printed by the Sheriff s Department of this Parish.

(b) Each applicant shall pay at the time of applying for a certificate to dispense alcoholic beverages the following:

(1) A processing fee as provided in La. R.S. 15:587 in the form of (a) cashiers check or money order made payable to [the] "Louisiana Department of Public Safety".

(2) A license fee of Thirty Dollars (\$30.00) payable to the Sheriff of St. Tammany Parish.

The Sheriff shall determine and provide a uniform and consistent application for a dispensers license; and he shall determine the size and content of the license or certificate to dispense, he being herewith authorized, empowered and directed to do so.

(c) The application shall be sworn in writing and include a statement that the applicant possesses the qualifications required herein. (Ord. No. 329, Bk. 5, P. 269; Ord. No. 652, Bk. 8, P. 39; Ord. No. 81-302, adopted 12/17/81; Ord. No. 85-509, adopted 10/17/85; repealed and replaced by Ord. 88-982, adopted 09/15/88; amended by Ord. No. 94-2015, adopted 06/16/94; amended by Ord. No. 94-2042, adopted 08/18/94)

CROSS REFERENCE: Sec. 2-009.00(2), this Code. **STATE REFERENCE:** LSA R.S. 15:587 provides for processing fee.

SEC. 3-193.00 Qualifications

Each applicant for a certificate of qualification to dispense alcoholic beverages shall possess the following qualifications:

a. Is a person of good character and reputation and:

1. Twenty-one (21) years of age to dispense and/or sell alcohol in any businesses establishment having a valid Class A Parish liquor license;

b. Is a citizen of the United States and of this State or a resident alien, and a resident of the state continuously for a period of not less than one year (1) next proceeding the date of the filing of the application, except for those individuals employed in restaurants serving alcoholic beverages holding Class "R" Parish liquor license when the principal business activity is the catering and/or serving of food with a minimum of sixty percent (60%) of said business gross revenue being generated from the sale of food items and non-alcoholic beverages. These individuals will not be required to meet the State citizenship and residency requirement. However, they must be 18 years of age and hold a special Class "BR" license. Any individual who is over the age of 18, and who is otherwise eligible for a special Class "BR" license, or who has already obtained such a license, may utilize such special license for the purpose of being employed at a country club or fraternal organization, provided it caters and/or serves food as an ordinary part of its business.(Amended by Ord. No. 05-1141, adopted 07/07/2005, amended by Ord. No. 10-2271, adopted 05/06/2010)

- c. Has not been convicted of a felony under the laws of the United States, the State or any other state or country.
- d. Has not been convicted in this or any other State or by the United States or any other country of soliciting for prostitution, pandering, letting premises for prostitution, contributing to the delinquency of juveniles, keeping a disorderly place or illegal dealing in narcotics.
- e. Has not had a license or permit to sell or deal in alcoholic beverages by the United States, any state or by a political subdivision of any state authorized to issue permits for licenses revoked within one year (1) prior to application, or been notified or had a judgment of court rendered against him involving alcoholic beverages by this or any other State or by the United States for one year (1) prior to the application.
- f. Has not been adjudged by the Louisiana Alcohol Bureau Control Commission or convicted by any court of violation of the provisions of Title 26 of the Louisiana Revised Statutes.
- g. Has not been convicted of violating any municipal or parish ordinances adopted pursuant to the provisions of LSA R.S. 26:494.
- h. Has not had a certification of qualification to dispense alcoholic beverages issued by any other parish, municipality or state suspended or revoked.
- i. Must have completed the St. Tammany Parish Sheriff's course entitled "Responsible Alcohol Service" or the Louisiana Office of Alcohol and Tobacco Control "Approved Provider Responsible Vendor Program". Renewal applicants must have completed the St. Tammany Sheriff's course entitled "Responsible Alcohol Service" or the Louisiana Office of Alcohol and Tobacco Control "Responsible Alcohol Service Course".

(Ord. 329, Bk. 5, P. 269; Ord. No. 652, Bk. 9, P. 39; amended by Ord. No. 89-1093, adopted 05/18/89; further amended by Ord. No. 89-1212, adopted 12/21/89; amended by Ord. No. 94-2015, adopted 06/16/94; amended by Ord. No. 94-2042, adopted 08/18/94, amended by Ord. No. 99-3095, adopted 6/17/99; Amended by Ord. No. 05-1141, adopted 07/07/2005; amended by Ord. No. 10-2271, adopted 05/06/2010)

STATE REFERENCE: LSA R.S. 26:494 prohibits sale of high alcohol content beverages in violation of any parish ordinance.

SEC. 3-194.00 Issuance

The Sheriff may refuse to issue a certificate of qualification to dispense alcoholic beverages to any person who lacks any of the qualifications set forth herein or in the

interest of the public health, safety and morals. (Ord. No. 329, Bk. 5, P. 269; Ord. No. 81-302, adopted 12/17/81)

SEC. 3-195.00 Right Of Permittee To Sell Without Certificate

The holder of a permit to sell alcoholic beverages at a particular establishment issued pursuant to the provisions of this Article may dispense alcoholic beverages at that establishment without having a certification of qualification. (Ord. No. 329, Bk. 5, P. 269)

SEC. 3-197.00 Hiring Person Who Does Not Possess Certificate Prohibited

Any holder of a permit to sell alcoholic beverages who employs a person to dispense alcoholic beverages without that person having a certificate of qualification to do so issued by the Sheriff shall be guilty of a misdemeanor. (Ord. No. 329, Bk. 5, P. 269; Ord. No. 440, Bk. 6, P. 236; Ord. No. 81-302, adopted 12/17/81)

SEC. 3-198.00 Revocation Or Suspension

Any act or failure of act by any person certified to be qualified to dispense alcoholic beverages under the provisions of this article which is a violation of this Article shall subject such person to have his certificate to dispense alcoholic beverages suspended or revoked by the Sheriff. (Ord. No. 329, Bk. 5, P. 269; Ord. No. 81-302, adopted 12/17/81)

SEC. 3-199.00 Appeals

Any person aggrieved by the decision of the Sheriff to refuse to issue or to suspend or revoke a certificate of qualification may take a devolutive appeal therefrom to the Police Jury within fifteen days (15) of written notification of said decision. The appeal must be taken by submitting a written request therefor to the Secretary of the Police Jury, and the Police Jury shall hear said appeal within twenty days (20) of receipt of said notice of appeal by the Secretary of the Police Jury. The decision of the Sheriff shall be final unless appealed within the time and in the manner set forth above. (Ord. No. 329, Bk. 5, P. 269; Ord. No. 81-302, adopted 12/17/81)

SEC. 3-200.00 License Renewal

The Dispenser s Certificate shall be valid for a period of two (2) years from the date it is first issued; and shall be renewed for a like period within ninety (90) days of the expiration date, in the same manner as the application for an original certificate. (Ord. No. 85-509, adopted 10/17/85; repealed and replaced by Ord. No. 88-982, adopted 09/15/88; amended by Ord. No. 94-2015, adopted 06/16/94; amended by Ord. No. 94-2042, adopted 08/18/94)

SEC. 3-201.00 Violations and Penalties

Any person certified to be qualified to dispense alcoholic beverages under the provisions of this article found in violation of Sec. 3-170.00 (Sale to Minors) by a court of appropriate jurisdiction shall be subject to the following penalties:

1. First Offense: \$100.00 fine and 5 day suspension
2. Second Offense: \$250.00 fine and 30 day suspension
3. Third Offense: \$500.00 fine and Revocation of Dispenser's Certificate

(Ord. No. 94-2042, adopted 08/18/94)

EDITORIAL NOTE: Articles X and XI are hereby reserved to facilitate future expansion of the Code of Ordinances.

ARTICLE XII AMBULANCE, EMERGENCY MEDICAL SERVICE

STATE REFERENCE: LSA R.S. 33:1236(32), LSA R.S. 33:4791.1

Editorial Note: This Article created by Ord. No. 96-2400, adopted 03/21/96, repealed and replaced per Ord. 06-1331, adopted 07/06/2006.

SEC. 3-400.00 Adoption of State Law Concerning Emergency Medical Services

Pursuant to the authority provided by LSA-R.S. 33:1236(32), LSA-R.S. 33:4791.1, and all other applicable authority, and in accordance with the provisions set forth in this Article, St. Tammany Parish regulates emergency medical services, ambulance services and aspects attendant to ambulance services and operations. (Ord. No. 06-1331, adopted 07/06/2006)

A. St. Tammany Parish hereby finds and declares the following:

(1) The provision of consistently high quality emergency medical care, and any and all aspects attendant to ambulance operation to be provided within a medically acceptable response time is essential to the health, safety, and welfare of St. Tammany Parish and its people.

(2) Privately operated ambulance services providing patient transportation service or emergency medical services fulfill a vital health and safety need within St. Tammany Parish.

(3) The economic viability and stability of such privately operated ambulance services are a matter of statewide and local importance.

(4) The policy of this Parish is to promote medically acceptable and reliable, privately operated ambulance services, the furnishing of emergency medical services, and any

and all aspects attendant to ambulance operations in order to provide the benefits of that service to its citizens. In furtherance of this policy, St. Tammany Parish recognizes and affirms that the regulation of such privately operated ambulance service is an essential governmental function.

B. St. Tammany Parish will protect the public health, safety, and welfare by licensing, controlling, and regulating privately operated ambulance services, the furnishing of emergency medical services, and any and all aspects attendant to ambulance operations within its jurisdiction by regulating the following:

- (1) Entry into the business of providing ambulance service, including emergency medical services, within the jurisdiction of St. Tammany Parish.
- (2) Rates charged for the provision of ambulance services, in accordance with federal law relative to medical reimbursement, including emergency medical services.
- (3) Establishment of safety and insurance requirements.
- (4) Any other requirement adopted to ensure safe, reliable, and responsive ambulance service, even if such requirement is anticompetitive in effect.
- (5) Limited or exclusive access by such ambulance service for the provision of emergency medical services to the 911 or other emergency communications dispatch of the local governing authority.
- (6) The establishment of safety and insurance requirements even if such requirements reduce the number of such private ambulance services that otherwise would operate within the jurisdiction of St. Tammany Parish.

C. The provisions of this Section are being carried out as acts of government on behalf of the state as sovereign and, to the extent St. Tammany Parish deems necessary or appropriate, it may displace competition and provide a monopoly public service. All immunity of the state of Louisiana from liability under antitrust law has been extended to any governing authority acting within the scope of authority contained in LSA-R.S. 33:4791.1 and, when so acting, the local governing authority shall be presumed to be acting in furtherance of state policy.

D. Whenever the St. Tammany Parish Governing Authority has adopted an ordinance, authorizing a contract between the Parish and a "specific provider" of emergency and non-emergency ambulance services within St. Tammany Parish, and such contract has been duly executed in accordance with the enabling ordinance, a permit to operate emergency and/or non-emergency ambulance services in St. Tammany Parish shall not be issued, during the term of any such contract, or any extension thereof, to any other person or business applying for a permit to provide emergency and/or non-emergency ambulance services within St. Tammany Parish.

E. Nothing in this Article shall be construed to authorize the regulation of ambulance services, emergency medical services, or ambulance operations which are located on the site of any manufacturing facility solely for use thereon.

SEC. 3-400.01 Parish Standards for Service Providers

No provider of emergency and/or non-emergency ambulance service shall be granted the right to respond on 9-1-1 emergency calls unless they are duly authorized and permitted by St. Tammany Parish.

A. Certification of Emergency Medical Personnel: All emergency medical personnel must meet and possess the following certification requirements:

(1) Completion of the state's required approved educational program.

(2) Documentation that the applicant meets the qualifications and requirements as established by the Department of Health and Hospitals, office of public health, bureau of emergency medical services.

B. In lieu of the evidence required by Subsection A of this Section, an applicant may submit evidence that he has been duly licensed or certified in another state, territory, or country or has received military training and certification as emergency medical personnel as defined in R.S. 40:1231, and meets the qualifications and requirements established by the Department of Health and Hospitals, office of public health, bureau of emergency medical services.

C. (1) The certificate shall be renewed every two years provided the applicant seeking renewal completes the application and meets the requirements for renewal established by the Department of Health and Hospitals, office of public health, bureau of emergency medical services, prior to the expiration date on his current certificate.

(2) An individual whose certificate expires by his failure to renew as provided may be reinstated provided the applicant submits a completed application and meets any additional requirements established by the bureau for an individual who has failed to timely renew his certificate.

SEC. 3-400.02 Parish Qualifications to Operate Ambulances; Equipment; Penalty

A. (1) No person or individual shall conduct, maintain, or operate an ambulance on any street, alley, or public way or place in St. Tammany Parish unless the ambulance is staffed with a minimum of two persons, one of whom shall be a certified emergency medical technician.

(2) (a) No person or individual shall provide services in any capacity on any ambulance unless he is a certified first responder, a certified emergency medical technician, a

licensed registered or practical nurse, or a physician.

(b) Except as provided in R.S. 40:1235.2(A), no individual shall transport any ill or injured person on a stretcher in a vehicle that is not staffed, equipped, insured, and licensed as an ambulance.

(c) No individual shall provide services in any capacity on any ambulance unless he holds a cardiopulmonary resuscitation provider card issued by the American Heart Association or the American Red Cross.

(d) No individual shall transport any ill or injured person by ambulance unless the sick or injured person is attended by a certified emergency medical technician, a registered nurse, or a physician in the patient compartment.

(3) The Department of Health and Hospitals has promulgated rules and regulations establishing a list of required medical and safety equipment which shall be carried as part of the regular equipment of every ambulance. No person shall conduct, maintain, or operate an ambulance which does not carry with it, in fully operational condition, all of the equipment included in the list, which shall be consistent with the scope of practice for emergency medical technicians established in R.S. 40:1234 and which shall be based upon the recommendations of an advisory committee known as the Ambulance Standards Committee.

(4) Nothing herein shall prohibit the transportation of an injured or ill person in an ambulance or industrial ambulance staffed by persons with less than the required qualifications in an emergency situation where there is no reasonable expectation of the prompt response by an ambulance staffed by persons with the required qualifications.

(5) Nothing herein shall prohibit a firefighter, law enforcement officer, or good Samaritan from assisting an ambulance at the scene of an emergency or while transporting a patient to a medical facility at the request of the emergency medical technician.

(6) Nothing herein shall prohibit an individual without the required qualifications from riding in an ambulance for the purpose of training, observation, or continuing education.

B. (1) Nothing herein shall be construed to prohibit the transportation of an injured or ill individual in an invalid coach in an emergency situation where there is no reasonable expectation of the prompt response of an ambulance or industrial ambulance.

C. (1) The provisions of this Section shall not apply:

(a) To ambulances operated by a federal agency of the United States government.

(b) To ambulances which are rendering mutual aid assistance to licensed ambulances in the case of a major disaster, be it natural or manmade, in which the licensed ambulances are insufficient or otherwise not capable of coping.

(c) To ambulances which are operated from a location outside of the state to transport patients from a location outside of the state to a location inside the parish or to transport patients from a medical facility inside the parish to a point outside the state, but no such ambulance shall transport any patient point to point within the parish unless it has been issued a permit by St. Tammany Parish, except in the case of disaster as outlined in this section.

(2) This provision shall not apply to individuals who are employed to function on licensed air ambulances solely to act as pilots.

(3) The provisions of this Section shall not apply to industrial ambulances providing transportation to employees who become sick or injured during the course of their employment from a job site to the nearest appropriate medical facility.

E. Whoever violates this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned for not more than thirty days or both. The penalty prescribed by this Section shall be doubled for any subsequent offense.

SEC. 3-401.00 Definitions

For purposes of this Article:

(1) "Ambulance" and "Medical Transportation Vehicle" means any authorized emergency vehicle, equipped with warning devices, designed and operated as a part of a regular course of conduct or business to transport a sick or injured individual or which is advertised or otherwise held out to the public as such, and includes any "Medical Transportation Vehicle," which means any private or publically owned land, air or water vehicle that is designed, constructed, reconstructed, maintained, equipped or operated, or used for, or intended to be used for air, land or water medical transportation or persons who are sick, injured or otherwise helpless, for the purposes of obtaining medical care. The terms ambulance and medical transportation vehicle shall not be construed to apply to vehicles operated for ambulatory patients or patients or persons on a regularly scheduled or non-emergency basis. It shall include any medical transportation vehicle equipped or operated as an ambulance; said vehicle must be equipped with emergency lights, emergency siren and patient care equipment in accordance with Department of Transportation (DOT) KKK specifications for ambulances. It shall meet Title XIX certification criteria as established under Louisiana Department of Health and Hospitals. "Ambulance" and "Medical Transportation Vehicle" shall not mean a hearse or other funeral home vehicle utilized for the transportation of the dead.

(2) "Ambulance service" or "ambulance provider" means any person, firm, association, or government entity owning, controlling, or operating any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of transporting, in ambulances,

individuals who may need medical attention during transport. However, "ambulance service" and "ambulance provider" shall not include any of the following:

(a) An agency of the federal government.

(b) A volunteer nonprofit organization or municipal nonprofit organization operating an invalid coach or coaches.

(c) An entity rendering assistance to a licensed ambulance or ambulances in the case of a major disaster.

(d) A licensed hospital providing non-stretcher, non-emergency, noncritical interhospital transfer and patient transportation for diagnostic and therapeutic purposes when such transportation originates at a licensed hospital.

(e) An entity operating an ambulance or ambulances from a location outside of the state to transport patients from a location outside of the state to a location inside St. Tammany Parish or to transport a patient or patients from a medical facility inside of St. Tammany Parish to a location outside of the state.

(f) An entity providing transportation to employees who become sick or injured during the course of their employment from a job site to the nearest appropriate medical facility.

(3) "Air ambulance" means any aircraft, either fixed-wing or rotary-winged, designed and operated as a part of a regular course of conduct or business to transport a sick or injured individual or which is advertised or otherwise held out to the public as such.

(3.1) "Air ambulance service" means any person, firm, association, or government entity owning, controlling, or operating any business or service which furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of transporting, in air ambulances, individuals who may need medical attention during transport.

(3.2) "Auto-injector" means a spring-loaded needle and syringe with a single dose of epinephrine that will automatically release and inject the medicine.

(4) "Bureau" means the Department of Health and Hospitals, office of public health, bureau of emergency medical services.

(5) "Certified emergency medical technician" means an individual who is certified as any one of the following:

(a) A certified emergency medical technician-basic.

(b) A certified emergency medical technician-intermediate.

(c) A certified emergency medical technician-paramedic.

(6) "Certified emergency medical technician-basic" means an individual who has successfully completed an emergency medical technician-basic training program developed and promulgated by the United States Department of Transportation and adopted by the bureau, who is nationally registered, and who is certified by the bureau.

(7) "Certified emergency medical technician-intermediate" means any individual who has successfully completed an emergency medical technician-intermediate training program developed and promulgated by the United States Department of Transportation and adopted by the bureau, who is nationally registered, and who is certified by the bureau.

(8) "Certified emergency medical technician-paramedic" means any individual who has successfully completed an emergency medical technician-paramedic training program developed and promulgated by the United States Department of Transportation and adopted by the bureau, who is nationally registered, and who is certified by the bureau.

(9) "Certified first responder" means any individual who has successfully completed a training course developed and promulgated by the United States Department of Transportation and adopted by the bureau and who is certified by the bureau.

(10) "Commission" means the Louisiana Emergency Medical Services Certification Commission.

(11) "Department" means the Department of Health and Hospitals.

(12) "Emergency medical personnel" or "emergency service person(s)" means individuals who are certified first responders or certified emergency medical technicians.

(12.1) "Emergency Medical Technician" means any person who possesses a National Registry Emergency Medical Technician Certificate and a State of Louisiana Certificate approved by the Bureau of Emergency Medical Services, State of Louisiana, Department of Health and Hospitals, office of public health, bureau of emergency medical services.

(13) "Emergency medical response vehicle" means a marked emergency vehicle with fully visual and audible warning signals operated by a certified ambulance service, the primary purpose of which is to respond to the scene of a medical emergency to provide emergency medical stabilization or support, or command, control, and communications, but which is not an ambulance designed or intended for the purpose of transporting a victim from the scene to a medical facility regardless of its designation. Included are such vehicles referred to but not limited to the designation as "sprint car", "quick response vehicle", "special response vehicle", "triage trucks", "staff cars", "supervisor

units", and other similar designations. Emergency medical response vehicles shall not include fire apparatus and law enforcement patrol vehicles which carry first aid or emergency medical supplies and which respond to medical emergencies as part of their routine duties.

(14) "Emergency medical services" or "EMS" means a system that represents the combined efforts of several professionals and agencies to provide prehospital emergency care to the sick and injured.

(14.1) "EMS professional" means an individual who is a certified first responder or certified emergency medical technician.

(15) "EMS task force" means the Emergency Medical Services Task Force, composed of individuals appointed by the assistant secretary of the office of public health, subject to the approval of the secretary of the department, which advises and makes recommendations to the office and the department on matters related to emergency medical services.

(16) "First aid certificate" means a certificate in the Emergency Response Course issued by the American Red Cross or other certificate in a first aid course approved by the bureau and issued to any individual who has successfully completed the required training and met the established standards of such organizations.

(17) "Industrial ambulance" means any vehicle owned and operated by an industrial facility and used for transporting any employee who becomes sick, injured, or otherwise incapacitated in the course and scope of his employment from a job site to an appropriate medical facility.

(18) "Moral turpitude" means an act of baseness, vileness, or depravity in the duties which one person owes another, or to society in general, which is contrary to the usual, accepted, and customary rule of right and duty which a person should follow.

(19) "Municipal nonprofit organization" means an organization owned by a parish, municipality, or entity of a parish or municipality which in its regular course of business responds to a call for help and renders medical treatment and whose attendants are emergency medical personnel, a registered nurse, or a physician.

(20) "Physician" means a physician licensed to practice medicine by the Louisiana State Board of Medical Examiners.

(21) "Volunteer nonprofit organization" means an organization which in its regular course of business responds to a call for help and renders medical treatment and whose attendants are emergency medical personnel, a registered nurse, or a physician and which is chartered as a nonprofit organization under Section 501c of the United States Internal Revenue Code, as a volunteer fire department by the Louisiana state fire marshal's office, or as a nonprofit organization by the Louisiana secretary of state.

(Ord. No. 06-1331, adopted 07/06/2006)

SEC. 3-402.00 EMT Vehicle Staffing Requirements

Any vehicle operated as an ambulance or medical transportation vehicle for transportation within St. Tammany Parish on an emergency basis or dispatched through 9-1-1 Operations Center or called by a private individual shall meet all criteria established for emergency calls. The staffing level must be at least one (1) EMT-Paramedic and one (1) EMT-Basic.

(a) A second ambulance respondent to the same location or incident shall be staffed by at least two (2) persons certified as EMT-Basic.

(b) An ambulance responding to a routine call or non-emergency call shall be staffed by at least two (2) certified as EMT-Basic.

SEC. 3-403.00 Medical Society Criteria to be Met

Any ambulance operating in St. Tammany Parish shall meet criteria established by the State of Louisiana as to the minimum equipment, supplies, drug list(s) and standardized run form.

SEC. 3-404.00 Required Insurance Coverage

A. Each ambulance provider, as defined in this Article, shall continuously have in effect the following minimum amounts of insurance:

(1) Medical malpractice liability insurance in the amount of five hundred thousand dollars.

(2) Automobile liability insurance in the amount of five hundred thousand dollars in combined single limits and five hundred thousand dollars in the aggregate.

(3) General liability insurance in the amount of five hundred thousand dollars per occurrence and five hundred thousand dollars in the aggregate.

B. At the time of filing a permit application, each ambulance provider shall submit a certificate of insurance issued by its insurance carrier as proof of the minimum insurance coverage required by this Section. Each ambulance provider shall also be required to notify the parish in writing at least thirty days prior to any material change in or cancellation of such coverage.

C. For purposes of this Section, "ambulance provider" shall mean any entity owning, controlling, or operating any business or service which, as a substantial portion of its business, furnishes, operates, conducts, maintains, advertises, engages in, proposes to engage in, or professes to engage in the business or service of transporting persons

who may need medical attention during transport. However, "ambulance provider" shall not include:

- (1) Agencies of the federal government;
- (2) Volunteer nonprofit organizations or municipal nonprofit organizations operating invalid coaches, as defined in R.S. 40:1231(7);
- (3) Entities rendering assistance to licensed ambulances in the case of a major disaster;
- (4) Licensed hospitals providing non-stretcher, non-emergency, noncritical interhospital transfer and patient transportation for diagnostic and therapeutic purposes when such transportation originates at a licensed hospital;
- (5) Entities operating ambulances from a location outside of the state to transport patients from a location outside of the state to a location inside the state or to transport patients from a medical facility inside to a point outside of the state; or
- (6) Entities providing transportation to employees who become sick or injured during the course of their employment from a job site to the nearest appropriate medical facility.

(Ord. No. 06-1331, adopted 07/06/2006)

SEC. 3-405.00 Permit Required; Penalty

A permit shall be an authorization to operate an emergency and/or non-emergency ambulance for transportation services within St. Tammany Parish. A permit shall be required for any services in which point of origination and destination are within St. Tammany Parish. It shall be granted to qualified providers who meet all of the requirements of this Article, except that no permit shall be issued in the following circumstances: Whenever the St. Tammany Parish Governing Authority has adopted an ordinance, authorizing a contract between the Parish and a "specific provider" of emergency and non-emergency ambulance services within St. Tammany Parish, and such contract has been duly executed in accordance with the enabling ordinance, a permit to operate emergency and/or non-emergency ambulance services in St. Tammany Parish shall not be issued, during the term of any such contract, or any extension thereof, to any other person or business applying for a permit to provide emergency and/or non-emergency ambulance services within St. Tammany Parish.

No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain, advertise or otherwise engage in or profess to engage in providing emergency and/or non-emergency ambulance services in this parish, including medical transportation vehicle services, unless that person holds a currently valid permit to do so as issued by the Governing Authority of St. Tammany Parish.

No permit shall be issued prior to obtaining a letter from the 9-1-1 Board, certifying that all of the requirements and conditions of this Article have been met. Additionally, a needs assessment performed by the 9-1-1 Board, which documents the need for any additional service, shall be required whenever a “specific provider” contract and ordinance do not currently exist or has otherwise expired.

Whoever violates this Section shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars or imprisoned for not more than thirty days or both. The penalty prescribed by this Section shall be doubled for any subsequent offense.

(Ord. No. 06-1331, adopted 07/06/2006)

SEC. 3-405.01 Annual Permit Fee

An annual fee of Fifty Dollars (\$50.00) for each permit issued shall be collected by the St. Tammany Permit Office. (Ord. No. 91-1488, adopted 09/19/91; amended by Ord. No. 96-2400, adopted 03/21/96)

SEC. 3-405.02 Permit Not Transferable

No certificated, provisional certification, permit, temporary permit, license or temporary permit, license or temporary license issued under this Section shall be assignable or transferable by the person to whom it is issued. It may be transferable only upon approval by the Governing Authority of St. Tammany Parish.(

Ord. No. 91-1488, adopted 09/19/91; amended by Ord. No. 96-2400, adopted 03/21/96; amended by Ord. No. 06-1331, adopted 07/06/2006)

SEC. 3-405.03 Suspension For Violators

In the event of an existing “specific provider” contract, the provisions of the contract shall govern any violations by the specific provider.

Except in the case of a specific provider contract, a violation of any of the above sections by a permittee shall be cause for a suspension of said permit for a period of thirty (30) days. A second or subsequent violation within a three (3) year period would be cause for said permit to be suspended for a period of up to ninety (90) days. In the event of a reported violation by a permittee, the permittee shall be provided written notice of the first violation, via certified mail, notifying the permittee that unless the violation is corrected within thirty (30) days of said notice, or a hearing is requested before the St. Tammany Parish Quality Assurance Panel, the thirty (30) day suspension shall become effective at the expiration of the thirty (30) day notice or upon the decision of the Panel. In the event of a subsequent violation within a three (3) year period, the permittee shall be notified to appear before the St. Tammany Parish Quality Assurance

Panel, which shall have the authority to suspend a permit for a period of up to ninety (90) days.

(Ord. No. 06-1331, adopted 07/06/2006)

CHAPTER 4 ANIMALS, FOWL AND REPTILES

ARTICLE I IN GENERAL

SEC. 4-001.00 Hunting With Dogs

In the following areas which are hereby designated as heavily populated areas, the hunting of deer with dogs is prohibited at all times:

(1) **Area No. 4-1:** Begin at the crossing of Ponchitolawa Creek by Louisiana Highway No. 59; thence follow the center line of said Highway 59 southerly to its intersection with Louisiana Highway No. 1088; thence follow the center line of Highway 1088 northeasterly to the Section line between Sections 5 and 6, Township 8 South, Range 12 East; thence follow the said Section line and its extension south to Bayou Castine, southwesterly to its crossing by U.S. Highway 190; thence follow the center line of U.S. Highway 190 northwesterly and northerly to its crossing of Ponchitolawa Creek; thence follow the meanderings of Ponchitolawa Creek northeasterly to the point of beginning.

(2) **Area No. 4-2:** Begin at the crossing of Cane Bayou by U.S. Highway 190; thence following the meanderings of Cane Bayou northeasterly to the east boundary of Section 42, Township 8 South, Range 12 East; thence follow the east boundary of Section 42 northeasterly to the north boundary of Section 15, Township 8 South, Range 12 East; thence follow said section line easterly to the east boundary of Section 15, Township 8 South, Range 12 East; thence follow the east boundary of Sections 15, 22, Township 8 South, Range 12 East and the extension thereof southerly to the center of U.S. Highway 190; thence follow the center line of U.S. Highway 190 northwesterly to the point of beginning. (Ord. No. 527, Bk. 7, P. 94)

ARTICLE III LIVESTOCK

SEC. 4-023.00 Definitions

1. **St. Tammany Parish** shall be as defined and shown in section 2-017.00 of this Code.
2. **Rove** shall mean unfenced, untethered or unattended and whereby livestock or animals roam free and unsupervised off the property of the owner or custodian thereof. (Ord. No. 221; Ord. No. 231; Ord. No. 542; Ord. No. 637; Ord. No. 83-527; Ord. No. 83-528; Ord. No. 83-726; Ord. No. 84-78; repealed and amended by Ord. No. 85-359, adopted 03/21/85)

SEC. 4-024.00 Livestock Prohibited To Rove

It shall be unlawful for any owner or any other person to whom the care, custody or control of the following described livestock or animals is entrusted to allow same to rove within the boundaries of the Parish. The livestock or animals prohibited to rove include any of the following species; cattle, cows, buffalo, oxen, beefalo, sheep, hogs, goats, mules, horses, and asses. (Ord. No. 221; Ord. No. 231; Ord. No. 542; Ord. No. 637; Ord. No. 83-527; Ord. No. 83-528; Ord. No. 83-726; Ord. No. 84-78; repealed and amended by Ord. No. 85-359, adopted 03/21/85)

SEC. 4-025.00 Enforcement

(a) **Impoundment:** It shall be the duty of the Sheriff of the Parish to round up or collect any such livestock or animals allowed to rove, or found roving, in the Parish. The Sheriff shall transport same to a central corral or holding station which is under his control and/or supervision and shall hold same for reclaiming by the owner thereof for a period not to exceed thirty (30) calendar days.

EDITORIAL NOTE: Former subsections(b)(c)(d) of this section were repealed and amended by authority of Ord. No. 88-909, adopted 02/18/88.

(b) **Notification of owner; reclamation:** The Sheriff shall attempt to notify the owner thereof of the impoundment provided there is any brand or identification on the animal(s), or if the Sheriff or any of his Deputies have knowledge of the identity of the owner, however he is not obligated to make a search for the owner beyond that recited. If the owner is not known or cannot be found, the Sheriff shall give notice by advertising in a newspaper of general circulation within the Parish setting forth the fact and location of the taking of possession, a description of the livestock, that the owner is unknown, or if known, that he cannot be located. This advertisement shall notify any person claiming to be the owner of such livestock to appear before the Sheriff at a place named in the advertisement within 15 days from the date of the notice to prove such claim or ownership. If the owner appears and proves to the satisfaction of the Sheriff that he is the owner of the stock impounded, the Sheriff shall require the owner to pay the fees and costs provided for in Section 4-025.00 (c) herein, together with the costs of advertisement.

(c) **Fees:** The Sheriff shall be entitled to a fee of up to Fifty (\$50.00) Dollars for the rounding up and transportation to the site of impoundment for each animal impounded. Additionally, the Sheriff is entitled to receive up to Ten (\$10.00) Dollars per day per animal for the feeding of each animal, together with such additional sums as may be required to reimburse the Sheriff for veterinary or medical care, including any expenses related thereto.

(d) **Sale at Public Auction:** In the event that the owner cannot be notified, or the owner does not claim the animal impounded and pay the fees provided for herein, the Sheriff shall advertise the impounded animals for sale in a newspaper of general circulation in the Parish where the sale is to take place, the fact of said sale, the date, and the place of the sale. The place of the sale shall be at some place open to the general public

within the Parish of impoundment or the nearest sale or auction barn to the place of impoundment, either in the Parish of impoundment or in the Parish adjoining Parish of impoundment, and the sale shall take place within 10 days after publication of one notice of said sale. The impounded livestock shall be auctioned to the last and highest bidder for cash.

From the price of the said sale shall be paid the sale expenses, including any commissions due to the auction agent and expenses set out in Section 4-025.00(c) above and the balance of any funds shall be paid to the general fund of the St. Tammany Parish Sheriff s Department. (Ord. No. 221; Ord. No. 231; Ord. No. 542; Ord. No. 637; Ord. No. 83-527; Ord. No. 83-528; Ord. No. 83-726; Ord. No. 84-78; repealed by Ord. No. 85-359, adopted 3/21/85; amended, repealed and amended by Ord. No. 88-909, adopted 02/18/88)

SEC. 4-026.00 Liability

Neither the Sheriff nor his Deputies, agents, servants and employees, nor any person shall be liable for any injury which any such livestock or animal(s) may receive while it is (they are) being taken up or maintained in custody pending reclaiming or from the sale thereof after advertisement. (Ord. No. 221; Ord. No. 231; Ord. No. 542; Ord. No. 637; Ord. No. 83-527; Ord. No. 83-528; Ord. No. 83-726; Ord. No. 84-78; repealed and amended by Ord. No. 85-359, adopted 03/21/85)

SEC. 4-027.00 Violations

(a) It shall constitute a misdemeanor for the owner or person(s) to whom the care, custody and control of livestock or animals governed by the provisions of this Article is entrusted to allow same to rove within the boundaries of the Parish.

(b) It shall be a misdemeanor for any person to interfere with the enforcement of this Article.

(c) Additionally, the owner or custodian thereof may be civilly liable for any damage caused or done by roving animals or livestock to the person or property of another. (Ord. No. 85-359, adopted 03/21/85)

SEC. 4-028.00 Defense To Charge Of Violation

It shall be a defense to the charge of violation of this article if the roving of animals or livestock is not due to the fault of the owner or custodian thereof, for example, should a fence be broken and the animals escape by an act of God or by vandalism of others and same could not be reasonably detected nor repaired; however, neglect or deterioration thereof shall not be a defense. (Ord. No. 85-359, adopted 03/21/85)

ARTICLE IV BIRD AND WILDLIFE SANCTUARIES LAKE VILLAGE SUBDIVISION

SEC. 4-070.00 Boundaries

There is herewith created a St. Tammany Parish Bird Sanctuary within the boundaries hereinafter described:

LAKE VILLAGE SUBDIVISION

All that certain parcel of land being situated in Section 36, Township 8 South, Range 14 East, Section 31, Township 8 South, Range 15 East, Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the Section corner common to Sections 36, Township 8 South, Range 14 East; Section 31, Township 8 South, Range 14 East; Section 1, Township 9 South, Range 14 East, and Section 6, Township 9 South, Range 15 East, also the point of beginning, go South 00 degrees, 17 minutes, 12 seconds East 607.16 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 170.7-0 feet to a point; thence go North 00 degrees, 11 minutes, 37 seconds West 78.30 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 70.00 feet to a point; thence go North 00 degrees, 11 minutes, 37 seconds West 120.00 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 960.00 feet to a point; thence go South 00 degrees, 11 minutes, 37 seconds East 30.00 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 120.00 feet to a point; thence go North 00 degrees, 11 minutes, 37 seconds West 152.92 feet to a point in a curve to the right, whose radius is 70.00 feet; thence go along said curve, whose arc is 89.67 feet to the point of tangency; thence go North 00 degrees, 11 minutes, 37 seconds West 220.00 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 452.05 feet to a point; thence go North 18 degrees, 01 minute, 53 seconds East 29.72 feet to a point; thence go North 30 degrees, 25 minutes, 11 seconds East 60.16 feet to a point, thence go North 89 degrees, 48 minutes, 23 seconds East 580.12 feet to the point of curvature of a curve to the left, whose radius is 492.86 feet; thence go along said curve, whose arc is 112.36 feet to a point in said curve; thence go North 13 degrees, 14 minutes, 20 seconds West 119.79 feet to a point; thence go North 74 degrees, 50 minutes, 19 seconds East 1543.63 feet to a point in a curve to the right, whose radius is 393.57 feet; thence go along said curve, whose arc is 50.66 feet to the point of tangency; thence go East 170.00 feet to a point; thence go South 29.75 feet to a point; thence go South 15 degrees, 09 minutes, 41 seconds East 96.44 feet to a point in a curve to the left, whose radius is 941.676 feet; thence go along said curve, whose arc is 3.79 feet to the point of tangency; thence go South 74 degrees 50 minutes, 19 seconds West 45.31 feet to a point; thence go South 15 degrees, 09 minutes, 41 seconds East 200.00 feet to a point; thence go North 74 degrees, 50 minutes, 19 seconds East 21.81 feet to a point; thence go South 338.04 feet to a point; thence go West 588.00 feet back to the point of beginning. Containing in all 31.991 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE TWO

All that certain parcel of land being situated in Section 1, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, being more fully described as follows: From the Section corner common to Sections 36, Township 8 South, Range 14 East; Section 31, Township 8 South, Range 15 East; Section 1, Township 9 South, Range 14 East, and Section 6, Township 9 South, Range 15 East, go South 00 degrees, 07 minutes 12 seconds East 607.16 feet to the point of beginning. Thence from the point of beginning go South 89 degrees, 48 minutes, 23 seconds West 170.70 feet to a point; thence go North 00 degrees, 11 minutes, 37 seconds West 78.30 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 70.00 feet to a point; thence go North 00 degrees, 11 minutes, 37 seconds West 120.00 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 960.00 feet to a point; thence go South 00 degrees, 11 minutes, 37 seconds East 30.00 feet to a point; thence go South 89 degrees, 48 minutes, 23 seconds West 120.00 feet to a point; thence go South 00 degrees, 11 minutes, 37 seconds East 222.71 feet to a point; thence go South 89 degrees, 47 minutes, 46 seconds East 9.85 feet to a point; thence go South 00 degrees, 18 minutes, 18 seconds West 617.25 feet to point; thence go North 89 degrees, 48 minutes 23 seconds East 1315.36 feet to point; thence go North 00 degrees, 07 minutes, 12 seconds West 671.70 feet back to the point of beginning. Containing in all 25.217 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE THREE

All that certain parcel of land being situated in Section 31, Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows: From the Section corner common to Sections 36, Township 8 South, Range 14 East; Section 31, Township 8 South, Range 15 East, Section 1, Township 9 South, Range 14 East, and Section 6, Township 9 South, Range 15 East, go east 588.00 feet to the point of beginning. Thence from the point of beginning go North 338.04 feet to a point; thence go South 74 degrees, 50 minutes, 19 seconds West 21.81 feet to a point; thence go North 15 degrees, 09 minutes, 41 seconds West 200.00 feet to a point; thence go North 74 degrees, 50 minutes, 19 seconds East 45.31 feet to the point of curvature of a curve to the right, whose radius is 941.68 feet; thence go along said curve whose arc is 3.79 feet to a point in said curve; thence go North 15 degrees, 09 minutes, 41 seconds West 96.44 feet to a point; thence go North 29.75 feet to a point; thence go West 170.00 feet to the point of curvature of a curve to the left, those radius is 393.57 feet; thence go along said curve whose arc is 50.66 feet to a point in said curve; thence go South 74 degrees, 50 minutes, 19 seconds West 127.70 feet to a point; thence go North 710.49 feet to a point; thence go North 88 degrees, 50 minutes, 36 seconds East 931.74 feet to a point; thence go North 00 degrees, 50 minutes, 39 seconds West 15.59 feet to the Southerly right-of-way line of Interstate 10; thence go along said right-of-way line South 83 degrees, 52 minutes, 23 seconds East 230.00 feet to a point; thence go South 727.46 feet to a point; thence go East 50.00 feet to a point; thence go South 210.00 feet to a point; thence go West 32.81 feet to a point; thence go South 360.00 feet to a point;

thence go West 836.00 feet back to the point of beginning. Containing in all 30.3397 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE FOUR

All that certain parcel of land being situated in Section 31, Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows: From the Section corner common to Sections 36, Township 8 South, Range 14 East; Section 31, Township 8 South, Range 14 East, Section 1, Township 9 South, Range 15 East, and Section 6, Township 9 South, Range 14 East, go East 1424.00 feet to the point of beginning. Thence from the point of beginning go North 360.00 feet to a point; thence go East 32.81 feet to a point; thence go North 210.00 feet to a point; thence go West 50.00 feet to a point; thence go North 727.46 feet to the southerly right-of-way line of Interstate 10; thence go along said right-of-way line in three courses: South 83 degrees, 52 minutes, 23 seconds East 104.26 feet; North 86 degrees, 47 minutes, 23 seconds East 551.30 feet; and South 71 degrees, 56 minutes, 48 seconds East 227.08 feet; thence go South 676.83 feet to a point; thence go East 290.00 feet to a point; thence go South 570.00 feet to a point; thence go West 1142.81 feet back to the point of beginning. Containing 29.2898 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE FIVE

All that certain parcel of land being situated in Section 31, Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, begin more fully described as follows: From the Section corner common to Sections 31, Township 8 South, Range 15 East; Section 38, Township 8 South, Range 15 East, Section 38, Township 9 South, Range 15 East and Section 6, Township 9 South, Range 15 East, also the point of beginning, go West 1449.84 feet to a point; thence go North 570.00 feet to a point; thence go West 290.00 feet to a point; thence go North 676.83 feet to the Southerly right-of-way line of Interstate 10; thence go along said right-of-way line in three courses: South 71 degrees, 56 minutes, 48 seconds East 278.08 feet; South 71 degrees, 56 minutes, 20 seconds East 902.00 feet; and South 71 degrees, 57 minutes, 21 seconds East 805.01 feet; thence go South 31 degrees, 10 minutes, 11 seconds East along the Westerly right-of-way line of Military Road a distance of 390.39 feet to a point; thence go South 49 degrees, 35 minutes, 25 seconds West 459.11 feet back to the point of beginning. Containing in all 37.859 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE SIX

All that certain parcel of land being situated in Section 36, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the Section corner common to Section 36 in above said Township and Range and Section 31, Township 8 South, Range 15 East and Section 1, Township 9 South, Range 14 East and Section 6, Township 9 South, Range 15 East go South 00 degrees, 07 minutes, 12 seconds East 607.16 feet; thence South 89 degrees, 48 minutes, 23 seconds West 170.70 feet; thence North 00 degrees, 11 minutes, 37 seconds West 78.30 feet; thence South 89 degrees, 48 minutes, 23 seconds West 70.00 feet; thence North 00 degrees, 11 minutes 37 seconds West 120.00 feet; thence South 89 degrees, 48 minutes, 23 seconds West 960.00 feet; thence South 00 degrees, 11 minutes, 37 seconds East 30.00 feet; thence South 89 degrees, 48 minutes, 23 seconds West 120.00 feet; thence North 00 degrees 11 minutes, 37 seconds West 152.92 feet to a point in a curve on the Southerly right-of-way of Lake Michigan Drive; thence North-westerly along said curve to the right, having a radius of 70.00 feet, an arc distance of 89.67 feet to the point of tangent on the Westerly right-of-way of said Lake Michigan Drive; thence North 00 degrees, 11 minutes, 37 seconds West 220.00 feet to a point on the Southerly right-of-way of Lake Village Boulevard; thence along said Southerly right-of-way South 89 degrees, 48 minutes, 23 seconds West 452.05 feet to a point on the Easterly right-of-way of and Interstate-10 Service Road; thence along said Easterly right-of-way in two courses: North 18 degrees, 01 minute, 53 seconds East 29.72 feet and North 30 degrees, 25 minutes, 11 seconds East 60.16 feet to a point on the Northerly right-of-way of Lake Village Boulevard; thence along said Northerly right-of-way North 89 degrees, 48 minutes, 23 seconds East 184.47 feet, more or less, to the point of beginning.

Thence from the point of beginning go North 00 degrees, 11 minutes, 37 seconds West 120.00 feet; thence North 89 degrees, 48 minutes, 23 seconds East 420.00 feet to a point; thence South 00 degrees, 11 minutes, 37 seconds East 119.40 feet to a point on the Northerly right-of-way of Lake Village Boulevard; thence along said Northerly right-of-way along a curve to the right whose radius is 492.86 feet and arc distance is 24.36 feet; thence continue along said right-of-way South 89 degrees, 48 minutes, 23 seconds West 395.65 feet, more or less, back to the point of beginning. Containing in all 1.157 acres of land, more or less.

LAKE VILLAGE SUBDIVISION

PHASE SEVEN

All that certain parcel of land being situated in Section 36, Township 8 South, Range 14 East and Section 31, Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows:

Commencing at the Southeast corner of Section 36, Township 8 South, Range 14 East and the Southwest corner of Section 31, Township 8 South, Range 15 East, thence East 443.00 feet to a point on the Centerline of Pearl Street; thence due North along

said Centerline of Pearl Street 422.07 feet to a point; thence North 15 degrees, 09 minutes, 41 seconds West 195.73 feet to a point; thence due North along said Centerline of Pearl Street 678.55 feet to a point; thence South 88 degrees, 50 minutes, 36 seconds West 145.03 feet to the Point of Beginning. Thence from the point of beginning South 00 degrees, 00 minutes, 00 seconds East 710.49 feet to a point; thence South 74 degrees, 50 minutes 19 seconds West 1,453.83 feet to a point; thence South 89 degrees, 48 minutes 23 seconds West 556.91 feet to a point; thence North 30 degrees, 25 minutes, 11 seconds East 443.44 feet to a point; thence North 40 degrees, 39 minutes, 28 seconds East 217.41 feet to a point on the south edge of a Lake; thence along the said South edge South 89 degrees, 08 minutes, 33 seconds East 483.43 feet to a point; thence continue along said South edge south 89 degrees, 22 minutes, 11 seconds East 823.64 feet to a point on the East edge of said Lake; thence along said East edge North 02 degrees, 26 minutes, 57 seconds East 255.23 feet to a point; thence continue along said East edge due North 301.01 feet to a point; thence North 88 degrees, 50 minutes, 36 seconds East 276.15 feet back to the point of beginning. Containing in all 19.53 acres of land, more or less.

(Ord. No. 82-312, adopted 01/21/82)

SEC. 4-071.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds

It shall be unlawful and a violation of this Article for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird, or to rob the nests of any wild bird within the above described area; provided however, that same shall not apply to any bird kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds which constitute a nuisance to property and/or health. (Ord. No. 82-312, adopted 01/21/82)

SEC. 4-072.00 Violation

(Item repealed, section reserved under the authority of P.J.S. Ord. No. 92-1601)

SEC. 4-073.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird Sanctuary", permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 82-312, adopted 01/21/82)

CROSS REFERENCE: See Section 4-070.00 through Section 4-072.00 for creation of authority, legal description, prohibited acts and penalty for violation from Ord. No. 82-312, adopted 01/21/82.

SEC. 4-074.00 Handguns Prohibited

EDITORIAL NOTE: New Section is hereby added to the Code of Ordinances under the authority of Ordinance No. 92-1601, adopted 5/21/92.

Discharge of handguns, pistols, revolvers, rifles, shotguns or muskets of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas in Lake Village Subdivision, Phases 1 through 7, designated [a] Parish Bird and Wildlife Sanctuary]. (Ord. No. 92-1601, adopted 5/21/92)

a) **Prohibited:** It shall be unlawful for any person to discharge any firearm, gun or other weapon by which a bullet or projectile is launched by means of igniting gunpowder, compressed air, or gas, within a 400 foot perimeter zone of any designated Parish Bird and Wildlife Sanctuary. (Ord. No. 92-1601, adopted 5/21/92)

b) **Definitions:**

1) **Firearms:** Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

2) **Parish Bird and Wildlife Sanctuary:** Those portions or parcels of ground located in the unincorporated area of the Parish specifically declared and designated to be Parish Bird and Wildlife Sanctuaries.

3) **Perimeter:** That area surrounding and incorporating all boundaries of Lake Village Subdivision, Phases 1 through 7 (measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plot), and being designated as Parish Bird and Wildlife Sanctuaries. (Ord. No. 92-1601, adopted 5/21/92)

c) **Exemption:** Exempt herefrom are any law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property. (Ord. No. 92-1601, adopted 5/21/92)

d) **Violation; Penalty:** Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances.(Ord. No. 92-1601, adopted 5/21/92)

MAGNOLIA FOREST SUBDIVISION

SEC. 4-075.00 Boundaries

There is herewith created a St. Tammany Parish Bird Sanctuary within the boundaries hereinafter described: All that certain portion of property located in Sections 19 and 30,

Township 8 South, Range 15 East, St. Tammany Parish, Louisiana, more commonly known as Magnolia Forest Subdivision and more fully described as follows:

(Ord. No. 82-347, adopted 04/15/82)

Lot Numbers	Phase	Recorded Platt Number	Acres
1-3	One	472-B	19.22
14-23	Two	479-A	17.636
24-48	Three	486-B	34.74
49-67	Four	503-B	28.17
68-85	Five	515-B	21.275
86-99	Six	529-A	18.50
100-121	Seven	532-A	25.943
122-146	Eight	682-B	28.97
147-157	Nine-A	675-B	11.78
158-168	Nine-C	708-B	12.426
169-180-B	Nine-B	700-B	13.74
181-195	Ten	541-A	18.37
196-223	Eleven	547-B	34.32
224-260	Twelve	560-B	44.48
261-282	Thirteen	557-B	26.445
283-306	Fourteen	579-B	30.783
307-339	Fifteen	571-A	38.306

SEC. 4-076.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird, or to rob the nests of any wild bird within the above described area; provided, however, that same shall not apply to any bird kept and maintained as a house pet and sold for such purpose by any bona fide pet store, not to any birds which constitute a nuisance to property and/or health.

The feeding and care of birds is permitted and encouraged. (Ord. No. 82-347, adopted 04/15/82)

SEC. 4-077.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a St. Tammany Parish Bird Sanctuary; permission is herewith granted to place said signs on parish roads or rights-

of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 82-346, adopted 04/15/82)

THE WOODS

SEC. 4-079.00 Boundaries

There is herewith created a St. Tammany Parish Bird Sanctuary within the boundaries hereinafter described:

(a) The following described property situated in Section 42, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana: From the headlight corner between Section 39 and Section 42, on Bayou Paquet, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana measure south 39 degrees 54 minutes east, 2,865.6 feet to the point of beginning. From the point of beginning measure south 37 degrees 54 minutes east, 1,197.3 feet; south 52 degrees 06 minutes west, 525.4 feet; south 37 degrees 54 minutes east, 1,166.8 feet; south 52 degrees 04 minutes west; 420.0 feet to the center line of a sixty-foot wide easement for a future road; thence with said center line north 37 degrees 54 minutes west, 500.0 feet; north 21 degrees 12 minutes west, 522.1 feet; north 61 degrees 06 minutes west, 380.7 feet; north 07 degrees 18 minutes east, 591.9 feet; north 37 degrees 54 minutes west, 597.5 feet; thence leaving said easement north 52 degrees 06 minutes east; 525.4 feet to the point of beginning. This tract contains 28.0 acres. Being the same property identified in that certain Act of Correction with respect to the partition by and between Ambal Corporation, et al, dated July 19, 1976, recorded in COB 793, folio 769, of the records of St. Tammany Parish, Louisiana, and being identified as Parcel No. Two of Description B.

(b) A certain tract or parcel of land lying and being situated in Section 42, Township 9 South, Range 13 East, Greensburg Land District, near Slidell, St. Tammany Parish, Louisiana, being more particularly described as follows: From the corner common to Sections 39, and 42, Township 9 South, Range 13 East on the east bank of Bayou Paquet, run south 37 degrees 54 minutes east, 2,872.2 feet along the section line to the northwest corner of Parcel No. Two; thence continue south 37 degrees 54 minutes east, 690.70 feet to the point of beginning of the property herein described. From the point of beginning, continue south 37 degrees 54 minutes 00 seconds east, 500.00 feet to an iron; thence south 52 degrees 08 minutes 30 seconds west, 525.67 feet to an iron; thence north 37 degrees 54 minutes 00 seconds west, 500.00 feet to a point; thence north 52 degrees 08 minutes 30 seconds east 525.67 feet to the point of beginning; containing 6.03 acres, all being more particularly shown on sketch by Albert A. Lovell, Louisiana Registered Land Surveyor No. 4302, dated July 13, 1981. (Ord. No. 82-346, adopted 04/15/82)

SEC. 4-080.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird, or to rob the nests of any wild bird within the

above described area; provided, however, that same shall not apply to any bird kept and maintained as a house pet and sold for such purpose by any bona fide pet store, not to any birds which constitute a nuisance to property and/or health.

The feeding and care of birds is permitted and encouraged. (Ord. No. 82-346, adopted 04/15/82)

SEC. 4-081.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a St. Tammany Parish Bird Sanctuary; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 82-346, adopted 04/15/82)

BRIER LAKE SUBDIVISION

SEC. 4-082.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Brier Lake Subdivision, Phases 1 through 9 and an additional portion respectively as same have received final subdivision approval (except for the additional portion from the governing body of St. Tammany Parish, and as said subdivision plans for said phases have been duly recorded in the Office of the Clerk of Court, all as more fully described hereafter:

- (a) Being located in Section 27 and 28, Township 8 South, Range 13 East, St. Tammany Parish, Louisiana.
- (b) From the section corner common to Sections 27, 28, 33 and 34, Township 8 South, Range 13 East, St. Tammany Parish, Louisiana, this being the point of beginning.
- (c) From the point of beginning run along the section line common to sections 28 and 33, north 89 degrees 33 minutes west, 2, 642.8 feet to a point; thence south 89 degrees 59 minutes west, 460.0 feet to a point; thence north 00 degrees 39 minutes east, 1,659.6 feet to a point; thence along the north line of Lot 190, south 89 degrees 47 minutes east, 260 feet to a point on the east right-of-way of Timberbend Drive; thence along said right-of-way, north 00 degrees 39 minutes east, 200.7 feet to a point; thence with a curve to the right having a radius of 78.44 feet and an arc of 80.4 feet to a point; thence continue along said right-of-way in the following two (2) courses north 59 degrees 37 minutes east, 493.0 feet to a point; thence north 01 degrees 24 minutes east, 320.0 feet to intersect the north right-of-way of Erin Drive; thence continue along said right-of-way, south 88 degrees 36 minutes east, 105.8 feet to a point; thence with a curve to the right having a radius of 250.07 feet and an arc of 242.2 feet to a point; thence south 33 degrees 05 minutes east, 282.7 feet to a point; thence with a curve to the left having a radius of 129.1 feet and an arc of 125.6 feet to a point; thence south 88

degrees 49 minutes east, 253.13 feet to a point; thence with a curve to the left having a radius of 139.39 feet and an arc of 161.07 feet to a point; thence north 24 degrees 58 minutes east, 305.28 feet to a point; thence with a curve to the right having a radius of 498.53 feet and an arc of 223.54 feet to a point; thence north 50 degrees 40 minutes east, 201.57 feet to a point; thence with a curve to the right having a radius of 204.85 feet and an arc of 160.9 feet to a point; thence south 84 degrees 20 minutes east, 21.42 feet to a point; thence with a curve to the right having a radius of 204.85 feet and an arc of 160.9 feet to a point; thence south 39 degrees 20 minutes east, 40.0 feet to a point; thence north 50 degrees 40 minutes east, 607.5 feet to a point; thence east, 153.88 feet to a point; thence north 00 degrees 39 minutes east, 200.0 feet to a point; thence east, 200.0 feet to a point on the west right-of-way of Queen Anne Drive; thence continue along the west right-of-way of Queen Anne Drive in a northerly and northeasterly direction to intersect the east right-of-way of Brittany Drive; thence continue along said right-of-way, south 00 degrees 20 minutes west to intersect the north line of Lot 130, thence along said lot line, south 89 degrees 40 minutes east, 200.0 feet to a point; thence south 00 degrees 20 minutes west, 2,460.0 feet to a point on the bank of Cypress Bayou; thence south 89 degrees 46 minutes east, 1,331.7 feet to a point; thence south 00 degrees 28 minutes west, 1,345.5 feet to a point; thence north 89 degrees 48 minutes west, 2,646.1 feet more or less to a point on the section line common to Sections 27 and 28 of the above Township and Range; thence along said line, south 00 degrees 47 minutes west, 1,341.1 feet back to the point of beginning.

This property comprises Brier Lake Subdivision, Brier Lake Subdivision Phases 1 through 9 and also a portion of the south half (S ½) of the southeast quarter (SE ¼) of Section 28, Township 8 South, Range 13 East, St. Tammany Parish, Louisiana. (Ord. No. 82-413, adopted 07/15/82)

SEC. 4-083.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 82-413, adopted 07/15/82)

SEC. 4-084.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a St. Tammany Parish Bird and Wildlife Sanctuary; permission is herewith granted to place said signs on parish roads or

rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 82-413, adopted 07/15/82)

PINELAND PARK SUBDIVISION

SEC. 4-091.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Pineland Park Subdivision, all phases as same have received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said phases have been duly recorded in the Office of the Clerk of Court, all as more fully described hereafter: A certain parcel of land located in Section 54, Township 7 South, Range 11 East, St. Helena Meridian, St. Tammany Parish, Louisiana, more particularly described as follows, to-wit: Commence at a point described as being south 25 degrees 15 minutes west, 1077.10 feet; thence north 69 degrees 00 minutes west, 8308.13 feet; thence south 641.5 feet from the corner common to Sections 33, 37 and 54, Township 7 South, Range 11 East, said point being the point of beginning, and measure; South 1975.2 feet; thence south 78 degrees 24 minutes west, 1,475.2 feet; thence north 00 degrees 23 minutes west, 2556.9 feet; thence south 59 degrees 29 minutes east, 11.5 feet; thence north 09 degrees 56 minutes east, 264.9 feet; thence south 69 degrees 00 minutes east, 1506.5 feet, to the point of beginning, containing 80.0 acres. (Ord. No. 83-725, adopted 11/17/83)

SEC. 4-092.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

1) It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

2) The feeding and care of birds and wildlife is permitted and encouraged.

3) It shall be unlawful to discharge firearms and/or hunt with firearms or bow and arrows in and around Lewisburg, Penn's Chapel Road and Marine Del Ray.

(Ord. No. 83-725, adopted 11/17/83; amended by Ord. No. 94-2122, adopted 11/17/94)

EDITORIAL NOTE: There is a map of said property on file at the St. Tammany Parish Police Jury Complex in Covington, Louisiana.

SEC. 4-093.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 83-725, adopted 11/17/83)

GREENLEAVES SUBDIVISION

SEC. 4-094.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Greenleaves Subdivision (all phases) as per subdivision plans for the subdivision as duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

Parcel No. 1:

A certain parcel of land situated in Section 40, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees, 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet; thence South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 1605.0 feet; thence South 31 degrees 55 minutes West, 1075.0 feet; thence South 85 degrees 25 minutes West, 1110.0 feet to the point of beginning.

From the point of beginning, run South 74 degrees 31 minutes 05 seconds West, 1904.49 feet; thence North 12 degrees 54 minutes 41 seconds West, 430.37 feet; thence North 74 degrees 31 minutes 05 seconds East, 1818.35 feet; thence North 13 degrees 50 minutes 47 seconds West, 239.74 feet; thence North 73 degrees 50 minutes 33 seconds East, 60.0 feet; thence South 15 degrees 28 seconds East, 670.29 feet to the point of beginning. Said parcel contains 19.051 acres.

Parcel No. 2:

A certain parcel of land situated in Sections 40 and 47, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; South 57 degrees 36 minutes West, 50.0 feet; thence South 30 degrees 00 minutes East 500.79 feet; thence South 23 degrees 05 minutes West,

1364.68 feet; thence South 60 degrees 00 minutes West, 1605.0 feet; thence 31 degrees 55 minutes West, 1075.0 feet; thence South 85 degrees 25 minutes West, 1110.0 feet to the point of beginning.

From the point of beginning, run South 20 degrees 11 minutes 08 seconds East, 630.16 feet; thence South 30 degrees 18 minutes 21 seconds West, 917.43 feet; thence North 62 degrees 59 minutes 08 seconds West, 1765.78 feet; thence North 12 degrees 54 minutes 41 seconds West, 75.0 feet; thence North 74 degrees 31 minutes 05 seconds East, 1904.49 feet to the point of beginning. Said parcel contains 34.00 acres.

Parcel No. 3:

A certain parcel of land situated in Section 40, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet; thence South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 1605.0 feet to the point of beginning.

From the point of beginning, run South 31 degrees 55 minutes West 1075.0 feet; thence South 85 degrees 25 minutes West, 1110.0 feet; thence North 15 degrees 28 minutes 55 seconds West, 670.29 feet; thence North 73 degrees 50 minutes 33 seconds East, 70.47 feet; thence North 58 degrees 45 minutes 48 seconds East, 141.92 feet; thence North 51 degrees 55 minutes East, 805.0 feet; thence North 45 degrees 42 minutes East, 375.6 feet; thence North 36 degrees 30 minutes 30 seconds East, 451.7 feet; thence South 29 degrees 51 minutes 05 seconds East, 991.46 feet to the point of beginning. Said parcel contains 42.786 acres.

Parcel No. 4:

A certain parcel of land situated in Sections 39 and 40, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 1546.33 feet to the point of beginning. From the point of beginning, run South 59 degrees 57 minutes 27 seconds East, 980.27 feet; thence South 30 degrees 18 minutes 21 seconds West, 2165.87 feet; thence North 59 degrees 41 minutes 39 seconds West, 1463.85 feet; thence North 20 degrees 11 minutes 08 seconds West, 630.16 feet; thence North 85 degrees 25 minutes East 1110.0 feet;

thence North 31 degrees 55 seconds East, 1075.0 feet; thence North 60 degrees 00 seconds East 58.67 feet to the point of beginning. Said parcel contains 63.984 acres.

Parcel No. 5:

A certain parcel of land situated in Sections 39, 40, and 47, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the section corner common to Sections 35, 36, and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet; thence South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 1546.33 feet; thence South 59 degrees 57 minutes 27 seconds East, 980.27 feet; thence South 30 degrees 18 minutes 21 seconds West, 2165.87 feet to the point of beginning.

From the point of beginning, run South 30 degrees 18 minutes 21 seconds West, 1200.0 feet; thence North 59 degrees 40 minutes 08 seconds West, 998.10 feet; thence North 24 degrees 59 minutes 30 seconds East, 289.79 feet; thence North 60 degrees 31 minutes 57 seconds West, 438.96 feet; thence North 30 degrees 18 minutes 21 seconds East, 917.43 feet; thence South 59 degrees 41 minutes 39 seconds East, 1463.85 feet to the point of beginning. Said parcel contains 37.353 acres.

Parcel No. 6:

A certain parcel of ground situated in Section 40, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 seconds West, 326.82 feet; thence South 48 degrees 19 minutes 04 seconds West, 350.70 feet; thence South 65 degrees 22 minutes 43 seconds West, 396.80 feet; thence South 64 degrees 50 minutes West, 764.60 feet; thence South 54 degrees 55 minutes 50 seconds West, 256.6 feet; thence South 47 degrees 23 minutes 57 seconds 257.5 feet to the point of beginning.

From the point of beginning, run South 30 degrees 00 minutes East, 1260.66 feet; thence South 60 degrees 00 minutes West, 412.24 feet; thence North 29 degrees 51 minutes 05 seconds West, 991.46 feet; thence North 26 degrees 41 minutes 22 seconds East, 490.2 feet to the point of beginning. Said parcel contains 10.619 acres.

Parcel No. 7:

A certain parcel of land situated in Sections 39 and 40, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet; thence South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 120.0 feet to the point of beginning.

From the point of beginning, run South 60 degrees 00 minutes West, 1072.76 feet; thence North 30 degrees 00 minutes West, 1260.66 feet; thence North 47 degrees 23 minutes 57 seconds East, 257.5 feet; thence North 54 degrees 55 minutes 50 seconds East, 256.6 feet; thence North 64 degrees 50 minutes East, 657.89 feet; thence South 30 degrees 00 minutes East, 1291.66 feet to the point of beginning. Said parcel contains 32.318 acres.

Parcel No. 8:

A certain parcel of ground situated in Section 39, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet; thence 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet to the point of beginning.

From the point of beginning, run South 31 degrees 33 minutes 26 seconds East, 925.26 feet; thence South 60 degrees 00 minutes West, 1038.39 feet; thence North 59 degrees 57 minutes 27 seconds West, 1067.55 feet; thence North 60 degrees 00 minutes East, 1546.33 feet to the point of beginning. Said parcel contains 27.441 acres.

Parcel No. 9 A-4:

A certain parcel of ground situated in Section 39, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 20 degrees 09 minutes 03 seconds East, 1844.99 feet; thence South 30 degrees 00 minutes West, 1409.0 feet to the point of beginning.

From the point of beginning, run South 30 degrees 00 minutes West, 900.0 feet; thence North 59 degrees 57 minutes 27 seconds West, 985.39 feet; thence North 60 degrees 00 minutes East, 1038.39 feet; thence South 60 degrees 00 minutes East, 466.19 feet to the point of beginning. Said parcel contains 14.992 acres.

Parcel No. 10:

A certain parcel of land situated in Sections 40 and 41, Township 7 South, Range 11 East, and Sections 39 and 40, township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36 and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet; thence South 71 degrees 10 minutes 12 seconds West, 665.64 feet; thence South 57 degrees 36 minutes West, 50.0 feet to the point of beginning.

From the point of beginning, run South 30 degrees 00 minutes East, 500.79 feet; thence South 23 degrees 05 minutes West, 1364.68 feet; thence South 60 degrees 00 minutes West, 120.0 feet; thence North 30 degrees 00 minutes West, 1291.66 feet; thence North 64 degrees 50 minutes East, 196.71 feet; thence North 65 degrees 22 minutes 43 seconds East, 396.80 feet; thence North 48 degrees 19 minutes 04 seconds East, 350.70 feet; thence North 57 degrees 36 minutes East, 276.82 feet to the point of beginning. Said parcel contains 25.292 acres.

Parcel No. 11:

A certain parcel of ground situated in Section 39, Township 8 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36, and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet; thence South 08 degrees 53 minutes 28 seconds East, 1820.35 feet to the point of beginning.

From the point of beginning, run South 20 degrees 09 minutes 03 seconds East, 1844.99 feet; thence South 30 degrees 00 minutes West, 1409.0 feet; thence North 59 degrees 57 minutes 27 seconds West, 300.0 feet; thence North 31 degrees 33 minutes 26 seconds West, 925.26 feet; thence North 23 degrees 05 minutes East, 1364.68 feet; thence North 30 degrees 00 minutes West 500.79 feet; thence North 57 degrees 36 minutes East, 50.0 feet; thence North 71 degrees 10 minutes 12 seconds East, 665.64 feet to the point of beginning. Said parcel contains 62.228 acres.

Parcel No. 12:

A certain parcel of land situated in Sections 40 and 41, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the section corner common to Sections 35, 36, and 41, Township 7 South, Range 11 East, run North 67 degrees 12 minutes West, 654.3 feet to an iron rod and the point of beginning.

From the point of beginning, run South 08 degrees 53 minutes 28 seconds East, 1768.92 feet to an iron pipe on the western edge of Hotsy Totsy Road; thence along Hotsy Totsy Road South 71 degrees 10 minutes 12 seconds West, 677.78 feet to an iron rod; thence continue along Hotsy Totsy Road South 57 degrees 36 minutes West, 340.67 feet to an iron rod; thence continue along Hotsy Totsy road South 48 degrees 19 minutes 04 seconds West, 346.29 feet to an iron pipe; thence continue along Hotsy Totsy Road South 65 degrees 22 minutes 43 seconds West, 391.29 feet to an iron rod; thence North 69 degrees 12 minutes 55 seconds West, 2344.23 feet to a concrete monument; thence North 30 degrees 13 minutes 08 seconds East, 3185.99 feet to a railroad spike in Sharp Road; thence South 66 degrees 57 minutes 17 seconds East, 2095.95 feet to an iron pipe; thence South 21 degrees 07 minutes 52 seconds West, 232.10 feet to an iron rod; thence South 67 degrees 12 minutes East, 14.40 feet to an iron rod and the point of beginning. Said parcel contains 191.460 acres. (Ord. No. 85-346, adopted 03/21/85)

SEC. 4-095.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 85-346, adopted 03/21/85)

SEC. 4-096.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 85-346, adopted 03/21/85)

ELYSIAN ACRES SUBDIVISION

SEC. 4-097.00 Boundaries

There is herewith created a St. Tammany Parish Bird Sanctuary within the boundaries of Elysian Acres Subdivision (all phases) as per subdivision plans for the subdivision as duly recorded in the office of the Clerk of Court, all as more fully described as follows:

Units 1 and 2 of Elysian Acres Subdivision located in Sections 39 and 42, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana, and more fully described as follows: From the section corner common to Sections 39 and 42 of said township and range on the west bank of Bayou Liberty, go North 10 degrees West, 3129.72 feet to a point; thence North 37 degrees 54 minutes West, 907.33 feet to the south corner of Lot 1 of Unit 1 on the west right-of-way line of La. 433 (Thompson Road) and the point of beginning; thence, North 19 degrees 20 minutes 10 seconds east, 734.68 feet along the west right-of-way line to the east corner of Lot 23; thence North 39 degrees 57 minutes 28 seconds West, 2402.87 feet along the north boundary of Unit 1 to the north corner common to Lots 13 and 14; thence South 40 degrees 04 minutes 05 seconds West, 543.46 feet along the west boundary of Unit 1 to the west corner common to Lots 13 and 12; thence South 37 degrees 54 minutes East, 606.26 feet along the south boundary of Unit 1 to the corner common to Lots 11 and 10 and Lot 200 of Unit 2; thence South 52 degrees 06 minutes West, 525.36 feet along the west boundary of Unit 2 to the west corner of Lot 201; thence South 37 degrees 54 minutes East, 2409.2 feet along the south boundary of Unit 2 to the south corner of Lot 101 on the west right-of-way line of La. 433; thence North 19 degrees 15 minutes East, 608.05 feet along the west right-of-way to the corner common to Lot 100 of Unit 2 and Lot 1 of Unit 1 and the point of beginning; containing 60.96 acres of land more or less. (Ord. No. 85-379, adopted 04/18/85)

SEC. 4-098.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or to rob the nests of any wild bird within the above described area; provided, however, that same shall not apply to any bird kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds which constitute a nuisance to property and/or health.

The feeding and care of birds is permitted and encouraged. (Ord. No. 85-379, adopted 04/18/85)

SEC. 4-099.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 85-379, adopted 04/18/85)

DEL OAKS SUBDIVISION

SEC. 4-100.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Del Oaks Subdivision, all phases, as same have received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said phases have been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

Del Oaks Subdivision, situated in Section 54, Township 7 South, Range 11 East, Ward 4, St. Tammany Parish, Louisiana: Commencing at the corner common to Sections 54, 37 and 33; thence North 71 degrees 15 minutes West, a distance of 12,400 feet; thence North 29 degrees 15 minutes East, a distance of 8.56 feet to the point of beginning; thence North 70 degrees 39 minutes 53 seconds West, a distance of 157.45 feet; thence South 89 degrees 52 minutes 06 seconds West, a distance of 208.05 feet; thence North 84 degrees 41 minutes 54 seconds West a distance of 71.06 feet; thence North 15 degrees 13 minutes 06 seconds East, a distance of 79.84 feet; thence North 70 degrees 27 minutes 54 seconds West, a distance of 235.00 feet; thence North 29 degrees 00 minutes 72 seconds East, a distance of 149.82 feet; thence North 17 degrees 52 minutes 15 seconds East, a distance of 56.17 feet; thence North 68 degrees 37 minutes 15 seconds West, a distance of 268.31 feet; thence North 13 degrees 24 minutes 30 seconds East, a distance of 110.94 feet; thence North 77 degrees 35 minutes 09 seconds West, a distance of 494.4 feet to the bank of the Tchefuncte River; thence North 21 degrees 49 minutes 51 seconds East, along the bank of the Tchefuncte River a distance of 23.3 feet; thence North 10 degrees 09 minutes 51 seconds East, a distance of 202.00 feet; thence North 19 degrees 20 minutes 09 seconds West, a distance of 215.8 feet; thence North 10 degrees 31 minutes 08 seconds West, a distance of 91.88 feet; thence along the south property line of August Perez North 84 degrees 14 minutes 38 seconds East, a distance of 352.00 feet; thence North 33 degrees 42 minutes East, a distance of 70.01 feet; thence North 03 degrees 20 minutes 56 seconds West a distance of 436.45 feet; thence North 77 degrees 36 minutes 18 seconds West, a distance of 81.40 feet; thence South 89 degrees 53 minutes 42 seconds West, a distance of 162.7 feet; thence South 44 degrees 00 minutes 42 seconds West, a distance of 60.44 feet; thence South 69 degrees 18 minutes 42 seconds West, a distance of 72.8 feet; thence South 47 degrees 40 minutes 42 seconds West, a distance of 46.1 feet; thence South 82 degrees 38 minutes 42 seconds West, a distance of 62.9 feet; thence South 50 degrees 26 minutes 42 seconds West, a distance of 54.3 feet; thence South 00 degrees 48 minutes 42 seconds West, a distance of 80.5 feet; thence South 58 degrees 47 minutes 22 seconds West, a distance of 94.33 feet to the bank of the Tchefuncte River; thence North 07 degrees 45 minutes 00 seconds West, a distance of 199.74 feet; thence North 62 degrees 20 minutes 26 seconds East, a distance of 527.37 feet; thence North 38 degrees 15 minutes 00 seconds East, a distance of 135.32 feet; thence North 17 degrees 45 minutes 00 seconds West, a distance of 483.66 feet; thence North 72 degrees 15 minutes 00 seconds East, a distance of 906.82 feet; thence North 79 degrees 15 minutes 00 seconds East, a

distance of 555.58 feet; thence South 59 degrees 00 minutes 00 seconds East, a distance of 243.13 feet; thence South 17 degrees 15 minutes 00 seconds East, a distance of 334.74 feet; thence South 56 degrees 15 minutes 00 seconds East, a distance of 345.02 feet; thence North 77 degrees 45 minutes 00 seconds East, a distance of 472.48 feet; thence South 29 degrees 45 minutes 00 seconds West, a distance of 2709.49 feet to the point of beginning; containing 102.07 acres. (Ord. No. 85-513, adopted 10/17/85)

SEC. 4-101.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 85-513, adopted 10/17/85)

SEC. 4-102.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 85-513, adopted 10/17/85)

CHINCHUBA SUBDIVISION

SEC. 4-103.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Chinchuba Subdivision as same have received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision have been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

A certain parcel of land situated in Ward 4, Townships 7 and 8 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows: Commencing at the center line of Interstate 12 and U.S. 190, said point being the point of beginning; thence go south along the center line of U.S. 190 and old Hwy. 190 to the corporate limits of Mandeville; thence east, south, and southwest along the corporate limits back to Hwy. 190; thence follow the center line of Hwy. 190 south to the corporate limits of Mandeville; thence follow the corporate limits, southeast, south, southeast to the center line

of La. 59; thence follow the center line of La. 59 north to its intersection with the center line of I-12; thence follow I-12 north, northwest, to its intersection with Hwy. 190 back to the point of beginning. (Ord. No. 86-706, adopted 09/18/86)

SEC. 4-104.00 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 86-706, adopted 09/18/86)

SEC. 4-105.00 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 86-706, adopted 09/18/86)

WALDHEIM ESTATES SUBDIVISION

SEC. 4-106.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Waldheim Estates Subdivision as same has received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision has been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

A certain piece or portion of ground situated in Section 8, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana and more fully described as follows: From the quarter section corner common to Sections 8 and 9 Township 6 South, Range 12 East, go South 88 degrees 15 minutes 33 seconds West, 40.81 feet to an 8 inch fencepost located on the westerly right-of-way line of Louisiana Highway 1083 (Allen Road), and the point of beginning. From the point of beginning go North 00 degrees 05 minutes 25 seconds East, 1188.37 feet along the westerly right-of-way line of said highway to a concrete highway monument; thence North 45 degrees 33 minutes 24 seconds West, 116.47 feet to a point located on the southerly edge of Cleland Road (blacktop) (public); thence go along the southerly edge of said road South 89 degrees 58 minutes 52 seconds West, 2161.05 feet to a point; thence South 00 degrees 01 minutes 25

seconds East, 1277.54 feet to a five-eighths inch iron rod; thence South 89 degrees 40 minutes 20 seconds East, 962.58 feet to a five-eighths inch iron rod; thence North 89 degrees 22 minutes 24 seconds East, 1279.33 feet to an 8 inch fencepost located on the westerly right-of-way line of Louisiana Highway 1083 (Allen Road) and the point of beginning. Said property contains 65.75 acres. (Ord. No. 87-860, adopted 09/17/87)

SEC. 4-106.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 87-860, adopted 09/17/87)

SEC. 4-106.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a St. Tammany Parish Bird and Wildlife Sanctuary; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 87-860, adopted 09/17/87)

FOREST PARK ESTATES SUBDIVISION

SEC. 4-107.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Forest Park Estates Subdivision as same has received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision has been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

A subdivision located in Section 38, Township 7 South, Range 11 East, and Section 42, Township 8 South, Range 11 East; said subdivision being more fully described as follows: Commencing at the section corner common to Sections 41, 42 and 46, Township 8 South, Range 11 East, also the point of beginning; thence North 23 degrees East, 2,218.5 feet to the northeast corner of Lot 31 of said subdivision; thence North 67 degrees 15 minutes West, 2,075.0 feet; thence North 68 degrees 45 minutes West approximately 215 feet to a point on the eastern right-of-way of North Causeway Approach; thence South 08 degrees 48 minutes West approximately 2,383.4 feet along said right-of-way to the southwest corner of Lot 81 of said subdivision; thence South 67

degrees East 580.0 feet; thence South 09 degrees West 1,216.0 feet; thence North 58 degrees East 1,579.7 feet to the point of beginning. (Ord. No. 87-861, adopted 09/17/87)

SEC. 4-107.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 87-861, adopted 09/17/87)

SEC. 4-107.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 87-861, adopted 09/17/87)

FLOWERS ESTATES SUBDIVISION

SEC. 4-108.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Flowers Estates Subdivision as same has received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision has been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

From the northwest corner of Section 46, Township 7 South, Range 10 East, St. Tammany Parish, Louisiana, measure along the west boundary of said Section 46, South 00 degrees 45 minutes West, 3680.9 feet to a point; thence 89 degrees 44 minutes East, 1817.9 feet to an iron post, the southwest corner of Lot 417, Section "A", Flowers Estates Subdivision, said post being in the southeasterly right-of-way line of Louisiana State Highway No. 21; thence continuing South 89 degrees 44 minutes West, 7067.35 feet to an iron post on the right bank of the Tchefuncte River, to the point of beginning.

From the point of beginning measure North 89 degrees 44 minutes West, 7067.35 feet to an iron post in the southeasterly right-of-way line of Louisiana State Highway No. 21;

thence with said line northeasterly and easterly to the intersection with the north boundary of Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana; thence along said boundary, 89 degrees 22 minutes East, 1010.2 feet to a point; thence South 00 degrees 02 minutes West, 229.1 feet to an iron post; thence South 89 degrees 02 minutes East, 1005.5 feet to an iron post; thence North 21.8 feet to an iron post; thence South 89 degrees 28 minutes East, 1232.2 feet to a point on the right bank of the Tchefuncte River; thence with said bank, downstream to the point of beginning. This tract contains 502 acres, more or less. (Ord. No. 87-876, adopted 11/19/87)

SEC. 4-108.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild bird or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 87-876, adopted 11/19/87)

SEC. 4-108.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 87-876, adopted 11/19/87)

LACOMBE HARBOR SUBDIVISION

SEC. 4-109.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Lacombe Harbor Subdivision as same have received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision has been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

All of the phases of Lacombe Harbor Subdivision as recorded in the St. Tammany Clerk of Courts records under map file numbers: File Number 308-A, 309-A, 89-B Lacombe Subdivision; File Number 373-B Lacombe Harbor Subdivision Addition 1; File Number 85-B Lacombe Harbor Subdivision Addition 2; File Number 87-C Lacombe Harbor Subdivision Addition 3; File Number 84-B Lacombe Harbor Subdivision Addition 4; File

Number 377-B Lacombe Harbor Subdivision Addition 5; File Number 87-B Lacombe Harbor Subdivision Addition 6; File Number 360-B Lacombe Harbor Subdivision Addition 8; File Number 362-A Lacombe Harbor Subdivision Addition 9; less and except Lots 98, 99, 100, 101, 102-A, 103-A, 103-B, 104-A, 104-B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, and 125 of Lacombe Harbor Subdivision; and also including that parcel of land along the eastern boundary of Lacombe Harbor Subdivision between Lots 74 and 82 of said subdivision with the eastern and southern boundary of said parcel fronting on Lot 81E of said subdivision, Perch Bay and Cypress Bayou. (Ord. No. 87-885, adopted 11/19/87)

SEC. 4-109.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild birds or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 87-885, adopted 11/19/87)

SEC. 4-109.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works. (Ord. No. 87-885, adopted 11/19/87)

DU BOIS PLANTATION SUBDIVISION

EDITORIAL NOTE: New Division 13 and following Sections are hereby added under the authority of Ordinance No. 91-1315.

SEC. 4-110.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Du Bois Plantation Subdivision as same has received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said subdivision have been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

All that certain parcel of land, together with all buildings and improvements thereon, and all rights, ways, means, privileges and appurtenances thereunto belonging or in anywise

appertaining thereto, situated in Section 27, Township 6 South, Range 10 East, St. Tammany Parish, Louisiana, being more fully described as follows, to-wit:

From the section corner common to Sections 27, 26, 34 and 35, Township 6 South, Range 10 East, go South 89 degrees 50 minutes 00 seconds West 500.0 feet to a point; thence continue South 89 degrees 50 minutes 00 seconds West 418.0 feet to the point of beginning. From the point of beginning continue South 89 degrees 50 minutes West 417.8 feet to a point; thence North 00 degrees, 09 minutes West 2093.40 feet to a point on the southerly right of way line of U.S. Highway 190; thence South 85 degrees, 30 minutes East 419.18 feet along the southerly right of way line of U.S. Highway 190 to a point; thence South 00 degrees, 09 minutes West 2059.30 feet back to the point of beginning. All as shown on plan by S. K. Landry, Registered Land Surveyor, dated August 10, 1983, containing in all 19.915 acres of land, more or less. (Ord. No. 90-1315, adopted 07/19/90)

SEC. 4-110.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild birds or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona-fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 90-1315, adopted 07/19/90)

SEC. 4-110.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Parish Engineering. (Ord. No. 90-1315, adopted 07/19/90)

HELENBIRG SUBDIVISION

EDITORIAL NOTE: New Division 14 and Sections 4-111.00 - 4-111.02 added to the Code of Ordinances under the authority of Ordinance No. 91-1435, adopted 04/18/91.

SEC. 4-111.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Helenbirg Subdivision as same has received final subdivision approval from the governing body of St. Tammany Parish, and as said subdivision plans for said

subdivision have been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

Lots 1, 2, 3, 4, 5 and 6 and Parcels A and B of Block 1, Helenbirg Subdivision, Helenbirg Subdivision, Southern Division, situated in Section 22, Township 7 South, Range 11 East, more fully described as follows, to-wit:

From the intersection of the southerly line of 1st Avenue and the westerly line of Helenbirg Boulevard, go southerly along the western edge of Helenbirg Boulevard, 690.0 feet to a 1 inch iron pipe and the point of beginning. From the point of beginning, continue southerly along the western edge of Helenbirg Boulevard, 280.6 feet to a 5/8 inch iron rod located on the right descending bank of the Ponchitolawa Creek; thence continue southerly to the center line of Ponchitolawa Creek; thence recommencing at the point of beginning, go westerly and at a right angle to Helenbirg Road, 280.0 feet to a ½ inch brass pipe located on the eastern edge of North Street, 456.0 feet to a ½ inch square iron rod located on the right descending bank of the Ponchitolawa Creek; thence continue southerly to the center line of Ponchitolawa Creek; thence go along the center line of Ponchitolawa Creek upstream 360 feet, more or less, to the point heretofore established, all in accordance with survey by Edward L. Jones, dated May 16, 1990, attached to Ordinance No. 91-1435. (Ord. No. 91-1435, adopted 04/18/91)

SEC. 4-111.01 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

It shall be unlawful and a violation of this division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird and wildlife or to rob the nests of any wild birds or lairs of wildlife within the above described area; provided, however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona-fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

The feeding and care of birds and wildlife is permitted and encouraged. (Ord. No. 91-1435, adopted 04/18/91)

SEC. 4-111.02 Signs

It shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Bird and Wildlife Sanctuary"; permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Parish Engineering. (Ord. No. 91-1435, adopted 04/18/91)

CROSS GATES, QUAIL RIDGE, TURTLE CREEK

EDITORIAL NOTE: New Division 15 and Sections 4-111.10 - 4-111.11 added to the Code of Ordinances under the authority of Ordinance No. 92-1602, adopted 05/21/92.

SEC. 4-111.10 Boundaries

There is herewith created St. Tammany Parish Bird and Wildlife Sanctuaries within the boundaries of Cross Gates Subdivision (all phases), Quail Ridge Subdivision (Phase 6), and Turtle Creek Subdivision (all phases as developed), all more fully described as follows:

CROSS GATES SUBDIVISION

CROSS GATES EAST PHASES 1 & 2:

All that certain parcel of land, being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the Section corner common to Sections 31 and 38, Township 8 South, Range 15 East, and Sections 6 and 38, Township 9 South, Range 15 East, go South 66 degrees, 55 minutes 23 seconds East 3531.10 feet to the point of beginning.

Thence from the point of beginning, go North 50 degrees 05 minutes, 31 seconds East 416.99 feet to a point; thence go South 39 degrees, 40 minutes, 30 seconds East 818.90 feet to a point; thence go South 40 degrees, 08 minutes 11 seconds East 66.719 feet to a point; thence go South 49 degrees, 51 minutes 49 seconds West 20.00 feet to a point; thence go South 40 degrees, 08 minutes, 11 seconds East 410.00 feet to a point; thence go North 49 degrees, 51 minutes, 49 seconds East 20.00 feet to a point; thence go South 40 degrees, 08 minutes 11 seconds East 634.442 feet to a point; thence go South 50 degrees, 10 minutes 20 seconds West 126.49 feet to the northerly right-of-way line being South 87 degrees, 55 minutes, 10 seconds West 366.44 feet to a point; thence go North 39 degrees, 58 minutes, 50 seconds West 1705.34 feet back to the point of beginning. Containing 17.43 acres, more or less.

CROSS GATES PHASE 2, PARCEL D

From the Section corner common to Sections 7, 37 & 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, go North 49 degrees, 17 minutes, 17 seconds East 2082.43 feet to a point; thence North 7 degrees, 41 minutes, 10 seconds West 1068.46 feet to a point; thence North 13 degrees, 18 minutes, 10 seconds West 374.62 feet to a point; thence North 19 degrees, 00 minutes 10 seconds West 629.23 feet to a point; thence North 18 degrees, 09 minutes West 111.73 feet to a point; thence North 45 degrees, 13 minutes, 41 seconds East 44.62 feet to a point; thence North 87 degrees, 25 minutes, 18 seconds East 1397.24 feet to a point; thence North 02 degrees, 34 minutes, 42 seconds West 140.0 feet to an iron, which is the point of beginning.

Thence from the point of beginning, go North 02 degrees, 34 minutes, 42 seconds West 680.0 feet to an iron; thence North 14 degrees, 47 minutes 10 seconds West 110.86 feet to an iron; thence North 25 degrees, 04 minutes, 30 seconds West 140.81 feet to

an iron; thence North 39 degrees, 52 minutes West 340.0 feet to an iron; thence North 50 degrees, 07 minutes East 414.14 feet to an iron; thence South 39 degrees 55 minutes 33 seconds East 467.92 feet to an iron; thence South 39 degrees, 58 minutes, 50 seconds East 1344.50 feet to an iron; thence South 87 degrees, 25 minutes, 18 seconds West 1146.76 feet to the point of beginning. Containing 21.68 acres, more or less.

CROSS GATES, PHASE 3

All that certain parcel of land, being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the Section corner common to Sections 7, 37 & 38 in said Township and Range, go North 49 degrees, 17 minutes, 17 seconds East 2130.14 feet to the point of beginning.

Thence from the point of beginning, go North 49 degrees, 17 minutes, 17 seconds East 1641.87 feet; thence go North 40 degrees, 42 minutes, 43 seconds West 440.09 feet; thence go North 02 degrees, 34 minutes, 42 seconds West 243.73 feet; thence go North 87 degrees, 25 minutes, 18 seconds East 420.00 feet; thence go North 02 degrees, 34 minutes, 42 seconds West 340.00 feet; thence go South 87 degrees, 25 minutes, 18 seconds West 420 feet; thence go South 02 degrees, 34 minutes, 42 seconds East 140.00 feet; thence go South 87 degrees, 25 minutes, 18 seconds West 360.00 feet; thence go North 02 degrees, 34 minutes, 42 seconds West 140.00 feet; thence go South 87 degrees, 25 minutes, 18 seconds West 555.18 feet; thence go South 23 degrees, 13 minutes, 52 seconds East 410.88 feet; thence go South 66 degrees, 48 minutes, 25 seconds West 439.36 feet; thence go South 13 degrees, 18 minutes, 10 seconds East 368.81 feet; thence go South 07 degrees, 41 minutes, 10 seconds East 1046.36 feet back to the point of beginning. Containing 40.45 acres, more or less.

CROSS GATES, PHASE 4-A

All that certain parcel of land being situated in Section 38, Township 8 South, Range 15 East, and Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the Section corner common to Sections 7, 37 & 38, Township 9 South, Range 15 East, go East 1410.88 feet to a point; thence go North 4484.12 feet to the point of beginning.

Thence from the point of beginning, go South 50 degrees, 07 minutes West 584.07 feet along the westerly right-of-way line of Steele Road to a point; thence go North 16 degrees, 30 minutes West 373.74 feet along the easterly right-of-way line of Military Road to a point; thence go North 16 degrees, 30 minutes, 50 seconds West 813.26 feet along said right-of-way line to a point; thence go North 21 degrees, 04 minutes, 10

seconds West 490.29 feet along said right-of-way line to a point; thence North 64 degrees, 32 minutes, 01 second East 200 feet to a point; thence South 21 degrees, 04 minutes, 10 seconds East 505.923 feet to a point; thence South 16 degrees, 30 minutes, 50 seconds East 170.881 feet to a point; thence South 19 degrees, 08 minutes, 44 seconds East 665.00 feet to a point; thence South 39 degrees, 53 minutes, 00 seconds East 140.00 feet back to the point of beginning.

From the point of beginning, go North 50 degrees, 07 minutes, 00 seconds East 1274.04 feet along the westerly right-of-way of Steele Road, thence North 39 degrees, 53 minutes, 00 seconds West 140.00 feet to a point; thence North 50 degrees, 07 minutes, 00 seconds East 838.973 feet to a point; thence along a curve which is the southerly right-of-way of Interstate 10 an arc length of 175.884 feet in an easterly direction to the westerly right-of-way of Steele Road; thence South 50 degrees, 07 minutes, 00 seconds West 945.43 feet to a point; thence continue South 50 degrees, 07 minutes, 00 seconds West 1274.04 feet back to the point of beginning. Containing 14.41 acres, more or less.

CROSS GATES, PHASE 4-B

All that certain lot or parcel of land being situated in Section 38, Township 8 South, Range 15 East, and Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

From the Section corner common to Sections 7, 37 & 38, Township 9 South, Range 15 East, go East 1410.88 feet; thence North 4484.12 feet; thence North 39 degrees 53 minutes West 140.00 feet to the point of beginning.

From the point of beginning, go North 19 degrees, 08 minutes, 44 seconds West 665.00 feet; thence South 73 degrees, 23 minutes, 26 seconds West 7.678 feet; thence South 64 degrees, 32 minutes, 01 second West 200.00 feet to the easterly right-of-way of Military Road; thence along said right-of-way in two courses: North 25 degrees, 27 minutes, 29 seconds West 586.51 feet and North 19 degrees, 55 minutes, 54 seconds West 433.74 feet; thence South 71 degrees, 39 minutes, 20 seconds East 228.24 feet; thence North 15 degrees, 20 minutes, 40 seconds East 205.00 feet to the southerly right-of-way of Interstate 10; thence along said right-of way in two courses: South 71 degrees, 39 minutes, 20 seconds East 769.911 feet and along a curve to the left whose radius is 11,609.16 feet an arc distance of 580.189 feet; thence South 15 degrees, 21 minutes, 5 seconds West 434.652 feet; thence South 74 degrees, 38 minutes, 45 seconds East 140.00 feet; thence South 68 degrees, 42 minutes, 32 seconds East 60.323 feet; thence South 57 degrees, 07 minutes, 43 seconds East 162.537 feet; thence South 38 degrees, 03 minutes, 18 seconds West 186.234 feet; thence South 13 degrees, 27 minutes, 24 seconds East 229.788 feet; thence South 39 degrees, 53 minutes, 00 seconds East 200.00 feet; thence South 50 degrees, 07 minutes, 00 seconds West 360.00 feet; thence South 39 degrees, 53 minutes, 00 seconds East 140.00 feet; thence South 50 degrees, 07 minutes, 00 seconds West 500.00 feet back to the point of beginning. Containing 43.94 acres, more or less.

CROSS GATES, PHASE 4-C

All that certain lot or parcel of land being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

From the Section corner common to Sections 7, 37 & 38, Township 9 South, Range 15 East, go East 1410.88 feet; thence North 4844.12 feet; thence North 50 degrees, 07 minutes, 00 seconds East 860.00 feet; thence North 39 degrees 53 minutes, 00 seconds West 140.00 feet to the point of beginning.

From the point of beginning, go North 39 degrees, 53 minutes, 00 seconds West 340.00 feet; thence North 13 degrees, 27 minutes, 24 seconds West 229.778 feet; thence 38 degrees, 03 minutes, 18 seconds East 186.234 feet; thence North 57 degrees, 07 minutes, 43 seconds West 162.537 feet; thence North 68 degrees, 42 minutes, 37 seconds West 60.323 feet; thence 74 degrees, 38 minutes, 45 seconds West 140.00 feet; thence North 15 degrees, 21 minutes, 15 seconds East 434.752 feet to the southerly right-of-way of Interstate 10; thence along a curve to the left whose radius is 11,609.16 feet an arc distance of 1388.46 feet; thence 50 degrees, 07 minutes, 00 seconds West 1253.013 feet back to the point of beginning. Containing 22.22 acres, more or less.

CROSS GATES, PHASE 5-A-1

All that certain lot or parcel of land being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest Section corner common to Sections 6 and 38 of said Township and Range, go North 50 degrees, 10 minutes, 00 seconds East 2553.61 feet; thence South 39 degrees, 50 minutes East 141.72 feet; thence South 5 degrees, 10 minutes West 20.00 feet to the point of beginning.

From the point of beginning go South 84 degrees, 50 minutes East 140.00 feet; thence South 78 degrees, 44 minutes, 07 seconds East 60.34 feet; thence South 84 degrees, 46 minutes, 19 seconds East 53.95 feet; thence North 50 degrees, 10 minutes East 827.35 feet; thence South 9 degrees 15 minutes, 43 seconds East 29.24 feet; thence South 25 degrees, 30 minutes, 47 seconds East 532.62 feet; thence North 64 degrees, 32 minutes, 01 second East 560.00 feet; thence South 25 degrees 30 minutes, 47 seconds East 77.31 feet; thence South 21 degrees, 04 minutes, 10 seconds East 2.85 feet; thence South 64 degrees, 32 minutes, 01 second West 209.81 feet; thence South 25 degrees, 30 seconds, 47 seconds East 89.49 feet; thence South 64 degrees, 29 minutes, 16 seconds West 140.00 feet; thence South 30 degrees, 14 minutes, 02 seconds West 72.14 feet; thence South 64 degrees, 32 minutes, 01 second West 366.83 feet; thence South 50 degrees, 10 minutes West 751.27 feet; thence North 84 degrees, 50 minutes West 390.35 feet; thence North 5 degrees, 10 minutes East 140.00 feet; thence North 36 degrees, 15 minutes, 56 seconds West 106.21 feet; thence North 3 degrees, 23 minutes, 19 seconds East 140.21 feet; thence North 84 degrees, 50

minutes West 45.18 feet; thence North 5 degrees, 10 minutes East 380.00 feet back to the point of beginning. Containing 22.3013 acres, more or less.

CROSS GATES, PHASE 5-A-2

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest Section corner common to Sections 6 and 38 of said Township and Range, go North 50 degrees, 10 minutes, 00 seconds East 2553.61 feet to the point of beginning.

From the point of beginning go South 39 degrees 50 minutes East 141.72 feet; thence South 5 degrees, 10 minutes West 20.00 feet; thence South 84 degrees, 50 minutes East 140.00 feet; thence South 78 degrees, 44 minutes, 07 seconds East 60.34 feet; thence South 84 degrees, 46 minutes, 19 seconds East 53.95 feet; thence North 50 degrees, 10 minutes East 827.35 feet; thence South 9 degrees, 15 minutes, 43 seconds East 29.42 feet; thence South 25 degrees, 30 minutes, 47 seconds East 532.73 feet; thence North 64 degrees, 32 minutes, 01 second East 360.00 feet; thence North 25 degrees, 30 minutes, 47 seconds West 481.37 feet; thence North 9 degrees, 15 minutes, 43 seconds West 273.50 feet; thence North 40 degrees, 17 minutes, 10 seconds West 270.14 feet; thence South 49 degrees, 52 minutes, 50 seconds West 319.11 feet; thence South 50 degrees, 10 minutes West 1127.30 feet back to the point of beginning. Containing 16.0508 acres, more or less.

CROSS GATES, PHASE 5-B

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest Section corner common to Sections 6 and 38 of said Township and Range, go South 39 degrees, 58 minutes East 1938.88 feet to the northerly right-of-way of Gause Boulevard; thence along said right-of-way North 72 degrees, 08 minutes East 454.27 feet to the point of beginning.

From the point of beginning go North 17 degrees, 52 minutes West 358.83 feet; thence along a curve to the left whose radius is 260.00 feet a distance of 100.29 feet; thence North 39 degrees, 50 minutes West 557.18 feet; thence along a curve to the right whose radius is 290.00 feet a distance of 253.77 feet; thence South 84 degrees, 50 minutes East 80.00 feet; thence along a curve to the left whose radius is 210.00 feet a distance of 85.42 feet; thence North 71 degrees, 26 minutes, 34 seconds East 134.21 feet; thence South 39 degrees, 58 minutes East 444.85 feet; thence South 50 degrees, 02 minutes West 140.00 feet; thence South 39 degrees, 58 minutes East 141.41 feet; thence along a curve to the right whose radius is 340.00 feet a distance of 58.93 feet; thence North 50 degrees, 02 minutes East 159.36 feet; thence South 17 degrees, 52 minutes East 205.50 feet; thence South 72 degrees, 08 minutes 140.00 feet; thence

South 17 degrees, 52 minutes East 285.00 feet; thence South 72 degrees, 08 minutes West 80.00 feet back to the point of beginning. Containing 3.823 acres, more or less.

CROSS GATES, PHASE 5-B-1

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest Section corner common to Sections 6 and 38 of said Township and Range, go South 39 degrees, 58 minutes East 1938.88 feet to the northerly right-of-way of Gause Boulevard; thence along said right-of-way North 72 degrees, 08 minutes East 454.27 feet; thence go North 17 degrees, 52 minutes West 358.83 feet; thence along a curve to the left whose radius is 260.00 a distance of 100.29 feet; thence North 39 degrees, 58 minutes West 557.18 feet; thence along a curve to the right whose radius is 290.00 a distance of 228.44 feet to the point of beginning.

From the point of beginning go South 86 degrees, 36 minutes, 15 seconds West 142.70 feet; thence North 5 degrees, 10 minutes East 501.21 feet; thence North 12 degrees, 41 minutes, 05 seconds West 173.91 feet; thence North 50 degrees, 10 minutes East 1221.80 feet; thence South 84 degrees 50 minutes 164.73 feet; thence South 3 degrees, 23 minutes, 19 seconds West 140.21 feet; thence South 36 degrees, 15 minutes, 56 seconds East 106.52 feet; thence South 5 degrees, 10 minutes West 140.00 feet; thence North 84 degrees, 50 minutes West 90.49 feet; thence South 50 degrees, 10 minutes West 848.17 feet; thence South 5 degrees, 10 minutes West 553.50 feet; thence South 71 degrees, 26 minutes, 34 seconds West 134.21 feet; thence in an arc to the right, whose radius is 210.00 feet a distance of 85.42 feet; thence North 84 degrees, 50 minutes West 80.00 feet; thence in an arc to the left, whose radius is 290.00 feet a distance of 25.33 feet back to the point of beginning. Containing 14.680 acres, more or less.

CROSS GATES, PHASE 5-C

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest Section corner common to Sections 6 and 38 of said Township and Range, go North 50 degrees, 10 minutes East 1444.42 feet to the point of beginning.

From the point of beginning go North 50 degrees, 10 minutes East 1109.20 feet; thence South 39 degrees, 50 minutes East 141.72 feet; thence South 5 degrees, 10 minutes West 400.00 feet; thence North 84 degrees, 50 minutes West 119.58 feet; thence South 50 degrees, 10 minutes West 711.80 feet; thence North 39 degrees, 50 minutes West 140.00 feet; thence North 66 degrees, 23 minutes, 49 seconds West 67.089 feet;

thence North 39 degrees, 50 minutes West 140.00 back to the point of beginning.
Containing 8.254 acres, more or less.

CROSS GATES, PHASE 5-C-1

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest corner of Section 38, common to Section 6 of said Township and Range, go North 50 degrees, 10 minutes, 00 seconds East 503.00 feet to the point of beginning.

From the point of beginning continue North 50 degrees, 10 minutes, 00 seconds East 941.42 feet; thence South 39 degrees, 50 minutes, 00 seconds East 140.00 feet; thence South 66 degrees, 23 minutes, 49 seconds East 67.09 feet; thence South 39 degrees, 50 minutes, 00 seconds East 140.00 feet; thence South 50 degrees, 10 minutes, 00 seconds West 510.00 feet; thence South 12 degrees, 41 minutes, 05 seconds East 173.91 feet; thence South 5 degrees, 10 minutes, 00 seconds West 501.21 feet; thence South 50 degrees, 02 minutes, 00 [seconds] West 151.94 feet; thence North 39 degrees, 58 minutes, 00 seconds West 140.00 feet; thence North 55 degrees, 12 minutes, 30 seconds West 62.19 feet; thence North 39 degrees, 58 minutes, 00 seconds West 41.66 feet; thence North 5 degrees, 10 minutes, 00 seconds East 140.00 feet; thence South 34 degrees 38 minutes, 20 seconds West 78.10 feet; thence North 5 degrees 10 minutes 00 seconds East 170.00 feet; thence South 76 degrees, 32 minutes, 48 seconds West 94.97 feet; thence North 39 degrees, 50 minutes, 00 seconds West 268.71 feet back to the point of beginning.

CROSS GATES, PHASE 5-C-2

All that certain lot or parcel of land lying and being situated in Section 38, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Northwest corner of Section 38, common to Section 6 of said Township and Range, go North 50 degrees, 10 minutes, 00 seconds East 210.00 feet to the point of beginning.

From the point of beginning continue North 50 degrees, 10 minutes, 00 seconds East 293.00 feet; thence South 39 degrees, 50 minutes, 00 seconds East 268.71 feet; thence North 76 degrees, 32 minutes, 48 seconds East, 94.97 feet; thence South 5 degrees, 10 minutes, 00 seconds West 170.00 feet; thence South 34 degrees, 38 minutes, 20 seconds East 78.10 feet; thence South 5 degrees, 10 minutes, 00 seconds West 140.00 feet; thence South 39 degrees, 58 minutes, 00 seconds East 41.66 feet; thence South 55 degrees, 12 minutes, 30 seconds East 62.19 feet; thence South 39 degrees, 58 minutes, 00 seconds East 140.00 feet; thence South 50 degrees, 02 minutes, 00 seconds West 376.74 feet; thence North 39 degrees, 58 minutes, 00 seconds West

600.40 feet; thence North 00 degrees, 07 minutes, 07 seconds East 326.12 feet back to the point of beginning.

QUAIL RIDGE, PHASE 6

All that certain parcel of land being situated in Sections 9 and 39, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, Ward 8, being more fully described as follows:

From the Section corner common to Sections 9, 16 & 39 in the above Township and Range, go North 89 degrees, 49 minutes East 1320.19 feet; thence North 33 degrees West 2418.82 feet to the point of beginning.

Thence from the point of beginning go North 33 degrees West 579.00 feet; thence North 50 degrees East 3302.76 feet to the westerly bank of the West Pearl River; thence along said river in seven courses: South 23 degrees, 27 minutes, 22 seconds East 216.32 feet; South 18 degrees, 34 minutes, 31 seconds East 226.06 feet; South 10 degrees, 54 minutes, 11 seconds East 342.53 feet; South 26 degrees, 28 minutes, 55 seconds East 286.93 feet; South 39 degrees, 32 minutes, 14 seconds East 146.85 feet; South 43 degrees, 40 minutes, 31 seconds East 234.13 feet; and South 29 degrees, 09 minutes, 18 seconds East 29.33 feet along said westerly bank; thence South 65 degrees, 37 minutes, 17 seconds West 822.53 feet; thence North 24 degrees, 22 minutes, 43 seconds West 35.00 feet; thence South 82 degrees, 20 minutes, 40 seconds West 20.00 feet; thence South 44 degrees, 03 minutes, 11 seconds West 277.30 feet; thence South 21 degrees West 571.50 feet; thence South 36 degrees, 30 minutes West 110.00 feet; thence North 66 degrees, 15 minutes West 265.00 feet; thence South 87 degrees, 15 minutes, 54 seconds West 463.12 feet; thence North 27 degrees, 35 minutes West 25.86 feet to a point in a curve having a radius of 371.01 feet; thence along said curve to the right an arc distance of 42.21 feet; thence South 65 degrees, 37 minutes, 17 seconds West 631.61 feet; thence North 33 degrees West 111.39 feet; thence South 57 degrees West 260.0 feet back to the point of beginning. Containing 80.170 acres, more or less.

TURTLE CREEK SUBDIVISION

TURTLE CREEK, PHASE 1

All that certain parcel of land lying and being situated in Section 37, Township 9 South, Range 15 East, St. Tammany Parish, Louisiana, more fully described as follows:

Commencing at the Section corner common to Sections 7, 37 & 38 of said Township and Range go North 49 degrees, 25 minutes, 33 seconds East 2131.67 feet; thence North 49 degrees, 17 minutes, 17 seconds East 239.52 feet to the point of beginning.

From the point of beginning go along the southerly boundary North 49 degrees, 17 minutes, 17 seconds East 1992.33 feet; thence South 40 degrees 42 minutes, 43

seconds East 280.00 feet; thence South 30 degrees, 06 minutes, 33 seconds West 243.52 feet; thence South 49 degrees, 17 minutes, 17 seconds East 1722.37 feet; thence South 82 degrees, 19 minutes, 15 seconds West 231.47 feet; thence North 7 degrees, 19 minutes, 32 seconds West 288.03 feet back to the point of beginning. Containing 16.83 acres, more or less.

(Ord. No. 92-1602, adopted 05/21/92)

SEC. 4-111.11 Prohibited Acts, Exceptions; Encouraged Treatment Of Birds And Wildlife

a) Prohibited:

1) It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or wildlife, or to rob the nests of any wild bird or lairs of any wildlife within the above described areas; provided however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

Accepted: The feeding and care of birds and wildlife is permitted and encouraged.

2) It shall be unlawful for any person to discharge any firearm, gun or other weapon by which a bullet or projectile is launched by means of igniting gunpowder, compressed air, or gas, within a 400 feet perimeter zone of any designated Parish Bird and Wildlife Sanctuary.

b) Definitions:

1) **Firearms:** Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

2) **Parish Bird and Wildlife Sanctuary:** Those portions or parcels of ground located in the unincorporated area of the Parish specifically declared and designated to be Parish Bird and Wildlife Sanctuaries as described herein.

3) **Perimeter:** That area surrounding and incorporating all boundaries of Cross Gates Subdivision (all Phases), Quail Ridge Subdivision, Phase 6, and Turtle Creek Subdivision (all Phases as developed), measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plot, and being designated as Parish Bird and Wildlife Sanctuaries.

c) Signs:

It shall be the sole obligation and expense of the homeowners residing in the above referenced subdivisions to obtain and place appropriate signs indicating said area[s] "St. Tammany Parish Bird and Wildlife Sanctuary". Permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works.

d) Exemption:

Exempt herefrom are any law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

e) Violation; penalty:

Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances. (Ord. No. 92-1602, adopted 05/21/92)

DIVISION 16. HIDDEN ACRES AND PENN CHAPEL ACRES

SEC. 4-112.00 Boundaries

There is hereby created St. Tammany Parish Bird and Wildlife Sanctuaries within the boundaries of Hidden Acres Subdivision and Penn Chapel Acres Subdivision as more fully described as follows:

HIDDEN ACRES

From a point described as being 500 degrees 20 degrees 20 East - 2514.6 ; North 89 degrees 40 East - 1716.0 from the intersection of the Range line between Range 10 East and Range 11 East and the Southerly R.O.W. of La. 21, in accordance with a plan of survey by J.J. Krebs & Sons, dated October 28, 1959, also the Point of Beginning and measure North 05 degrees 30 East - 1522.5 ; thence 558 degrees 30 East - 1181.8 ; thence 500 degrees 20 East - 891.2 ; thence 589 degrees 40 West 1158.8 to the Point of Beginning.

There shall be a rear yard having a depth of not less than 20% of the depth of the lot provided, however that the required rear yard shall not be less than 25.0 and no more than 50.0 .

PENN CHAPEL ACRES

Commence at a point described as being 500 degrees 20 East - 2514.6 ; North 89 degrees 40 East - 1716.0 ; North 05 degrees 30 East - 1522.4 from the intersection of the Range line between Range 10 East and Range 11 East and the Southerly Right of Way at La. Hwy. 22 in accordance with a plan of survey by J.J. Krebs & Sons, dated

October 28, 1959, also the Point of Beginning; thence North 05 degrees 30 East - 424.92 ; 558 degrees 30 East - 1131.0 ; 500 degrees 20 East - 449.53; North 58 degrees 30 West - 1181.83 to the Point of Beginning.

EDITORIAL NOTE: The above property descriptions and maps are located at the St. Tammany Parish Police Jury Office in Covington, Louisiana.

SEC. 4-112.01 Prohibited Acts, Exceptions; Encouraged Treatment of Birds.

a) Prohibited:

1) It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or wildlife, or to rob the nests of any wild bird or lairs of any wildlife within the above described areas; provided however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

Accepted: The feeding and care of birds and wildlife is permitted and encouraged.

2) It shall be unlawful for any person to discharge any firearm, gun or other weapon by which a bullet or projectile that is launched by means of igniting gunpowder, compressed air, or gas, within a 400 feet perimeter zone of any designated Parish Bird and Wildlife Sanctuary.

b) Definitions:

1) **Firearms:** Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

2) **Parish Bird and Wildlife Sanctuary:** That portion or parcel of ground located in the unincorporated area of the Parish specifically declared and designated to be Parish Bird and Wildlife Sanctuary as described herein.

3) **Perimeter:** That area surrounding and incorporating all boundaries of Hidden Acres Subdivision and Penn Chapel Acres Subdivision (present and future phases as developed), measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plot, and being designated as Parish Bird and Wildlife Sanctuaries.

c) **Signs:** It shall be the sole obligation and expense of the homeowners residing in the above referenced subdivisions to obtain and place appropriate signs indicating said area is a "St. Tammany Parish Bird and Wildlife Sanctuary". Permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works.

d) **Exemption:** Exempt herefrom are any law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

e) **Violation; Penalty:** Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances. (Ord. No. 94-1940, adopted 03/17/94)

WHIPPOORWILL GROVE ON MONEY HILL SUBDIVISION

SEC. 4-113.00 Boundaries

There is hereby created St. Tammany Parish Bird and Wildlife Sanctuaries within the boundaries of Whippoorwill Grove Subdivision (present and future phases as developed) in Sections 22, 23 & 26, Township 5 South, Range 12 East, as more fully described as follows:

WHIPPOORWILL GROVE, PHASE I

From the Section Corner common to Sections 13, 14, 23 and 26, Township 5 South, Range 12 East, St. Tammany Parish, Louisiana run South 01 degrees, 09 East, 2668.66 to the 1/4 Section Corner common to Sections 23 and 24; thence South 01 degrees, 17 East, 176.42 to a point on the West Right-of-way of La. Hwy. 21; thence along said Right-of-way, South 38 degrees, 43 West, 1619.0 to the Point of Beginning. From the Point of Beginning continue South 38 degrees 45' West, 1800.06 Along said Right-of-way to a point at the intersection of said Right-of-way with the North Right-of-way of Fairgrounds Drive; thence run along said Right-of-way in the next 5 courses: North 51 degrees 35 West, 2348.23 ; thence with a curve to the right having a radius of 1365.31 and an arc of 336.65 to a point; thence North 37 degrees, 27 West, 213.12 to a Point; thence with a curve to the left having a radius of 1911.91 and an arc of 1005.71 to a Point; thence North 67 degrees, 36 West, 1274.72 to a Point; thence depart said Right-of-way and run North 37 degrees 48 East, 605.29 to Point "A" on the 133 contour and the shore of Egret Pond; thence follow the meanderings of said shore generally northeastward to Point "B" on the 133 contour and the shore of Egret Pond. Point "B" bears North 51 degrees, 46 31" East, 537.84 . From Point "A" from Point "B" continue South 19 degrees, 39 East, 6.87 ; North 70 degrees, 21 East, 60.0 ; North 19 degrees, 39 West, 164.03 to Point "C" on the 125 contour and the shore of Crane Lake; thence follow the meanderings of said shore generally eastward to Point "D" on the 125 contour and the shore of Crane Lake. Point "D" bears North 87 degrees, 18 46" East, 4059.35 ; from Point "C". From Point "D" continue South 04 degrees, 58 East, 17.96 ; North 85 degrees, 02 East, 40.00 ; South 21 degrees, 06 East, 204.44 to a point on the North Right-of-way of Hoot Owl Road; thence along said Right-of-way in the following 4 courses: North 81 degrees, 28 East, 110.95 ; thence 249.81 along the arc of a non-tangent curve to the right having a radius of 50.00 and a chord which bears South 08 degrees, 32 26" East, 60.00 ; thence South 81 degrees, 28 West, 110.95 ; thence with a curve to the left having a radius of 166.53 and an arc of 49.05 to a point; thence South

28 degrees, 58 East, 478.64 to a point; thence South 14 degrees, 20 West, 440.00 to a point on the North Right-of-way of Morning Dove Drive; thence 203.44 along said Right-of-way along the arc of a non-tangent curve to the right having a radius of 50.00 and a chord which bears South 06 degrees, 03 10" West, 89.44 to a point; thence continue South 69 degrees, 29 West along said Right-of-way, 71.51 to a point; thence South 02 degrees, 12 East, 430.34 to a point; thence North 87 degrees, 48 East, 40.00 to a point; thence South 02 degrees, 12 East, 873.07 to a point; thence South 51 degrees, 17 East, 242.44 to a point; thence North 38 degrees, 43 East, 30.00 to a point; thence South 51 degrees, 17 East, 60.00 back to the Point of Beginning.

WHIPPOORWILL GROVE, PHASE II

Being located in Section 23, Township 5 South, Range 12 East, St. Tammany Parish Louisiana, District 5, Ward 5.

From the Section corner common to Sections 13, 14, 23, and 26, Township 5 South, Range 12 East, St. Tammany Parish, Louisiana, run South 01 degrees 09 minutes East, 434.69 feet to the Point of Beginning.

From the Point of Beginning continue South 01 degrees 09 minutes East, 130.92 feet to a point; thence South 88 degrees 51 minutes West, 52.10 feet to a point "E" on the 108 foot contour and the shore of Lake Cormorant; thence follow the meanderings of said shore; generally Southwesterly to point "F" on the 108 foot contour; point "F" bears South 14 degrees 47 minutes 42 seconds West, 2371.55 feet from point "E", from point "F" continue South 67 degrees 00 minutes East, 560.70 feet to the West right-of-way of Louisiana Highway 21; thence along said right-of-way, South 38 degrees 43 minutes West, 1319.00 feet to a point; thence North 51 degrees 17 minutes West, 60.0 feet to a point; thence South 38 degrees 43 minutes West, 30.0 feet to a point; thence North 51 degrees 17 minutes West, 242.44 feet to a point; thence North 02 degrees 12 minutes West, 873.07 feet to a point; thence South 87 degrees 48 minutes West, 40.0 feet to a point; thence North 02 degrees 12 minutes West, 430.34 feet to a point ; thence North 69 degrees 29 minutes East, 71.51 feet along the South right-of-way of Morning Dove Drive to a point; thence 203.45 feet along the arc of a non-tangent curve to the left having a radius of 50.0 feet and a chord which bears North 06 degrees 03 minutes East, 89.44 feet to a point; thence North 14 degrees 20 minutes East, 400.0 feet to a point; thence North 28 degrees 58 minutes West, 472.64 feet to a point on the South right-of-way of Hoot Owl Drive; thence with a curve to the right having a radius of 166.53 feet and an arc of 49.05 feet to a point; thence 249.82 feet along the arc of a non-tangent curve to the left having a radius of 50.0 feet to a point; thence South 81 degrees 28 minutes West, 110.95 feet to a point; thence North 21 degrees 06 minutes West, 204.44 feet to a point; thence North 85 degrees 02 minutes East, 40.00 feet to a point; thence North 04 degrees 58 minutes West, 761.43 feet to a point "G"; thence along the shoreline and the 108 feet contour of Lake Cormorant Easterly and Northerly to a point "H"; thence North 45 degrees 05 minutes West, 77.4 feet to a point; thence North 13 degrees 47 minutes East, 140.00 feet to a point; thence South 76 degrees 13 minutes East, 826.82 feet back to the Point of Beginning.

WHIPPOORWILL GROVE, PHASE III

From the 1/4 Corner common to Sections 15 and 16 Township 5 South, Range 12 East, St. Tammany, Louisiana run 500 degrees 44' East, 443.5 ; North 83 degrees 18 East, 592.4 ; North 85 degrees, 43 East, 200.7 ; South 589 degrees 14 East, 112.9 ; South 84 degrees 23 East, 116.7 ; South 82 degrees, 08 East, 385.4 ; South 82 degrees, 50 East, 618.3 ; South 82 degrees, 01 East, 697.6 ; South 07 degrees, 20 East, 1633.8 to the Point of the Beginning. From the Point of the Beginning run North 07 degrees 43 02" West, 80 ; thence North 84 degrees, 56 33" East, 100.00 ; thence North 88 degrees 25 03" East, 173.06 ; North 82 degrees, 43 18" East, 2825.00 ; thence with a curve to the right having a radius of 182.83 and an arc of 152.51 ; thence North 82 degrees, 43 East, 529.45 ; thence South 41 degrees, 00 East, 320.05 ; thence North 63 degrees, 00 East, 537.2; thence south 41 degrees, 00 East, 338.40 ; thence with a curve to the right having a radius of 323.81 and an arc of 305.70 ; thence South 77 degrees, 51 East, 108.08 ; thence with a curve to the right having a radius of 653.96 and arc of 308.89 ; thence with a curve to the left having a radius of 2742.43 and an arc of 296.79 ; thence with a curve to the left having a radius of 2060.07 and an arc of 265.61 ; thence South 64 degrees, 23 East, 232.54 ; thence South 19 degrees 07 West, 315.75 to Point on the 125 contour and the shore of Crane Lake; thence follow the meanderings of said shore to Point "A" on the 125 contour and also the shore of Crane Lake; thence North 18 degrees, 59 West, 135.40 ; thence South 70 degrees 49 est, 60.0 to Point "B" on the shore of Egret Pond; thence follow the meanderings of said shore generally north westward to Point "C"; thence North 23 degrees, 48 East, 108.24 ; thence North 51 degrees, 16 West, 47.58 to Point "D"; thence follow the meandering of Loon Pond to Point "E"; thence North 08 degrees 43 West, 251.36 , thence South 82 degrees, 43 18" West, 769.06; thence South 07 degrees, 43 02" East, 9.50 ; thence South 85 degrees, 19 33" West, 272.25 back to the Point of the Beginning.

WHIPPOORWILL GROVE, PHASE IV

From the 1/4 corner common to Sections 15 ad 16 Township 5 South, Range 12 East, St. Tammany Parish, Louisiana run South 00 degrees 44 minutes East, 443.5 feet; thence North 83 degrees 18 minutes East, 592.4 feet; thence North 85 degrees 43 minutes East, 200.7 feet; thence South 89 degrees 14 minutes East, 112.9 feet; thence South 84 degrees 23 minutes East, 116.7 feet; thence South 82 degrees 08 minutes East, 385.4 feet; thence South 82 degrees 50 minutes East, 618.3 feet; thence South 82 degrees 01 minutes East, 697.6 feet; thence South 07 degrees 20 minutes East, 1633.8 feet; thence North 85 degrees 19 minutes 33 seconds East, 272.25 feet; thence North 07 degrees 43 minutes 02 seconds West, 9.5 feet to the Point of Beginning. From the Point of Beginning run North 82 degrees 43 minutes 18 seconds East, 769.06 feet; thence South 00 degrees 44 minutes 51 seconds East, 201.23 feet; thence South 23 degrees 16 minutes 38 seconds East, 110.00 feet; thence 02 degrees 30 minutes 26 seconds West, 101.15 feet; thence South 05 degrees 16 minutes 45 seconds East, 148.35 feet; thence South 02 degrees 20 minutes 39 seconds East, 187.30 feet; thence South 17 degrees 41 minutes 52 seconds East, 142.30 feet; thence South 01 degrees 48 minutes 40 seconds East, 39.35 feet; thence South 72 degrees 28 minutes 40

seconds East, 46.95 feet; thence North 78 degrees 19 minutes 20 seconds East, 90.04 feet; thence South 32 degrees 25 minutes 32 seconds East, 212.66 feet; thence South 22 degrees 212 minutes 30 seconds East, 285.58 feet; thence South 16 degrees 40 minutes 33 seconds West, 267.38 feet; thence South 67 degrees 57 minutes 37 seconds East, 77.65 feet; thence South 42 degrees 23 minutes 16 seconds East, 320.66 feet; thence South 37 degrees 56 minutes 18 seconds East, 309.17 feet; thence South 00 degrees 08 minutes 12 seconds West, 22750 feet; thence South 04 degrees 12 minutes 58 seconds West, 131.11 feet; thence South 37 degrees 47 minutes 56 seconds West, 595.80 feet; thence North 67 degrees 35 minutes 30 seconds West, 799.03 feet; thence with a curve to the right having a radius of 240.66 feet and an arc of 170.22 feet; thence with a curve to the left having a radius of 2936.93 feet and an arc of 159.79 feet; thence North 31 degrees 10 minutes 10 seconds West, 148.07 feet; thence with a curve to the right having a radius of 1501.11 feet and an arc of 366.06 feet; thence North 17 degrees 11 minutes 50 seconds West, 133.45 feet; thence with a curve to the left having a radius of 1230.74 feet and an arc of 375.04 feet; thence North 34 degrees 39 minutes 25 seconds West, 222.94 feet; thence with a curve to the left having a radius of 756.20 feet and an arc of 482.65 feet; thence North 07 degrees 40 minutes 51 seconds West, 537.43 feet; thence North 84 degrees 56 minutes 33 seconds East, 272.25 feet; thence North 07 degrees 43 minutes 02 seconds West, 160.00 feet back to the Point of beginning.

WHIPPOORWILL GROVE, PHASE V

From the 1/4 Corner common to Sections 15 and 16 Township 5 South, Range 12 East, St. Tammany Parish, Louisiana run South 00 degrees 44 minutes East, 443.5 feet; thence North 83 degrees 18 minutes East, 592.4 feet; thence North 85 degrees 43 minutes East 200.07 feet; thence South 89 degrees 14 minutes East, 112.9 feet; thence South 84 degrees 23 minutes East, 116.7 feet; thence South 82 degrees 08 minutes East, 385.4 feet; thence South 82 degrees 50 minutes East, 618.3 feet; thence South 82 degrees 01 minutes East, 697.6 feet; thence South 07 degrees 20 minutes East, 1633.8 feet; thence North 07 degrees 43 minutes 02 seconds West, 80 feet to the Point of Beginning.

From the Point of Beginning run North 07 degrees 56 minutes 34 seconds West, 360.62 feet; thence North 82 degree 15 minutes 05 seconds East, 1380.60 feet; thence North 82 degrees 43 minutes 18 seconds East, 561.17 feet; thence South 78 degrees 08 minutes 35 seconds East, 784.96 feet; thence South 07 degrees 16 minutes 42 seconds East, 135.67 feet; thence South 82 degrees 43 minutes 18 seconds West, 2407.01 feet; thence South 88 degrees 25 minutes 03 seconds West, 173.06 feet; thence South 84 degrees 56 minutes 33 seconds West, 100.0 feet back to the Point of Beginning.

WHIPPOORWILL GROVE, PHASE VI

From the 1/4 Corner between Sections 23 and 24 Township 5 South, Range 12 East , St. Tammany Parish, Louisiana this being the Point of Beginning. From the Point of

Beginning run South 01 degrees 17 minutes 16 seconds East, 176.42 feet to a point on the North Right-of-way of La. Hwy. 21; thence run along said Right-of-way, South 38 degrees 43 minutes 21 seconds West, 300.00 feet; thence North 67 degrees 00 minutes 00 seconds West, 560.70 feet to Point F on the 108 contour and the shore of Lake Cormorant; thence follow the 108 contour and the shore of Lake Cormorant in an northeasterly direction to Point I; thence North 88 degrees 51 minutes 08 seconds East, 335.72 feet; thence South 01 degrees 08 minutes 52 seconds East, 710.56 feet; thence South 88 degrees 51 minutes 08 seconds West, 5.00 feet; thence South 01 degrees 08 minutes 52 seconds East, 200.20 feet; thence North 88 degrees 51 minutes 08 seconds East, 5.00 feet; thence South 01 degrees 08 minutes 52 seconds East, 525.29 feet back to the Point of Beginning.

WHIPPOORWILL GROVE, PHASE VII

From the 1/4 Corner between Sections 14 and 15 Township 5 South, Range 12 East, St. Tammany Parish, Louisiana this being the Point of Beginning.

From the Point of Beginning run North 88 degrees 30 minutes 45 seconds East, 375.00 feet; thence South 20 degrees 39 minutes 59 seconds West, 251.53 feet; thence south 88 degrees 43 minutes 56 seconds West , 680.16 feet; thence South 02 degrees 04 minutes 01 seconds East, 222.00 feet; thence South 03 degrees 57 minutes 47 seconds West, 449.71 feet; thence North 76 degrees 50 minutes 04 seconds East 75.00 feet; thence South 85 degrees 14 minutes 58 seconds East, 238.00 feet; thence South 37 degrees 9 minutes 11 seconds East, 518.85 feet; thence South 04 degrees 17 minutes 28 seconds East, 392.85 feet; thence North 78 degrees 08 minutes 35 seconds West, 753.49 feet; thence South 49 degrees 36 minutes 50 seconds West, 72.62 feet; thence South 73 degrees 37 minutes 23 seconds West, 316.31 feet; thence North 72 degrees 38 minutes 35 seconds West, 239.60 feet; thence North 07 degrees 39 minutes 37 seconds, West, 946.62 feet; thence South 82 degrees 14 minutes 23 seconds West, 157.70 feet; thence North 07 degrees 39 minutes 37 seconds, West, 363.60 feet; thence North 82 degrees 14 minutes 22 seconds East, 252.10 feet; thence North 07 degrees 47 minutes 07 seconds West, 738.08 feet; thence South 82 degrees 14 minutes 16 seconds West, 300.00 feet; thence North 19 degrees 59 minutes 59 seconds East, 1090.01 feet; thence North 34 degrees 48 minutes 34 seconds East, 844.53 feet; thence North 01 degrees 33 minutes 46 seconds West, 533.88 feet; thence North 88 degrees 26 minutes 09 seconds East, 654.99 feet; thence South 01 degrees 33 minutes 51 seconds East, 2634.10 feet back to the Point of Beginning.

(Ord. No. 94-1953, adopted 04/21/94)

SEC. 4-113.01 Prohibited Acts, Exceptions; Encouraged Treatment of Birds

a) Prohibited:

1) It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or wildlife, or to rob the nests of any wild bird or lairs of any wildlife within the above described areas; provided however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

Accepted: The feeding and care of birds and wildlife is permitted and encouraged.

2) It shall be unlawful for any person to discharge any firearm, gun or other weapon by which a bullet or projectile is launched by means of igniting gunpowder, compressed air, or gas, within a 400 feet perimeter zone of any designated Parish Bird and Wildlife Sanctuary.

b) **Definitions:**

1) **Firearms:** Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

2) **Parish Bird and Wildlife Sanctuary:** That portion or parcels of ground located in the unincorporated area of the Parish specifically declared and designated to be Parish Bird and Wildlife Sanctuary as described herein.

3) **Perimeter:** That area surrounding and incorporating all boundaries of Money Hill Subdivision (present and future phases as developed), measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plot, and being designated as Parish Bird and Wildlife Sanctuary.

c) **Signs:** It shall be the sole obligation and expense of the homeowners residing in the above referenced subdivisions to obtain and place appropriate signs indicating said area is a "St. Tammany Parish Bird and Wildlife Sanctuary". Permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works.

d) **Exemption:** Exempt herefrom are any law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

e) **Violation; Penalty:** Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances.

(Ord. No. 94-1953, adopted 04/21/94)

KINGS FOREST SUBDIVISION

SEC. 4-114.00 Boundaries

Kings Forest Subdivision located in Section 15, Township 7 South, Range 11 East and the land immediately to the East of approximately 11 acres owned by a member and resident Allan C. Breslin, being described as - from the corner common to Sections 14, 15, 22. and 23, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, measure North 0 degrees, 18 feet West, 1360.3 feet to an iron post and the point of beginning. From the point of beginning measure North 00 degrees 18 minutes West 256.85 feet to an iron post; thence East 100.0 feet to an iron post; thence North 00 degrees 18 minutes West 150.00 feet to an iron post; thence West 50.0 feet to an iron post; thence North 00 degrees 18 minutes West 75.0 feet to an iron post; thence 50.00 feet to an iron post; thence North 00 degrees 18 minutes West 232.1 feet to an iron post; thence North 89 degrees 47 minutes East 864.4 feet to an iron post Southwesterly right of way line of Third Ave.; thence with said right of way line South 39 degrees 27 minutes East 194.0 feet to an iron post at the Northwest corner of the intersection of Third Ave. and North St.; thence with the Northwest right of way line of North St. South 50 degrees 21 minutes West 880.2 feet to an iron post; thence South 89 degrees 00 degrees West 306.0 feet to the point of beginning, containing 11.09 acres. A portion of this land was previously owned by the Kings Forest Utility, Inc., which sold said land to Mr. Breslin prior to dissolution.

SEC. 4-114.01 Prohibited Acts, Exceptions; Encouraged Treatment of Birds.

a) Prohibited:

1) It shall be unlawful and a violation of this Division for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or wildlife, or to rob the nests of any wild bird or lairs of any wildlife within the above described areas; provided however, that same shall not apply to any bird or animal kept and maintained as a house pet and sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

Accepted: The feeding and care of birds and wildlife is permitted and encouraged.

2) It shall be unlawful for any person to discharge any firearm, gun or other weapon by which a bullet or projectile is launched by means of igniting gunpowder, compressed air, or gas, within a 400 foot perimeter zone of any designated Parish Bird and Wildlife Sanctuary.

b) Definitions:

1) **Firearms:** Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber , machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

2) **Parish Bird and Wildlife Sanctuary:** Those portions or parcel of ground located in the unincorporated area of the Parish specifically declared and designated to be Parish Bird and Wildlife Sanctuary as described herein.

3) **Perimeter:** That area surrounding and incorporating all boundaries of Kings Forest Subdivision (present and future phases as developed), measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plot, and being designated as Parish Bird and Wildlife Sanctuary.

c) **Signs:** It shall be the sole obligation and expense of homeowners residing in the referenced subdivisions to obtain and place appropriate signs indicating a "St. Tammany Parish Bird and Wildlife Sanctuary". Permission is granted to place said signs on Parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works.

d) **Exemption:** Exempt herefrom are any law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

e) **Violation; Penalty:** Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances.

(Ord. No. 94-2038, adopted 08/18/94)

CHINCHUBA GARDENS/FERN CREEK ESTATES

SEC. 4-115.00 Boundaries

There is herewith created a St. Tammany Parish Bird and Wildlife Sanctuary within the boundaries of Chinchuba Gardens Subdivision and Fern Creek Estates Subdivision as same have received final subdivision approval from the governing authority of St. Tammany Parish, and as subdivision plans for said subdivisions have been duly recorded in the Office of the Clerk of Court, all as more fully described as follows:

CHINCHUBA GARDENS

A subdivision located within Section 39, Township 7 South, Range 11 East, and Section 41, Township 8 South, Range 11 East; said subdivision being generally bounded by Bayou Chinchuba to the south, Old Highway 190 to the east, City of Mandeville corporate limits to the north, and to the west by Forest Park Estates Subdivision; and as further identified by subdivision plat attached as "Exhibit A."

FERN CREEK ESTATES

A subdivision located within Sections 41 and 42, Township 8 South, Range 11 East; said subdivision being generally bounded by Golden Glen Subdivision to the south, Old

Highway 190 to the east, Chinchuba Gardens Subdivision to the north, and to the west by Forest Park Estates Subdivision; and as further identified by subdivision plat attached as "Exhibit B."

SEC. 4-115.01 Prohibited Acts, Exceptions; Encouraged Treatment of Birds

Prohibited.

It shall be unlawful and a violation of this article for any person to hunt, trap, shoot, snare, cage, intimidate or molest any bird or wildlife, or to rob the nests of any wild bird or lairs of any wildlife, within the above described areas; provided however, that same shall not apply to any bird or animal kept and maintained as a house pet or sold for such purpose by any bona fide pet store, nor to any birds or animals which constitute a nuisance to property and/or health.

b) Accepted. The feeding and care of birds and wildlife is permitted and encouraged.

It shall be unlawful for any person to discharge any firearm or other weapon by which a bullet or projectile is launched by means of igniting gunpowder, compressed air, or gas, within a 400-foot perimeter zone of any designated Parish Bird and Wildlife Sanctuary.

c) Definitions.

1) Firearms. Any handgun, pistol, revolver, rifle, shotgun, or musket of any caliber, machine gun, pellet gun, B-B gun, or other mechanism which launches a bullet or any other type of projectile by means of igniting gunpowder, compressed air or gas.

Parish Bird and Wildlife Sanctuary: Those portions or parcels of ground located in the unincorporated areas of the parish specifically declared and designated to be Parish Bird and Wildlife Sanctuaries as described in the attached Exhibits.

Perimeter: That area surrounding and incorporating all boundaries of Chinchuba Gardens Subdivision and Fern Creek Estates Subdivision, measured in a straight line outward a distance of 400 feet from the front, rear and two side lines, as shown on the subdivision plat, and being designated as Parish Bird and Wildlife Sanctuaries.

d) Signs.

It shall be the sole obligation and expense of the homeowners residing in the above referenced subdivisions to obtain and place appropriate signs indicating said area is a "St. Tammany Parish Bird and Wildlife Sanctuary". Permission is herewith granted to place said signs on Parish roads or rights-of-way, provided written approval is first had and obtained from the Department of Public Works.

e) Exemption.

Exempt herefrom are any Parish law enforcement officers or agents and officials of State and Federal agencies engaged in the pursuit of their duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

f) Violation; penalty.

Any violation of this section shall constitute a misdemeanor punishable in accordance with Section 1-008 of this Code of Ordinances.

(Ord. C.S. No. 02-0574, adopted 11/7/2002)

DIVISION 19. NO HUNTING - FONTAINEBLEAU STATE PARK

SEC. 4-119.00 Boundaries

The area of Fontainebleau State Park - from Cane Bayou on the east to Bayou Castine, and on the west, and south of U.S. Highway 190 to the shores of Lake Pontchartrain.

SEC. 4-119.01 Prohibited

It shall be prohibited for any person to discharge firearms and/or hunt with firearms or bow and arrow in the area described in Sec. 4-115.00.

SEC. 4-119.02 Enforcement

Enforcement hereof shall be the duty of officers and agents of the St. Tammany Parish Sheriff's Department and the Louisiana Department of Wildlife and Fisheries.

SEC. 4-119.03 Exemption

Exempt here from are law enforcement officers engaged in the pursuit of duties, or any citizen lawfully discharging a firearm for the purpose of defending his or her life or property.

(Ord. No. 98-2804, adopted 2/18/98)

ARTICLE V ANIMAL CONTROL AND WELFARE

(Ord. No. 03-0689, adopted 06/05/2003 replaced Ord. No. 01-0296, adopted 05/03/2001)(Ord. No. 09-2000, adopted 02/05/2009, replaced Ord. No. 03-0689)

SEC. 4-120.00 Applicability

This Article shall be known as the St. Tammany Parish Animal Control and Welfare Ordinance. The provisions of this Article shall be in force throughout the unincorporated areas of St. Tammany Parish.

SEC. 4-121.00 Definitions

For the purpose of this Ordinance, the following terms, phrases, words, and derivations shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended:

Abandon: means to completely forsake and desert an animal previously under the custody or possession of a person without making reasonable arrangements for its proper care, sustenance, and shelter.

Administrative Hearing: Means a hearing before the Administrative Hearing Officer of the Bureau of Administrative Adjudication, St. Tammany Parish Code of Ordinances SEC. 1-012.00, et seq.

Animal: Any living creature except human beings, including, but not limited to, mammals, birds, fowls, reptiles and fish, except when referring specifically to the control of rabies when the word "animal" shall mean only mammals.

Animal Control Officer: An employee of St. Tammany Parish with enforcement authority as set forth in Section 4-122.00 of this ordinance.

Animal Establishment: A facility operated as a pet shop, grooming shop, commercial or private kennel, boarding dogs or cats or training dogs for any purpose. Animal shelters operated by public authorities or veterinary medical facilities, accredited zoos or accredited institutions of higher learning are exempt from this definition.

Animal Shelter: The parish shelter that is operated by the St. Tammany Parish Department of Animal Services, as designated by the St. Tammany Parish Council.

At large: An animal shall be deemed to be at large when: (a) the animal is off the premises of its owner or keeper and not under the immediate control of a responsible person; or (b) the animal is left unattended while outdoors and upon unenclosed land.

Bite: Any abrasion, puncture, tear or piercing of the skin actually or suspected of being caused by an animal.

Breeder: A person who breeds specific animals. An individual who breeds or raises, on his own premises, not more than a single litter of pups or kittens per year shall not be considered to be a commercial breeder for the purposes of this article.

Cat: Any member of the Felis catus classification of the Felidae species, i.e., any domestic member of the feline family.

Commercial kennel/breeder: Any person, partnership, or corporation engaged in the commercial breeding of dogs or cats, or both, for sale individually or in litter lots, or in the boarding, training, sale or hire of dogs or cats for compensation, or operation of a

guard dog service. Animal hospitals operated by licensed veterinarians as a part of the practice of veterinary medicine, shelters operated by public authorities, and tax-exempt humane organizations shall not be considered commercial kennels.

Commercial livery stable: Any stable where a charge is made for the use of any animal or where instructions in riding or the use of equine species are given for a fee.

Commercial stable: Any stable where any charges are made to accommodate equine species.

Companion animal: An animal that is commonly considered a pet, or is considered by the owner to be a pet, including canines and felines.

Cruelty: Means every act or failure to act whereby unjustifiable physical pain or suffering is caused or permitted.

Dangerous Animal: Any animal that has been classified as a dangerous animal in accordance with the requirements and procedures set forth in the dangerous animal section of this ordinance.

Dealer: Dealer shall mean any person, not a public entity, who, as a business, sells, exchanges, or donates or offers to sell, exchange, or donate animals to any person, including another dealer, pet shop, research facility or corporation.

Department: The St. Tammany Parish Department of Animal Services.

Dog: Any member of the *Canis familiaris* classification of the *Canidae*, i.e., any domestic member of the canine family.

Enclosure: Except in the case of a primary enclosure or a secure enclosure or pen required for dangerous animals, an enclosure means a fence or structure, whether or not it is located along the boundary of the property, that is constructed in such a manner as to: (a) prevent any unattended animal, while outdoors and upon the premises of its owner or keeper, from going beyond or outside of the boundaries of the property; and (b) not allow ready and unobstructed access to the animal by the general public.

Enclosure for Dangerous Animals; secure enclosure: A securely enclosed and locked pen or structure that must be designed and constructed to prevent the dangerous animal from escaping and from coming into contact with either a human being, other than the owner or keeper, or any other animal. The materials used to construct the enclosure or pen must prevent the animal from escaping by digging out, going over and going through the enclosure. The enclosure or pen shall provide a humane existence for the animal, protection from the elements, provide adequate exercise room, light and ventilation and shall be kept in a clean and sanitary condition. Additionally, in the case of a dangerous dog, the pen or structure must have minimum dimensions that measure four (4) feet wide, ten (10) feet long and six (6) feet high. Such pen or structure shall

have sides that are securely embedded in concrete, a secure top, and a bottom or floor that is permanently attached to the sides.

Enclosure; primary: Means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, run, cage, compartment, or hutch.

Euthanasia: The humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death or by a method that involves anesthesia, produced by an agent which produces painless loss of consciousness, and subsequent death during such loss of consciousness.

Excessive Barking: Means excessive or untimely barking, howling or yelping that is unreasonably loud and intrusive or disturbing and which essentially interferes with the right of privacy within ones home or unreasonably interferes with the use of ones residential property, which is defined to include single-family, duplex or multifamily dwellings, nursing homes, outpatient surgical facilities and similar facilities.

Excessive odor: Means all obnoxious odors and stenchs of such unreasonable intensity and duration that it prevents or essentially interferes with a person's ability to use or enjoy his property.

Exposed to rabies: An animal has been exposed to rabies if it has been bitten by a known rabid animal or if it has been in contact with any animal known or suspected of being infected with rabies.

Grooming shop: A commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

Impounded: Means taken into the custody of the St. Tammany Parish Department of Animal Services.

Owner: Any person, partnership, business, corporation, firm, investment stock company, association or other legal entity owning, keeping or harboring any animal or having in his care an animal on or about his premises.

Pet: A domesticated animal kept for companionship rather than primarily being kept for utility; for the purposes of this ordinance, livestock shall not be included in the classification of pet.

Pet shop: Any person or entity that sells at retail, animals bred by others or by a commercial breeder whether as owner, agent or on consignment, and that sells or offers to sell such animals to the general public at retail.

Police service dog or any dog affiliated with police service: Any dog which is owned, or the service of which is used, by any law enforcement agency for the purpose of aiding in

the detection of criminal activity, enforcement of laws, apprehension of offenders, or the location of missing individuals.

Private kennel: Any person who maintains, within or adjoining his residence, a kennel housing more than five (5) dogs or cats over four (4) months of age, which animals are for that person's recreational use or for exhibition in conformation shows, or field or obedience trials, and where the sale of offspring is not the primary purpose or function of the kennel. Private kennels must be in compliance with all applicable zoning, land use and permit regulations.

Private stable: Any stable operated by or for a private owner where no charge is made or other compensation is made for the use of facilities.

Proper food: Means providing each animal with daily food of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal.

Proper shelter: Means providing each animal with adequate shelter from the elements as required to prevent unnecessary or unjustifiable suffering by the animal.

Proper veterinary care: Means providing each animal with veterinary care sufficient to prevent unnecessary or unjustifiable physical pain or suffering by the animal. An animal exhibiting symptoms such as persistent vomiting or diarrhea should be afforded veterinary care. An animal shall be afforded veterinary care if known or suspected to have suffered an injury, accidental or deliberate, and exhibits such signs as shock, swelling, broken bones, open wounds, blistering, partial or total paralysis, bleeding or other such signs, or animals who are debilitated and weakened or those exhibiting symptoms of bloat or other life threatening illnesses. An animal who has exhibited signs of severe parasitic infestation or disease such as infection, discharge, weight loss, abnormal skin condition or hair loss, tremors, inability to bear weight on a limb or lameness or any other such sign over a period of twenty-four (24) hours or more must be afforded veterinary care within twenty-four (24) hours. This does not apply to conditions that are chronic or permanent and that have previously been diagnosed and treated or are under veterinary care.

Proper water: Means providing each animal with daily supply of clean, fresh, potable water in a sanitary manner and in a sufficient quantity to prevent unnecessary or unjustifiable suffering by the animal.

Public auction: Any place or location where animals are sold at auction to the highest bidder regardless of whether such animals are offered as individuals, as a group, or by weight.

Public kennel: A place or establishment other than the parish animal shelter, where animals not owned by the proprietor are sheltered, fed and watered in return for a fee as a business and is of access to the public.

Serious bodily injury: means bodily injury which involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

Service Animals: Service animals are animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not companion animals or pets.

Severely Injured: Means any animal which because of major trauma, broken bones, blood loss or other easily apparent life-threatening condition, will not be expected to live and is in severe pain or suffering.

Stable: Shall include any building, barn, or other premises whatsoever at which equine species are kept or from where they are let out for hire, working, training or riding, or from which equine species are provided and used to give instruction in riding, or where equine species are boarded. The term shall include existing stables as well as new construction.

Terminally Ill: Means any animal that, because of apparent sickness or condition, is not expected to live and is in dire physical distress.

Unenclosed Land: Any occupied or unoccupied lot or parcel of land that does not have a fence or structure that meets the above definition of enclosure.

Vaccination: Inoculation with a recognized anti-rabies vaccine, approved by the Louisiana Department of Health & Hospitals (DHH).

Vicious Animal: Any animal previously classified as a dangerous animal, in accordance with the dangerous animal section of this ordinance, and which is subsequently classified as a vicious animal in accordance with the requirements and procedures set forth in the vicious animal section of this ordinance.

Wild or Exotic Animal: Any live monkey, primate, racoon, skunk, wolf, wolf-hybrid, squirrel, fox, fox-hybrid, coyote, coyote-hybrid, leopard, panther, tiger, lion, lynx or any other warm-blooded animal, bird, venomous snake or spider, which can normally be found in the wild state, or any crocodilian including, but not limited to, alligators, crocodiles, caimans and gavials. Ferrets, non-venomous snakes with a length not greater than 6 feet, rabbits, rodents and birds which have been bred and raised in captivity and which have never known the wild shall be excluded from this definition.

(Ord. No. 09-2000, adopted 02/05/2009; amended by Ord. No. 11-2616, adopted 11/03/2011).

SEC. 4-122.00 Enforcement Authority

A. Animal Control Officers. St. Tammany Parish Animal Control Officers of the St. Tammany Parish Department of Animal Services ("DAS") are employees of St. Tammany Parish who are authorized and empowered to administer and enforce the provisions of this ordinance.

Any animal control officer is empowered to administer and enforce the provisions of this Ordinance that are within the jurisdiction of the Bureau of Administrative Adjudication, and may seek the enforcement of any criminal violation of this ordinance through the office of the District Attorney of the Twenty-Second Judicial District.

Any animal control officer who, if P.O.S.T. certified, shall exercise regular police powers of the state granted to law enforcement officers and shall be empowered to enforce all animal-related crimes defined by this ordinance or state law including but not limited to animals at large, animal cruelty, dog fighting, animal theft, or any law or ordinance governing animal disease control. Any officer who has met the qualifications of P.O.S.T. and was P.O.S.T. certified on or after January 1, 2000, and has maintained firearm qualifications and worked continuously for a parish animal control agency shall be deemed to be P.O.S.T. certified. (La.R.S.3:2501)

B. Sheriff of St. Tammany Parish. Nothing contained herein is intended to or shall abrogate or supersede the general police authority vested in the Sheriff of St. Tammany Parish. The authority granted to P.O.S.T. certified employees of the St. Tammany Parish Department of Animal Services shall exist and be exercised concurrently with the general police authority vested in the Sheriff. Said concurrent authority shall include enforcement of all sections of this ordinance and the issuance of citations for violations.

C. Interference with enforcement.

1. It shall be unlawful for any person to knowingly hinder, resist or oppose any Animal Control Officer or employee in the performance of his duties.

2. It shall be unlawful for any person to knowingly interfere with or damage any animal trap

owned or used by the animal control center or to molest or release an animal caught therein.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-123.00 Offenses, procedures and penalties strictly governed by state law

A. Aggravated Cruelty to Animals. The crime of aggravated cruelty to animals shall be enforced in accordance with the authority, definitions, provisions and procedures that

are currently set forth in R.S. 14:102 and R.S. 14:102.1 through R.S. 14:102.4, and any subsequent amendments thereto.

B. Dogfighting. The crime of dogfighting shall be enforced in accordance with the authority, definitions, provisions and procedures that are currently set forth in R.S. 14:102.5 through R.S. 14:102.7, and any subsequent amendments thereto.

C. Injuring or killing of a police animal. The crime of injuring or killing a police animal shall be enforced in accordance with the authority, definitions, provisions and procedures that are currently set forth in R.S. 14:102.8, and any subsequent amendments thereto.

D. Cockfighting. The crime of cockfighting shall be enforced in accordance with the authority, definitions, provisions and procedures that are currently set forth in R.S. 14:102.23, and any subsequent amendments thereto.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-124.00 General Duties of All Animal Owners

It shall be the duty of every owner of any animal or anyone having any animal in his possession or custody to exercise reasonable care and to take all necessary steps and precautions to protect other people, property, and animals from injuries or damage which might result from their animals' behavior, regardless of whether such behavior is motivated by mischievousness, playfulness, or ferocity.

It shall be the duty of every owner of any animal or anyone having any animal in his possession or custody to care for said animal in a humane fashion and provide it with proper water, proper food, proper shelter, proper veterinary care and safe surroundings.

In the event that the owner or keeper of any animal is a minor, the parent or guardian of such minor shall be responsible to ensure that all provisions of this ordinance are complied with.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-125.00 Public Nuisance

Every owner or keeper of animals shall exercise proper care and control of such animals so as to prevent them from creating or becoming a public nuisance. A violation of any of the following provisions shall constitute a public nuisance and is strictly prohibited:

A. Excessive or untimely barking, howling or yelping that is unreasonably loud and intrusive or disturbing and which essentially interferes with the right of privacy within ones home or unreasonably interferes with the use of ones residential property, which is

defined to include single-family, duplex or multifamily dwellings, nursing homes, outpatient surgical facilities and similar facilities.

B. Attacking or molesting a person or animal or chasing vehicles.

C. Animals at large: No person shall suffer or permit any animal in his possession, or kept by him about his premises, to run loose, free or at-large on any street, sidewalk, alleyway, highway, common or public square, or upon any unenclosed land, or trespass upon any enclosed or unenclosed lands of another. Running loose, free or at large means not under the immediate control of a competent person and restrained by a substantial chain or leash. Nothing in this part is intended to prevent any citizen of this state from lawfully hunting with a dog, provided the dog is accompanied by the owner or keeper.

D. Enticing or releasing animals: It shall constitute a violation of this ordinance for any person to release any animal from, or to entice any animal to leave, the property of the owner or keeper of such animal.

E. Scratching on or digging into or urinating or defecating upon lawns, shrubs, buildings or any property, either public or private, other than property of the owner or keeper. In the case of nuisance by defecation, whether such nuisance shall take place in the presence of the owner or keeper or not, the owner or keeper must promptly remove all feces and dispose of them in a sanitary manner or be considered to be further in violation of the provisions of this article.

F. Premises on which animals, including fowl, are kept shall be maintained so as to prevent all obnoxious odors and stenches of such unreasonable intensity and duration that it prevents or essentially interferes with a person's ability to use or enjoy his property, or the presence or breeding of flies, mosquitoes and other pests. Provisions shall be made for the removal and disposal of animal and food wastes, bedding, dead animals and debris. Disposal facilities shall be so provided and operated as to minimize vermin infestation, odors and disease hazards.

G. Every female dog or cat in heat shall be confined so that the animal cannot come into contact with an un-neutered male, except for planned breeding.

H. All animal containment areas shall be maintained in order that excessive fecal matter and urine does not build up and create unsuitable living conditions for the animal and humans who enter the containment area; and does not create a health hazard and/or excessive odor. All animal containment areas should remain free of excessive water buildup and/or excessive flooding or continuous standing water.

I. Dogs on school grounds: Owners shall not permit their dogs on any school ground when school is in session, unless specifically authorized by the school board or principal.

J. Animals in restaurants: Dogs or other animals shall not be permitted in restaurants or other places serving food, establishments selling food or edible products, or in any place of business when prohibited by the owner of the business. This provision shall not apply to service animals.

K. Giving live animals as prizes is strictly prohibited and it shall be unlawful for any person to give away an animal as an advertising device, or as a game prize at any fair, festival or charity event. Ruffling or auctioning an animal shall be permitted provided monetary consideration is given in exchange for a chance of winning the animal. For purposes of this section, an animal shall include, but is not limited to, fish, rabbits, birds, cats and dogs.

L. Animals Restricted from Parades and Other Public Events: Pets, animals or reptiles, other than those that have been authorized to participate in a parade or other public event by the organizer thereof, are prohibited from being within one hundred fifty (150) feet of the parade route or the site of such public events for the duration of the parade or event.

(1) This prohibition shall apply to any pet, animal or reptile that is not within an enclosure on the property of the owner or keeper, even if it is under the immediate control of the owner or keeper by means of a leash, cage or hutch, for example.

(2) In the case of a parade route, the distance is measured from the outer edge of the sidewalk or hard surface of the road or street (i.e. the concrete or asphalt) of the designated route.

(3) In the case of the site of a public event, the distance is measured from the fence surrounding the site of the event or, if there is no fence, the boundary line of the property where the event is being held.

(4) For purposes of this prohibition, the duration of the parade or event shall include a two-hour period of time before the scheduled commencement of the parade or event and a two-hour period of time after the parade or event has ended.

M. No person shall sell, exchange, barter, trade, lease, rent, give away, or display for such purposes any live animal on any roadside, public right-of-way, parkway, median, park, playground, or other recreational area, flea market, commercial or retail parking lot, or property adjacent to such locations, that is generally accessible to the public, regardless of whether such access is authorized or not.

(1) Exception: This section shall not apply to humane societies, animal welfare groups, animal control agencies or non-profit organizations sponsoring animal adoption events.

N. Penalties and enforcement for violating this section:

1) Misdemeanor enforcement: Whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, shall be fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not more than thirty days, or both. Additionally, upon conviction, such person shall be required to pay all court costs and the court may, in its discretion, order the payment of any reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.

2) Administrative enforcement: In lieu of, or in addition to, enforcement under the misdemeanor provisions of paragraph M(1) immediately herein above, whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, may be served with notice to appear before the St. Tammany Parish Administrative Hearing Officer in accordance with the provisions governing the Bureau of Administrative Adjudication, Section 1-012.00, et seq of the Code of Ordinances. If a particular section of this Article provides for notice and hearing, the notice and hearing shall be governed by those provisions. In all cases where an animal is impounded, the hearing officer may order the payment of the costs of boarding and necessary medical care in addition to any other order.

(Ord. No. 09-2000, adopted 02/05/2009, amended by Ord. No. 09-2163, adopted 11/05/2009)

SEC. 4-126.00 Animals at large; leash law

It shall be unlawful for any person to suffer or permit any animal in his possession, or kept by him about his premises, to run loose, free or at-large on any street, sidewalk, alleyway, highway, common or public square, or upon any unenclosed land, or trespass upon any enclosed or unenclosed lands of another. Running loose, free or at large means not under the immediate control of a competent person and restrained by a substantial chain or leash. "Electronic Leashes" utilizing an electrical charge as a means of restraint shall not serve as a replacement for a tangible chain or leash.

A. Confinement by owner:

1) Enclosure: When not confined within the owner or keeper's dwelling or being exercised or transported outside the owner or keeper's premises, all animals owned or kept in the unincorporated portions of St. Tammany Parish shall be confined within an enclosure, which means a fence or structure, whether or not it is located along the boundary of the property, that is constructed in such a manner as to:

(a) Prevent any unattended animal, while outdoors and upon the premises of its owner or keeper, from going beyond or outside of the boundaries of the property; and

(b) Not allow ready and unobstructed access to the animal by the general public.

(i) "Electronic Fences", incorporating the use of electrical charges as a means of restraint of an animal within a yard-like perimeter, may only be used as a secondary means of restraint and not as a replacement for actual fencing material or an enclosure.

2) Tethering of Animals: An owner or keeper of an animal, other than one deemed dangerous or vicious, may tether said animal only in a fashion conforming to the method indicated below:

(a) Tethering shall only be used as a secondary means of restraint and shall not serve as an alternative to the enclosure requirements.

(b) Tethering must occur only on a type configuration which permits the animal to move freely in all directions.

(c) Tethering must occur only with a lead rope, chain or cable at least twelve (12) feet in length.

(d) Tethering must occur in an open area free of any choking hazards such as trees, bushes, poles, or other obstructions, with the exception of the object to which the lead is joined.

(e) Tethering by means of a lead rope, chain or cable that weighs more than one-eighth (1/8th) of the total body weight of the animal is strictly prohibited.

B. Seizure and impoundment: Any citizen may, or the sheriff, constable, or animal control officer shall seize any animal found to be at large. Any such animal may be turned over to the Department of Animal Services. Animals found at large by the St. Tammany Parish Department of Animal Services may be seized and impounded; or as an alternative, the animal may be seized and returned to the owner or keeper and a notice of violation of this section may be issued to the owner or keeper.

C. Penalties and enforcement for violating this section:

1) Misdemeanor enforcement: Whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, shall be fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not more than thirty days, or both. Additionally, upon conviction, such person shall be required to pay all court costs and the court may, in its discretion, order the payment of any reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.

2) Administrative enforcement: In lieu of, or in addition to, enforcement under the misdemeanor provisions of paragraph C(1) immediately herein above, whoever violates any provision of this section, or fails or neglects to perform any duty imposed by it, may be served with notice to appear before the St. Tammany Parish Administrative Hearing Officer as set forth in Section 1-012.00, et seq of the Code of Ordinances. The fine shall

be not less than twenty-five dollars nor more than five hundred dollars and the payment of any reasonable costs incurred in the enforcement thereof, including the costs of boarding the animal and necessary medical care.

D. Escaped dogs and cats: Should any dog or cat while at large be captured, or is sought to be captured, by officers of the St. Tammany Parish Department of Animal Services, and such dog or cat escapes said officers by entering the premises of the owner or keeper, the penalty and enforcement provisions of paragraph C of this section shall be applicable. Should such dog or cat escape by entering the premises of a person other than the owner or keeper, and the person refuses to deliver such dog or cat to the animal control officer of the St. Tammany Parish Department of Animal Services, the refusal shall be a violation of this ordinance and such person shall be subject to administrative enforcement and the civil penalties provided for in paragraph C (2) of this Section.

E. Redemption of impounded dogs or cats found at large: The disposition and processing of any dog or cat found at large shall be in accordance with the provisions set forth in Section 4-128.00B.

F. Dangerous and vicious animals: Owners or keepers of dangerous and vicious animals shall be subject to the provisions and requirements set forth in Sections 4-132.00 and 4-133.00 of this ordinance.

G. Nothing in this Section is intended to prevent any citizen of this state from lawfully hunting with a dog, provided the dog is accompanied by the owner or keeper, including recognizable breeds of hunting dogs when in the process of tracking or retrieving of game, during a properly supervised hunt, said breeds being hounds, retrievers, spaniels, setters and pointers.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-127.00 Licensing, Registration, Vaccination, and Tags

A. License required; tag: It shall be the duty of the owner or keeper of every dog, cat and ferret over (3) three months old to register same with the St. Tammany Parish Department of Animal Services by the purchase of a license tag. Such license tag shall be dated and indicate the number of the license tag issued for the animal at the time it is vaccinated by a licensed veterinary or licensed veterinary technologist with appropriate anti-rabies vaccine at the owner's expense. The license tag shall indicate the current calendar year. The license tag shall be fastened to the animal's collar or harness and worn at all times. The license must be renewed annually and no animal shall be vaccinated without the issuance of a license or licensed without a current rabies vaccination.

B. Fees: The annual fee for registration, licensing and issuance of tags shall be Eight (\$8.00) Dollars for each sterilized animal and Twenty (\$20.00) Dollars for each non-

sterilized animal. In the event a license tag is lost, a duplicate tag may be issued for a replacement fee of One Dollar (\$1.00) upon presentation of the original license receipt to the issuing agency. Veterinarians collecting such annual fees are entitled to retain Two (\$2.00) Dollars from the fees collected for each tag issued to defray the administrative costs.

At the beginning of each calendar year, the Department of Animal Services shall be authorized to adjust the current fees, which adjustment shall be based on the actual cost to board, sterilize, vaccinate and microchip the animals as demonstrated by the costs incurred during the prior calendar year.

C. Exemptions: Fee exempt registrations may be issued for the following:

- 1) Police, Sheriff's department or other law enforcement dogs.
- 2) Service Animals.
- 3) Licensed veterinary, vet or clinic animals in conduct of business.
- 4) Any person or entity that has a current Animal Establishment Permit.

D. Hunting and show animals: Animals used for hunting, on exhibition at American Kennel Club or other approved shows engaged in a specific "animal club" sponsored race or trial, or such animals while being transported to and from such events need not wear their collars nor their tags.

E. Counterfeiting and unauthorized use of tags prohibited: Any person who counterfeits or imitates the license tag as provided by St. Tammany Parish Department of Animal Services, or any person who shall put on an animal any such counterfeit or imitation tag, or who shall use a license tag on an animal for which it was not issued, shall be subject to the penalties provided for in paragraph H(2) of this Section.

F. Financial Responsibility: The St. Tammany Parish Department of Animal Services shall be responsible for the procurement, distribution and registration of license tags and shall have responsibility for the collection, accounting, administration and reporting of all fees, fines and penalties collected under the provisions of this article, excluding court assessed costs, fees and penalties.

G. Penalty for violating this Section or disturbing dog's collar or tag:

- 1) Except as otherwise provided in subparagraph two (2) hereof, whoever violates any provision of this Section, or fails or neglects to perform any duty imposed by it, shall be fined not less than twenty-five dollars nor more than one hundred dollars and the costs of prosecution or enforcement, or imprisoned for not more than thirty days, or both.

2) Any person who counterfeits, imitates or alters the license tag provided by St. Tammany Parish Department of Animal Services, or any person who removes a license tag from any dog properly registered as herein provided for, or uses a license tag on an animal for which it was not issued, shall be fined not more than one hundred dollars and the costs of prosecution or enforcement, or imprisoned for not more than thirty days, or both. Each counterfeit, imitation, alteration, removal or unauthorized use of a license tag shall constitute a separate violation.

H. Administrative Hearing Authorized:

In lieu of, or in addition to, enforcement of the criminal penalties as set forth in Paragraph H of this Section, a violation of the provisions of this Section may be enforced through the administrative hearing process of the Bureau of Administrative Adjudication. Any civil fine imposed for a violation of this Section shall be in accordance with the fine and costs set forth in Paragraph G(1) and (2).

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-128.00 Policies and procedures; adoptions; animals in the custody of the Department of Animal Services

A. Definitions: As used in this Section the following words shall have the following meanings ascribed to them:

(1) "Adopter" means a person who is legally competent to enter into a contract and who is adopting a dog or cat from the releasing agency.

(2) "Adult animal" means any dog or cat that has reached the age of one hundred eighty days or six months or more.

(3) "Out-of-Parish releasing agency" means any humane society, animal shelter, and animal rescue organization or group, whether or not a duly created legal entity, which brings dogs or cats from outside the parish or state into unincorporated St. Tammany Parish for the purpose of having such dogs and/or cats adopted. Out-of-Parish releasing agency does not include any humane society, animal shelter or animal rescue organization or group that is located in, domiciled in or has its principal place of business in St. Tammany Parish.

(4) "Releasing agency" means the Department of Animal Services. The term does not include an individual who occasionally renders humane assistance or shelter in the individual's home to a dog or cat.

(5) "Sterilization" means the surgical removal of the reproductive organs of a dog or cat in order to render the animal unable to reproduce.

B. Animals brought to the Department of Animal Services ("DAS"):

1) Unwanted Animals: Owners of unwanted animals may relinquish (i.e. sign over) ownership of such animal to the Department of Animal Services at no cost to the owner. Any unwanted dog or cat will immediately be put up for adoption, provided it has been deemed adoptable by the Department of Animal Services. Dogs or cats that are put up for adoption will be held as long as possible. However, if the animal is deemed not to be adoptable, or the animal is terminally ill or severely injured when brought in, the animal may be euthanized.

2) Found At Large: Any dog or cat found unaccompanied by its owner or keeper and running at large on any road, street, or other public place, or upon any unenclosed land, or trespassing upon any enclosed or unenclosed lands of another, and which is brought into the DAS shelter, will be processed in the following manner:

(a) If the dog or cat is not wearing a collar bearing a tag showing the name and address of its owner or keeper or other identification in which to readily identify the owner or keeper, including but not limited to an electronic chip, the dog or cat will be held for at least five (5) days (not to include Saturdays, Sundays and holidays) to give the owner time to search for and claim it. If the dog or cat is reclaimed, the owner shall be responsible to pay the reclaim fee and costs of necessary medical care.

(b) If the dog or cat has identification of its owner, the owner shall be provided written notice that the dog or cat must be claimed, and the owner reclaim fee paid, within seven (7) days of receipt of said notice. If the dog or cat is sick or injured and required immediate medical attention, the owner shall be responsible for the costs of such care and treatment.

(c) If the dog or cat is not claimed, and the requisite fees paid, within the applicable time set forth above, or the owner voluntarily relinquishes (i.e. signs over) ownership to the Department of Animal Services, the dog or cat will immediately be put up for adoption, provided it has been deemed adoptable by the Department of Animal Services. Dogs or cats that are put up for adoption will be held as long as possible. However, if the animal is deemed not to be adoptable, or the animal is terminally ill or severely injured when brought in, the animal may be euthanized.

(d) Livestock will be held according to State law and the livestock ordinance.

(e) The provisions of this Section shall not apply to dangerous and vicious animals, which shall be governed by the provisions of Sections 4-132.00 and 4-133.00.

3) Adoption Procedure: The animal must be free to be adopted (i.e., held the required period or was signed over by the owner) and may be adopted in accordance with the following requirements:

(a) All animals must be sterilized, vaccinated and receive a micro-chip identification. The Department of Animal Services is authorized to perform the sterilization,

vaccination and micro-chip procedures or may allow for adoption in accordance with an adoption and sterilization agreement meeting the requirements of subparagraph (b) herein below.

(b) After picking out the animal to be adopted, the adopter will be required to sign an adoption and sterilization agreement containing the following:

(i) The date of the agreement.

(ii) The name, address, and signature of the releasing agency and the adopter.

(iii) A statement that the releasing agency does not guarantee the health or temperament of the animal, and if an animal is adopted and proves to be sick or diseased, the adopter can return the animal and pick another.

(iv) A statement, printed in conspicuous bold print, that sterilization of the animal is required.

(v) A statement that the adopter guarantees that the animal will be spayed or neutered, prior to the sterilization completion date, and that the animal will receive a health examination, heart worm check, general disease vaccinations and Rabies vaccinations.

(vi) A sterilization completion date which shall be either the thirtieth day after the date of adoption in the case of an adult animal or the thirtieth day after a specified date estimated to be the date an adopted infant female or male puppy or kitten becomes six months of age.

(vii) A statement that the adopter must submit to the releasing agency written confirmation signed by a Louisiana licensed veterinarian who performed the sterilization.

(viii) A statement that: the releasing agency agrees to give title, possession, and control of the animal only upon the adopter's compliance with the terms and conditions of the adoption agreement; the adopter agrees to return the animal, upon demand, if the adopter fails to comply with any provision of the agreement.

(c) Failure to comply with any of the adoption provisions shall be a violation of this ordinance. If the person signing the adoption agreement fails to comply with any of the provisions of the adoption agreement, the Director of Animal Services is authorized to institute an administrative hearing for the return of the animal and the imposition of a civil penalty not to exceed one hundred dollars.

(d) The sterilization requirements do not apply to a dog or cat that is claimed from the releasing agency by a person who already owns the animal.

(e) The provisions of this Section shall not apply to animals released to the United States armed forces, police or other law enforcement agencies, licensed veterinary facilities, or to licensed medical facilities.

(f) The adoption procedures, except for the sterilization and vaccination requirements, may be waived for recognized animal rescue groups.

(g) The Department is authorized to waive the owner reclaim fee set forth below, if the owner reclaiming an animal agrees to sterilization of the animal.

4) Fees:

Adoption fee - Dog \$65.00 (Sterilization, vaccine & micro-chip)

Adoption fee - Cat \$40.00 (Sterilization, vaccine & micro-chip)

Owner First-time reclaim fee \$25.00 plus \$5.00/day boarding fee

Owner Second-time reclaim fee \$50.00 plus \$5.00/day boarding fee

Owner Third-time reclaim fee \$100.00 plus \$5.00/day boarding fee

Rabies watch (bite cases) \$10.00 plus \$5.00/day boarding fee

Animal brought in by non-parish resident \$15.00 per animal

Parish tag \$8.00 per year for each sterilized animal and \$20.00 for each non-sterilized animal.

If a dog or cat in the custody of the Department of Animal Services is sick or injured and requires immediate medical attention, the owner shall be responsible for the costs of such care and treatment.

At the beginning of each calendar year, the Department of Animal Services shall be authorized to adjust the current fees, which adjustment shall be based on the actual cost to board, sterilize, vaccinate and microchip the animals as demonstrated by the costs incurred during the prior calendar year.

5) Euthanasia Procedures: The method of euthanasia utilized at the DAS shall be injection of Sodium Pentobarbital. Only staff members that are Certified Animal Euthanasia Technicians (C.A.E.T.) through the State of Louisiana will be allowed to perform the procedure. Continuing training and support will be provided to the staff in euthanasia techniques. Fractious and feral animals will be sedated when necessary before being euthanized. Before being euthanized, animals will be double-checked by the staff to be sure that they have been held for the required amount of time, that all

means to reach the owner have been used, and that there are no other holds on the animal.

(Editorial Note. The original policies and procedures for the St. Tammany Parish Department of Animal Services were enacted per Resolution P.J.S. No. 99-9132, adopted March 18, 1999, in accordance with the recommendations of the Animal Control Committee.)

C. Animals brought into unincorporated St. Tammany Parish by Out-of-Parish Releasing Agency:

It shall be prohibited for any "Out-of-Parish Releasing Agency" to bring any dogs or cats from outside of the state or parish and into unincorporated St. Tammany Parish for the purpose of having such animals adopted in unincorporated St. Tammany Parish, unless the following requirements are met:

1) The "Out-of-Parish Releasing Agency" has registered with the Department of Animal Services by providing the Department with the name, address and telephone number of the person, individually or as representative of the agency, who shall be responsible for the animal to be adopted.

2) The responsible person and/or representative signs an agreement to comply with the adoption procedures set forth in Paragraph B(3) and to provide the Department with a copy of the required adoption and sterilization agreement within ten (days) days of the agreement being signed.

Failure to register or timely provide a copy of the required adoption and sterilization agreement shall constitute a violation of this ordinance and shall be subject to the imposition of a civil penalty of not less than one hundred dollars nor more than three hundred dollars.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.00 Simple Cruelty to animals; minimum care standards

A. (1) Any person who intentionally or with criminal negligence commits any of the following acts or omissions shall be guilty of simple cruelty to animals:

(a) Overdrives, overloads, drives when overloaded, or overworks a living animal.

(b) Torments, cruelly beats, or unjustifiably injures any living animal, whether belonging to himself or another.

(c) Having charge, custody, or possession of any animal, either as owner or otherwise, unjustifiably fails to provide it with proper food, proper drink, proper shelter, or proper veterinary care as set forth herein below:

(i) Fresh water for drinking shall be available to all species at all times. Each animal shall be provided with daily supply of clean, fresh, potable water in a sanitary manner and in a sufficient quantity to prevent unnecessary or unjustifiable suffering by the animal. Containers shall remain clean, free of fecal matter, urine and other debris and shall always remain easily accessible to the animal.

(ii) All animals shall be provided with daily food of sufficient quality and quantity to prevent unnecessary or unjustifiable suffering by the animal. All animals shall be fed in clean containers, free from contamination, which shall be easily accessible to the animal.

(iii) All animals shall be provided with adequate shelter from the elements as required to prevent unnecessary or unjustifiable suffering by the animal. In the case of a pet or companion animal that is kept outdoors, a shelter must have a minimum of three sides, a waterproof roof and a dry floor. Such shelter shall provide proper protection from the sun, rain, cold and the wind. Housing for animals shall be structurally sound and maintained in good repair. Housing for the animal shall allow, as a minimum, enough room for the animal to stand, sit and to turn around comfortably. Proper housing shall always remain easily accessible to the animal at all times.

(iv) Every animal shall be provided with veterinary care sufficient to prevent unnecessary or unjustifiable physical pain or suffering by the animal. An animal exhibiting symptoms such as persistent vomiting or diarrhea should be afforded veterinary care. An animal shall be afforded veterinary care if known or suspected to have suffered an injury, accidental or deliberate, and exhibits such signs as shock, swelling, broken bones, open wounds, blistering, partial or total paralysis, bleeding or other such signs, or animals who are debilitated and weakened or those exhibiting symptoms of bloat or other life threatening illnesses. An animal who has exhibited signs of severe parasitic infestation or disease such as infection, discharge, weight loss, abnormal skin condition or hair loss, tremors, inability to bear weight on a limb or lameness or any other such sign over a period of twenty-four (24) hours or more must be afforded veterinary care within twenty-four (24) hours. This does not apply to conditions that are chronic or permanent and that have previously been diagnosed and treated or are under veterinary care

(d) Abandons any animal. A person shall not be considered to have abandoned an animal if he delivers the animal to an animal control center. Owners of unwanted animals may bring and release such animals to the St. Tammany Parish Animal Services Center at no cost to the owner to be made available for adoption or other disposition at the discretion of the St. Tammany Parish Department of Animal Services.

(i) An animal found running at large and brought to the Animal Services Center will be processed in accordance with the section governing animals at large.

(e) Impounds, confines or causes to be impounded or confined in a pound or other place, a living animal and fails to supply it during such confinement with proper food, proper drink, proper shelter, or proper veterinary care.

(f) Carries, or causes to be carried, a living animal in or upon a vehicle or otherwise, in a cruel or inhumane manner. No animal shall be left unattended in a vehicle under conditions which cause unnecessary and unjustifiable suffering by the animal.

(g) Unjustifiably administers any poisonous or noxious drug or substance to any domestic animal or unjustifiably exposes an animal to any such drug or substance, whether mixed with food or not, with intent that the same shall be taken or swallowed by any domestic animal.

(h) Unjustifiably injures any animal belonging to another person.

(i) Mistreats any living animal by any act or omission whereby unnecessary or unjustifiable physical pain, suffering, or death is caused to or permitted upon the animal.

(j) Causes or procures to be done by any person any act enumerated in this Subsection.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.01 Seizure and disposition of animals cruelly treated

A. When a person is charged with cruelty to animals, said person's animal may be seized by the arresting officer and held pursuant to this Section.

B(1) The seizing officer shall notify the owner of the seized animal of the provisions of this Section by posting written notice at the location where the animal was seized or by leaving it with a person of suitable age and discretion residing at that location within twenty-four hours of the seizure.

(2) The seizing officer shall photograph the animal within fifteen days after providing notice of seizure and shall cause an affidavit to be prepared in order to document its condition in accordance with this section and R.S. 15:436.2

(3) The seizing officer shall appoint a licensed veterinarian or other suitable custodian to care for any such animal. The custodian shall retain custody of the animal in accordance with this Section.

(4) The seized animal shall be held by the custodian provided for in Paragraph (3) for a period of fifteen consecutive days, including weekends and holidays, after such notice of seizure is given. Thereafter, if a person who claims an interest in such animal has not posted bond in accordance with Subsection C, the animal may be humanely disposed of by sale, adoption, or euthanasia.

C. A person claiming an interest in any animal seized pursuant to this Section may prevent the disposition of the animal as provided for in Subsection B by posting a bond with the court within fifteen days after receiving notice of such seizure in an amount sufficient to secure payment for all reasonable costs incurred in the boarding and treatment for any seized animal for a thirty-day period commencing on the date of initial seizure. Such bond shall not prevent the department, agency, humane society, or other custodian of the animal from disposing of the animal in accordance with Subsection B at the end of the thirty-day period covered by the bond, unless the person claiming an interest posts an additional bond for such reasonable expenses for an additional thirty-day period. In addition, such bond shall not prevent disposition of the animal for humane purposes at any time, in accordance with Subsection E of this Section. The amount of the bond shall be determined by the department, agency, humane society or other custodian of the animal as authorized by the court in accordance with the current rate for board and on the condition of the animal after examination by a licensed veterinarian.

D. Upon a person's conviction of cruelty to animals, it shall be proper for the court, in its discretion, to order the forfeiture and final determination of the custody of any animal found to be cruelly treated in accordance with this Section and the forfeiture of the bond posted pursuant to Subsection C as part of the sentence. The court may, in its discretion, order the payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized animal prior to its disposition, whether or not a bond was posted by the defendant. In the event of the acquittal or final discharge without conviction of the accused, the court shall, on demand, direct the delivery of any animal held in custody to the owner thereof and order the return of any bond posted pursuant to Subsection C, less reasonable administrative costs.

E. Nothing in this Section shall prevent the euthanasia of any seized animal, at any time, whether or not any bond was posted, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of any physical condition. In such instances, the court, in its discretion, may order the return of any bond posted, less reasonable costs, at the time of trial.

Editorial Note: Per Authority of R.S. 14:102.2

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.02 Search warrant; animal cruelty offenses

If the complaint is made, by affidavit, to any magistrate authorized to issue search warrants in criminal cases, that the complainant has reason to believe that an animal has been or is being cruelly treated in violation of Section 4-129.00, in any building or place, such magistrate, if satisfied that there is reasonable cause for such belief, shall issue a search warrant to any law enforcement officer authorized by law to make arrests for such offenses, authorizing any such officer to make a search of said building or place, and to arrest any person found violating Section 4-129.00. Said warrant may also authorize said officer to seize any animal believed to be cruelly treated and to take custody thereof. This section shall not be construed as a limitation on the power of law enforcement officers to seize animals as evidence at the time of the arrest.

Editorial Note: Per Authority of R.S. 14:102.3

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.03 Confined animals; necessary food and water

When a living animal is impounded or confined in violation of Section 4-129.00A(1)(e), and continues without necessary food and water for more than twenty-four consecutive hours, any law enforcement officer may, as often as is necessary, enter any place in which the animal is impounded or confined and supply it with necessary food and water so long as it shall remain impounded or confined.

Editorial Note: Per Authority of R.S. 14:102.4

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.04 Animals left unattended in a vehicle

A. Any law enforcement officer who finds an animal left unattended in a vehicle, in a cruel or inhumane manner so as to violate the provisions of Section 4-129.00A(1)(f), shall be permitted to use all reasonable means, including breaking a window, in order to free a suffering animal, provided that all of which following additional conditions have been met:

1. The animal shows physical signs of heat exhaustion, convulsions, or other near death symptoms which require immediate action by the law enforcement officer in order to save the animal's life.
2. All reasonable attempts to contact the owner or driver of the vehicle must have been thoroughly exhausted.

B. If all of the conditions of this section are met, the law enforcement officer and the Parish shall be deemed not liable for any reasonable property damage resulting from the taking of such action to save the animal and the damage to the personal property was limited to what was absolutely necessary.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.05 Simple cruelty; criminal penalties

A(1) Whoever commits the crime of simple cruelty to animals shall be fined not more than one thousand dollars, or imprisoned for not more than six months, or both.

(2) In addition to any other penalty imposed, a person who commits the crime of cruelty to animals shall be ordered to perform five eight-hour days of court-approved community service. The community service requirement shall not be suspended.

Editorial Note: Per Authority of R.S. 14:102.1

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-129.06 Simple cruelty; administrative hearings

A. Administrative enforcement of a violation of Sections 4-129.00, 4-129.03 and 4-129.04 may only be instituted and/or the administrative hearing proceed in those cases where a person has not been arrested or charged with a criminal violation of this Section or R.S. 14:102, et seq. In such case, whenever an animal control officer has reasonable cause to believe that a violation of any provision of Sections 4-129.00, 4-129.03 or 4-129.04 has occurred, or currently exists, the animal control officer is authorized to institute civil enforcement of such violation, and the abatement thereof, through the administrative hearing process.

B. Nothing in this section shall prevent the euthanasia of any animal in the custody of the Department of Animal Services, at any time, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of any physical condition.

C. The administrative hearing process shall be commenced by serving a notice of animal cruelty violation. The notice shall be dated and may be served by personal service on the owner or keeper, by posting the notice in a conspicuous place at the location of the violation, or by leaving it with a person of suitable age and discretion residing at that location. Notice may be served by certified or registered U.S. mail to the owner or keeper, or both. In case of notice by U.S. mail, the date of the postmark shall be deemed the date of delivery. Any notification so sent and returned by the U.S. Post Office shall be considered as having fulfilled the notification requirement; provided, that in the case of such returned notice, if the person to be notified has a telephone number

listed in the St. Tammany Parish phone directory at least one attempt shall be made to notify the person by telephone.

(2) The notice shall be, as much as possible, in laymen's language susceptible of understanding by a person of normal capacity, and shall, in large print, inform the person noticed of the alleged animal cruelty violation and the civil penalty.

(3) If an administrative hearing is to be instituted by the Department of Animal Services, whether or not the animal is in the custody of the Department, the notice shall, in large print, inform the person of the date, time and location of the administrative hearing, that the person has a right to appear at the hearing to dispute the alleged violation, and of his right to present evidence and witnesses on his behalf. If the animal is in the custody of the Department of Animal Services, the notice shall inform the person that the animal will be held for a period of fifteen consecutive days, including weekends and holidays, or pending the administrative hearing.

(4) If the animal is in the custody of the Department of Animal Services and the violation is one that may be abated, and the animal returned to the owner or keeper without endangering the animal, the "Notice of Violation" shall inform the owner or keeper of the following:

a) The owner or keeper may reclaim the animal upon payment of the applicable costs and fees and verification that the conditions giving rise to the violation have been abated. Written notice of voluntary compliance by the owner or keeper is required, and may be provided by signing below the "Voluntary Compliance" section of the notice of violation. Written notice of voluntary compliance must be received by the Department within fifteen (15) days of the date of the notice of violation; or

b) The owner may appeal the Department's determination that the animal has been cruelly treated by appealing the determination, in writing, within fifteen (15) days of the date of the notice of violation. The appeal may be made by signing below the "Appeal-Request for Administrative Hearing" section on the notice of violation and returning same to the Department within fifteen (15) days of the date of the notice.

c) The notice shall inform the owner or keeper that the animal will be held for fifteen (15) days from the date of notice, unless the Department receives written notice that he is appealing the determination or is willing to voluntarily comply with the requirements necessary to abate the conditions giving rise to the alleged violation. If such notice is not timely provided, the animal may be put up for adoption or may be humanely euthanized.

D. If the Administrative Hearing Officer, at the conclusion of the hearing conducted in accordance with the provisions of Section 1-012.00, determines that a violation did not occur, or that the violation has since been abated and that the animal may be returned to the owner or keeper without endangering the animal, the hearing officer shall, on demand, direct the delivery of any animal held in custody to the owner thereof. If the

hearing officer is satisfied that the person did violate any provision of Sections 4-129.00, 4-129.03 or 4-129.04, he may order any of the following, which shall be non-exclusive:

(1) If the owner or keeper of an animal has not voluntarily surrendered the animal to the Department of Animal Services, the hearing officer is satisfied that the animal is not presently in need of veterinary care, that the conditions giving rise to the violation have been corrected, that the animal is not likely to be cruelly treated thereafter, and that there is compliance with all other applicable provisions of this ordinance (i.e. license, sterilization and vaccinations, for example), the hearing officer may impose any other reasonable condition deemed necessary for the protection of the animal and the public health, safety and welfare. Additionally, a civil penalty not to exceed five hundred dollars may be imposed for each violation.

(2) If the animal has not been taken into the custody of the Department of Animal Services, and the hearing officer is not satisfied that all of the conditions referred to in paragraph D(1) herein above have been met, the hearing officer may order that the violator immediately surrender the animal to the custody of the Department of Animal Services, pending compliance with all of the aforementioned conditions or the delays for appealing the decision to a court of competent jurisdiction, or he may order that the person retain custody of the animal subject to meeting said conditions, within the time specified in the order, which must be verified in writing by the Department of Animal Services. A civil penalty not to exceed five hundred dollars may be imposed for each violation plus costs.

E. Any person aggrieved by a decision of the St. Tammany Parish hearing officer may appeal that decision to the Twenty-Second Judicial District Court. Notwithstanding the provisions of Section 1-012.18, if the animal is in the custody of the Department of Animal Services, such appeal shall be perfected within ten (10) calendar days from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than fifteen calendar days from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding and caring for the animal for a period of time not to exceed fifteen days. If the animal is not in the custody of the Department, an appeal of the decision shall be in accordance with the provisions set forth in Section 1-012.18 of the Code of Ordinances.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-130.00 Minimum Animal Housing Standards

A. The following are the minimum requirements for housing all pets in kennels, cages, tanks or other enclosures:

Minimum Housing
Dimensions

Species	Weight or Age	Width	Depth	Height	Number of Animals
Adult dogs in cages:	0 to 35 lbs.	36" (A)	36" (A)	30" (A)	1
Adult dogs in cages:	0 to 35 lbs.	60" (A)	60" (A)	30" (A)	2
Adult dogs in cages:	0 to 35 lbs.	90" (A)	90" (A)	30" (A)	3 max.
Adult dogs in cages:	36 to 65 lbs.	36" (A)	72" (A)	36" (A)	1
Adult dogs in cages:	36 to 65 lbs.	72" (A)	72" (A)	36" (A)	2 max.
Adult dogs in cages:	66 lbs. and over	72" (A)	72" (A)	48" (A)	1 max.
Puppies in cages:	0 to 15 lbs.	30"	30"	24"	1
Puppies in cages:	0 to 15 lbs.	30"	30"	24"	2
Puppies in cages:	0 to 15 lbs.	36"	36"	24"	3
Puppies in cages:	0 to 15 lbs.	48"	48"	24"	5 max.
Adult cats in cages:	any size	24"	24"	24"	1
Adult cats in cages:	any size	36"	36"	24"	2 max.
Kittens in cages:	up to 4 mos.	24"	24"	24"	1
Kittens in cages:	up to 4 mos.	24"	24"	24"	2
Kittens in cages:	up to 4 mos.	36"	36"	24"	3
Kittens in cages:	up to 4 mos.	48"	48"	24"	4
Kittens in cages:	up to 4 mos.	60"	60"	24"	5 max.
Rabbits and guinea pigs in cages	any size	24"	24"	24"	2 max.
Rabbits and guinea pigs in cages	any size	36"	36"	24"	3
Rabbits and guinea pigs in cages	any size	48"	48"	24"	5 max.

Rabbits and guinea pigs in cages	any size	60"	36"	24"	6 max.
Hamsters	any size	24"	12"	12"	8 max.
Adult dogs in runs	any size	48"	72"	(Min. 12" higher than dog)	1
Adult dogs in runs	any size	48"	108"	(Min. 12" higher than dog)	2
Adult dogs in runs	any size	48"	120"	(Min. 12" higher than dog)	3 max.
Finches	any size	19 ½"	10"	12"	4 max.
Canaries	any size	19 ½"	14"	16"	3 max.
Parakeets	any size	18"	18"	18"	3 max.
Cockatiels	any size	20"	20"	18"	2 max.
Larger breed birds	any size	24"	24"	58"	2 max.

B. These dimensions may require modification to conform to the body sizes of certain breeds. In no case shall the cage height be less than six inches, plus the height of the dog at the withers, nor shall the width or depth be less than six inches, plus the length of the dog from the tip of the nose to the base of the tail.

C. All animal rooms, cages, kennels, shipping containers and runs shall be of sufficient size to provide adequate and proper accommodations and protection from the weather for the animals kept therein. As a minimum, sufficient space must be provided for each and every animal in a single enclosure to, separately and together, stand up, lie down and turn around in a natural position.

D. All confined or restrained animals shall be given exercise proper for the individual animal under the particular conditions. Dog kennel runs, if made of concrete, shall provide adequate draining for proper sanitation. Droppings must be disposed of and the runs periodically treated with an effective disinfectant.

E. All caged birds must have enough room to move with ease. A caged bird shall be able to flap its wings without touching the sides of the cages.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-131.00 Rabies Control and Attack (Bite) Cases

All dogs and cats shall be inoculated by a licensed veterinarian for rabies in accordance with the State of Louisiana Sanitary Code Title 51 and shall wear the metal rabies inoculation tag given by the veterinarian at all times.

A. Should a dog or any other animal bite a person or be reported to have bitten a person within the limits of the Parish of St. Tammany, it shall be the duty of the owner, or the person having the same in his possession or under his control, immediately to notify the St. Tammany Parish Department of Animal Services, and surrender said dog or animal to any representative of the St. Tammany Parish Department of Animal Services, who is herewith authorized and empowered to enter the premises in order to make any inspection or examination of said dog or animal as may be deemed necessary by the St. Tammany Parish Department of Animal Services. In those cases where the St. Tammany Parish Sheriff's Office is notified that a dog or any other animal has bitten a person, the Sheriff's Office shall promptly notify the St. Tammany Parish Department of Animal Services. It shall be the duty of the St. Tammany Parish Department of Animal Services to impound, or cause to be impounded, any such dog or animal for a period of ten (10) days for observation either in the hospital facilities of a licensed veterinarian or at the St. Tammany Parish Animal Services Center, or require such animal to be confined securely for a period of ten (10) days by the person owning the same or having possession thereof in such manner and on such premises as may be designated by the St. Tammany Parish Department of Animal Services, or the St. Tammany Parish Department of Animal Services may order the destruction of such animal and send its head to the Bureau of Laboratories of the Louisiana Department of Health for a rabies laboratory test. Home confinement shall be allowed only if the following conditions are met:

1. Current vaccination with an approved rabies vaccine;
2. Specific approval of the director of the St. Tammany Parish Department of Animal Services; and
3. Specific approval of exposed party and agreement to the confinement conditions by the animal owner.

B. If the Director of the St. Tammany Parish Department of Animal Services determines that such animal may be confined under the control or custody of the owner or person having control over it, said owner or person shall notify the St. Tammany Parish Department of Animal Services immediately if the animal shows any symptoms of sickness, or abnormal behavior, or escapes, and if such animal dies during confinement, such person having custody thereof shall surrender the carcass to the St. Tammany Parish Department of Animal Services. This section shall not apply, except in the discretion of the St. Tammany Parish Department of Animal Services, to such small caged pets as mice, rats, gerbils, hamsters or guinea pigs and any other animal that may be specifically excluded by the St. Tammany Parish Department of Animal Services.

C. Should any animal undergoing the ten (10) days observation for having bitten a person show indication of rabies, it shall be the duty of the St. Tammany Parish Department of Animal Services to destroy such animal after confirmation of the diagnosis by a licensed veterinarian. The St. Tammany Parish Department of Animal Services and/or designated agency shall send the head of any such animal, and also the head of any animal which dies during the rabies quarantine, to the Bureau of Laboratories of the Louisiana Department of Health for a rabies laboratory test.

D. It shall be the duty of every veterinarian having an animal quarantined for a bite incident to submit a report to the St. Tammany Parish Department of Animal Services as to the condition of said quarantined animal on the initial day of observation and the tenth day immediately following the date of said bite incident.

E. Provided that all of the applicable requirements of the dangerous animal section have been met, any animal impounded or confined for rabies quarantine may be released upon completion of the ten (10) days observation period only upon authorization of the St. Tammany Parish Department of Animal Services or their authorized representative. Any such animal must have a valid license and vaccination before it may be released.

F. Animals exposed to rabies. If any animal is suspected of having been exposed to rabies, all persons having knowledge of such condition or event shall forthwith surrender such animal to the St. Tammany Parish Department of Animal Services or their representative, shall fully advise same of all the facts and circumstances involved. Such animal may be quarantined, confined, humanely destroyed, or released under the direction and supervision of the St. Tammany Parish Department of Animal Services as it deems advisable in rabies control.

G. It shall be unlawful to harbor or conceal an animal which has bitten or inflicted serious bodily injury on a human when a person knows or has reason to know that an animal has bitten or inflicted serious bodily injury on a human and the person intentionally harbors or conceals the animal from any law enforcement or animal control agency investigator or agent. (See R.S. 14:102.22)

1. For the purposes of this Section:

(a) "Animal control agency" means the Department of Animal Services.

(b) "Serious bodily injury" means bodily injury which involves unconsciousness, extreme physical pain or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

(c) Whoever commits the crime of harboring or concealing an animal which has bitten or inflicted serious bodily injury on a human shall be fined not more than one thousand dollars or imprisoned with or without hard labor, for not more than two years, or both.

2. Any health care provider, as provided in R.S. 40:1299.41, who examines or treats any person who has been bitten by an animal or upon whom an animal has inflicted serious bodily injury shall report such bite or injury to the law enforcement or animal control agency for the location where the bite or injury occurred. Such report shall be made immediately, if possible, and in any event shall be made within twenty-four hours.

(a) The report shall include as much of the following information as is available:

(i) The patient's name, date of birth, sex, and current home and work addresses.

(ii) The nature of the bite or injury that is the subject of the report.

(iii) Any information about the location of the biting animal and the name and address of any known owner.

(iv) The name and address of the health care provider.

H. Any person having possession of or responsibility for any quarantined or confined animal shall immediately notify the St. Tammany Parish Department of Animal Services if such animal escapes, or becomes or appears to become sick or dies; and in case of death of the animal while under quarantine or confinement shall immediately surrender the dead body to the St. Tammany Parish Department of Animal Services for diagnostic purposes.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-132.00 Dangerous Animals

A. As used in this Section, "dangerous dog" means:

(1) Any dog which when unprovoked, on two separate occasions within the prior thirty-six-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner or keeper of the dog; or

(2) Any dog which, when unprovoked, bites a person causing an injury and is capable of causing serious bodily injury; or

(3) Any dog which, when unprovoked, on two separate occasions within the prior thirty-six-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner of the dog.

(4) Any dog that has been deemed dangerous by another jurisdiction (i.e. another state, county, parish or municipality).

B. For the purposes of this Section "potentially dangerous dog" means:

(1) Any dog which, when unprovoked, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner or keeper of the dog.

(2) Any dog which, when unprovoked, engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog.

C. The provisions of this Section shall not apply to:

(1) Any dog which is owned, or the service of which is employed, by any state or local law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(2) Any dog trained in accordance with the standards of a national or regional search and rescue association to respond to instructions from its handler in the search and rescue of lost or missing individuals and which dog, together with its handler, is prepared to render search and rescue services at the request of law enforcement.

(3) Proprietors of animal hospitals, to veterinarians, zoological gardens, theatrical exhibit, or a circus, provided that such animal hospital, veterinarian, zoological garden, theatrical exhibit, or circus possesses all permits required by the laws of this parish and state and complies with all other regulations concerning the keeping and maintaining of such animals.

D. No dog shall be declared dangerous or potentially dangerous if at the hearing authorized by this Section the evidence presented is sufficient to establish any of the following:

(1) The person taking defensive action to prevent bodily injury had provoked the dog by teasing, tormenting, abusing, or assaulting the dog.

(2) Any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was committing a crime upon the property of the owner of the dog.

(3) Any injury or damage is sustained by a person who, at the time the injury or damage was sustained, was teasing, tormenting, abusing, or assaulting the dog.

(4) Any injury or damage is sustained by a domestic animal which, at the time the injury or damage was sustained, was teasing, tormenting, abusing, or assaulting the dog.

(5) If the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault.

(6) If the injury or damage to a domestic animal was sustained while the dog was working as a hunting dog, herding dog, or predator control dog on the property of, or under the control of, its owner, and the damage or injury was to a species or type of domestic animal appropriate to the work of the dog.

E. It shall be unlawful for any person to own, possess, keep or harbor a dangerous or potentially dangerous dog without properly restraining or confining the dog and complying with all other applicable requirements including, but not limited to, the requirement of registering the dog with the Department of Animal Services and complying with the licensing requirements of this Section.

F. Impoundment:

(1) Any law enforcement officer making an arrest for violation of this Section may lawfully take possession of all dogs on the premises where the arrest is made or in the immediate possession or control of the person being arrested.

(2) In the event that an animal control officer or law enforcement officer has probable cause to believe that an animal is potentially dangerous or dangerous, and the animal is found to be at large, the animal shall be immediately impounded.

(3) It shall be unlawful to harbor or conceal an animal which has bitten or inflicted serious bodily injury on a human when a person knows or has reason to know that an animal has bitten or inflicted serious bodily injury on a human and the person intentionally harbors or conceals the animal from any law enforcement or animal control agency investigator or agent. Any law enforcement officer or animal control officer may take possession of any dog that bites a person or is reported to have bitten a person within the limits of the Parish of St. Tammany. In such cases, the provisions of Section 4-131.00 Rabies Control and Attack (Bite) Cases shall also be applicable.

(Ord. No. 09-2000, adopted 02/05/2009)

G. Release from impoundment; hearing and voluntary compliance

(1) Any dog impounded under the provisions of this Section may be held pending the outcome of a hearing held in accordance with this Section or until verification of voluntary compliance with the requirements applicable to the designation of the animal as potentially dangerous or dangerous.

(2) A notice of hearing shall be provided at the time of the notice of designation as a potentially dangerous or dangerous animal.

(3) Any owner aggrieved by a determination to designate his animal as potentially dangerous or dangerous may appeal that determination by requesting an administrative hearing on the form designating the animal as potentially dangerous or dangerous. In

such case, the Department of Animal Services shall institute the administrative hearing and provide notice thereof.

(4) A hearing shall not be required if the owner consents to voluntarily comply with all of the ordinance requirements applicable to the particular designation and signs a declaration of voluntary compliance. The animal may be held until the owner's compliance with the ordinance requirements applicable to the particular designation of the animal has been verified by the department of animal services.

H. Destruction: Any animal control officer or law enforcement officer may kill any dangerous or vicious dog which cannot be safely taken up or impounded and no animal control officer or law enforcement officer shall be liable for damages by reason of such killing. (R.S. 3:2773D)

SEC. 4-132.01 Requirements for harboring potentially dangerous and dangerous animals

A. Potentially dangerous animal: The owner or keeper of an animal that has been designated as potentially dangerous shall meet the following requirements. Compliance with all requirements must be verified by the Department of Animal Services prior to the animal being released to the owner or keeper:

(1) The owner and/or keeper shall secure a permit from the Department of Animal Services, renewable each year from the anniversary date of such issue.

(2) The owner and/or keeper shall provide two (2) color photographs of the animal that clearly depicts the color, approximate size, and facial characteristics of the animal.

(3) The owner and/or keeper shall provide satisfactory proof that the animal has been vaccinated and has received a micro chip identification tag.

(4) The property of the owner and/or keeper is enclosed by means of a fence or structure, whether or not it is located along the boundary of the property, that is constructed in such a manner as to: (a) prevent any unattended animal while outdoors and upon the premises of its owner or keeper, from going beyond or outside of the boundaries of the property; and (b) not allow ready and unobstructed access to the animal by the general public.

(5) If the property of the owner and/or keeper is not enclosed by means of a fence or structure as provided for in paragraph four (4) herein above, it is permissible for the owner and/or keeper to sign a declaration agreeing that: (a) the animal will not be allowed outside of the owner and/or keeper's dwelling unless the animal is restrained or in a cage or pen. Dogs must be restrained on a leash and collar having a minimum tensile strength of three hundred (300) pounds and not exceeding six (6) feet in length;

and (b) The animal shall be kept under the direct control and supervision of its owner and/or keeper at all times.

(i) The requirements for the maintenance of physical control over the animal shall not be satisfied by the mere chaining, roping, leashing, or similar restraining of the animal to inanimate objects such as stakes, trees, posts, or buildings.

(ii) Tethering of the animal is strictly prohibited.

(6) The owner and/or keeper signs a declaration acknowledging that he is required to immediately notify the Department of Animal Services whenever the animal is on the loose, is unconfined, has bitten a domestic animal or person, has died, been sold, or given away, or has been relocated.

(7) If the animal has died, been sold, transferred, or given away, or has been relocated, the owner and/or keeper shall provide written notice of the such event to the Department of Animal Services within two (2) days thereof. The notice shall state that the animal has been sold, transferred, or given away, or has been relocated, and provide the name, address, and phone number of the new owner, or the new location of the animal. Additionally, at the time the dog is sold, transferred, or given away, the owner shall give written notice to purchaser, transferee or donee that the dog has been designated as a potentially dangerous dog by the St. Tammany Parish Department of Animal Services.

B. Requirements for harboring a dangerous animal: The owner or keeper of an animal that has been designated as dangerous shall meet the following requirements. Compliance with all requirements must be verified by the Department of Animal Services prior to the animal being released to the owner or keeper:

(1) The owner and/or keeper shall secure a permit from the Department of Animal Services, renewable each year from the anniversary date of such issue.

(2) The owner and/or keeper shall provide two (2) color photographs of the animal that clearly depicts the color, approximate size, and facial characteristics of the animal;

(3) The owner and/or keeper shall provide satisfactory proof that the animal has been vaccinated and has received a micro chip identification tag;

(4) The animal shall be spayed or neutered, at the owner's expense.

(5) The owner and the animal must complete a course of animal obedience training approved by the Department of Animal Services.

(6) The owner must procure and maintain in effect a policy of liability insurance, including coverage of claims arising from the conduct of the owner's animal, in an amount not less than \$200,000. Proof of insurance must be submitted to the

Department of Animal Services prior to the animal's release and annually thereafter upon renewal of the required permit.

(7) While on the property of the owner or keeper, a dangerous animal shall, at all times, be kept indoors, unless the animal is being restrained in accordance with the below requirements or the animal is in a secure enclosure meeting the requirements set forth immediately below:

(a) "Secure enclosure" means a securely enclosed and locked pen or structure that must be designed and constructed to prevent the dangerous animal from escaping and from coming into contact with either a human being, other than the owner or keeper, or any other animal. The materials used to construct the enclosure or pen must prevent the animal from escaping by digging out, going over and going through the enclosure. The enclosure or pen shall provide a humane existence for the animal, protection from the elements, provide adequate exercise room, light and ventilation and shall be kept in a clean and sanitary condition. Additionally, in the case of a dangerous dog, the pen or structure must have minimum dimensions that measure four (4) feet wide, ten (10) feet long and six (6) feet high. Such pen or structure shall have sides that are securely embedded in concrete, a secure top, and a bottom or floor that is permanently attached to the sides.

(b) "Restrained" means that whenever the dangerous dog is not indoors or in a secure enclosure on the property of the owner or keeper, for whatever reason, the animal shall be restrained in accordance with the following: (i) A dangerous dog must be restrained on a leash and collar having a minimum tensile strength of three hundred (300) pounds and not exceeding six (6) feet in length; and (ii) The animal shall be kept under the direct control and supervision of its owner and/or keeper at all times. The requirement of restraining and being under the direct control of the owner or keeper shall not be satisfied by the mere chaining, roping, or leashing of the animal to inanimate objects such as stakes, trees, posts, or buildings. Tethering of a dangerous animal is strictly prohibited.

(8) Whenever a dangerous animal is taken off of the property of the owner or keeper, for whatever reason, the animal must wear a muzzle that prevents it from biting a person or an animal. Further, it shall be unlawful to exercise a dangerous animal upon the public streets, sidewalks, rights-of-way, parks and property of the parish.

(9) The owner and/or keeper of a dangerous dog shall post and maintain signs on the property, and on the secure enclosure, which must be sufficient to warn the general public, including young children, that a dangerous dog is being kept on the property. At a minimum, the signs shall be placed on the secure enclosure and at each normal point of ingress and egress. The signs shall be so placed as to be readily visible to any person approaching the property and secure enclosure. The location where the signs must be displayed shall be determined by the Department of Animal Services, and the Department shall provide the signs to the owner and/or keeper at his expense.

(10) The owner and/or keeper signs a declaration acknowledging that he is required to immediately notify the Department of Animal Services whenever the animal is on the loose, is unconfined, has bitten a domestic animal or person, has died, been sold, or given away, or has been relocated.

(11) If the animal has died, been sold, transferred, or given away, or has been relocated, the owner and/or keeper shall provide written notice of the such event to the Department of Animal Services within two (2) days thereof. The notice shall state that the animal has been sold, transferred, or given away, or has been relocated, and provide the name, address, and phone number of the new owner, or the new location of the animal. Additionally, at the time the animal is sold, transferred, or given away, the owner shall give written notice to purchaser, transferee or donee that the animal has been designated as a dangerous animal by the St. Tammany Parish Department of Animal Services.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-132.02 Notice of designation as potentially dangerous or dangerous animal

A. The Director of the Department of Animal Services is authorized to institute the administrative hearing process, which shall be commenced by serving a "Notice of Designation" as potentially dangerous or dangerous animal. The notice shall be dated and may be served by personal service on the owner or keeper, by posting the notice in a conspicuous place at the owner's or keeper's residence, or by leaving it with a person of suitable age and discretion residing at the owner's or keeper's place of residence. Notice may also be served by certified or registered U.S. mail to the owner or keeper, or both. In case of notice by U.S. mail, the date of the postmark shall be deemed the date of delivery. Any notification so sent and returned by the U.S. Post Office shall be considered as having fulfilled the notification requirement; provided, that in the case of such returned notice, if the person to be notified has a telephone number listed in the St. Tammany Parish phone directory at least one attempt shall be made to notify the person by telephone.

(1) The "Notice of Designation" shall be, as much as possible, in laymen's language susceptible of understanding by a person of normal capacity, and shall, in large print, inform the person noticed of the determination to designate the animal as potentially dangerous or dangerous.

(2) The "Notice of Designation" shall, in large print, also inform the person of the date, time and location of the administrative hearing, that the person has a right to appear at the hearing to dispute the dangerous or potentially dangerous designation, and of his right to present evidence and witnesses on his behalf. If the animal is in the custody of the Department of Animal Services, the notice shall inform the person that the animal will be held for a period of fifteen consecutive days, including weekends and holidays, or pending the administrative hearing.

(3) If an administrative hearing is not to be instituted by the Department, and the animal is in the custody of the Department of Animal Services, the "Notice of Designation" shall inform the owner or keeper of the following:

a) The owner or keeper may reclaim the animal upon payment of the applicable costs and fees and upon the Department's verification of compliance with all of the requirements that are applicable to the particular designation. Written notice of voluntary compliance by the owner or keeper is required, and may be provided by signing below the "Voluntary Compliance" section of the notice of designation. Written notice of voluntary compliance must be received by the Department within fifteen (15) days of the date of the notice of designation; or

b) The owner may appeal the Department's designation of the animal as potentially dangerous or dangerous by appealing that determination, in writing, within fifteen (15) days of the date of the notice of designation. The appeal may be made by signing below the "Appeal-Request for Administrative Hearing" section on the notice of designation and returning same to the Department within fifteen (15) days of the date of the notice.

c) The notice shall inform the owner or keeper that the animal will be held for fifteen (15) days from the date of notice, unless the Department receives written notice that he is appealing the determination or is willing to voluntarily comply with the requirements necessary to abate the conditions giving rise to the alleged violation. If such notice is not timely provided, the animal may be euthanized.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-132.03 Hearing

A. Upon the showing made by the parties at the hearing on the designation of the animal, the hearing officer shall determine whether the dog is a potentially dangerous dog or a dangerous dog. If the hearing officer determines that the dog is not potentially dangerous or dangerous, he shall order the designation rescinded and, if the animal is in the custody of the Department, shall order the animal to be returned to the owner on demand.

B. In every case where the dog is established to be a potentially dangerous or dangerous dog, the court shall enter an order declaring the dog to be a potentially dangerous or dangerous dog and shall direct the owner of the dog to comply with the requirements established for the restraint and confinement of the dog as provided by law and all other requirements applicable to the particular designation.

(1) Whoever violates the provisions of the dangerous animal Section shall be fined not more than three hundred dollars and shall be ordered to pay all costs and expenses of keeping the dog and all costs and expenses required for compliance.

C. Any person who fails to restrain and confine a potentially dangerous or dangerous dog as ordered by the hearing officer shall be in violation of the order and shall be fined not less than one hundred dollars nor more than five hundred dollars. Each day that the violation continues shall be a separate violation. Additionally, the hearing officer may enter any other order he deems reasonable for the protection of the public health, safety and welfare.

D. A dog determined by the hearing officer to be a dangerous dog may be humanely euthanized if it is determined that the dog poses an immediate threat to public health and safety. The order shall require that the dog not be humanely euthanized prior to the expiration of the time for appeal to the district court or such other time as he deems reasonable.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-132.04 Appeal

A. The owner of the dog may appeal to the court of competent jurisdiction an order of the hearing officer determining the dog to be potentially dangerous or dangerous. Notwithstanding the provisions of Section 1-012.18, such appeal shall be perfected within five calendar days from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than fifteen calendar days from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding the animal for a period of time not to exceed fifteen days.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-133.00 Vicious Animals

A. For the purposes of this Section "vicious dog" means any dog which, when unprovoked, in an aggressive manner, inflicts serious bodily injury on or kills a human being and was previously determined to be a dangerous dog under the criteria set forth in Paragraph A of Section 4-132.00.

(1) It shall be unlawful for any person to own a vicious dog.

(2) Whoever violates the provisions of paragraph C of this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both.

B. The provisions of this Section shall not apply to:

(1) Any dog which is owned, or the service of which is employed, by any state or local law enforcement agency for the principal purpose of aiding in the detection of criminal activity, enforcement of laws, or apprehension of offenders.

(2) Any dog trained in accordance with the standards of a national or regional search and rescue association to respond to instructions from its handler in the search and rescue of lost or missing individuals and which dog, together with its handler, is prepared to render search and rescue services at the request of law enforcement.

(3) Proprietors of animal hospitals, to veterinarians, zoological gardens, theatrical exhibit, or a circus, provided that such animal hospital, veterinarian, zoological garden, theatrical exhibit, or circus possesses all permits required by the laws of this parish and state and complies with all other regulations concerning the keeping and maintaining of such animals

F. Impoundment:

(1) Any law enforcement officer making an arrest for violation of this Section may lawfully take possession of all dogs on the premises where the arrest is made or in the immediate possession or control of the person being arrested.

(2) In the event that an animal control officer or law enforcement officer has probable cause to believe that an animal is vicious, and the animal is found to be at large, the animal shall be immediately impounded.

(3) Any law enforcement officer or animal control officer may take possession of any dog that bites a person or is reported to have bitten a person within the limits of the Parish of St. Tammany. In such cases, the provisions of Section 4-131.00 Rabies Control and Attack (Bite) Cases shall also be applicable.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-133.01 Appeal of vicious dog designation; notice

A. The notice of designation shall be, as much as possible, in laymen's language susceptible of understanding by a person of normal capacity, and shall, in large print, inform the person noticed of the determination to designate the animal as vicious.

B. The notice shall be dated and may be served by personal service on the owner or keeper, by posting the notice in a conspicuous place at the owner's or keeper's residence, or by leaving it with a person of suitable age and discretion residing at that location. Notice may also be served by certified or registered U.S. mail to the owner or keeper, or both. In case of notice by U.S. mail, the date of the postmark shall be deemed the date of delivery. Any notification so sent and returned by the U.S. Post Office shall be considered as having fulfilled the notification requirement; provided, that in the case of such returned notice, if the person to be notified has a telephone number listed in the St. Tammany Parish phone directory at least one attempt shall be made to notify the person by telephone.

C. The notice shall, in large print, inform the person noticed that he may appeal the Department's designation of the animal as vicious by appealing that determination, in writing, within fifteen (15) days of the date of the notice of designation. The appeal may be made by signing below the "Appeal-Request for Administrative Hearing" section on the notice of designation and returning same to the Department within fifteen (15) days of the date of the notice.

D. The notice shall inform the owner or keeper that the animal will be held for fifteen (15) days from the date of notice, unless the Department receives written notice that he is appealing the determination. If such notice is not timely provided, the animal may be humanely euthanized.

SEC. 4-133.02 Hearing

A. Upon the showing made by the parties at the hearing on the designation of the animal, the hearing officer shall determine whether the dog is a vicious dog. If the hearing officer determines that the dog is not a vicious dog, he shall order the designation rescinded and, if the animal is in the custody of the Department, shall order the animal to be returned to the owner on demand.

B. In every case where the dog is established to be a vicious dog, the hearing officer shall enter an order declaring the dog to be a vicious dog and ordering the dog to be humanely euthanized. If the dog is not in the custody of the Department of Animal Services, the hearing officer shall order that the dog be immediately surrendered to the custody of the department. The order shall require that the dog not be humanely euthanized prior to the expiration of the time for appeal to the district court or such other time as he deems reasonable.

C. The owner of the dog may appeal to the court of competent jurisdiction an order of the hearing officer determining the dog to be vicious. Notwithstanding the provisions of Section 1-012.18, such appeal shall be perfected within five calendar days from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than fifteen calendar days from the rendition of the order. The hearing officer may order the person to post an amount sufficient to cover the cost of boarding the animal for a period of time not to exceed fifteen days.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-134.00 Animal Establishment Permits

A. Permits

1. No person shall operate an Animal Establishment without first obtaining a permit from the St. Tammany Parish Department of Animal Services.

2. The applicant of an Animal Establishment permit shall abide by all St. Tammany Parish Animal Establishment regulations.

The Animal Control Director may adopt animal establishment regulations such as those set forth in Title 9 - Animal and Animal Products, Chapter 1 - Animal and Plant Health Services, United States Department of Agriculture Animal Welfare Act of 1970 (Public Law 91579) or revisions thereto, or statutes of the State of Louisiana, or may promulgate and use any such nutritional or environmental standards which may be considered applicable and standard husbandry practices by expert opinion or literature, or by such organizations as the American Veterinary Medical Association (AVMA), the Humane Society of the United States (HSUS), the American Association of Zoological Parks and Aquariums (AAZP&A), or a qualified veterinarian.

3. The Department of Animal Services will provide a copy of the standards adopted, as provided in subsection (2), to applicants with application for a permit. The applicant shall acknowledge receipt of the standards in the application.

4. The permit period shall begin on the day the permit application is approved by the Director. All applications for renewal of a permit for the ensuing year shall be filed with the Department of Animal Services no later than the day of the annual inspection and a remittance therefore in cash, cashier's check or money order, in the proper amount as set forth hereinafter, payable to the Department of Animal Services.

5. Any person who maintains or operates an animal establishment shall pay an annual permit fee as provided hereinafter. If any person shall own or operate more than one (1) facility, he shall be required to have a permit for each facility.

6. The annual permit fee shall be one-hundred dollars (\$100.00).

B. Issuance and revocation of Animal Establishment Permits.

1. St. Tammany Parish Animal Control Officers shall be required to conduct all inspections of animal establishments, and Department of Animal Services shall issue permits in compliance with this part and revoke permits for establishments not in compliance with this part.

2. The Department of Animal Services shall have the right of entry, at reasonable hours, on premises affected by this title and into all areas where animals are kept and maintained, for inspection to ascertain if the permittee is in compliance with the standards as set forth in section A2. Failure of the owner to comply with the standards as stated therein shall be cause for the revocation of the permit and/or a misdemeanor summons to be issued.

3. If the St. Tammany Parish Department of Animal Services, after inspection, determines that the permittee is in violation of this part, it shall advise the permittee in writing of the violations and shall further inform the permittee that its failure to comply

with the standards as provided in section A2 shall be cause for the removal of animals from such premises or areas and/or a misdemeanor summons may be issued. The Department of Animal Services shall give the permittee fourteen (14) days from receipt of the written notice to comply with the standards. Extended periods may be granted for good cause shown. If it shall be necessary for the Department of Animal Services to remove or cause to be removed any animals as provided herein, it shall return the animals to the permittee upon compliance with this part. The permittee shall compensate the Department of Animal Services or boarder at a reasonable daily rate per animal.

4. Any person aggrieved by the decision of the Department of Animal Services regarding violations of this part and its decision to suspend or revoke the permit upon the failure of the permittee to comply with this part, may take an appeal to a St. Tammany Parish Hearing Officer with fifteen (15) days of receipt of written notification. The appeal is taken by filing a written notice of the aggrieved persons intent to appeal with the Department of Animal Services.

(a) The decision of the Department of Animal Services shall be final unless appealed within the time and in the manner as set forth above. If it was necessary for the Department of Animal Services to remove or cause to be removed any animals as provided herein, and the permittee has failed to comply and has not timely appealed to the St. Tammany Parish Hearing Officer, the animals may be put up for adoption or humanely euthanized.

(b) If an aggrieved person timely appeals to the St. Tammany Parish Hearing Officer, and the hearing officer determines, based upon the evidence submitted, that the person was not in violation, or has subsequently come into compliance with this part, he may rescind the suspension or revocation of the permit and order the animals returned upon compensating the Department of Animal Services or boarder at a reasonable daily rate per animal.

(c) Should the hearing officer determine, based upon the evidence, that the person violated the provisions of this part and has not come into compliance, he may order any of the following, which shall be non-exclusive and shall become final upon expiration of the ten (10) day period for appeal to the Twenty-Second Judicial District Court: (i) that the animals be put up for adoption or be humanely euthanized; (ii) that the violator pay a fine of not less than twenty-five dollars nor more than five hundred dollars; (iii) that the violator pay the costs of enforcement and all reasonable costs for the care and boarding of the animals.

(d) Any person aggrieved by a decision of the St. Tammany Parish hearing officer may appeal that decision to the Twenty-Second Judicial District Court. If any animal is in the custody of the Department of Animal Services, such appeal shall be perfected within ten (10) calendar days from the rendition of the order and shall be made returnable to the Twenty-Second Judicial District Court in not more than fifteen calendar days from the rendition of the order. The hearing officer may order the person to post an amount

sufficient to cover the cost of boarding and caring for the animal for a period of time not to exceed fifteen days. If the animal is not in the custody of the Department, an appeal of the decision shall be in accordance with the provisions set forth in Section 1-012.18 of the Code of Ordinances.

5. If an applicant is shown to have withheld or falsified any material information on its application, the Department of Animal Services may refuse to issue a permit or license or may revoke a permit or license.

6. A person denied a permit may not reapply for a permit until after a period of thirty (30) days has elapsed. Each application shall disclose any previous denial or revocation and shall be accompanied by a fee as set forth in this part.

7. The Animal Establishment permit shall be displayed in a conspicuous place, so as to be plainly visible to any member of the general public.

8. Any Animal Establishment selling avians, reptiles, amphibians, rodents, rabbits or other small animals must make a substantial effort to educate the prospective owner on the environmental and dietary requirements of each species being considered. Written materials regarding environmental and dietary requirements of said species and general counseling shall be considered as adequate educational tools.

9. The sale, possession or ownership of any venomous snakes in the Parish, except by an institution of higher education, zoo, or governmental agency, is prohibited.

10. The Department of Animal Services Director shall be empowered to inspect and issue temporary permits that shall be valid, unless revoked, until the annual inspection occurs.

11. It shall be unlawful for any Animal Establishment to offer for sale or trade any animal that is known or suspected to be ill, sick, injured, diseased or the carrier of a disease.

12. Animal Establishments shall keep all sick, injured, or diseased animals in a separate area away from healthy animals until they become healthy or are destroyed.

(Ord. No. 09-2000, adopted 02/05/2009)

SEC. 4-135.00 Wild or Exotic Animal

A. No person may own, possess, or have custody of any wild or exotic animal unless that person first obtains a permit from the Director or is exempted from obtaining such a permit as set forth herein.

B. No person shall keep or permit to be kept on his or any other premises any wild or exotic animal for display or for exhibition purposes, whether gratuitously or for a fee, including by way of example but not limited to traveling or stationary reptile shows. This

section shall not apply to zoological parks accredited by AAZP&A, circuses or veterinary clinics, performing animal exhibitions or governmental institutions.

C. No person may sponsor, promote, or train a wild or exotic animal in, or attend as a spectator, any activity or event in which any wild or exotic animal engages in unnatural behavior or is wrestled, fought, mentally or physically harassed or displayed in such a way that the animal is abused or mentally or physically stressed or has the potential to injure a human being. This prohibition applies to events and activities taking place in either public or private facilities or property, and applies regardless of the purpose of the event, whether gratuitous or fiscal.

D. No person shall own, keep or harbor any venomous snake in the parish, except institutions of higher learning, zoos or governmental agencies.

E. No person shall allow a wild or exotic animal to escape.

F. Permits: All applicants shall complete and submit an application form prior to licensing.

1. Exemptions; Standards for Issuing Permits.

a. The following persons are exempt from the permit requirement of section.

i. A person possessing or having temporary custody of a sick, orphaned or injured wild animal solely for the purpose of temporarily keeping or transporting the animal to a licensed veterinarian or permitted wildlife rehabilitator or animal shelter, or to a federal, state, or local governmental official with authority to handle the animal.

ii. Licensed veterinarians tending to injured or sick wild and/or exotic animals.

iii. Any "research facility" within the meaning of section 2(d) of the Federal Animal Welfare Act, 7 USC section 2132(e), licensed by the Secretary of Agriculture of the United States pursuant to that act.

iv. The Department of Animal Services or any agent or official thereof, acting in an official capacity.

v. Any agency or official of the federal, state, or local government, acting in an official capacity.

vi. A zoo that is an accredited member of the AAZP&A.

vii. State universities or other state agencies working with wild or exotic animals.

viii. Circuses.

- ix. Agricultural operations as defined in R.S. 3:3602.
- b. Persons applying for permits must demonstrate to the Director:
 - i. That the facility is not in a recognized subdivision in the parish.
 - ii. That the proposed ownership, possession or custody of the wild or exotic animal will enhance the species in question.
 - iii. That the applicant possesses the scientific and animal husbandry credentials and material resources to implement the proposed species enhancement program.
 - iv. That the applicant will be able to comply with the minimum care standards.
 - v. That the wild animal or exotic will not be kept as a pet.
 - vi. That the applicant will be able to comply with any other applicable state, local or municipal laws, titles or regulations, including those issued by the director under authority of this chapter.
 - vii. That the wild or exotic animal in question will not be used, directly or indirectly, in activities or events prohibited by section.
 - viii. That the applicant can comply with all other terms, conditions and requirements as set forth by the director.
 - ix. That every animal be inspected by a licensed veterinarian every year that upon a determination that the animal is in good health, shall issue a health certificate and shall forward said certificate to the Department of Animal Services.
 - x. That the animal will not endanger the public health and safety and will be housed in a manner to prevent escape and to enable species-typical activities.

2. Requisite Provisions of the Permit:

- a. Any permit issued shall be consistent with the purpose and other provisions of this title.
- b. The permit must specify:
 - i. The number, species and exact identification of the individual animals authorized to be owned, possessed or held by the permit.
 - ii. The location where each animal will be kept.

c. The Director may promulgate by rule any additional conditions or restrictions to be contained in permits consistent with the purpose and provisions of this title.

3. Application Procedure:

a. Each applicant for a permit shall submit a written application to the Director, prior to possessing any animals in the parish.

b. Duration of Permit: The permit shall authorize the applicant to own, possess, or have custody of all animals specified in the permit for a period of one (1) year or for a shorter period if deemed necessary by the director and specified on the permit.

c. Renewal of Permits: The Director may renew a permit annually, after inspection, upon the applicant showing that the applicant' continues to comply with all the requirements of this title.

d. Fees: The fee per permit is one hundred dollars (\$100.00) annually.

e. Modification or Revocation of Permit.

i. The Director shall have the power to modify or revoke any permit issued pursuant to this section for any of the following reasons:

a. In order to make the permit conform to any regulation promulgate by the Director.

b. In any case where the terms and conditions of the permit are violated.

c. Where a wild or exotic animal owned or possessed pursuant to a valid permit is found in the custody, care, possession or control of any person other than the permit holder or his agent or other persons specified on the permit, except when such animals are involved in formal breeding or propagation, loan agreements between zoological parks, aquariums, private breeders or rehabilitators with proper permits.

d. In any case where the permit holder or other person with possession or custody of the animals is found not to meet the minimum care standards or has violated any provisions of R.S.14:102.

e. When the number of animals listed on the permit changes, except in regard to animals that have given birth or have died; and these changes must be reported to the animal control center within one (1) month of the event.

f. In any case where the permit holder or his agents denies the Director or his agents access for inspection.

g. For nonpayment of any fees due under the provisions of this chapter.

ii. If the Director revokes the permit, the animal shall be permanently removed from the custody of the permit holder and forfeited to the director to be disposed of accordingly.

iii. The Director's decision to revoke the permit can be appealed to the St. Tammany Parish Adjudication within fifteen (15) days after the revocation.

4. Grandfather clause.

Any wild or exotic animal which is housed or kept in the parish prior to this title becoming law, must meet all requirements of this title and be inspected and permitted or denied a permit by the director within six (6) months of the effective date of this title.

5. Liability insurance for wild or exotic animals.

The owner or keeper shall present to the director of the animal control center proof that the owner or keeper has procured liability insurance in the amount of at least two hundred thousand dollars (\$200,000.00), covering any damage or injury which may be caused by such animal during the twelve-month period for which licensing is sought, which policy shall contain a provision requiring the parish to be named as an additional insured and the parish shall be notified by the owner or keeper of any cancellation, termination or expiration of the liability insurance policy.

(Ord. No. 09-2000, adopted 02/05/2010)

SEC. 4-136.00 Reserved

(Ord. No. 03-0689, adopted 06/05/2003, amended by Ord. No. 09-2000, adopted 02/05/2009)

ARTICLE VI REPTILES

EDITORIAL NOTE: Former Section 4-200.00 Poisonous Reptiles, Police Jury District 5, replaced under the authority of Ord. C.S. No.03-0743, adopted 9/4/2003. Poisonous reptiles included within Article V of this Chapter by virtue of Ord. C.S. NO. 03-0689, adopted 06/05/2003

SEC. 4-200.00 Feeding Alligators Prohibited

- a) It shall be unlawful for any person to feed an alligator within 500 feet of a residence.
- b) For purposes of this section, a "residence" shall mean a structure used as a dwelling place or abode, and shall also include camps which are inhabited on an occasional basis.

c) Exempt from this section are duly authorized personnel of local, state and federal wildlife agencies, licensed alligator farmers and licensed alligator exhibits.

d) Any violation of this section shall constitute a misdemeanor and shall be punishable by a fine of not less than Three Hundred Dollars (\$300.00) and not more than Five Hundred Dollars (\$500.00) or a term of imprisonment of up to thirty (30) days in the Parish Jail, or both. Each day that a violation shall continue shall constitute a separate offense.

e) Enforcement of this section shall be by the St. Tammany Parish Sheriff, duly authorized agents of Louisiana Wildlife and Fisheries and the U.S. Department of Fish and Wildlife.

(Ord. C.S. 03-0743, adopted 09/04/2003)

ARTICLE VII ANIMAL CONTROL DISTRICTS

SEC. 4-300.00 through 4-300.09 Repealed

Authorized by LSA R.S. 33:9501-9507, Animal Control District No. 1 and Animal Control District No. 2 in St. Tammany Parish, were repealed by Ord. No. 00-0157.(Ord. No. 94-1994, adopted 06/16/94; amended by Ord. No. 94-2055, adopted 08/18/94; amended by Ord. No. 00-0157, adopted 06/01/2000)

CHAPTER 5 BUILDINGS AND CONSTRUCTION

ARTICLE I THE BUILDING CODE OF ST. TAMMANY

(Article I and The Supplemental Code for buildings and construction were repealed in their entirety and replaced by Ord. No. 06-1250, adopted 02/02/2006 (The Building Code of St. Tammany Parish), in accordance with Act 12 of the 2005 1st Extraordinary Session of the Louisiana Legislature enacted 11/29/2005. The reenacted St. Tammany Parish Code of Ordinances, Appendix D, The Building Code of St. Tammany Parish, is available from the Parish Department of Permits and Regulatory.)

SEC. 5-001.00 State Uniform Construction Code

The State of Louisiana enacted Act 12 of the 2005 1st Extraordinary Session of the Louisiana Legislature requiring mandatory statewide enactment of the State Uniform Construction Code.

Act 12 was enacted post Hurricanes Katrina and Rita and contained "emergency" wind and flood provisions within the parishes of Calcasieu, Cameron, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Tammany, Terrebonne, and Vermillion.

SEC. 5-001.01 The Building Code of St. Tammany Parish

The Building Code of St. Tammany Parish, reenacted as Appendix D of the St. Tammany Parish Code of Ordinances per Ord. C.S. No. 06-1250, is referenced and incorporated herein as though copied in extenso.

SEC. 5-001.02 Effect of Enactment

Enactment of Appendix D, The Building Code of St. Tammany Parish, provides the following:

- A. Compliance with State law;
- B. A comprehensive document to serve as a handbook for the Department of Permits and Regulatory;
- C. Expands inspections throughout the entire unincorporated area of St. Tammany Parish;
- D. More stringent building standards for flood and wind resistance;
- E. Meets demands of insurance companies and lenders;
- F. Allows for adoption of new codes approximately every three years.

(Ord. No. 06-1250, adopted 02/02/2006)

ARTICLE II MORATORIUMS

SEC. 5-051.00 Definitions

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

Advertised as used herein requires public notice of a public hearing in the official journal of the Parish and, if appropriate so as to provide for wider notification, same shall be additionally published in a newspaper with greater circulation in the area which is the subject matter of the Ordinance. Same shall be published one time, at least five (5) and not more than ten (10) days before the public hearing.

General nature as used herein is defined as more than one such structure and/or applicable to a defined portion or area within the unincorporated limits of the Parish which encompasses more than one such structure.

Moratorium is defined as the delay in the issuance, ceasing, halting, negating, recall or avoidance of building permits for the construction of dwellings, single-family or multifamily, townhouses, condominiums, schools, libraries, commercial buildings, industrial construction, or of any private or public buildings of whatsoever nature or kind, and accessory buildings and structures thereto.

Public Hearing as used herein shall be a meeting at the place and time advertised, open to the general public. Same shall be conducted either by the governing body of the Parish or by a committee of its members appointed and designated by the governing body. Such meeting shall be conducted under the normal and regular rules applicable to such hearings. Said public hearing may alternatively and/or be further conducted when the Ordinance is considered for adoption. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-052.00 Declared Only By Ordinance

No building moratorium or cessation of construction and/or the ceasing and desisting of the issuance of building permits of a general nature in any portion of the unincorporated limits of the Parish shall be declared or mandated except by Ordinance of the governing body of St. Tammany Parish. (Ord. No 84-119, adopted 06/21/84)

SEC. 5-053.00 Required Time Between Introduction And Adoption Of Ordinance

A minimum lay-over period of twenty-six (26) calendar days is required between the date and time of the introduction of the Ordinance and the time of its adoption. (Ord. No. 84-119, adopted 06/21/84; amended by Ord. C.S. No. 03-0667, adopted 05/01/2003)

SEC. 5-054.00 Individual Building Permit, Land Use, Enforcement

Nothing herein shall be construed to repeal or abrogate the administrative procedures and functions of building permit consideration or issuance by any proper agency or department of the Parish for an individual building permit or land use; nor are the rights, powers, duties and functions of enforcement under the existing Ordinance for building violations in any way repealed, abrogated or curtailed. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-055.00 Emergency Ordinances

1. Nothing herein shall be construed to preclude the Police Jury, should it determine that same is necessary under its police power because of imminent danger to health, safety or welfare, to impose by Emergency Ordinance a Moratorium against the issuance of building permits in a specified and clearly defined area of the Parish; provided that said Emergency Ordinance shall be adopted by a simple majority of the membership of the Police Jury or its successor in office; and provided further that said Emergency Ordinance shall remain valid, binding and enforceable for a period of time not to exceed thirty (30) calendar days from

the date of its adoption, or for such lesser time as may be imposed in the Ordinance.

2. Thereafter, the Moratorium may be reimposed on a greater or more restricted specific defined area for successive periods of thirty (30) calendar days by the adoption of successive Emergency Ordinances.
3. Alternatively and including during any thirty-day (30) period of an Emergency Ordinance, a regular Ordinance may be introduced and thereafter adopted in due course imposing the Moratorium as hereinabove recited for such time as the Police Jury may determine to be feasible and proper as is hereinabove recited. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-056.00 Vacation

A Moratorium as herein imposed may be vacated, in whole or in part, either by Resolution or Ordinance of the governing body. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-057.00 Parish-Wide Emergencies

This Article shall not be applicable in the event of a bona fide Parish-wide emergency. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-058.00 Judicial Relief Not Denied

Nothing herein shall be construed as to deny any person judicial relief if said person feels aggrieved thereby. (Ord. No. 84-119, adopted 06/21/84)

SEC. 5-059.00 Violation; Penalty

After a Moratorium is imposed as is herein provided, it shall be unlawful for any person, or persons in concert, to violate same by commencement or continuation of construction or by issuing a building permit, and said actions are prohibited. Violation shall constitute a misdemeanor, punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. Each day of such violation constitutes a separate offense. (Ord. No. 84-119, adopted 06/21/84)

CHAPTER 6 CIVIL DEFENSE, DISCRIMINATION

ARTICLE I CIVIL DEFENSE

STATE REFERENCE: LSA R.S. 29:601, 29:608, 29:610, 29:611.

SEC. 6-016.00 Created

There is hereby created a local organization for civil defense. (Ord. No. 166, Bk. 2, P. 49)

STATE REFERENCE: LSA R.S. 29:608, Power of Police Jury to create Civil Defense Organization.

SEC. 6-017.00 Director

The local organization for Civil Defense shall have a Director who shall be appointed as provided by law, and who shall have direct responsibility for the organization, administration and operation of such local organization for Civil Defense subject to the direction and control of the Governor and the appropriate state agency.

The Director shall execute and enforce such orders, rules and regulations as may be made by the appropriate state agency. (Ord. No. 166, Bk. 2, P. 49)

SEC. 6-018.00 Gifts, Grants, Etc.

When the Federal or State government or any agency or officer thereof shall offer this Parish service, equipment, supplies, materials, or funds by way of gift, grant or loan for purposes of civil defense, the Director, with the consent of the Police Jury and the Governor, may accept such offer and is authorized to receive such aid and assistance. (Ord. No. 166, Bk. 2, P. 49)

SEC. 6-019.00 Plan

The Director is authorized and directed to prepare a detailed plan for civil defense operations in this Parish, and to recruit and train personnel in accordance with the plan to the end that when disaster strikes, each member of the local organization will know his part and his duty. (Ord. No. 166, Bk. 2, P. 49)

SEC. 6-020.00 Utilization Of Existing Services And Facilities

The Director is hereby authorized to utilize the services of equipment, supplies and facilities of existing departments, offices and agencies of this Parish, to the maximum extent practicable and the officers and personnel of all such departments and agencies are directed to cooperate and extend such services and facilities to the President of the Police Jury and the Director upon request. (Ord. No. 166, Bk. 2, P. 49)

STATE REFERENCE: LSA R.S. 29:611.

ARTICLE II DISCRIMINATION - FAIR HOUSING

SEC. 6-021.00 Policy

It is the policy of the Parish of St. Tammany to provide, within constitutional limitations, for fair housing throughout the Parish of St. Tammany, Louisiana. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377; adopted 02/15/96)

SEC. 6-022.00 Definitions

As used in this Article:

a. **Dwelling** - Any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

b. **Person** - Includes a single individual.

c. **Family** - One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.

d. **To Rent** - To lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

e. **Discriminatory Housing Practice** - An act that is unlawful under Sections 6-024.00 through 6-026.00. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/96)

SEC. 6-023.00 Application Of Prohibitions

Subject to the provisions of Subsection 6-023.00(b) and Section 6-027.00, the prohibitions against discrimination in the sale or rental of housing set forth in section 6-024.00 shall apply to: all dwellings except as exempted by subsection 6-023.00(b).

Nothing in section 6-024.00 (other than subsection 6-024.00(c)) shall apply to:

Any single-family house sold or rented by an owner: provided, that such private individual owner does not own more than three (3) such single-family houses at any one time; provided, further, that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; provided, further, that such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three (3) such single-family houses at any one time; provided

further that the sale or rental of any such single-family house shall be exempted from the application of this title only if such house is sold or rented:

(a) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or salesman or of such facilities or services of any person in the business of selling or renting dwellings or of any employee or agent of any such broker, agent, salesman or person; and

(b) without the publication, posting or mailing, after notice of any advertisement or written notice in violation of Section 6-024.00(c) of this Article; but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstracters, title companies, and other such professional assistance necessary to perfect or transfer the title.

Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

For the purpose of Subsection 6-023.00(b), a person shall be deemed to be in the business of selling or renting dwellings if:

1. He has, within the preceding twelve (12) months, participated as principal in three (3) or more transactions involving the sale or rental of any dwelling or any interest therein, or
2. He has, within the preceding twelve (12) months, participated as agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or any interest therein, or
3. He is the owner of any dwelling designed or intended for occupancy by, or occupied by, five (5) or more families. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/96)

OSEC. 6-024.00 Discrimination in the Sale Or Rental Of Housing

As made applicable by Section 6-023.00 and except as exempted by Subsection 6-023.00(b) and Section 6-027.00, it shall be unlawful:

1. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion or national origin.
2. To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion or national origin.
3. To make, print or publish, or cause to be made, printed or published any notice, statement or advertisement, with respect to the sale or rental of a dwelling that

indicates any preference, limitation or discrimination based on race, color, religion or national origin, or an intention to make any such preference, limitation or discrimination.

4. To represent to any person because of race, color, religion or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
5. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representation regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion or national origin. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/96)

SEC. 6-025.00 Discrimination in the Financing Of Housing

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, color, religion or national origin of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given; provided, that nothing contained in this Section shall impair the scope or effectiveness of the exception contained in Section 6-023.00(b). (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/97)

SEC. 6-026.00 Discrimination in the Provision Of Brokerage Services

It shall be unlawful to deny any person access to or membership or participation in any multiple listing service, real estate brokers organization or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership or participation, on account of race, color, religion or national origin. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/96)

SEC. 6-027.00 Exemptions

Nothing in this title shall prohibit a religious organization association or society or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial

purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin. Nor shall anything in this title prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members. (Ord. No. 80-69A, adopted 11/06/80; Ord. No. 96-2377, adopted 02/15/97)

SEC. 6-028.00 Interference, Coercion, Intimidation

It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by Sections 6-023.00 through 6-026.00. (Ord. No. 80-69A, adopted 11/06/80; Ord. No. 96-2377, adopted 02/15/96)

SEC. 6-029.00 Severability Of Provisions

If any provision of this Article or the application thereto to any person or circumstances is held invalid, the remainder of the Article and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby. (Ord. No. 80-69A, adopted 11/06/80; Ord. No. 96-2377, adopted 02/15/96)

SEC. 6-030.00 Penalty

Any person violating any of the provisions of this Article shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine not to exceed TWO HUNDRED DOLLARS (\$200.00) or imprisonment not to exceed thirty (30) days, or both, as specified under Section 1.008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. Discrimination complaints may be filed with HUD. (Ord. No. 80-69A, adopted 11/06/80; amended by Ord. No. 96-2377, adopted 02/15/96)

ARTICLE III DISCRIMINATION IN EMPLOYMENT

CROSS REFERENCE: See St. Tammany Personnel Policies and Procedures being Chapter 2, Division 2, Sections 2-048.0 through 2-048.38 of the Code of Ordinances of St. Tammany Parish, Louisiana.

SEC. 6-041.00 Applicability

The Parish of St. Tammany through the St. Tammany Parish Police Jury adopts and will implement this plan to fulfill Federal Highway Administration/Louisiana Department of Transportation and Development requirements, supplementing existing plans of similar nature. (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-042.00 Equal Employment Opportunity Policy

The St. Tammany Parish Council hereby adopts Attachment A as its official policy statement on equal employment opportunity. (Attachment A was not published in the Municipal Code publication of the Ordinances for St. Tammany, 1979-1987. It is reported to be available in the Office of the Police Jury.) (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-043.00 Equal Employment Opportunity Officer

1. The President of the Police Jury will designate an individual (for purposes of this plan, referred to hereinafter as the EEO Officer) who will have the responsibility for, and is capable of effectively administering and promoting an active program of equal employment opportunity and is assigned adequate authority and responsibility to do so.
2. The designated EEO Officer is responsible and accountable to the following official(s): The President of the Police Jury and the Parish Manager.
3. The EEO Officer is responsible for: Equal Employment Opportunity and Title VI, Civil Rights Act.
4. Pertinent information relative to the designated EEO Officer is provided in Attachment B. (Attachment B was not published in the Municipal Code publication of the Ordinances for St. Tammany, 1979-1987. It is reported to be available in the Office of the Police Jury.) (Ord. No. 81-178, adopted 04/02/81)

CROSS REFERENCE: See St. Tammany Personnel Policies and Procedures being Chapter 2, Division 2, Sections 2-048.0 through 2-048.38 of the Code of Ordinances of St. Tammany Parish, Louisiana.

SEC. 6-044.00 Dissemination And Publicity Of EEO Policy

(a) The President of the Police Jury of St. Tammany Parish will in such manner and from he elects, convey his support of the EEO policy and affirmative action plan to key officials, managers and supervisors throughout the jurisdiction, charging each to cooperate with and assist the EEO Officer and holding each responsible and accountable for effective EEO implementation within their respective area of operation.

(b) All members of the Parish of St. Tammany staff and work force who are authorized to hire, supervise, promote, recommend training, reassign, demote, discharge or otherwise recommend, cause or are substantially involved in any change in an employee s status, will be made fully aware of the jurisdiction s EEO policy, this affirmative action plan, and the jurisdiction s contractual obligations, and made accountable for effective implementation within the operational area each such person is assigned or involved in. To ensure that this commitment is carried out and met, the following actions will be taken, as a minimum:

1. Periodic meetings of supervisory and personnel office employees will be conducted, beginning within forty-five (45) days of adoption of this plan and thereafter no less often than once each year, at which times the jurisdiction s EEO policy and implementing procedures will be reviewed, explained and discussed. Such meetings will be conducted by the EEO Officer or other knowledgeable official.
2. Newly hired supervisory and personnel office employees will be given a thorough indoctrination by the EEO Officer or other knowledgeable official covering all aspects of the jurisdiction s equal employment opportunity obligations and procedures within thirty (30) days of their reporting for employment duties.
3. Personnel engaged in direct recruitment activities will be instructed by the EEO Officer or other knowledgeable official in the jurisdiction s procedures for locating and hiring minorities, females or other groups of persons under represented in the jurisdiction s work force.
4. Documentation of meetings and other actions taken in fulfillment of subsections (b)(1) - (3) above will be maintained and available for review by Federal Highway Administration, Louisiana Department of Transportation and Development authorities, upon request.

(c) In order to make the Parish of St. Tammany s equal employment opportunity policy known to all employees, prospective employees and potential sources of employees, e.g., schools, employment agencies, labor unions (where appropriate), college placement offices, community organizations, etc., the Parish of St. Tammany will take the following actions:

(1) Notices and/or posters setting forth the Parish of St. Tammany s equal employment opportunity policy will be placed in areas readily accessible to employees, applicants for employment and potential employees. Where actual posting or placing of notices and posters is beyond the authority and control of the Parish of St. Tammany, as may be the case in the properties of potential recruitment sources listed, information on the Parish of St. Tammany s EEO policy will be furnished such sources together with information on employment opportunities and how prospective employees may make application for employment.

(2) The Parish of St. Tammany s equal employment opportunity policy and the procedures utilized to implement the policy will be brought to the attention of employees by means of meetings, newsletters, employee handbooks or other appropriate and innovative means. Paramount effort will be made to ensure that every employee at all times knows the name of the Parish s EEO Officer and the means by which to reach him/her promptly to discuss any matter relating to equal employment opportunity without fear of intimidation or retaliation. (Ord. No. 81-178, adopted 04/02/81)

0SEC. 6-045.00 Assessment Of Work Force Structure And Personnel Practices

The Parish of St. Tammany has conducted, or if not, will conduct within sixty (60) days of adoption of this plan, a thorough analysis and assessment of its organizational structure, work force composition and personnel practices, to include:

1. A classification plan review to correct inaccurate position descriptions and to ensure that positions are allocated to the appropriate classifications and further, that qualification requirements are closely job-related.
2. Efforts to restructure jobs and establish entry level and trainee positions to facilitate and encourage advancement within skill and occupational areas.
3. Efforts to eliminate "dead-end" positions and/or provide paths for lateral and upward mobility.
4. Through analysis of current work force composition by organizational units and by job groupings to determine if minorities, women or other groupings of personnel are under represented or disproportionately distributed, i.e., confined to certain areas of skill and responsibility or to certain pay levels only.
5. Identification of training needs and/or other barriers to progressive development and advancement of employees. (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-046.00 Goals And Time Tables

(a) The Parish of St. Tammany will set specific, measurable and attainable hiring, placement and promotion goals, with reasonable target dates for attainment, in each area of underutilization of qualified employees or applicants for employment, particularly minorities and females.

(b) Goals and time tables will also be set for any other efforts and actions deemed necessary and effective to overcome deficiencies or remove barriers to employee development and advancement revealed by the assessment made in accordance with Section 6-045.00 above.

(c) Goals and time tables will be made known to all officials, managers and supervisors and each such person will be made responsible and accountable for their efforts to assist the jurisdiction toward attainment of the goals.

(d) The goals and time tables established by the Parish of St. Tammany are designed for use as a practical management tool and guide to the jurisdiction in its efforts to achieve its equal employment opportunity objectives. Such goals and time tables are not construed to be contractual commitments to Federal Highway Administration or Louisiana Department of Transportation and Development, nor will failure to attain any goal(s) imply noncompliance with contractual requirements and/or agreements. Failure to establish goals and time tables will be viewed as a breach of contractual agreement, however.

(e) Notwithstanding the provisions of the preceding paragraph, the Parish of St. Tammany will furnish Federal Highway Administration/Louisiana Department of Transportation and Development a copy of current goals and time tables, if requested,

and in any event, make them available for review by authorized officials of Federal Highway Administration/Louisiana Department of Transportation and Development as evidence of the jurisdiction's affirmative action. (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-047.00 Recruitment And Recruitment Advertising

(a) Consistent with personnel needs (i.e., vacancies, turnover rate, shortage of applicants and/or employees in certain skill areas, etc.) and unless precluded by a valid bargaining agreement, the Parish of St. Tammany will conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority, female and other underrepresented group applicants. Such referral sources may include, but not be limited to, state employment agencies, schools, colleges, trade and professional organizations and minority group organizations. To meet this requirement, the Parish of St. Tammany will identify and most importantly, establish effective referral procedures with a sufficient number of such sources to ensure an adequate representation of minorities and females among applicants referred.

(b) In the event the Parish of St. Tammany has a valid bargaining agreement providing for exclusive referrals or a bargaining agreement providing that current employees who are union members be given preferential consideration, the Parish of St. Tammany will observe that agreement to the extent that the system permits the jurisdiction to comply with its equal employment opportunity contractual obligations. (It has been held by various authorities that where adherence to such agreements has the effect of excluding or discriminating against minorities and/or women or obligates an employer to do so, adherence to such agreement violates federal financial assistance requirements.)

(c) The Parish of St. Tammany will encourage present employees to refer minority group and female applicants for employment by posting appropriate notices or bulletins in areas accessible to such employees. In addition, information and procedures with regard to referring applicants will be discussed with employees.

(d) When advertising for employees through public media, the Parish of St. Tammany will include in all such advertisements the notation, "An Equal Opportunity Employer." All such advertisements will be published and/or broadcast in media having a known large readership and/or listening/viewing audience among minority groups within the area from which the jurisdiction's work force is normally derived. (Ord. No. 81-178, adopted 04/02/81)

CROSS REFERENCE: See St. Tammany Personnel Policies and Procedures being Chapter 2, Division 2, Sections 2-048.0 through 2-048.38 of the Code of Ordinances of St. Tammany Parish, Louisiana.

SEC. 6-048.00 Personnel Actions

Wages, working conditions and employee benefits will be established and administered, and personnel actions of every type including hiring, placement, upgrading, promotion,

training, transfer, demotion, layoff and termination, shall be made without regard to race, color, religion, sex, national origin or to handicap of an employee except where job-related factors or reasonable accommodation for the handicapped person warrants. The following actions, as a minimum, will be taken:

(a) The EEO Officer will conduct periodic inspections of the jurisdiction s buildings and other properties where employees work to ensure that working conditions and employee facilities do not indicate discriminatory treatment.

(b) The EEO Officer will periodically evaluate payrolls and pay scales to determine any evidence of discriminatory wage practices.

(c) The EEO Officer will periodically review selected personnel actions (e.g., all new hires during a selected period, or all promotions, demotions, terminations etc., again for a selected period) to determine whether there is evidence of discrimination (as when a disparate number of minorities and/or women appear to be affected by the particular personnel action under review). Where such evidence is found, the EEO Officer will promptly initiate appropriate corrective action. If the review indicates that the discrimination may extend beyond the particular action(s) reviewed, such corrective action will include all affected persons. (Ord. No. 81-178, adopted 04/02/81)

CROSS REFERENCE: See St. Tammany Personnel Policies and Procedures being Chapter 2, Division 2, Sections 2-048.0 through 2-048.38 of the Code of Ordinances of St. Tammany Parish, Louisiana.

SEC. 6-049.00 EEO Counseling And Complaint Procedures

The Parish of St. Tammany through its personnel policy will establish effective procedures for counseling of employees on Equal Employment Opportunity matters and for the receipt, investigation and resolution of complaints filed by employees. (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-050.00 Records And Reports

(a) The Parish of St. Tammany will keep such records as are necessary to determine compliance with equal employment opportunity contractual obligations. The records kept will be designed to show:

1. The number of minority and nonminority group members and women employed in each work classification;
2. The efforts and progress being made in locating, hiring, training, qualifying and upgrading minority and female employees;
3. The efforts and progress being made in cooperation with unions to increase employment opportunities for minorities and women, if applicable;
4. Contracts made with applicant referral sources and results obtained therefrom;

5. Equal employment opportunity complaints and/or charges of discrimination by employees.

(b) Adequate documentation will be maintained to show actions taken by the EEO Officer and/or others in fulfillment of specific commitments of this plan (e.g., prescribed meetings, periodic reviews of personnel actions, etc.).

(c) All such records will be retained for a period of three (3) years following termination of contractual agreement between the jurisdiction and Louisiana Department of Transportation and Development and/or Federal Highway Administration, and such records will be available at reasonable times and places for inspection by authorized representatives of Louisiana Department of Transportation and Development and Federal Highway Administration.

(d) The Parish of St. Tammany will provide such reports relative to its equal employment opportunity program and implementation as may be requested by Louisiana Department of Transportation and Development and/or Federal Highway Administration. (Ord. No. 81-178, adopted 04/02/81)

SEC. 6-051.00 Purpose For Adoption Of Plan

The foregoing plan has been adopted by the St. Tammany Parish Police Jury to comply with the requirement of the Louisiana Department of Transportation and Development for participation in the Off-System Bridge Replacement and Rehabilitation Program. (Ord. No. 81-178, adopted 04/02/81)

CHAPTER 7 DRAINAGE AND FLOOD CONTROL

ARTICLE I IN GENERAL

SEC. 7-001.00 Flooding Roads

It shall be unlawful for any owner or user of water from artesian wells or other artificial sources of water supply to allow said water to flow or drain into any ditch along a parish road, highway or other public right-of-way without receiving approval from St. Tammany Parish Police Jury and without obtaining a permit from the State of Louisiana, Department of Transportation and Development, Office of Water Resources. It shall be unlawful for any owner or user of water from artesian wells or other artificial sources of water supply to allow said water to flow or drain into any ditch along any public road, highway or public right of way so that such ditch overflows onto a public road or highway. (Ord. No. 180, Bk. 3, P. 195, adopted 01/21/54; amended by Ord. No. 93-1699, adopted 02/18/93)

SEC. 7-002.00 Use Of Fill Materials Prohibited

A. ADVERSE DRAINAGE IMPACT: It shall be prohibited to place fill or construct improvements on any parcel of property so as to cause adverse drainage impacts on any adjacent parcel.

B. PLACEMENT OF FILL MATERIAL:

1. Definitions:

(a) Net Fill: For purposes of this ordinance, "net fill" is defined as the placement of any fill material that results in any increase in the surface elevation of property from its natural or pre-development state.

(b) Critical Drainage Area: A critical drainage area is an area determined by the St. Tammany Parish Department of Engineering, after careful consideration of the available data, to be of critical importance for its role in the conveyance, moderation or storage of storm water. Areas within this designation include, but are not limited to, the following:

1. Areas anticipated to be inundated by a 100-year storm event, including areas adjacent to streams, upland areas, and areas of isolated or permanent flooding.
2. Areas of concentrated storm water flow, including but not limited to concentrated sheet flow, channelized flow, and natural hydrologic features or channels of all types and sizes.
3. Any area designated by FEMA as Flood Hazard Area A, V, or the equivalent, indicating inundation during a 100-year event.
4. Areas included within wetlands as defined by the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual.
5. Those areas that are designated as a Critical Drainage Area on the most current Critical Drainage Area Map that is on file in the office of the St. Tammany Parish Department of Engineering.

(c) Critical Drainage Area Map - The official Critical Drainage Area Map is generated and maintained by the Department of Engineering. The map will be periodically revised, based on information and data available at the time, in an effort to provide reasonably updated information to the public regarding the areas of the Parish considered to be Critical Drainage Areas.

(d) Approved Development Plan - An approved development plan may be a properly issued building permit, commercial drainage plan approval, subdivision preliminary work order, or a fill plan approved by the Department of Engineering.

Plans proposed within the boundaries of St. Tammany Parish Gravity Drainage District No. 5 (GDD5) shall require review and comment from GDD5's engineer.

(e) Natural Ground - Natural Ground is the natural or pre-development elevation of the property, prior to any surface alteration work being performed.

(f) Lots and Parcels Ninety (90) Feet or Less in Width - The determination of whether a lot or parcel is ninety (90) feet in width or less is to be made by averaging the measurement of the width of the property at the point of the rear roof line of an existing or proposed principal structure and the measurement of the width of the property at the front boundary line. The rear roof line is the point where the roof is closest to the rear boundary.

(g) An Area of special concern is an area that is experiencing development without an approved hydrological plan for the area and, although it may not be located within a critical drainage area, has been determined by the St. Tammany Parish Department of Engineering, after careful consideration of the available data, to be an area that is particularly susceptible to adverse drainage and flooding impacts that are likely to result from continued development and fill, necessitating the application of specific fill and building regulations to address those impacts.

2. Net fill prohibited:

(a) Net fill shall be strictly prohibited in any Critical Drainage Area and on any lot or parcel ninety (90) feet or less in width, except with an approved development plan or with the express written consent of the Department of Engineering. The procedures and guidelines outlined herein shall apply to any request to place any fill in a Critical Drainage Area or on any lot or parcel ninety (90) feet or less in width.

(b) A lot or parcel of property shall be deemed to be located in a critical drainage area when any part thereof is located within a critical drainage area. Net fill shall not be placed on any part of such property, except with an approved development plan or with the express written consent of the Department of Engineering.

3. Jurisdictional Wetlands:

All fill/excavation activities within jurisdictional wetlands shall secure all necessary permits from the U.S. Army Corps of Engineers and any other relevant local, state or federal agencies before such activities are commenced.

4. Procedures:

(a) Any request for approval to place fill on a lot or parcel governed by this ordinance shall include a detailed description of the fill activity and a completed

“Existing and Proposed Grade Elevation Form” prepared by a Licensed Civil Engineer or Land Surveyor. The following information shall be included:

1. volume of fill to be placed,
2. the footprint of the fill work,
3. volume and source location of any excavation work,
4. the location of the ultimate disposition of the spoil being removed
5. the direction of water flow across the site,
6. a profile through the construction footprint showing the natural and finished elevations of the site, and
7. the sediment retention measures proposed for the site.

(b) Upon receiving approval to fill by the Department of Engineering, whenever a concrete slab or any other structural foundation of a permanent nature is to be constructed, the applicant or builder shall certify, after excavation of the site and prior to pouring any concrete or installing any permanent foundation, that the foundation is ready to be installed and that all fill work complies with the relevant standards. The foundation shall not be poured or installed prior to certification and inspection.

(c) Prior to the issuance of the certificate of occupancy, the applicant or builder shall submit an official survey which confirms compliance with the provisions of this ordinance. A final drainage inspection by the Department of Engineering shall be conducted to verify compliance with these standards, and no certificate of occupancy shall be issued unless and until compliance has been verified.

5. General Residential Fill Standards:

The placement of fill material on any lot or parcel located within any Critical Drainage Area shall be permitted only after a development plan has been submitted and approved by the Department of Engineering. In the event that the Department of Engineering determines that fill work is permitted on the particular parcel, the fill work must comply with the following specific standards:

a. In some cases, subject to the discretion of the Department of Engineering, excavation of existing soil and its replacement with fill is permissible at the site provided it can be demonstrated to have no increase in the natural ground elevation and no net impact on the function of the Critical Drainage Area.

b. Fill shall be limited to the roof shed area of the proposed primary structure and access to the site and shall not exceed that which is necessary to prepare an adequate building footprint.

c. Site improvements (roads, structures, fill, etc.) shall not impede natural drainage pathways or parish road or drainage easements, servitudes, or rights-of-way.

d. Fill for driveways must not exceed 6 inches above natural ground elevation except where fill is part of the foundation for the main residence, carport, or garage. Fill may also be placed to soften the transition between elevations to a slope not less than four horizontal feet to every one vertical foot.

e. Fill may be authorized by the Department of Engineering in those cases where, due to the size and location of the parcel of property, on-site or off-site mitigation can be provided and the Department of Engineering also determines that there will be no loss of flood plain storage, no loss of stream flow capacity and the applicant demonstrates that no adverse impacts will occur to adjacent properties, to other properties within the subject watershed, and to the function of the Critical Drainage Area. GDD5 review and comments shall be required if subject property is within GDD5 boundaries. It is expressly prohibited to utilize offsite mitigation within the boundaries of Gravity Drainage District No. 5.

6. Lots Ninety (90) Feet or Less in Width:

The placement of fill material on any lot or parcel ninety (90) feet or less in width shall be permitted only when a development plan has been submitted and approved by the Department of Engineering regardless of its location or critical drainage area status. If it is located in a critical drainage area, the provisions of this section governing fill in a critical drainage area apply. If not in a critical drainage area, the fill work proposed must comply with the following standards:

a. Fill shall be limited to the roof-shed area of the lot or parcel's primary structure and shall not exceed the volume required to prepare an adequate building footprint.

b. A concrete slab shall be permitted under the primary structure provided that the finished surface or footing does not exceed an average of 24 inches above natural ground grade. Fill for a slab with a finished surface less than 24 inches above natural ground shall taper out from the slab at a slope of two horizontal feet for one vertical foot.

c. Construction shall be accomplished using pier or piling construction according to applicable building codes for finished elevations above 24 inches above natural ground.

- d. Site improvements shall not impede natural drainage pathways or parish road or drainage easements, servitudes, or rights-of-way.
- e. There shall be no net change in the average elevation of the natural grade of the lot or parcel outside of the roof-shed area of the primary structure.
- f. Fill for driveways must not exceed 12 inches above natural ground grade except where fill is part of the transition from the foundation for the primary structure, carport, or garage. Fill may also be placed adjacent to the driveway to soften the transition between elevations to a slope not steeper than four horizontal feet for every one vertical foot.
- g. The placement of fill may not encroach into the required side yard setbacks, except as otherwise permitted in this ordinance.
- h. Fill for non-contiguous landscaping areas within the front and rear yards resulting in the finished ground elevation up to an average of 6 inches above natural ground for each such area is permitted, provided that an equal volume of fill is removed from the lot.

7. Non-residential Standards

In cases of commercial, industrial, or institutional development on any lot or parcel of property that has any part thereof located within a Critical Drainage Area, the placement of fill on such lot or parcel may be permitted, in the discretion of the Department of Engineering, provided that:

- a. Soil material in a volume equal to the fill material proposed to be placed on the property is excavated and removed from the property, such that the flood storage capacity of the property is maintained for a 100-year frequency flood event; or
- b. Off-site mitigation will be provided, and the Department of Engineering also determines that there will be no loss of flood plain storage and no loss of stream flow capacity. It is expressly prohibited to utilize offsite mitigation within the boundaries of Gravity Drainage District No. 5; and
- c. The applicant can demonstrate that no adverse impacts will occur to adjacent properties, to other properties within the subject watershed, and to the function of the Critical Drainage Area; and
- d. The proposed development complies with all other applicable drainage regulations; and
- e. GDD5 review and comment is required if subject property is within the boundaries of GDD5.

8. Areas of Special Concern:

a. A certain portion of Tammany Hills and Alexiusville Subdivisions, Ward 3, District 5, located inside the boundaries described immediately below, to wit:

Beginning at the northeast corner of 9th Avenue and U.S. Highway 190, proceed in a northerly direction along the eastern edge of U.S. Highway 190 to its intersection with Harrison Avenue, then proceed in an easterly direction along Harrison Avenue to its intersection with 11th Street, then proceed in a southerly direction along 11th Street to its intersection with Madison Avenue, then proceed in a westerly direction along Madison Avenue to its intersection with 5th Street, then northerly along the 5th Street right-of-way to its intersection with Quincy Avenue, then westerly along Quincy Avenue to its intersection with K Street, then south on K Street to its intersection with 9th Avenue, then proceed west on 9th Avenue to its intersection with U.S. Highway 190 and the point of beginning.

b. A certain portion of Cypress Park and Erindale Subdivisions, Ward 7, District 7, located inside the boundaries described immediately below, to-wit:

Beginning at the intersection of U.S. Highway 190 and Anchorage Drive, the point of beginning, proceed along the eastern edge of Anchorage Drive in a northerly direction to its intersection with Berry Todd Road, thence proceed along the southern edge of Berry Todd Road in an easterly direction to its intersection with Graci Avenue, thence follow an imaginary line due south from said intersection to the northern most point of Emerald Drive, thence proceed along the western edge of Emerald Drive south to its intersection with U.S. Highway 190, thence proceed along the northern edge of U.S. Highway 190 west northwest to its intersection with Anchorage Drive, the point of beginning.

c. All that property situated within a re-subdivided portion of Tammany Forest Subdivision, Ward 7, District 7, all as more particularly described immediately below, to-wit:

Any and all squares and lots of record within the re-subdivided portion of Tammany Forest Subdivision, located within Section 43, Township 8 South, Range 13 East and as more fully described on the finalized subdivision plat dated August 7, 1985 by NRW & Associates, Inc.

d. All that property situated within the subdivision known as Dove Park, Ward 4, District 5, Section 26, Township 7 South, Range 11 East, located within the boundaries described immediately below and more particularly depicted on the attached subdivision plat filed for record with the St. Tammany Parish Clerk of Court on June 20, 1957 and identified as Map #16A, to-wit:

Any lot or parcel of ground between Sparrow Street and the proposed Judge Tanner Boulevard (formerly the proposed E. Fairway Drive Extension) that abuts or has access to Swallow Street, Egret Street or Partridge Street.

In addition to any of the requirements of SEC. 7-002.00, within the Dove Park Subdivision there shall be a minimum building site of 75 feet front on the setback line.

e. Any undeveloped lot or parcel of ground situated in the area generally surrounding Eola Street, Jordan Street and Elmer Street, which area is more particularly depicted on the attached aerial and described immediately below, to-wit:

A certain piece or portion of ground situated in Section 6, Township 8 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows:

Parcel 1

From the Quarter Section Corner common to Section 6, Township 8 South, Range 12 East and Section 1, Township 8 South, Range 11 East, go South 89 degrees 51 minutes 30 seconds East a distance of 330.0 feet to a point; said point being the Point of Beginning.

From the Point of Beginning proceed North 89 degrees, 18 minutes, 18 seconds East a distance of 1357.15 feet to a point; Thence proceed North 01 degrees, 51 minutes, 49 seconds West a distance of 947.44 feet to a point at the intersection of the western right of way of Sout Drive and the southern right of way of Highway 1088; Thence proceed in a westerly direction along the southern right of way line of Highway 1088 a distance of 1875 feet to a point; Thence proceed South 00 degrees, 00 minutes, 00 seconds West a distance of 266.71 feet to a point Thence proceed North 89 degrees, 43 minutes, 43 seconds East a distance of 395.84 feet to a point, said point being the Point of Beginning.

Parcel 2

From the Quarter Section Corner common to Section 6, Township 8 South, Range 12 East and Section 1, Township 8 South, Range 11 East, proceed South 89 degrees 51 minutes 30 seconds East a distance of 330.0 feet to a point, Thence proceed North 89 degrees, 18 minutes, 18 seconds East a distance of 1357.15 feet to a point; Thence proceed North 01 degrees, 51 minutes, 49 seconds West a distance of 1011 feet to a point at the intersection of the western right of way of Sout Drive and the northern right of way of Highway 1088; said point being the Point of Beginning.

From the Point of Beginning proceed North 01 degrees, 51 minutes, 49 seconds West a distance of 345.28 feet to a point; Thence proceed South 89 degrees, 0 minutes, 48 seconds West a distance of 965 feet to a point; Thence proceed South 00 degrees, 52 minutes, 25 seconds West a distance of 157.57 feet to a point; Thence proceed South 88 degrees, 55 minutes, 22 seconds West a distance of 304.04 feet to a point located at the southwest corner of Lot of Lot 1, Square 26 of the Mandeville Annex Subdivision; Thence proceed North 62 degrees, 57 minutes, 19 seconds East a distance of 23.69 feet to a point located at the southeast corner of Lot 11 of the Grande Terre Subdivision; Thence go North 73 degrees, 26 minutes, 16 seconds West a distance of 159.21 feet to a point; Thence proceed in a southwesterly direction along the eastern right of way of Frenchman Drive to a point formed by the intersection of western right of way of Frenchman Drive and the northern right of way of Highway 1088; Thence proceed along the northern right of way line of Highway 1088 in a northwesterly direction distance of 1875 feet to a point, said point being the Point of Beginning.

(f) Any property having, or proposing to have, ingress and egress to and from Lakeview Drive and Carr Drive, Slidell, Louisiana, being more particularly described as follows:

Lakeview Drive: Situated in Sections 31, 32 and 33, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana.

Carr Drive: Situated partially in Sections 25 and 26, Township 9 South, Range 13 East, and partially in Sections 29, 30, 31 and 32, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana.

(1) On any lot situated within the area of special concern set forth in subparagraph (f) herein above, the amount of fill shall not exceed an elevation of twenty-four (24") inches above the center line of the subject road i.e., Lakeview Drive or Carr Drive.

(2) No fill shall be placed on any lot or parcel within the boundaries of the area of special concern set forth in subparagraph (f) herein above prior to the submission of a Coastal Use Permit application and plan and the submission of a development plan to the Department of Engineering that details any proposed grade work. The plan shall provide the elevation at the four corners of the lot, at the center of the proposed primary structure, and any other elevations deemed necessary by the Department of Engineering for review of the development plan.

(3). If any fill is placed on property within the boundaries of the area of special concern set forth in subparagraph (f) herein above following the adoption of this ordinance and prior to the submission of a

development plan, the owner may be required to remove the fill material back down to native soils and pre-fill elevations.

(4). If any fill is placed on property within the boundaries of the area of special concern set forth in subparagraph (f) herein above that is not in compliance with an approved development plan, fill plan and/or the plan submitted under the Coastal Use regulations, the owner may be required to remove all fill material that is not in compliance with the approved plans.

9. Fill in Areas of Special Concern

(a) No fill shall be placed on any lot or parcel within the above described boundaries of an area of special concern prior to the submission of a development plan to the Department of Engineering detailing any proposed grade work. The development plan shall provide the elevation at the four corners of the lot, at the center of the proposed primary structure, and any other elevations deemed necessary by the Department of Engineering for review of the development plan.

(b) If any fill is placed on property in any of the above areas of special concern following the adoption of the ordinance designation a particular area as one of special concern and prior to the submission of a development plan, it shall be deemed a violation of Parish Code and the owner shall be required to remove the fill material back down to native soils and pre-fill elevations. It shall be the burden of the violator to provide proof of the predevelopment elevations. Engineering shall direct the Department of Code Enforcement to issue the appropriate cease and desist order. Engineering shall notify GDD5 if the violation occurs within the District boundaries. GDD5 may provide a third party review and comment at the violator's expense.

(c) No fill shall be permitted on parcels within this area that would raise or increase the surface elevation of any part of the parcel above its natural or pre-development elevation. Fill required for minor grading to level and drain the surface at the proposed site of the primary structure and driveway may be authorized.

(d) The lowest finished floor of the primary structure shall be situated at least twenty-four (24") inches above the crown of the road surface directly adjacent to and in front of the parcel.

(e) Based on available data, the Department of Engineering may require a higher finished floor elevation on pier construction above the FEMA base flood elevation provided on the applicable FIRM Map.

10. Sub-surface Drainage:

It shall be unlawful for any owner, contractor, builder or sub-divider to use, employ or apply fill in and/or on any lot situated within a subdivision located in the unincorporated limits of the Parish wherein subsurface drainage is installed unless this material is contained within the perimeter of the lot in an adequate manner to prevent run-off of the sand, fill, clay or mixture thereof onto sidewalks, streets or into culverts or onto the property of abutting property owners.

11. Relocation of Open Drainage Ditches, Drainage Channels and Similar Drainage Features:

(a) For purposes of this Section and subparagraph 10, relocation means changing the location of all or any part of an open drainage ditch, drainage channel or similar drainage feature that is partially located on, or which traverses, a lot or parcel of property.

(b) The provisions of paragraph 10 of this Section shall be applicable to any lot or parcel of property, regardless of the size of the lot or parcel and whether or not it is located in a Critical Drainage Area or Area of Special Concern.

(c) Whenever the owner of any lot or parcel of property proposes to fill in an existing drainage ditch, drainage channel or similar drainage feature that is partially located on, or which traverses, the owner's property in order to relocate the ditch, drainage channel or similar drainage feature to another location on the property, in addition to complying with all other applicable provisions of this Section, the owner shall provide a plan for the proposed relocation, supported by a complete hydrologic report taking into consideration impacts of upstream and downstream properties, that is prepared by a Licensed Civil Engineer. The Department of Engineering shall conduct a site visit prior to approval of the proposed plan. Engineering shall notify GDD5 of the proposed plan for review and comment if the subject site is within the boundaries of the District. The proposed relocation plan may be included in the "Existing and Proposed Grade Elevation Form", provided it is prepared by a Licensed Civil Engineer.

(d) If the proposed relocation results in all or any part of the relocated drainage ditch, drainage channel or similar drainage feature being within twenty (20) feet of the foundation of an existing or proposed structure, the relocation of the drainage ditch, drainage channel or similar drainage feature must be accomplished by subsurface installation. If no part of the drainage ditch, drainage channel or similar drainage feature is to be within twenty (20) feet of the foundation of an existing or proposed structure, the Department of Engineering shall determine, considering best engineering practices and the issue of maintenance of drainage, whether subsurface installation is required for all or any part of the relocated drainage ditch, drainage channel or similar drainage feature.

(e) The requirement of subsurface installation for a relocated drainage ditch, drainage channel or similar drainage feature may be waived by the Department of

Engineering provided that: (i) the property owner, and Licensed Civil Engineer engaged by the owner, have independently determined that the relocated drainage ditch, drainage channel or similar drainage feature, if relocated without subsurface drainage, will not undermine the foundation or otherwise cause any damage to the property or structure; and (ii) the Department of Engineering determines that the relocation will not impede drainage or interfere with the proper maintenance thereof. It is expressly prohibited to grant a waiver under this paragraph within the boundaries of Gravity Drainage District No. 5.

(f) The herein above provisions of subparagraph 10 of this Section shall not be construed as being applicable to any roadside ditch or to any property that is publically owned and maintained by St. Tammany Parish or any political subdivision thereof.

(Ord. No. 10-2326, adopted 09/02/2010)

12. Administration:

This ordinance shall be administered by the St. Tammany Parish Department of Engineering with the assistance of any other Parish personnel or agency that are deemed necessary by the Parish and/or its regulations.

13. Exemptions

(a) Subdivisions approved after June 30, 2004 which establish to the satisfaction of the Parish Engineer that, at the time of preliminary approval, such subdivision development and fill associated with lot development will not result in a reduction in the 100 year flood-plain storage capacity, should be found to comply with these standards.

(b) These standards shall not apply to lots in subdivisions or developments with an approved drainage plan and hydrological study. However, should the Department of Engineering determine, on the basis of current conditions, that the use of fill on any particular site within an otherwise exempt development would have an adverse impact on drainage, the Parish shall have the authority to apply this ordinance as needed to ensure the health, welfare, and safety of the public by restricting fill work.

(c) Areas enclosed by levees under forced drainage shall be exempt from this ordinance.

(d) Coastal areas, which are those areas that are determined by the Department of Engineering to be subject to flooding only because of tidal inundation, not including the area of Lakeview Drive and Carr Drive being governed by the provisions of this ordinance as set forth herein above.

(e) The Office of the Parish President in consultation with the Department of Engineering is granted authority to determine that certain properties designated as historical by the National Park Service, upon application, be exempt from the no net fill ordinances currently in effect in the Parish and to take all steps necessary to carry out the terms of this [section], subject to any reasonable restrictions or requirements imposed by the President and the Department of Engineering. (Ord. No. 09-2071, adopted 06/04/2009)

C. CONFLICTS. If a lot or parcel of property may be governed by more than one provision or subsection of this Section, or in the event of a conflict in the applicability of any provision, the more restrictive or specific provision shall apply.

D. REVIEW OF DECISIONS. Any person or persons jointly or severally aggrieved by any decision of the Department of Engineering relative to the placement of fill on property governed by the provisions of this ordinance may appeal to the Board of Adjustment. Such appeal shall be taken within ten (10) days of the decision of the Department of Engineering, by filing with the Department and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Department shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. GDD5 shall provide third party recommendations to the Board when the subject property falls within the boundaries of GDD5. All costs incurred shall be borne by the person appealing the decision.

E. PENALTIES. A violation of this Section shall constitute a misdemeanor punishable by a fine of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) DOLLARS, or by imprisonment for not more than thirty (30) days, or both such fines and imprisonment. Each day that a violation continues shall constitute a separate offense. In lieu of, or in addition to, the issuance of a misdemeanor summons, violations of the provisions of this chapter may be enforced by imposition of civil penalties and injunctive relief in accordance with the following: Each day that the violation remains shall constitute a separate offense and a civil penalty of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) DOLLARS per day shall be imposed. In addition to penalties provided by the Code, any violation hereof shall also be subject to an action for abatement and removal of any offending fill work and/or ground surface alteration. Further, whenever the Department of Engineering has approved any application or drainage plan that contains materially false or erroneous information, the applicant shall be responsible for all costs and expenses associated with the correction of said application and plan, and the correction of any adverse consequences resulting therefrom, including the fees of an engineering consultant to review and revise said plan.

F. This section is intended to supersede any ordinance or regulation that may govern the placement of fill on any property, including the provisions of Subdivision Regulatory Ordinance 499, Sections 40-037.04 and 40-037.05. Furthermore, in any event there must be an application and approved drainage plan.

(Ord. No. 80-21, adopted 08/21/80, amended by Ord. No. 04-0862, adopted 04/01/2004, amended by Ord. No. 04-0886, adopted 05/06/2004; amended by Ord. No. 08-1791, adopted 04/03/2008, amended by Ord. No. 09-1996, adopted 01/08/2009, amended by Ord. No. 10-2221, adopted 03/04/2010, amended by Ord. No. 10-2326, adopted 09/02/2010; amended by Ord. No. 11-2533, adopted 06/02/2011; amended by Ord. No. 12-2669, adopted 02/02/2012; amended by Ord. No. 12-2736, adopted 05/03/2012; amended by Ord. No. 12-2847, adopted 10/10/2012; amended by Ord. No. 15-3391, adopted 09/03/2015; amended by Ord. No. 15-3423, adopted 11/5/2015)

SEC. 7-002.01 Fill Materials Prohibited Within 200 Feet of Drainage Waterway

The St. Tammany Police Jury provides for the requirement that any development, including a residence located within 200 feet from the middle of a drainage waterway in Ward 8, excluding Police Jury District 6, as further specified must utilize pilings, piers or other similar methods to elevate the structure to the appropriate base flood elevation height as determined by FEMA instead of the use of fill.

No fill should be allowed within 200 feet which is not a part of the building envelope or driveway.

B. Fill not to exceed an average of 18 inches may be allowed to level the building envelope.

C. Piers or similar methods allowing the sheet flow of water under the structure should be utilized to meet the required flood zone elevation.

The specified drainage ways are as follows:

1. W-15 Canal
2. Gum Bayou
3. W-14 Canal
4. Reine Canal
5. Eddines Canal
6. Poor Boy Canal
7. Exemptions areas or projects from the above specified drainage ways.

A. Excluding 1000 feet on the north side and 1000 feet on the south side of Gause Boulevard - W-15 Canal.

B. Excluding the FEMA Hazard Mitigation Grant Program - Daney Street Project - W-14 Canal.

C. Any other authorized St. Tammany Parish Police Jury drainage project.

Waiver Provision:

The Department of Engineering may waive the requirements of this ordinance for a project of development, when the waiver is based on a drainage plan prepared by a licensed engineer, specific location of the project and the existing development patterns in the area or minor elevation differences between the natural ground and base flood elevation. This waiver should be based upon the report indicating that the fill will not produce a significant impact in comparison to meeting the intent of this ordinance. The engineering department does have the authority not to issue a waiver regardless of the independent study which indicates that there may not be significant impact. (Ord. No. 96-2494, adopted 09/18/96)

ARTICLE II ST. TAMMANY PARISH FLOOD HAZARD AREA ORDINANCE

DIVISION 1 STATUTORY AUTHORIZATION FINDINGS OF FACT, PURPOSE AND METHODS

STATE REFERENCE: LSA R.S. 33:1236(38), Power to adopt floodplain regulations.

SEC. 7-016.00 Statutory Authorization

The Legislature of the State of Louisiana has in LSA R.S. 38:84 delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Police Jury does ordain as follows. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; amended and reenacted by Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-017.00 Findings Of Fact

(a) The flood hazard areas of the Parish 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.

(b) 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. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791,

adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-018.00 Statement of Purpose

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

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To 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) To 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) To insure that potential buyers are notified that property is in a flood area. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; (Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-019.00 Methods Of Reducing Flood Losses

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

- (1) Restricts or prohibits uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Requires that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controls 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. (Ord. No. 610,

adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

DIVISION 2 DEFINITIONS

SEC. 7-019.01 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.

Appeal - means a request for a review of the Floodplain Administrator's interpretation of any provision of this Ordinance or a request for a variance.

Area of shallow flooding - means a designated AO, AH or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one (1%) percent chance or greater annual chance of flooding to an average depth of one (1) to three (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 one (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 ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood - means the flood having a one (1%) percent chance of being equaled or exceeded in any given year.

Breakaway walls - 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.

Coastal high-hazard area - means an area subject to high velocity waters, including but not limited to hurricane wave wash or tsunamis. The area is designated on FIRM as Zone V1-30, VE and/or V.

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 in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Elevated building - means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zone V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing construction - means for the purpose of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM s effective before that date. "Existing construction" may also be referred to as "existing structures".

Existing mobile home park or mobile home subdivision - means a parcel (or contiguous parcels) of land divided into two (2) or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this Ordinance.

Expansions to an existing mobile home park or mobile home subdivision - means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets).

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 Insurance Rate Map (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood insurance study - is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

Floodplain or flood-prone area - means any land area susceptible to being inundated by water from any source (see definition of flooding).

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 areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such as 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.

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.

Habitable floor - means any floor usable for living purposes; which includes working, sleeping, eating, cooking or recreation, or combination thereof. A floor used for storage purposes only is not a "habitable floor".

Highest adjacent grade - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

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/mobile home - means a structure transportable in one (1) 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. For floodplain management purposes, the term "manufactured home" also includes park trailers, travel trailers and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers and other similar vehicles.

Mean sea level - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a Community's Flood Insurance Rate Map are referenced.

New construction - means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community.

New mobile home park or mobile home subdivision - means a parcel (or contiguous parcels) of land divided into two (2) or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

Qualified Builder - means a person who has obtained an Occupational License which is current.

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, placement or other improvement was within one hundred eighty (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.

Structure - means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial improvement - means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure either:

(1) Before the improvement or repair is started, or

(2) If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not the alteration affects external dimensions of the structure. The term does not include either:

(1) Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or

(2) Any alterations of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

Variance - is a grant of relief to a person from the requirements of this Ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this Ordinance. (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 National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

DIVISION 3 GENERAL PROVISIONS

SEC. 7-020.00 Lands To Which This Ordinance Applies

This Ordinance shall apply to all areas of special flood hazard within the jurisdiction of the St. Tammany Parish Police Jury. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.00 Basis For Establishing The Areas Of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "Flood Insurance Study for St. Tammany Parish, Louisiana (Unincorporated Areas)" dated October 17, 1989, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM). The subsequent amendments made by FEMA to the rate maps and Flood Boundary Floodway Maps and or Flood Insurance Studies and

Reports shall be automatically assimilated and made part of this Ordinance without further promulgation or documentation. (Amended by Ord. No. 90-1376, adopted 12/20/90)

St. Tammany Parish Ordinance Calendar No. 368, Ordinance Police Jury Series 85-341 provides for the requirement that all habitable floor elevations located within Flood Zones designated A-1 through A-30 on the Parish's FIRM, within the specific area defined by Ordinance Calendar No. 368, be one (1) foot above the 100 year base flood elevation. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89; amended by Ord. No. 90-1376, adopted 12/20/90)

SEC. 7-022.01 Establishment Of Development Permit

A Development Permit shall be required to ensure conformance with the provisions of this Ordinance. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.02 Compliance

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of the Ordinance and other applicable regulations. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.03 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 conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.04 Interpretation

In 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. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.05 Warning And Disclaimer Of 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 thereunder. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-022.10 Designated Flood Determination Zone

All property within the area defined by the below mentioned description (Section 7-022.11) and defined per map attached to Police Jury Ordinance No. 93-1832, shall be required to construct the first habitable floor a structure at least one (1) foot above the base flood elevation as determined by the FEMA Flood Insurance Rate Maps (FIRM S). Those areas affected shall include all flood zone designations including flood zone C. (Ord. No. 93-1832, adopted 10/21/93)

SEC. 7-022.11 Flood Zone C

Commencing at the intersection of U.S. Highway 190 and Interstate 10; thence north along Interstate 10 to its intersection with Old U.S. Highway 11; thence east along Old U.S. Highway 11 to its intersection with the Pearl River; thence meandering southward along the Pearl River to its intersection with U.S. Highway 90; thence west along U.S. Highway 90 to its intersection with U.S. Highway 190; thence west along U.S. Highway 190 to its intersection with Interstate 10; to the point of beginning. (Ord. No. 93-1804, adopted 08/19/93)

DIVISION 4 ADMINISTRATION

SEC. 7-023.00 Designation Of The Floodplain Administrator

The Department of Permits and Inspections is hereby appointed the Floodplain Administrator to administer and implement the provisions of this Ordinance and other appropriate Sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.

SEC. 7-023.01 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 inspections all records pertaining to the provisions of this Ordinance.
2. Review permit applications to determine whether proposed building site 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 Urban and Community Affairs, 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 Division 3, Section 7-022.00, 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 Division 3.
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 (1) foot at any point within the community. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-023.02 Permit Procedures

(1) Application for a 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, 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 floodproofed;
- c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Division 5, Section 7-042.00(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 Division 4, Section 7-023.01(1);

f. Survey and Deed of legal description of property;

g. Vicinity map and plot plan describing location of construction or location of dwelling on property and set back lines, as well as location of well and septic tank;

h. Approval by St. Tammany Parish Board of Health;

i. Submission of Application for Building Permit;

j. Submission of Application for Certificate of Occupancy;

k. Furnish a certificate of elevation documented on Federal Emergency Management Agency Form 81-31 or subsequent agency form. (amended by Ord. No. 92-1597, adopted 05/21/92)

l. Pay all required fees.

(2) Approval or denial of a 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 flood waters 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;

j. The relationship of the proposed use to the comprehensive plan for that area. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-024.00 Variance Procedures

(1) The Appeal Board as established by the St. Tammany Parish Police Jury 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 one-half acres 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 7-023.02(2) of this Division having been fully considered. As the lot size increases beyond one-half 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 (Division 1, Section 7-018.00).

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

(9) 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 whom 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.

(10) 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 Division 4, Section 7-023.02(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. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 82-313, adopted 01/21/82; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-030.00 Permit Fees

(1) Minimum Fee

A minimum fee of not less than Five Dollars (\$5.00) shall be required for a permit.

(2) Fee Schedule

The following table shall be used to determine the fee due:

Nine cents (\$0.09) per square foot.

(3) Special MH/Mobile Home Permit Fee

The following table shall be used to determine the fee due:

Nine cents (\$0.09) per square foot for each square foot of residential space plus Five Dollars (\$5.00) minimum for each anchorage inspection fee.

(Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/98; Ord. No. 89-1053, adopted 03/16/89)

DIVISION 5 PROVISIONS FOR FLOOD HAZARD REDUCTION

SEC. 7-041.00 General Standards

In all areas of special flood hazards the following provisions are required:

All new construction and 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;

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

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.

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.

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

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,

On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-042.00 Specific Standards

(1) **Residential construction.** New construction and substantial improvements 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 certificate of elevation, documented on the Federal Emergency Management Agency Form 81-31 or subsequent agency form, indicating that the standards of this subsection and as per Article 4, Section c.(1)a. (St. Tammany Parish Code of Ordinances Chapter 7, Division 4, Section 7-023.02(1)a.), has been satisfactorily met. (amended by Ord. No. 92-1597, adopted 05/21/92)

(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 (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that 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 (2) openings having a total net area of not less than one (1) 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 one (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 flood waters.

(4) **Manufactured homes**

a. Require that all manufactured homes to be placed within Zone A shall be installed using methods and practices which minimize flood damage. For the purpose 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. All manufactured homes shall be in compliance with Division 5, Section 7-042.00(1).

c. Require that all manufactured homes to be placed or substantially improved within Zones A1-30, AH and AE on the community's FIRM be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provision of Section 7-042.00(4) of this Division. (Ord. No. 610, adopted 12/19/74; Ord. No. 611, adopted 01/16/75; Ord. No. 791, adopted 02/16/78; Ord. No. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

(5) **Construction Sites - Storm Water Runoff**

a. A permit shall be required for the clearing, grubbing, grading, displacement or removal of dirt (hereafter referred to as "dirt work") for any properties not specifically exempted as per Paragraph (c) of this Section. This permit shall be in the form of an approval of the "Culvert Data Sheet", the "Permit Data Review Sheet", a general work order or land clearing permit presently required for construction activity to occur. The ordinance shall be administered by Department of Engineering or any other parish personnel that should be necessary.

b. A detailed description of dirt work, boundaries of the areas to be disturbed and the proposed sediment retention measures must accompany the building permit or development proposal and be reviewed by the Department of Engineering before approval of the Culvert Data Sheet or the Permit Data Tracking Sheet or the issuance of a general work order.

c. Exemptions

1. Agricultural land management practices and construction of agricultural structures as defined in the St. Tammany Parish Land Use Ordinance No. 523;
2. Mining, quarrying, processing of rock, sand, gravel, aggregate or clay where established and provided for by law;
3. Activities undertaken on forest land in the production and harvesting of timber when approved via an agricultural clearing, timber harvesting or rural clearing permit in accordance with St. Tammany Parish Land Use Ordinance No. 523;
4. Single family residences, and related accessory structures or uses, when the disturbed area comprises of less than 50% of the lot or parcel and is located at least 10 feet from all property lines.
5. Requirements
6. The owner, builder or developer of a construction project shall cause the placement of a required sediment control measure for all side slope and down slope boundaries of a construction area, unless a sedimentation basin designed to accommodate 3600 cubic feet of water and sediment for each acre of disturbed property is provided .
7. The owner, builder or developer will further cause the placement of said sediment control measure around all drainage structure inlets which flow into a public drainage system, or a drainage system which is intended to be dedicated to the public.
8. Sediment Retention Measures
9. The following measures are sediment retention measures, subject to review and approval of each application based upon the characteristics of the work and site being permitted. A detailed description of the application, design criteria and limitations of each is outlined in Appendix A.
 1. Mulching
 2. Erosion Control Mats
 3. Vegetation
 4. Silt Fencing
 5. Straw Bale Dikes

- 6. Diversion Dikes
- 7. Interceptor Swales
- 10. Inlet Protection
- 11. Any other functionally equivalent technology or method deemed appropriate by the Director of the Department of Engineering.

f. A blanket permit may be issued for large scale developments when the developer provides the required sediment control measures for the development as a whole. The appropriateness of these measures will be determined by the Director of the Department of Engineering.

g. Provision of sediment retention measures on site does not release the builder/developer from responsibilities as outlined in Section 40-071.01 of Appendix B (Subdivision Regulations) of the St. Tammany Parish Code of Ordinances should the retention measures fail to prevent sediment runoff. The Director of the Department of Engineering may release the builder/developer from the provisions of this Section if it is determined that the failure of sediment control measures is not attributable to faulty installation or maintenance of the required retention measures.

1. Enforcement

Violations will be processed by the appropriate Code Enforcement, Department of Engineering or Permit Inspections personnel using standard code violation protocol.

(Subsection 5 per Ord. 99-3156, adopted 10/21/99)

SEC. 7-043.00 Standards For Subdivision Proposals

(1) All subdivision proposals, including manufactured home parks and subdivisions, shall be consistent with Division 1, Sections 7-017.00, 7-018.00, and 7-019.00 of this Ordinance.

(2) All proposals for the development of subdivisions, including manufactured home parks and subdivisions, shall meet development permit requirements of Division 3, Section 7-022.01, Division 4, Section 7-023.02, and the provisions of Division 5 of this Ordinance.

(3) Base flood elevation data shall be granted for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Division 3, Section 7-022.00 or Division 4, Section 7-023.01(8) of this Ordinance.

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

(5) All subdivision proposals, including 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. (Ord. No. 791, adopted 02/16/78; Ord. No 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-044.00 Standards For Areas Of Shallow Flooding (AO/AH Zones)

A registered professional engineer or architect shall submit a certificate of elevation, documented on the Federal Emergency Management Agency Form 81-31 or subsequent agency form, to the Floodplain Administrator that the standards of this Section and as per Article 4, Section c.(1)a. (St. Tammany Parish Code of Ordinances Chapter 7, Division 4, Section 7-023.02(1)a.), has been satisfactorily met. (amended by Ord. No. 92-1597, adopted 05/21/92)

SEC. 7-045.00 Coastal High-Hazard Areas

Located within the areas of special flood hazard established in Division 3, Section 7-022.00, are areas designated as Coastal High Hazard Areas (Zones V1-30, VE and/or V). These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this Ordinance, the following provisions must also apply:

1. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new substantially improved structures, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.
2. All new construction shall be located landward of the reach of mean high tide.
3. All new construction and substantial improvements shall be elevated on pilings and columns so that:

(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level;

(ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one (1%) percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval);

(iii) a registered professional engineer or architect shall develop or review the structural design, specification and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this paragraph (3)(i), (ii) and (iii) of this Section.

1. Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

For the purpose of this Section, a breakaway wall shall have a design safe loading resistance of not less than ten (10 lbs.) and nor more than twenty (20 lbs.) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20 lbs.) pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

(ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have one (1%) percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

1. If breakaway walls are utilized, such enclosed space shall be usable solely for parking of vehicles, building access or storage. Such space shall not be used for human habitation.
2. Prohibit the use of fill for structural support of buildings.
3. Prohibit man-made alteration of sand dunes and mangrove stands which would increase potential flood damage.
4. Any alteration, repair, reconstruction or improvements to a structure started after the enactment of this Ordinance shall not enclose the space below the lowest floor unless breakaway walls are used as provided for in Division 5.
5. Prior to construction, plans for any structure that will have breakaway walls must be submitted to the Floodplain Administrator for approval. (Ord. 87-770, adopted 02/19/87; Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-049.00 Penalties For Violation

Violation of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor and upon conviction thereof, the violator(s) shall be fined not less than One Hundred (\$100.00) Dollars not more than Three Hundred (\$300.00) Dollars or imprisoned for not more than thirty (30) days, or both, and in addition thereto shall pay all costs and expenses involved in the case; however, the maximum of aggregated fines are not to exceed One Thousand (\$1,000.00) Dollars. Each day such violation continues shall be considered as a

separate offense all in accordance with Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana.

Said penalties as imposed are as contained in Section 1-008.00 as presently enacted and shall conform thereto as same may hereafter be amended.

The owner or tenant of any building, structure, premises, or part thereof, any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the Parish from taking such other lawful actions as is necessary to prevent or remedy any violation. (Ord. No. 89-1053, adopted 03/16/89)

SEC. 7-050.00 Drainage and Paving Plan (Commercial, Industrial, Institutional and Certain Multi-Family Developments)

The purpose and intent of this section is to require a drainage and paving plan to be stamped and certified by a Licensed Louisiana State Registered Engineer for construction of commercial, industrial, institutional and certain multi-family developments, with the goal of improving pre-development runoff and reducing post-development runoff based on a minimum twenty-five (25) year storm event. (Ord. 07-1490, adopted 01/04/2007, amended by Ord. 10-2275, adopted 06/03/2010)

1. All commercial, industrial, institutional and multi-family development for town houses, apartments, condominiums and nursing home uses that require a building permit shall submit a drainage and paving plan with the permit application. Requirements are set forth in below in Sec. 7-051.00. Said plan shall be forwarded to the Parish Engineer for review and approval before the issuance of a building permit.
2. It shall be the responsibility of the developer and design engineer to create a site development plan that will complement the drainage and paving plan utilizing site design criteria so as to result in the reduction of runoff from post-development.
3. The drainage and paving plan shall be stamped and certified by a Licensed Louisiana State Registered Engineer and shall meet the following criteria: Parcels 0-2 acres in size shall be required to reduce pre-development peak runoff by at least 10% for a twenty-five (25) year storm event, with on-site detention ponds optional.
 - (a) Parcels 0-2 acres in size shall be required to reduce pre-development peak runoff by at least 10% for a twenty-five (25) year storm event, with on-site detention ponds optional.

(b) Parcels 2-5 acres in size shall be required to reduce pre-development peak water runoff by at least 15% for a twenty-five (25) year storm event, with on-site detention ponds required.

(c) Parcels 5 acres and larger shall meet all drainage requirements for Subdivisions established by Subdivision Regulatory Ordinance No. 499, including a reduction of pre-development peak runoff by at least 25% for a one hundred (100) year storm event with on-site detention ponds required.

(i) Whenever a parcel that is greater than five (5) acres is proposed to be developed in phases, or subdivided through the minor subdivision process, where any proposed phase or lot is less than five (5) acres, such development shall meet the requirements of subparagraph (c) immediately herein above and the applicable provisions of Section 40-061.01. The drainage and paving plan must address drainage in terms of the development of the entire parcel, not just the phase currently being proposed to be developed, taking into consideration all of the regulations of the zoning district designation of the property that could be pertinent to drainage, including maximum net density permitted, minimum area regulations, maximum lot coverage, and off street parking and loading requirements.(Ord. No. 10-2275AA, adopted 06/03/2010)

4. A combination of detention methods may be utilized to meet the criteria as established above. Off-site detention facilities may be utilized if approved by the Parish Engineer.

5. Developments located within the boundaries of Gravity Drainage District No. 5 shall also submit their drainage and paving plans to the District at the time permit application is made to the Parish. A building permit shall not be issued until the Drainage District has had an opportunity to review and make comment on the proposed plans to the Parish Engineer. All costs associated with the review of the plans by the Parish and Drainage District shall be assessed to the developer. The Parish Engineer shall have final authority on approval of the permit application. (Amended by Ord. 04-0933, adopted 07/01/2004; amended by Ord. 07-1490, adopted 01/04/2007)

6. Developments located within the boundaries of Sub-Drainage District No. 1 of Gravity Drainage District No. 3 shall also submit their drainage and paving plans to the Sub-District at the time permit application is made to the Parish. A building permit shall not be issued until the Sub-Drainage District has had an opportunity to review and make comment on the proposed plans to the Parish Engineer. All costs associated with the review of the plans by the Parish and Sub-Drainage District shall be assessed to the developer. The Parish Engineer shall have final authority on approval of the permit application. (Ord. No. 08-1862, adopted 07/03/2008)

SEC. 7-051.00 Documents Required For Drainage and Paving Plan Review

In order to expedite the drainage plan review for all commercial, industrial, institutional and multi-family developments for town houses, apartments, condominiums and nursing

home uses, the Department of Engineering, when applicable, requires the following documents be provided:

1. A vicinity map indicating the location of the proposed project.
2. A pre-development drainage plan (existing conditions).
3. Identify fill area(s) and associated fill depth(s).
4. A post development drainage plan and an as built drainage plan.
5. If building has down spouts, an architect's drawing is required.
6. If the outfall needs to discharge to the ditch or pond, the invert elevations of associated culvert(s) and bottom elevation of accepted ditch or pond shall be provided.
7. If driveway culvert needs to be installed at the state highway ditch, an approval sheet from the state shall be provided prior to the Parish approval.
8. A hydrological analysis of both pre-development and post-development runoff shall be provided. The applicant shall also provide a water surface profile for 100 year, 50 year, 25 year and 10 year storm events. The hydrological analysis shall meet all applicable Parish Ordinances and the following requirements:
 - (a) The developer's engineer shall also study the effect of any proposed development on existing downstream drainage facilities outside the area of development. Local drainage studies, together with any other appropriate study, shall serve as a guide to needed improvements as determined by the Department of Engineering.
 - (b) No development may be constructed or maintained so that surface waters from such development are collected and channeled downstream at such locations or at such volumes or velocities as to cause degradation, alteration or damage to lower adjacent properties.
 - (c) Where it is anticipated that the additional runoff incident to the development will increase the water surface profile downstream, the Parish shall withhold approval of the development until provisions have been made for the detention of storm water and resolution of such conditions in conformance with these requirements and the Department of Engineering. No development shall be approved unless the necessary drainage will be provided to a drainage watercourse or facility that is adequate to receive the proposed drainage without adverse impact on downstream properties.
 - (d) No development may be constructed or maintained where such development

would impede the flow of water from upstream properties across the property proposed to be developed. All drainage rights-of-way and culverts or other drainage facilities shall be large enough to accommodate runoff from the property proposed to be developed as well as upstream flow originating outside of the proposed development. All existing watercourses passing through the property of the proposed development shall be maintained to accommodate up to the 100 year storm events. Any proposed alteration or relocation of an existing watercourse or drainage facility may only be approved when the Department of Engineering has determined that any such proposal meets all applicable parish drainage requirements. The developer's engineer shall determine the necessary size of the drainage facilities, assuming conditions of maximum potential watershed development permitted by these regulations.

9. If the site is located in an area where known drainage problems exist, a drainage basin study can be required to demonstrate adverse drainage impacts on surrounding properties.

10. The Department of Engineering reserves the right to hold the Certificate of Occupancy in order to allow for a final inspection.

11. In the event of a conflict between any provision within this Section, or between a provision in this Section and any other drainage or flood control ordinance, the more stringent provision shall be applicable.

(All the above drawings and hydrological analysis need to be stamped and certified {signature and date} by a Professional Engineer Registered in the State of Louisiana.)

(Ord. 98-2899, adopted 06/18/98; amended by Ord. No. 11-2425, adopted 01/06/2011)

Cross Reference: Appendix D Parish Building Code

ARTICLE III DRAINAGE DISTRICT NO. 2

SEC. 7-061.00 Reorganization; Boundaries

EDITORIAL NOTATION: Section 7-061.00 has been amended by the authority of Ord. 94-2057, adopted 08/18/94, to replace Ord. 88-991, adopted 09/15/88 which replaced old Sec. 7-61. Sections 7-061.05 - 7-061.08 were also created by Ord. No. 94-2057, adopted 08/18/94.

Acting under the authority of Part 1, Chapter 6, Title 38 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the boundaries of the St. Tammany Parish Drainage District No. 2 were reorganized and altered into St. Tammany Parish Drainage District No. 2 and St. Tammany Parish

Drainage District No. 5.(Ord. No. 94-2057, adopted 08/18/94); then the boundaries of Drainage District No. 2 were diminished and re-established by Ord. 14-3094, adopted 03/06/2014)

CROSS REFERENCE: Article X, Section 7-103.00 - 7-103.06

DRAINAGE DISTRICT #2

A CERTAIN PIECE OR PORTION OF GROUND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. TAMMANY, SECTION 34 AND A PORTION OF SECTIONS 26, 27, 33 AND 35, T9S-R14E AND A PORTION OF SECTIONS 4, T10S-R14E, DESIGNATED AS DRAINAGE DISTRICT #2 AND MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF LAKESHORE BOULEVARD EAST AND THE EASTERLY RIGHT OF WAY LINE OF LAKESHORE BOULEVARD SOUTH; MEASURE THENCE S41°48'33"W A DISTANCE OF 129.66 FEET;

THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 149.80 FEET, WITH A RADIUS OF 500.00 FEET, WITH A CHORD BEARING OF S50°23'32"W, WITH A CHORD LENGTH OF 149.24 FEET; THENCE N48°11'36"W A DISTANCE OF 92.72 FEET;

THENCE S41°48'56"W A DISTANCE OF 98.35 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 57.24 FEET, WITH A RADIUS OF 550.00 FEET, WITH A CHORD BEARING OF S38°49'40"W, WITH A CHORD LENGTH OF 57.22 FEET;

THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 17.33 FEET, WITH A RADIUS OF 300.00 FEET, WITH A CHORD BEARING OF S37°30'02"W, WITH A CHORD LENGTH OF 17.32 FEET;

THENCE N48°11'27"W A DISTANCE OF 984.91 FEET;

THENCE S41°48'33"W A DISTANCE OF 227.99 FEET;

THENCE N48°11'26"W A DISTANCE OF 577.37 FEET;

THENCE S41°48'33"W A DISTANCE OF 15.00 FEET;

THENCE N48°11'27"W A DISTANCE OF 552.71 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 262.97 FEET, WITH A RADIUS OF 349.00 FEET, WITH A CHORD BEARING OF N69°46'35"W, WITH A CHORD LENGTH OF 256.79 FEET;

THENCE S88°38'16"W A DISTANCE OF 407.63 FEET;

THENCE S88°14'20"W A DISTANCE OF 5.57 FEET;

THENCE S80°18'38"W A DISTANCE OF 152.96 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 140.49 FEET, WITH A RADIUS OF 487.52 FEET, WITH A CHORD BEARING OF S73°52'07"W, WITH A CHORD LENGTH OF 140.00 FEET;

THENCE S69°35'47"W A DISTANCE OF 80.00 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 239.70 FEET, WITH A RADIUS OF 460.00 FEET, WITH A CHORD BEARING OF S41°19'45"W, WITH A CHORD LENGTH OF 237.00 FEET;

THENCE S26°23'33"W A DISTANCE OF 295.73 FEET;
THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 135.52 FEET, WITH A RADIUS OF 490.00 FEET, WITH A CHORD BEARING OF S18°28'10"W, WITH A CHORD LENGTH OF 135.09 FEET;
THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 82.97 FEET, WITH A RADIUS OF 300.00 FEET, WITH A CHORD BEARING OF S18°28'10"W, WITH A CHORD LENGTH OF 82.70 FEET;
THENCE S26°23'32"W A DISTANCE OF 1433.47 FEET;
THENCE N63°36'27"W A DISTANCE OF 82.01 FEET;
THENCE S26°23'33"W A DISTANCE OF 236.88 FEET;
THENCE S63°36'27"E A DISTANCE OF 112.01 FEET;
THENCE S26°23'33"W A DISTANCE OF 125.00 FEET;
THENCE N63°36'27"W A DISTANCE OF 125.00 FEET;
THENCE S26°23'33"W A DISTANCE OF 626.33 FEET;
THENCE N69°12'15"W A DISTANCE OF 1.79 FEET;
THENCE S28°47'45"W A DISTANCE OF 428.00 FEET;
THENCE N62°13'15"W A DISTANCE OF 460.40 FEET;
THENCE N55°36'00"W A DISTANCE OF 561.77 FEET;
THENCE N25°33'06"W A DISTANCE OF 587.35 FEET;
THENCE N41°48'35"E A DISTANCE OF 170.87 FEET;
THENCE N46°34'22"E A DISTANCE OF 602.08 FEET;
THENCE N41°48'33"E A DISTANCE OF 2810.65 FEET;
THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 682.06 FEET, WITH A RADIUS OF 1380.00 FEET, WITH A CHORD BEARING OF N07°26'09"E, WITH A CHORD LENGTH OF 675.13 FEET;
THENCE N06°43'24"W A DISTANCE OF 272.93 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 313.41 FEET, WITH A RADIUS OF 370.00 FEET, WITH A CHORD BEARING OF N17°32'35"E, WITH A CHORD LENGTH OF 304.12 FEET;
THENCE N41°48'32"E A DISTANCE OF 100.00 FEET;
THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 141.37 FEET, WITH A RADIUS OF 90.00 FEET, WITH A CHORD BEARING OF N03°11'28"W, WITH A CHORD LENGTH OF 127.28 FEET;
THENCE N48°11'27"W A DISTANCE OF 112.00 FEET;
THENCE N41°48'33"E A DISTANCE OF 202.00 FEET;
THENCE S48°11'27"E A DISTANCE OF 100.00 FEET;
THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 141.37 FEET, WITH A RADIUS OF 90.00 FEET, WITH A CHORD BEARING OF N86°48'33"E, WITH A CHORD LENGTH OF 127.28 FEET;
THENCE N41°48'33"E A DISTANCE OF 100.00 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 453.71 FEET, WITH A RADIUS OF 406.00 FEET, WITH A CHORD BEARING OF N73°49'25"E, WITH A CHORD LENGTH OF 430.47 FEET;
THENCE S74°09'32"E A DISTANCE OF 152.53 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 299.07 FEET, WITH A RADIUS OF 540.00 FEET, WITH A CHORD BEARING OF N89°58'30"E, WITH A CHORD LENGTH OF 295.26 FEET;
THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 308.96 FEET, WITH A RADIUS OF 1440.00 FEET, WITH A CHORD BEARING OF N67°57'43"E, WITH A CHORD LENGTH OF 308.37 FEET;
THENCE N41°48'33"E A DISTANCE OF 3678.88 FEET;
THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 1895.86 FEET, WITH A RADIUS OF 11234.16 FEET, WITH A CHORD BEARING OF N36°58'29"E, WITH A CHORD LENGTH OF 1893.61 FEET;
THENCE S47°47'20"E A DISTANCE OF 455.56 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 50.50 FEET, WITH A RADIUS OF 11684.16 FEET, WITH A CHORD BEARING OF S32°36'57"W, WITH A CHORD LENGTH OF 50.50 FEET; THENCE S48°35'43"E A DISTANCE OF 765.06 FEET;
THENCE S40°39'21"W A DISTANCE OF 20.00 FEET;
THENCE S49°20'39"E A DISTANCE OF 115.00 FEET;
THENCE S00°32'00"W A DISTANCE OF 392.33 FEET;
THENCE S04°19'35"W A DISTANCE OF 443.30 FEET;
THENCE S37°04'01"W A DISTANCE OF 300.00 FEET;
THENCE S40°49'27"W A DISTANCE OF 714.56 FEET;
THENCE S41°48'33"W A DISTANCE OF 2500.01 FEET;
THENCE N48°11'27"W A DISTANCE OF 108.80 FEET;
THENCE S03°23'28"E A DISTANCE OF 1169.99 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 423.53 FEET, WITH A RADIUS OF 1810.00 FEET, WITH A CHORD BEARING OF S03°18'45"W, WITH A CHORD LENGTH OF 422.57 FEET;
THENCE S82°00'38"E A DISTANCE OF 552.44 FEET;
THENCE N89°38'41"E A DISTANCE OF 463.56 FEET;
THENCE S00°21'19"E A DISTANCE OF 345.00 FEET;
THENCE N89°38'41"E A DISTANCE OF 363.45 FEET;
THENCE S01°26'50"W A DISTANCE OF 1224.93 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 195.50 FEET, WITH A RADIUS OF 3450.00 FEET, WITH A CHORD BEARING OF N76°51'21"W, WITH A CHORD LENGTH OF 195.47 FEET;
THENCE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 439.73 FEET, WITH A RADIUS OF 501.55 FEET, WITH A CHORD BEARING OF S79°39'03"W, WITH A CHORD LENGTH OF 425.78 FEET;
THENCE S54°32'02"W A DISTANCE OF 271.60 FEET;
THENCE S38°10'33"W A DISTANCE OF 204.45 FEET;
THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 84.88 FEET, WITH A RADIUS OF 755.00 FEET, WITH A CHORD BEARING OF N60°52'44"W, WITH A CHORD LENGTH OF 84.84 FEET;
THENCE N57°39'29"W A DISTANCE OF 62.92 FEET;

THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 162.42 FEET, WITH A RADIUS OF 845.00 FEET, WITH A CHORD BEARING OF N63°09'52"W, WITH A CHORD LENGTH OF 162.17 FEET;
THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 141.87 FEET, WITH A RADIUS OF 396.89 FEET, WITH A CHORD BEARING OF N58°25'51"W, WITH A CHORD LENGTH OF 141.11 FEET;
THENCE N48°11'23"W A DISTANCE OF 71.65 FEET;
THENCE S41°48'37"W A DISTANCE OF 110.00 FEET;
THENCE N48°11'27"W A DISTANCE OF 183.63 FEET TO A POINT AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF LAKESHORE BOULEVARD EAST AND THE EASTERLY RIGHT OF WAY LINE OF LAKESHORE BOULEVARD SOUTH, THE POINT OF BEGINNING.

(Ord. No. 84-01, adopted 01/19/84; Revised Ord. No. 88-991, adopted 09/15/88; amended by Ord. No. 94-2057, adopted 08/18/94; amended by Ord. No. 14-3094, adopted 03/06/2014)

SEC. 7-061.01 Domicile

The legal domicile of Drainage District No. 2 is reported to be 4600 Pontchartrain Drive, Slidell, La. 70458.

SEC. 7-061.02 Trust Fund Authorized

St. Tammany Parish Drainage District No. 2 is hereby authorized (at no cost to St. Tammany Parish or St. Tammany Parish Drainage District No. 2) to create a trust account to retire the bonded indebtedness of the District. (Revised Ord. No. 88-991, adopted 09/15/88)

SEC. 7-061.03 Landmark Land Company Of Louisiana; Bonded Debt

Landmark Land Company of Louisiana, Inc. be and hereby is authorized (at no cost to St. Tammany Parish or St. Tammany Parish Drainage District No. 2) to create a trust account to retire the bonded indebtedness of the District. Said Landmark Land Company of Louisiana, Inc. be and hereby is [further] authorized (at no cost to St. Tammany Parish or St. Tammany Parish Drainage District No. 2) to deposit into said trust account funds sufficient to retire the bonded indebtedness. (Revised Ord. No. 88-991, adopted 09/15/88)

SEC. 7-061.04 Effective Date

This act with the boundaries as described in a process verbal by J. J. Krebs & Sons, Inc. in Sec. 7-061.01 herein, shall become effective when all of the statutory requirements of R.S. 38:1614 have been met and upon the depositing of the sums in the said trust account by Landmark Land Company of Louisiana, Inc. and the filing with the Police Jury of St. Tammany Parish of an opinion by the law firm of Foley and Judell,

Bond Counsel, concerning the defeasance of the outstanding bonds of the District.
(Revised Ord. No. 88-991, adopted 09/15/88)

SEC. 7-061.05 Name

The presently existing land remaining on the east side of Interstate 10 shall be named St. Tammany Drainage District No. 2. The land on the west of Interstate 10 shall be named St. Tammany Parish Drainage District No. 5, and each reorganized Drainage District shall constitute a body corporate in law and a political subdivision of the State of Louisiana as conferred by the Constitution and Statutes of the State of Louisiana, including the authority to incur debt, issue bonds, and levy taxes and assessments.
(Ord. No. 94-2057, adopted 08/18/94)

SEC. 7-061.06 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

All Commissioners shall possess the qualifications required by Section 1607 of Title 38 of the Louisiana Revised Statutes of 1950, as amended (R.S. 38:1607) and, as such, they shall have all the powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana during their respective terms of office and until their successors are duly appointed and have qualified. (Ord. No. 94-2057, adopted 08/18/94)

SEC. 7-061.07 Appointment

Commissioners for St. Tammany Parish Drainage District No. 2 shall be comprised of five (5) members with appointments as per the original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 94-2057, adopted 08/18/94; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 7-061.08 Finances

The funds held on account by the Director of Finance for the Parish of St. Tammany in the name of St. Tammany Parish Drainage District No. 2 shall be transferred to the respective Districts, with St. Tammany Parish Drainage District No. 2 receiving 87.77 % of the fund and the newly created St. Tammany Parish Drainage District No. 5 receiving 12.23 % of the funds and further the Director of Finance is hereby authorized to transfer these funds and the accounting and financial functions to the respective Districts all in accordance with the rules and regulations pertaining thereto. (Ord. No. 94-2057, adopted 08/18/94)

ARTICLE IV GRAVITY DRAINAGE DISTRICT NO. 3

SEC. 7-076.00 Established; Boundaries

There is hereby created a Gravity Drainage District within the Parish which shall comprise and embrace all lands within the following described boundaries:

From the point of beginning located at the Section Corner common to Sections 34 and 35, Township 7 South, Range 13 East and Sections 2 and 3, Township 8 South, Range 13 East and follow the township line between Townships 7 and 8 to the East Pearl River and State Line between Louisiana and Mississippi in the following courses:

From the above stated point of beginning, proceed south 89 degrees, 45 minutes east, 10,560 feet to the northeast corner of Section 1, Township 8 South, Range 13 East and the range line between Range 13 and Range 14; thence South 89 degrees, 38 minutes East, 10506.54 feet to the northeast corner of Section 5, Township 8 South, Range 14 East; thence South 89 degrees, 30 minutes East, 5257.56 feet to the northeast corner of Section 4, Township 8 South, Range 14 East; thence South 89 degrees 38 minutes East, 5238.42 feet to the northeast corner of Section 3, Township 8 South, Range 14 East; thence South 89 degrees, 30 minutes East, 10608.84 feet to the range line between Ranges 14 and 15 East, thence South 89 degrees, 30 minutes East, 5280 feet to a point at the northeast corner of Section 6, Township 8 South, Range 15 East; thence South 89 degrees, 30 minutes east, 5280 feet to a point at the northeast corner of Section 5, Township 8 South, Range 15 East; thence South 89 degrees, 30 minutes East, 5280 feet to a point at the northeast corner of Section 4, Township 8 South, Range 15 East; thence South 89 degrees, 30 minutes East, 5039.76 feet to the State Line on the East Pearl River between Louisiana and Mississippi. Thence following the meanderings of the East Pearl River in a southeasterly direction along the center line of said river to its intersection with the northern boundary of Lake Borgne and the southeast shoreline of St. Tammany Parish. Thence following the southern shoreline of St. Tammany Parish west to a point where Salt Bayou meets Lake Pontchartrain; thence in a northeasterly direction up Salt Bayou to a point where said bayou crosses the center line of State Highway 433, "the old New Orleans-Mississippi Highway"; thence in a northeasterly direction 16,675 feet more or less along the center line of said State Highway 433 to a point; thence North 85 degrees, 45 minutes West, 1050 feet more or less; thence from the northeast corner of the southeast quarter of the northeast quarter of Section 26, Township 9 South, Range 14 East, go South 71 degrees, 33 minutes West, 4116.7 feet; thence North 47 degrees, 20 minutes West, 3975.8 feet; thence North 60 degrees, 34 minutes West, 1286.9 feet; thence South 87 degrees, 54 minutes, 45 seconds West, 3190.1 feet; thence north 78 degrees, 03 minutes, 15 seconds west, 582.8 feet; thence North 11 degrees, 37 minutes West, 415.9 feet; thence North 76 degrees, 54 minutes West, 2456 feet; thence North 80 degrees, 18 minutes West, 772.5 feet to the center line of the right-of-way of the New Orleans and Northeast Railroad; thence southwesterly along said center line 12,450 feet to the intersection of the shoreline of St. Tammany Parish and Lake Pontchartrain. Thence follow the south shoreline of St. Tammany Parish in a westerly direction to a point

where Section 22, Township 9 South, Range 13 East, and Section 23, Township 9 South, Range 13 East meet Lake Pontchartrain. Thence North 2237.4 feet to a point at the southwest corner of Section 14, Township 9 South, Range 13 East; thence North 3224.1 feet to the south line of Section 41, Township 9 South, Range 13 East; thence West on the section line of above mentioned Section 41, Township 9 South, Range 13 East, 3781.8 feet to the west line of Section 41; thence North along said Section Line 5723.52 feet to the northwest corner of said Section 41; thence East along said section line 1172.16 feet to the intersection of the southwest corner of Section 40, Township 9 South, Range 13 East and Section 41, Township 9 South, Range 13 East; thence North 29 degrees, 45 minutes east, 5225.88 feet to the southwest corner of Section 2, Township 9 South, Range 13 East; thence North 2349.6 feet to the township line between Townships 8 and 9. Thence from the southwest corner of Section 35, Township 8 South, Range 13 East, go North 2 degrees, 30 minutes East, 5437.74 feet to the southwest corner of Section 26, Township 8 South, Range 13 East; thence along the west line of said Section 26, Township 8 South, Range 13 East, North 5330.82 feet to the southwest corner of Section 23; thence north along the section line between Section 23, Township 8 South, Range 13 East and Section 22, Township 8 South, Range 13 East, 21,120 feet, more or less to the point of beginning at the northwest corner of Section 2, Township 8 South, Range 13 East.

LESS AND EXCEPT:

All that certain parcel of land being situated in Sections 23 and 24, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, being more fully described as follows:

From the section corner common to Sections 13 and 24, Township 9 South, Range 14 East and Sections 18 and 19, Township 9 South, Range 15 East, also the point of beginning, go in a southerly direction along the range line, which is the east boundary of the northeast quadrant of Section 24, Township 9 South, Range 14 East, to the quarter corner; thence westerly along the southerly line of the southeast quarter of the northeast quarter of said Section 24; thence northerly along the west line of the south half of the southeast quarter of the northeast quarter of said Section 24; thence Westerly along the southerly line of the north half of the southwest quarter of the northeast quarter of said Section 24; thence southerly along the easterly line of the south half of the southeast quarter of the northwest quarter of said Section 24; thence westerly along the south line of the northwest quarter of said Section 24 and the south line of the east half of the northeast quarter of Section 23, Township 9 South, Range 14 East; thence northerly along the west line of the east half of the northeast quarter of said Section 23 to the northerly right-of-way line of Louisiana Power and Light Servitude; thence south 57 degrees, 16 minutes, 36 seconds west 727.32 feet; thence north 00 degrees, 49 minutes, 53 seconds west 851.08 feet to the easterly right-of-way line of Interstate 10 Service Road; thence along said right-of-way line north 17 degrees, 10 minutes, 07 seconds east 707.16 feet to the southerly right-of-way line of Voters Road; thence along said right-of-way line north 88 degrees, 52 minutes, 22 seconds east 399.52 feet; thence easterly along the northerly line of the east half of the northeast quarter of said Section 23 of the section corner common to Sections 14, 13, 23 and 24 in said township

and range; thence easterly along the north line of said Section 24 back to the section corner common to said Sections 23 and 24 and Sections 18 and 19, Township 9 South, Range 15 East, which is the point of beginning as per Section 7-086.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. (Ord. No. 417, Bk. 6, P. 161 adopted 09/21/67; boundaries revised Ord. No. 582, Bk. 1, P. 360, adopted 02/21/74; boundaries revised Ord. No. 614, Bk 7, P. 486, adopted 02/20/75; reactivated and boundaries revised Ord. No. 811, adopted 05/18/78; amended by Ord. No. 80-50, adopted 09/18/80; amended by Ord. No. 81-111, adopted 01/22/81, revoked; amended by Ord. No. 81-191, adopted 04/15/81)

STATE REFERENCE NOTE: Part 1, Chapter 7, Title 38 of the Louisiana Revised Statutes of 1950 (LSA R.S. 38:1751 -Power to create gravity drainage district, LSA R.S. 38:1756 - Recordation Procedures, LSA R.S. 38:1759 - Appointment of Commissioners).

SEC. 7-077.00 Name, Status And Powers

The Gravity Drainage District herein created, pursuant to Revised Statutes 38:1754, shall be known and is hereby designated as "Gravity Drainage District No. 3" of the Parish of St. Tammany, State of Louisiana," and as thus created shall have and enjoy all the rights, privileges and immunities and be subject to all the obligations and duties appertaining to such Gravity Drainage Districts as required by the laws of the State and any and all powers and rights legally conferred on Gravity Drainage Districts, especially as enumerated in Revised Statutes 38:113, also especially with all the powers of a corporation, including perpetual existence; the power and right to incur debts and contract obligations, levy and order the assessment and collection of taxes in accordance with law; to sue and to be sued and to have a corporate seal and to do and perform any and all acts in corporate capacity and under its corporate name, necessary and proper for the carrying out of the objects and purposes for which said drainage district is created. (Ord. No. 614, Bk. 7, P. 486; Ord. No. 417, Bk. 6, P. 161; Ord. No. 811, adopted 05/18/78; Ord. No. 80-50, adopted 09/18/80)

STATE REFERENCE NOTE: LSA R.S. 38:1755 and LSA R.S. 38:113 - Powers and Rights of Gravity Drainage Districts.

SEC. 7-077.01 Board of Commissioners

The Board of Commissioners for Gravity Drainage District No. 3 shall be comprised of five (5) members and shall consist of persons that are residents of, and domiciled within, the jurisdictional boundaries of Wards 8 or 9. The Councilpersons of Ward 8 geographical boundaries shall have the authority to nominate two (2) members for appointment by the Council; the Councilpersons of Ward 9 geographical boundaries shall have the authority to nominate two (2) members for appointment by the Council; there shall be one (1) member nominated and appointed by the Parish President.(Ord. No. 96-2507, adopted 09/19/96; amended by Ord. No. 98-2953, adopted 9/24/98; amended by Ord. No. 00-0157, adopted 06/01/2000)

State Reference Note: LSA R.S. 38:1759

SEC. 7-078.00 Sub-Drainage District No. 1 (Parcel) of Gravity Drainage District No. 3

1. By virtue of the authority conferred by Act No. 297 of the Regular Session of the Louisiana Legislature of 1987 (the "act"), and other constitutional and statutory authority supplemental thereto, a sub-drainage district is hereby created within Drainage District No. 3 of the Parish of St. Tammany, State of Louisiana, and Ward Eight of said Parish, which Sub-drainage District shall comprise and embrace a portion of that territory within said Drainage District and Ward with boundaries described as follows:
2. Commencing at the intersection of the center line of Interstate 12 and the centerline of U.S. Highway 11, also the point of beginning; thence go northeast along the center line of U.S. Highway 11 to its intersection with the center line of Haas Road; thence go east along the center line of Haas Road to its intersection with the centerline of Robert Road, also called Louisiana Highway 1091; thence go south and southwest along the center line of Robert Road to its intersection with the center line of Interstate 12; thence go west along the center line of Interstate 12 to its intersection with the center line of U.S. Highway 190, also the point of beginning.
3. (b) The Sub-Drainage District hereby created shall be known and designated as "Sub-Drainage District No. 1 (Parcel) of Gravity Drainage District No. 3 of the Parish of St. Tammany, State of Louisiana" ("the district"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all the rights, powers and privileges granted and conferred by the act and other constitutional and statutory authority, including the authority, to incur debt, to issue bonds and to levy parcel fees.
4. (c) The governing authority of the district shall be a five member Board of Commissioners comprised of persons that are residents of, and domiciled within, the jurisdictional boundaries of District 9. The Councilperson of District 9 shall have the authority to nominate four (4) members from the delineated subdivisions for appointment by the Council; there shall be one (1) member nominated and appointed by the Parish President from the delineated subdivisions. (Ord. No. 00-0157, adopted 06/01/2000)
5. (d) The domicile of the district shall be the regular meeting place of this Police Jury; however, the Board of Commissioners may meet at either such regular meeting place or a location within the district designated by the presiding officer of said Board of Commissioners. (Ord. No. 87-857, adopted 09/17/87, amended by Ord. No. 99-3027, adopted 2/25/99)

SEC. 7-078.01 Drainage/Paving Requirements - Commercial, Industrial & Institutional Districts

Site development within the boundaries of Sub Drainage District 1 of Gravity Drainage District 3 requires the review and approval prior to the issuance of building permits, other than single family residential. The drainage and paving plan and as built drawings shall be stamped and certified by a licensed Louisiana State registered engineer and shall meet the following criteria:

1. Parcels 0-1 acre in size shall not have an increase from predevelopment surface water runoff.
2. Parcels over 1 acre in size shall be required to reduce predevelopment surface water runoff by at least 25%.
3. A site must utilize a retention pond to meet the drainage reduction requirement. The utilization of a parking lot for detention purposes is not allowed to meet the 25% predevelopment reduction.
4. For all parcels - a no net fill requirement is imposed.
5. For all parcels within the W-14 Drainage Basin - parking lots must be constructed with aggregate material and not a paving surface such as asphalt or concrete.

(Ord. No. 95-2249, adopted 06/15/95; amended by Ord. No. 97-2685, adopted 06/19/97, amended by Ord. No. 99-3027, adopted 2/25/99)

SEC. 7-079.00 Sub-Drainage District No. 2 of Gravity Drainage District No. 3

By virtue of the authority conferred by the Act, and other constitutional authority, a sub-drainage district is hereby created within Gravity Drainage District No. 3 of the Parish of St. Tammany, State of Louisiana, which sub-drainage district shall compromise and embrace a portion of that territory within said Drainage District and Ward with boundaries described as follows, to wit:

Commencing at the intersection of LA Hwy 1090 (Military Road) and Crowe's Landing Road; thence go east along Crowe's Landing Rd. to a point where the easternmost boundary of Magnolia Forest Subdivision departs to the south; thence follow the easternmost boundary of Magnolia Forest Subdivision south to its intersection with the section line common to Section 19 and 20, Township 8 South, Range 15 East; thence follow said section line and the section line common to Sections 29 and 30 of the same township and range south to its intersection with Davis Landing Road; thence follow Davis Landing Rd. West to LA Hwy 1090 (Military Road); thence follow LA Hwy 1090 (Military Road) north to its intersection with Crowe's Landing Rd. And the point of beginning. (Ord. No. 96-2396, adopted 03/21/96)

STATE LAW REFERENCE: LSA R.S. 38:1807 authorizes St. Tammany Parish to create sub-drainage districts.

SEC. 7-079.01 Name, Status and Powers

The sub-drainage district hereby created shall be known and designated as "Sub-Drainage District No. 2 of Gravity Drainage District No. 3" of the Parish of St. Tammany, State of Louisiana" (the "District"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all the rights, powers and privileges granted and conferred by the Act and other constitutional and statutory authority, including the authority to incur debt, to issue bonds, and to levy parcel fees. (Ord. No. 96-2396, adopted 03/21/96)

SEC. 7-079.02 Board of Commissioners

The governing authority of the District shall be a Board of Commissioners comprised of five (5) members with appointments as per the original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 96-2396, adopted 03/21/96; amended by Ord. No. 00-0157, adopted 06/01/2000)

ARTICLE V GRAVITY DRAINAGE DISTRICT NO. 4

SEC. 7-080.00 Established; Amended Boundaries

Acting under the authority of Part I, Chapter 7, Title 38 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional statutory authority, the boundaries of Gravity Drainage District No. 4, St. Tammany Parish, Louisiana, are hereby amended to henceforth read as follows, to-wit:

All that certain area of ground being situated in portions of Township 8 South, Range 11 East, Township 7 South, Range 11 East, Township 7 South, Range 12 East, Township 8 South, Range 12 East, Greensburg Land District, St. Tammany Parish, State of Louisiana, comprising and embracing the land within the following described boundaries:

Commencing at the intersection of the shore of Lake Pontchartrain and the east boundary line of the North Causeway Approach Road right-of-way; thence following said east boundary line northerly to its merge with the east boundary line of the U.S. Highway 190 right-of-way and thence continuing northerly to its intersection with the Ponchitolowa Creek; thence follow the Ponchitolowa Creek upstream to its intersection with Interstate 12; thence follow Interstate 12 east and southeast to its intersection with the line common to Sections 29 and 30, Township 7 South, Range 12 East, thence in a northerly direction along said line common to Sections 29 and 30 to the quarter corner common to Sections 29 and 30, Township 7 South, Range 12 East, thence in an easterly direction along the north line of the south half of Section 29 to the quarter corner common to Sections 28 and 29, Township 7 South, Range 12 East, thence continuing in an easterly direction along the north line of the south half of Section 28 to the quarter corner common to Sections 27 and 28, Township 7 South, Range 12 East, thence in a southerly direction along a line common to Sections 27 and 28 to the corner common to Sections 27, 28, 33, and 34, Township 7 South, Range 12 East, thence

continuing in a southerly direction along a line common to Sections 33 and 24 and its intersection with the northerly right-of-way line of Louisiana Highway 1088, thence in a northeasterly direction along said north right-of-way line of Louisiana Highway 1088 to its intersection with the line common to Sections 34 and 35, Township 7 South, Range 12 East to the corner common to Sections 34 and 35, Township 7 South, range 12 East and Sections 2 and 3, Township 8 South, Range 12 East, thence continuing in a southerly direction along a line common to Sections 2 and 3, Township 8 South Range 12 East to its intersection with the northerly right-of-way line of Interstate 12, thence in a northwesterly direction along the northerly right-of-way line of Interstate 12 to its intersection with the easterly line of Section 3, Township 8 South, Range 12 East to the quarter corner common to Sections 3 and 10, Township 8 South, Range 12 East, thence in a westerly direction along a line common to Sections 3 and 10 to the corner common to Sections 3, 4, 9, and 10, Township 8 South, Range 12 East, thence in a southerly direction along a line common to Sections 9 and 10, Township 8 South, Range 12 East to the quarter corner common to said Sections 9 and 10, thence in a westerly direction to the southwest corner of the southwest quarter of the northeast quarter of Section 9, township 8 South, Range 12 East, thence in a southerly direction to the southeast corner of the northwest quarter of the southeast quarter of Section 9, thence in a westerly direction to the southwest corner of the northwest quarter of the southeast quarter of Section 9, thence in a southerly direction to the southwest corner of the southeast quarter of the southwest quarter of Section 9, thence in a westerly direction along a line common to Sections 9 and 16 to the corner common to Section 8, 9, 16, 17, Township 8 South, Range 12 East, thence in a southerly direction along a line common to Sections 16 and 17, Township 8 South, Range 12 East, to its intersection with the westerly line of Section 42, township 8 South, Range 12 East, thence in a southwesterly direction along the westerly line of Section 42 to its intersection with the centerline of the now or formerly Illinois Central Gulf Railroad right-of-way, thence in a northwesterly direction along said centerline of railroad right-of-way to its intersection with the line common to Sections 37 and 27, Township 8 South, Range 12 East, thence in a southwesterly direction along the line common to said Sections 37 and 47 to its termination and intersection with the range line common to Township 8 South, range 12 East and Township 8 South, Range 11 East, also being the corner common to Sections 37 and 47, Township 8 South, Range 12 East and Sections 52 and 53, Township 8 South, Range 11 East, thence continue in a southwesterly direction along the line common to Sections 52 and 53, Township 8 south, Range 11 East, to its intersection with the north boundary of Lake Pontchartrain to the east boundary line of the North Causeway Approach Road right-of-way and the point of beginning.

(Ord. No. 90-1231, adopted 02/15/90; Ord. No. 90-1238, adopted 03/15/90; Ord. No. 90-1239, adopted 03/15/90; amended by Ord. 92-1669, adopted 11/19/92, amended by Ord. No. 95-2325, adopted 11/09/95; amended by Ord. No.04-0847, adopted 03/04/2004)

STATE REFERENCE NOTE: Part I, Chapter 7, Title 38 of the Louisiana Revised Statutes; LSA R.S. 38:1759.

AMENDED BOUNDARIES, LESS and EXCEPT:

By virtue of the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1415 and other Constitutional and statutory authority, the boundaries of Gravity Drainage District No. 4 are hereby amended to exclude the following described area from its boundaries, to-wit:

Commence at the intersection of Highway 59 and Interstate 12, the point of beginning; thence follow Highway 59 south to its intersection with Sharp Road; thence follow Sharp Road west to its intersection with the Tammany Trace; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south and southwest to its intersection with U.S. Highway 190; thence follow U.S. Highway 190 northwest to its intersection with Asbury Drive (a/k/a Highway 3228); thence follow Asbury Drive northwest to its intersection with U.S. Highway 190 North; thence follow U.S. Highway North to its intersection with the Ponchitalawa Creek; thence follow the Ponchitalawa Creek northeast to its intersection with Interstate 12; thence follow Interstate 12 southeast to its intersection with Highway 59, also the point of beginning.

(Ord. No. 06-1318, adopted 06/01/2006)

AMENDED BOUNDARIES, LESS and EXCEPT:

A CERTAIN TRACT OF LAND situated in the State of Louisiana, Parish of St. Tammany, in a portion of Sections 15 and 16, Township 7 South, Range 11 East, Greensburg District, Ward 4, and more fully described as follows:

Commencing at the intersection of Highway 59 and Highway 1088; also the point of beginning, thence proceed north along Highway 59 to Interstate 12; thence proceed along I-12 east to Highway 1088; thence proceed southwest on Highway 1088 to Highway 59 intersection; also the point of beginning.

The District has constituted since its creation on February 15, 1990, and shall continue to constitute, a public corporation and political subdivision of the State of Louisiana, and has had since its creation, and shall continue to have, all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to gravity drainage districts, including the authority to incur debt, issue bonds and levy taxes.

SEC. 7-080.01 Name, Status And Powers

The district hereby created shall be known and designated as "Gravity Drainage District No. 4 of the Parish of St. Tammany, Louisiana," and shall constitute a body corporate in law and a political subdivision of the state of Louisiana and as such shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana, including the authority to incur debt, to issue bonds and to levy

taxes and assessments. (Ord. No. 90-1231, adopted 02/15/90; Ord. no. 90/1238, adopted 03/14/90; Ord. No. 90-1239, adopted 03/15/90)

SEC. 7-080.02 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members with appointments as per the original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 90-1231, adopted 02/15/90; Ord. No. 90-1238, adopted 03/15/90; Ord. No. 90-1239, adopted 03/15/90; amended by Ord. No. 93-1704, adopted 02/18/93, amended by Ord. No. 95-2325, adopted 11/09/95; Ord. No. 00-0157, adopted 06/01/2000)

SEC. 7-080.03 Domicile And Effective Date

The domicile of said Gravity Drainage District shall be and the same is hereby designated as the St. Tammany Parish Police Jury Administrative Complex, 21490 Koop Drive, Mandeville, Louisiana 70471, and the Board of Commissioners hereby appointed shall meet at said domicile, and proceed to organize and elect their officers all in the manner and form provided by the law.

(Ord. No. 90-1231, adopted 02/15/90; Ord. No. 90-1238, adopted 03/15/90; Ord. No. 90-1239, adopted 03/15/90, amended by Ord. No. 95-2325, adopted 11/09/95)

ARTICLE VI DRAINAGE DISTRICT NO. 4

SEC. 7-086.00 Created; Boundaries

There is hereby created a Drainage District within the Parish, which shall comprise and embrace all of the lands within the following boundaries:

A certain piece or portion of land being situated in Sections 23 and 24, Township 9 South, Range 14 East, St. Tammany Parish, Louisiana, being more fully described as follows:

Commence at the section corner common to Sections 13, 14, 23 and 24. Measure thence north 89 degrees 32 minutes 26 seconds east along the section line common to Sections 13 and 24 a distance of 487.96 feet; thence south zero degrees 27 minutes 34 seconds east a distance of 49.31 feet to a point, the point of beginning. Thence from the point of beginning measure north 88 degrees 50 minutes 34 seconds east a distance of 2,178.67 feet; thence south zero degrees 41 minutes 52 seconds east a distance of 0.50 feet; thence north 88 degrees 50 minutes 16 seconds east a distance of 1,671.14 feet; thence in an easterly direction along the arc of a curve to the left having a radius of 830.00 feet, a distance of 118.46 feet; thence in an easterly direction along the arc of a curve to the right having a radius of 870.00 feet, a distance of 108.68 feet; thence north 87 degrees 49 minutes 4 seconds east a distance of 784.65 feet; thence south zero

degrees 34 minutes 6 seconds east a distance of 1,344.80 feet; thence south 1 degree 25 minutes 45 seconds east a distance of 1,320.31 feet; thence south 89 degrees 12 minutes 21 seconds west a distance of 1,336.49 feet; thence north zero degrees 41 minutes 52 seconds west a distance of 660.00 feet; thence south 89 degrees 12 minutes 22 seconds west a distance of 668.25 feet; thence south zero degrees 41 minutes 52 seconds east a distance of 660.00 feet; thence south 89 degrees 12 minutes 22 seconds west a distance of 668.25 feet; thence south 88 degrees 47 minutes 19 seconds west a distance of 1,333.90 feet; thence south 89 degrees 4 minutes 51 seconds west a distance of 2,659.54 feet; thence north 1 degree 9 minutes 17 seconds west a distance of 385.37 feet; thence north zero degrees 50 feet 56 minutes west a distance of 1,111.73 feet; thence north 57 degrees 16 minutes 36 seconds east a distance of 2,121.10 feet to a point, the point of beginning. (Ord. No. 812, adopted 05/18/78; Ord. No. 1144, adopted 04/24/80)

STATE REFERENCE NOTE: LSA R.S. 38:1514, 38:1602, 38:1606, 38:1613, 38:1614.

SEC. 7-087.00 Name, Status And Powers

The Drainage District herein created is hereby designated "Drainage District No. 4 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a body corporate in law and a political subdivision of the State and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State, including the authority to incur debt to issue bonds and to levy taxes and assessments. (Ord. No. 812, adopted 05/18/78)

SEC. 7-088.00 Domicile

The domicile of the Drainage District created herein is hereby designated as the St. Tammany Parish Building, Slidell, Louisiana. (Ord. No. 812, adopted 05/18/78)

SEC. 7-088.01 Board of Commissioners

The Board of Commissioners for Drainage District No. 4 shall be comprised of five (5) members with appointments as per the original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

ARTICLE VII GRAVITY DRAINAGE DISTRICT NO. 5

SEC. 7-089.00 Gravity Drainage District No. 5

Drainage District No. 5 is more particularly described in the following sections.

SEC. 7-089.01 Created; Amended Boundaries

Acting under the authority of Part I, Chapter 7, Title 38 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the boundaries of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana (the "District") are hereby amended to compromise and embrace all of the territory within the following described boundaries, to-wit: (Ord. No. 93-1792, adopted 08/19/93; amended by Ord. No. 97-2649, adopted 05/15/97, amended by Ord. No. 99-3016, adopted 2/25/99)

Commencing at the intersection of Ponchitolowa Creek and I-12, thence go southeast on I-12 to the eastern boundary of Ward 4, thence follow the boundary of Ward 4 north to the northeast corner of Ward 4, thence go west along the north boundary of Ward 4 to LA Hwy. 59 and the Abita Springs town limits, thence go north of LA 59 to a point where the Abita Springs town limits depart to the west, thence follow the Abita Springs town west, north, east and north to the Abita River, thence go downstream along the Abita River to US Hwy 190, thence go north on US Hwy 190 to the Bogue Falaya Creek, thence go downstream along the Bogue Falaya Creek to the Tchefuncte River, thence go downstream along the Tchefuncte River to Bayou Monga, thence go upstream along Bayou Monga to I-12, thence go east on I-12 to US Hwy 190, thence go south on US Hwy 190 to Ponchitolowa Creek, thence go upstream along Ponchitolowa Creek to I-12 and the point of beginning.

(All of said territory encompassed by said boundaries consist of land which drains naturally or by gravity. Ord. No. 99-3016, adopted 2/25/99)

AMENDED BOUNDARIES, TO INCLUDE:

1. By virtue of the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1752 and other Constitutional and statutory authority, the boundaries of Gravity Drainage District No. 5 are hereby amended to include the following described area in its boundaries, to-wit:

Commence at the intersection of Highway 59 and Interstate 12, the point of beginning; thence follow Highway 59 south to its intersection with Sharp Road; thence follow Sharp Road west to its intersection with the Tammany Trace; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south and southwest to its intersection with U.S. Highway 190; thence follow U.S. Highway 190 northwest to its intersection with Asbury Drive (a/k/a Highway 3228); thence follow Asbury Drive northwest to its intersection with U.S. Highway 190 North; thence follow U.S. Highway North to its intersection with the Ponchitalawa Creek; thence follow the Ponchitalawa Creek northeast to its intersection with Interstate 12; thence follow Interstate 12 southeast to its intersection with Highway 59, also the point of beginning.

(Ord. No. 06-1318, adopted 06/06/2006)

2. By virtue of the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1752 and other Constitutional and statutory authority, the boundaries of Gravity Drainage District No. 5 are hereby amended to include the following described area in its boundaries, to-wit:

A CERTAIN TRACT OF LAND situated in the State of Louisiana ,Parish of St. Tammany, in a portion of Sections 15 and16, Township 7 South, Range 11 East, Greensburg District, Ward 9, and more fully described as follows:

Commencing at the intersection of Hwy 59 and Hwy 1088; also the point of beginning, thence proceed north along Hwy 59 to Interstate 12; thence proceed along I-12 east to Hwy 1088; thence proceed southwest on Hwy 1088 to Hwy 59 intersection; also the point of beginning.

The District has constituted since its creation on August 19, 1993, and shall continue to constitute, a public corporation and political subdivision of the State of Louisiana, and has had since its creation, and shall continue to have, all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to gravity drainage districts, including the authority to incur debt, issue bonds and levy taxes.

(Ord. No. 10-2394, adopted 11/04/2010)

SEC. 7-089.02 Name, Status And Powers

The district hereby created shall be known and is hereby designated as "Gravity Drainage District No. 5" of the Parish of St. Tammany, Louisiana, and as thus created shall constitute a body corporate in law and a political subdivision of the State of Louisiana and as such shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana, including the authority to incur debt, to issue bonds and to levy taxes and assessments. (Ord. No. 93-1832, adopted 10/21/93)

SEC. 7-089.03 Board Of Commissioners

In accordance with the provisions of Section 1758 of Title 38 of the Louisiana Revised Statutes of 1950, as amended (LSA R.S. 38:1758), a Board of Commissioners shall be appointed by the Police Jury, consisting of five (5) commissioners; two (2) commissioners for a term of two (2) years and three (3) for a term of four years, with all selections or appointments thereafter to be for a term of four (4) years. (Ord. No. 93-1832, adopted 10/21/93)

As such, they shall have all the powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana during their respective terms of office

and until their successors are duly appointed and have qualified. (Ord. No. 93-1792, adopted 08/19/93)

SEC. 7-089.04 Domicile

The domicile of Gravity Drainage District No. 5 is hereby designated as the St. Tammany Parish Police Jury Office, Covington, Louisiana, and the Board of Commissioners hereby appointed shall meet at said domicile and proceed to organize and elect their officers all in the manner and form provided by the law. (Ord. No. 93-1792, adopted 08/19/93)

SUB-DRAINAGE DISTRICT NO. 1 OF GRAVITY DRAINAGE DISTRICT NO. 5

SEC. 7-090.00 Creation

By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a subdrainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which subdrainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Brookstone Subdivision, as more fully described as follows:

SEC. 7-090.01 Boundaries

All that certain piece or parcel of land, together with all buildings and improvements thereon and all rights, ways, means, privileges, servitudes, appurtenances and advantages thereon appertaining; situated in part of the E/2 of the W/2, Section 23, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, bounded on the North by the south line of I-12 right of way and on the South by the south line of said Section 23, containing 96.49 acres and measures as follows:

Beginning at the 1/4 Section corner common to Sections 23 and 26, Township 7 South, Range 11 East, measure North 89 degrees 59 minutes West, a distance of 1357.12 feet to a point; thence North 00 degrees 17 minutes East, a distance of 3294.24 feet to a point on the southerly line of Interstate Highway I-12; thence along the southerly line of Interstate Highway I-12, South 74 degrees 03 minutes East, a distance of 674.96 feet to a point; thence continuing along the southerly line of Interstate Highway I-12, South 74 degrees 07 minutes East, a distance of 730.73 feet; thence South 00 degrees 13 minutes West, a distance of 2908.91 feet, to the point of beginning.

SEC. 7-090.02 Name, Status and Powers

The Subdrainage District hereby created shall be known and designated as "Sub-Drainage District No. 1 of Gravity Drainage District no. 5 of the Parish of St. Tammany, State of Louisiana" ("the district"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and

privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.

SEC. 7-090.03 Board of Commissioners

The governing body of the district shall be a five (5) member Board of Commissioners comprised of persons that are residents of, and domiciled within, the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority.

SEC. 7-090.04 Domicile

The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioner may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 06-1335, adopted 07/06/2006)

SUB-DRAINAGE DISTRICT NO. 2 OF GRAVITY DRAINAGE DISTRICT NO. 5

SEC. 7-091.00 Creation

By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a subdrainage district is hereby created within Gravity Drainage District No. 5 of the Parish fo St. Tammany, which subdrainage district shall comprise and embrace a portion of the area within said gravity drainage district commonly known as Meadowbrook Subdivision, as more fully described as follows:

SEC. 7-091.01 Boundaries

All that certain parcel of land located in Sections 34, 38, 39 & 40, T-7-S, R-11-E, and Sections 40, 41, T-8-S, R-11-E, St. Tammany Parish, Louisiana more particularly described as follows:

Meadowbrook Subdivision:

Phase 1 Phase 5-A Phase 8

Phase 2-A Phase 5-B

Phase 2-B Phase 6

Phase 3-A Phase 6-A

Phase 3-B Phase 7, Section 1

Phase 4-A Phase 7, Section 2

Phase 4-B Phase 7, Section 3

All as approved and duly recorded in the official records of the Office of the Clerk of Court, St. Tammany Parish, State of Louisiana.

(Ord. 07-1654, adopted 09/06/2007)

SEC. 7-091.02 Name, Status and Powers

The Sub-Drainage District hereby created shall be known and designated as "Sub-Drainage District No. 2 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana" ("the district"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.

SEC. 7-091.03 Board of Commissioners

The governing body of the district shall be a five (5) member Board of Commissioners comprised of persons that are residents of, and domiciled within, the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority.

SEC. 7-091.04 Domicile

The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioner may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 06-1336, adopted 07/06/2006, as amended by Ord. No. 07-1654, adopted 09/06/07)

SUB-DRAINAGE DISTRICT NO. 3 OF GRAVITY DRAINAGE DISTRICT NO. 5

SEC. 7-092.00 Creation

(a) By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other

constitutional and statutory authority supplemental thereto, a sub-drainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which sub-drainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Northpark Subdivision Phase III (including Sections 1A and 1B, Sections 2A and 2B, Section 4A, and Sections 5A, 5B and 5C), and more fully described as follows:

SEC. 7-092.01 Boundaries

A CERTAIN TRACT OF LAND situated in the State of Louisiana, Parish of St. Tammany, in a portion of Sections 15 and 16, Township 7 South, Range 11 East, Greensburg District, Ward 9, and more fully described as follows:

Commence at the corner common to Sections 9, 10, 15 and 16, Township 7 South, Range 11 East, the point of beginning. Measure thence from the point of beginning South 89 degrees, 53 minutes, 07 seconds East along the line common to Sections 10 and 15 a distance of 350 feet; thence South 16 degrees, 13 minutes, 10 seconds West a distance of 418.74 feet; thence South 73 degrees, 46 minutes, 50 seconds East a distance of 74.18 feet; thence South 16 degrees, 13 minutes, 10 seconds West a distance of 371.71 feet; thence South 56 degrees, 40 minutes, 36 seconds East a distance of 412.05 feet; thence along a curve to the left having a radius of 667.60 feet, an arc length of 82.19 feet having a chord bearing of South 29 degrees, 47 minutes, 46 seconds West and a chord distance of 82.14 feet; thence South 63 degrees, 43 minutes, 52 seconds East a distance of 120.00 feet; thence South 51 degrees, 11 minutes, 42 seconds East a distance of 294.42 feet; thence South 89 degrees, 53 minutes, 07 seconds East a distance of 200 feet; thence South 00 degrees, 06 minutes, 53 seconds West a distance of 210 feet; thence South 16 degrees, 23 minutes, 00 seconds West a distance of 327.28 feet; thence South 88 degrees, 54 minutes, 18 seconds West a distance of 3,095.22 feet; thence North 00 degrees, 48 minutes, 18 seconds West a distance of 1,893.40 feet to a point on the line common to Sections 9 & 16 Township 7 South, Range 11 East; thence North 89 degrees, 50 minutes, 31 seconds East along the said section line a distance of 2,173.02 feet to the corner common to Sections 9, 10, 15 & 16, Township 7 South, Range 11 East, the point of beginning. All as more fully shown on a survey by John J. Avery, Jr., dated July 15, 1993, and contains 116.83 acres more or less.

SEC. 7-092.02 Name, Status and Powers

The Sub-drainage District hereby created shall be known and designated as "Sub-Drainage

District No. 3 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana" ("the district"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.

SEC. 7-092.03 Board of Commissioners

The governing body of the district shall be a five (5) member Board of Commissioners comprised of individuals domiciled within the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority, and the Parish Council does hereby appoint the following individuals as members of said Board of Commissioners, all of whom are domiciled within the boundaries of the District:

MR. PETER PERSSON

MR. RONNIE WEBB

MR. FORREST FORBES

MR. JERRY LAMBERT

MR. PHIL FOX

SEC. 7-092.04 Domicile

The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioners may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 08-1902AA, adopted 09/11/08)

SUB-DRAINAGE DISTRICT NO. 4 OF GRAVITY DRAINAGE DISTRICT NO. 5

SEC. 7-093.00 Creation

By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a sub-drainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which sub-drainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Fountains Subdivision.

(Ord. No. 10-2373, adopted 11/04/2010)

SEC. 7-093.01 Boundaries

A CERTAIN TRACT OF LAND situated in the State of Louisiana, Parish of St. Tammany, in a portion of Sections 15 and 16, Township 7 South, Range 11 East, Greensburg District, Ward 9, and more fully described as follows:

Commencing at the intersection of Hwy 59 and Hwy 1088; also the point of beginning, thence proceed north along Hwy 59 to Interstate 12; thence proceed along I-12 east to Hwy 1088 to Hwy 59 intersection; also the point of beginning.

(Ord. No. 10-2373, adopted 11/04/2010)

SEC. 7-093.02 Name, Status and powers

The Sub-drainage District hereby created shall be known and designated as Sub-Drainage District No. 4 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana, and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.

(Ord. No. 10-2373, adopted 11/04/10)

SEC. 7-093.03 Board of Commissioners

The governing body of the district shall be a five (5) member Board of Commissioners comprised of individuals domiciled within the boundaries of the district. Members shall be appointed by the Parish Governing Authority to five (5) year terms and all of whom shall be domiciled within the boundaries of the District.

(Ord. No. 10-2373, adopted 11/04/2010)

SEC. 7-093.04 Domicile

The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioners may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 10-2373, adopted 11/04/2010)

SUB-DRAINAGE DISTRICT NO. 5 OF GRAVITY DRAINAGE DISTRICT NO. 5 (Emerald Oaks)

SEC. 7-094.00 Creation

By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a sub-drainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which sub-drainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Emerald Oaks, as more fully described as follows.

SEC. 7-094.01 Boundaries

EMERALD OAKS CONDOMINIUMS, PHASE ONE

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06 seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96 feet to the point of beginning. From the point of beginning, go South 00 degrees 12 minutes 59seconds West 178.34 feet; thence South 89 degrees 52 minutes 58 seconds East 423.99 feet thence South 00 degrees 07 minutes 46 seconds East 376.58 feet thence South 00 degrees 00 minutes 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees, 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet an arc distance of 180.51 feet; thence leaving said right-of-way line, go North 165.81 feet; thence East-93.00 feet thence North 116.43 feet; thence go North 88 degrees 17 minutes 08seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West-93.57 feet; thence South 209. 79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, North 89 degrees 50 minutes 21seconds West 123.45 feet; thence leaving said right-of-way line, go North 00 degrees 05 minutes 08seconds West 655.71 feet; thence North 89 degrees 17 minutes 14 seconds East 296. 81 feet back to the point of beginning.

Said property contains 7.60 acres.

EMERALD OAKS CONDOMINIUMS, PHASE TWO

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96feet; thence South 00 degrees 12minutes 59 seconds West 178.34 feet;

thence South 89 degrees 52 minutes 58 seconds East 423.99 feet; thence South 00 degrees 07minutes 46 seconds East 376.58 feet; thence South 00 degrees 00seconds 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet an arc distance of 180.51 feet to the point of beginning. From the point of beginning, thence leaving said right-of-way line, go North-165.81 feet; thence East-93.00feet; thence North-116.43 feet; thence go North 88 degrees 17 minutes 08 seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West 93.57 feet; thence South 209.79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, South 89 degrees 50 minutes 21 seconds East 138.88 feet; thence along a curve to the right (clockwise) having a radius of 429.87 feet an arc distance of 236.10 feet; thence go along a curve to the left (counter clockwise) having a radius of 357.61 feet and arc distance of 12.53 feet back to the point of beginning.

Said property contains 2.21 acres.

SEC. 7-094.02 Name, Status, and Powers

The Sub-drainage District hereby created shall be known and designated as “Sub-Drainage District No. 5 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana” (“the district”), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.

SEC. 7-094.03 Board of Commissioners

The governing body of the district shall be a five (5) member Board of Commissioners comprised of persons that are residents of, and domiciled within, the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority.

SEC. 7-094.04 Domicile

The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioner may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 14-3140, adopted 06/05/2014, ratified by Ord. No. 14-3165, adopted 07/10/2014)

ARTICLE VIII ST. TAMMANY LEVEE DISTRICT (ABOLISHED)

EDITORIAL NOTATION: THE ST. TAMMANY LEVEE DISTRICT WAS ORIGINALLY AUTHORIZED BY ELECTION HELD MAY 3, 1986, BUT LEGISLATIVELY ABOLISHED IN 1997 PER ACT 1410 (SEE R.S. 38:313).

ARTICLE IX GRAVITY DRAINAGE DISTRICT NO. 6

SEC. 7-102.00 Creation; Boundaries

Acting under the authority of Part I, Chapter 7, Title 38 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, there is hereby created a drainage district within the Parish of St. Tammany, to compromise and embrace the lands within the following boundaries, to-wit:

All that certain portion of ground being situated in portions of T6S-R11 Greensburg District, St. Tammany Parish, State of Louisiana, being more fully described as follows:

Commencing at a point being the junction of River Road and Lee Road and proceeding north of both sides of River Road to the junction of said River Road and Highway 25, thence south of Highway 25 to its junction with Collins Blvd., US 190; thence along US 190 to its junction with Lee Rd.; thence north of said Lee Rd. to the point of beginning.

All set forth on plans in the St. Tammany Department of Public Works entitled "Gravity Drainage District No. 6 of St. Tammany Parish Department of Public Works". (Ord. No. 94-1993, adopted 06/16/94)

STATE LAW REFERENCE: Part I, Chapter 7, Title 38 of Louisiana Revised Statutes of 1950.

SEC. 7-102.01 Name, Status and Powers

The district created shall be known and designated as "Gravity Drainage District No. 6 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a body corporate in law and a political subdivision of the State of Louisiana as conferred by the Constitution and Statutes of the State of Louisiana, including the authority to incur debt, issue bonds, and levy taxes and assessments. (Ord. No. 94-1993, adopted 06/16/94)

SEC. 7-102.02 Board of Commissions

The Board of Commissioners of Gravity Drainage District No. 6 shall be comprised of five (5) members with appointments as per original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 94-1993, adopted 06/16/94; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 7-102.03 Appointment

Commissioners for Gravity Drainage District No. 6 shall be appointed by Resolution of the Police Jury. The first two (2) named commissioners shall be appointed for terms of two (2) years each and the latter three (3) named commissioners shall be appointed for terms of (4) years each. (Ord. No. 94-1993, adopted 06/16/94)

SEC. 7-102.04 Domicile

The domicile of said District shall be the St. Tammany Parish Police Jury Office, Covington, Louisiana, and the Board of Commissioners hereby appointed shall meet at said domicile, and proceed to organize and elect their officers all in the manner and form provided by the law. (Ord. No. 94-1993, adopted 06/16/94)

ARTICLE X DRAINAGE DISTRICT NO. 5

EDITORIAL NOTATION: Drainage District No. 2 was created by reorganizing and dividing the boundaries of Drainage District No. 2 and the authority of Ord. No. 94-2057, adopted 08/18/94.

CROSS REFERENCE: Article III, Sections 7-061.00 - 7-0761.08

SEC. 7-103.00 Created; Boundaries

A CERTAIN PORTION OF LAND, lying and being situated in sections 26, 27, and 44, Township 9 South, Range 14 East, near the City of Slidell, St. Tammany Parish, Louisiana, and bounded roughly on the North by the North Diversion Canal, on the East by Interstate 10, on the South by Oak Harbor Boulevard and on the West by U.S. Highway 11; and more particularly described as follows:

Commencing at the corner common to Sections 23, 24, 25, and 26 go South 00 degrees, 45 27" East a distance of 1312.50 feet, thence go North 89 degrees 3 57" East, a distance of 80 feet; thence go North 79 degrees 17 15" East, a distance 191.80 feet; thence go North 70 degrees 10 3" East, a distance of 276.80 feet; thence go North 71 degrees 17 0" East, a distance of 3,688.82 feet to a point; thence go South 49 degrees 20 39" East, a distance of 819.64 feet to a point, thence go South 47 degrees 47 20" East, a distance of 455.46 feet being the Point of Beginning;

Thence along the westerly right-of-way of Interstate Highway 10; along a curve concave to the right having a radius of 11,234.16 feet, and a length of 1,895.87 feet to a point; thence South 41 degrees 48 33" West, a distance of 1,021.64 feet to a point; thence North 48 degrees 11 27" West, a distance of 87.36 feet to a point; thence along the arc of a curve having a radius of 743.00 feet, and a distance of 1,315.54 feet to the point of reverse curvature of a curve concave to the right; thence along said curve concave to the right having a radius of 623.48 feet a distance of 558.25 feet to the Point of Tangency; thence North 34 degrees 42 48" West, 336.38 feet to the Point of Curvature

of a curve concave to the left; thence along said curve concave to the left having a radius of 648.00 feet a distance of 395.85 feet to the Point of Tangency; thence North 69 degrees 42 51" West, a distance of 586.71 feet to the Point of curvature of a curve concave to the left; thence along said curve concave to the left having a radius of 595.00 feet, a distance of 728.31 feet to a Point; thence South 40 degrees 09 09" West, a distance of 154.76 feet to a Point; thence South 64 degrees 25 37" East, a distance of 69.80 feet to a Point; thence South 25 degrees 34 23" West, 321.26 feet to the Point of Curvature of a curve concave to the right; thence along said curve concave to the right having a radius of 598.00 feet, a distance of 753.04 to the Point of Reverse Curvature of a curve concave to the left; thence along said curve concave to the left having a radius of 628.89 feet, a distance of 180.66 feet to the Point of Reverse Curvature of a curve concave to the right; thence along said curve concave to the right having a radius of 991.93 feet, a distance of 414.50 feet to a Point; thence North 58 degrees 54 11" West, a distance of 911.92 feet to a Point; thence North 34 degrees 29 04" West, 463.97 feet to the Point of Curvature of a curve concave to the right; thence along said curve concave to the right having a radius of 1,688.00 feet, a distance of 1,1101.51 feet to a Point of Tangency; Thence North 52 degrees 40 57" West, a distance of 1,413.88 feet to the intersection of Oak Harbor Boulevard with the easterly line of U.S. Highway 11; thence along the easterly line of U.S. Highway 11 North 34 degrees 12 14" East, 183.63 feet to the point of curvature of a curve concave to the left having a radius of 6,084.52 feet and a distance of 851.33 feet to the Point of Tangency; thence North 26 degrees 11 14" East, a distance of 374.93 feet to a point; thence North 14 degrees 02 46" East, a distance of 265.28 feet to the intersection of the easterly line of U.S. Highway 11 with the northerly line of the North Diversion Canal; thence along the northerly line of the North Diversion Canal; South 75 degrees 57 14" East, 863.37 feet to a point; thence South 13 degrees 16 47" East, 407.98 feet to a point; thence South 78 degrees 19 44" East, 548.04 feet to a point; thence North 87 degrees 31 06" East, 756.70 feet to a point; thence North 86 degrees 43 58" East, 998.82 feet to a point; thence North 87 degrees 15 21" East, 1,450.49 feet to a point; thence South 60 degrees 51 45" East, 1,310.60 feet to a point; thence South 48 degrees 12 44" East, 966.08 feet to a point; thence South 47 degrees 23 00" East, 1,740.96 feet to the intersection of the northerly line of the North Diversion Canal and the westerly line of Interstate Highway 10 to the Point of Beginning. Said property contains 536.41 acres. All as per the plan of St. Tammany Parish Drainage District No. 5 by J.J. Krebs & Sons, Inc., Joseph J. Krebs, Jr., RPLS, dated February 24, 1994, Job No. 94-5232. (Ord. No. 94-2057, adopted 08/18/95)

SEC. 7-103.01 Name

The presently existing land remaining on the east side of Interstate 10 shall be named St. Tammany Drainage District No. 2. The land on the west of Interstate 10 shall be named St. Tammany Parish Drainage District No. 5, and each reorganized Drainage District shall constitute a body corporate in law and a political subdivision of the State of Louisiana as conferred by the Constitution and Statutes of the State of Louisiana, including the authority to incur debt, issue bonds, and levy taxes and assessments. (Ord. No. 94-2057, adopted 08/18/95)

SEC. 7-103.02 Board of Commissioners

The Board of Commissioners of Drainage District No. 5 shall be comprised of five (5) members with appointments as per the original Ordinance. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President (Ord. No. 94-2057, adopted 08/18/95; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 7-103.04 Appointment

Commissioners for St. Tammany Parish Drainage District No. 5 shall be appointed by Resolution of the Police Jury. The commissioners shall at their first meeting immediately determine by lot their terms of office, which shall be respectively, one, two, three, four, and five years. They shall serve until their successors have been appointed and qualified. (Ord. No. 94-2057, adopted 08/18/95)

SEC. 7-103.05 Finances

The funds held on account by the Director of Finance for the Parish of St. Tammany in the name of St. Tammany Parish Drainage District No. 2 shall be transferred to the respective Districts, with St. Tammany Parish Drainage District No. 2 receiving 87.77 % of the fund and the newly created St. Tammany Parish Drainage District No. 5 receiving 12.23 % of the funds and further the Director of Finance is hereby authorized to transfer these funds and the accounting and financial functions to the respective Districts all in accordance with the rules and regulations pertaining thereto. (Ord. No. 94-2057, adopted 08/18/95)

SEC. 7-103.06 Domicile

The domicile of the St. Tammany Drainage District No. 5 shall be 300 Oak Harbor Boulevard, Slidell, Louisiana, and the Board of Commissioners hereby appointed shall meet at said domicile, and proceed to organize and elect their officers all in a manner and form provided by law. (Ord. No. 94-2057, adopted 08/18/95)

ARTICLE XI DRAINAGE COMMISSION

SEC. 7-104.00 Drainage Commission

This Commission shall be comprised of nine (9) members with appointments parish wide. There shall be seven (7) members nominated and appointed by the Parish Council. There shall be two (2) members nominated and appointed by the Parish President. The President shall select his appointments from substantially different geographic areas of the Parish, for example, east-west, north-south, rural-non-rural. (Ord. No. 00-0157, adopted 06/01/2000)

CHAPTER 8 FIRE PREVENTION AND PROTECTION

ARTICLE I IN GENERAL

SEC. 8-014.00 Burning Restrictions/Safety Precautions During Periods of Drought

The authority to impose restrictions on any activities conducted within unincorporated areas of the parish as a result of drought conditions shall rest jointly with the Parish President and the Chairman of the Parish Council.

Restrictions shall be placed only when the Parish President and Council Chairman both agree that existing drought conditions warrant said restrictions.

Restrictions shall be considered after informal consultation by the Parish President and the Council Chairman with officials located within the state and/or parish and experienced in matters of climatology, meteorology, forestry, fire, and/or public safety.

Restrictions which may be placed by mutual consent of the Parish President and the Council Chairman include, but are not limited to, outdoor burning activities, fireworks, water usage, and measures to ensure citizen health and safety. Restrictions may be placed parish wide or limited to certain wards within the parish.

Restrictions shall be imposed and established by a written "Notice of Restrictions due to Existing Drought Conditions" signed by both the Parish President and the Council Chairman; and which describes the conditions necessitating the restrictions, the type of restrictions imposed, the effective date of the restrictions, the length of time said restrictions are to remain in effect, not to exceed thirty (30) days, and the areas of the parish covered by the restrictions. Subsequent notices extending the restrictions may be executed without limitation.

A "Notice of Restrictions" shall cease to be effective and thus revoked upon expiration of its term, or by written declaration by either the Parish President or the Council Chairman with reasons for the revocation.

SEC. 8-015.00 Reimbursement Of Costs By Fire Protection Districts

(a) Any fire protection district and any volunteer fire department shall have the authority to charge any person causing or contributing to a discharge of a hazardous or nonhazardous material or substance the extraordinary expenses of undertaking any remedial actions necessary to contain, abate, clean up, restore, or remove the discharge.

(b) The governing authority of any fire protection district assessing charges for remedial costs for actions taken in the cleaning up of any discharge of hazardous or nonhazardous material or substance as provided in this Section shall also have the authority to use any reasonable means to collect and enforce the collection of such costs.

(c) The governing authority of any fire protection district shall be entitled to recover the amount of said costs, together with all costs of court and reasonable attorney fees incurred in the enforcement of collection.

(Ord. No. 91-1537, adopted 12/19/91)

STATE REFERENCE NOTE: LSA R.S. 33:1974. **CROSS REFERENCE NOTE:** See Chapter 11, Section 11-050.00 for similar provisions.

ARTICLE II FIRE DEPARTMENTS

SEC. 8-016.00 Members To Have Special Police Powers

All regularly appointed members of the Fire Departments are hereby given the necessary special police powers for the purpose of enforcing the provisions of this Article. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

SEC. 8-017.00 Chief And Other Police Officers To Enforce

It is hereby made the special duty of the Chief of the appropriate Fire Departments, Constables and other Peace Officers, who may be on duty and available for fire duty to respond to all fire alarms and assist Fire Departments in the protection of life and property, in regulating traffic, maintaining order and in enforcing observance of all Sections of this Article. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

SEC. 8-018.00 Power of Chief To Make Inspections And Serve Notice To Abate Fire Hazards

The Chief or acting Chief of any Fire Protection District or duly authorized Volunteer Fire Department shall have authority to enter any and all buildings and premises within their respective jurisdictions at any reasonable hour for the purpose of making inspections and to serve notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

SEC. 8-018.01 Exceptions

EDITORIAL NOTATION: New Section 8-018.01 added to the Code of Ordinances under the authority of Ordinance No. 91-1415, adopted 03/21/91.

(A) A controlled fire or open burning of leaves, trash and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber, in St. Tammany Parish shall not be a violation of this Chapter if the following guidelines are adhered to:

- (1) The fire area shall not be greater than 8 feet in diameter;
- (2) The height of burning materials shall not be greater than four (4) feet;
- (3) Burning shall only occur between sunrise and one hour before sunset;
- (4) The fire site shall not be unattended;
- (5) A functional water hose shall be located next to the fire site; and
- (6) The fire site shall be located at least 10 feet from the nearest property line.
- (7) There shall be no more than one fire site per homesite or parcel of land.
- (8) The fire site shall be located at least fifty (50) feet from any structure, if nearer than fifty (50) feet from a structure a container must be used.

(B) Notwithstanding Section 8-018.01 herein, a violation of any of the above restrictions may result in [the] fire site being considered a fire hazard under this chapter. (Ord. No. 91-1415, adopted 03/21/91)

SEC. 8-019.00 Compliance With Notice To Abate Fire Hazard Required

Any person served with a notice to abate fire hazard shall comply therewith promptly and inform the appropriate Fire Chief of such compliance. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

SEC. 8-020.00 False Fire Alarms

No person shall maliciously turn in or cause to be turned in a false fire alarm. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

SEC. 8-021.00 Vehicles To Have Right-Of-Way

All motorized fire equipment and all personal cars of Fire Department Members shall have the right-of-way over all other traffic when responding to a fire alarm. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

STATE REFERENCE NOTE: LSA R.S. 32:125.

SEC. 8-022.00 Driving Over Fire Hose

No person may drive any vehicle over a fire hose except upon specific orders from the appropriate Fire Chief or from such other Officer in charge where the hose is being used. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

STATE REFERENCE NOTE: LSA R.S. 32:287.

SEC. 8-023.00 Parking Near Or Obstructing Fire Stations Or Hydrants

No person shall park any vehicle or otherwise cause any obstruction to be placed within fifty (50) feet of the entrance to any Fire Station or other place where fire apparatus is stored, or within ten (10) feet of any fire hydrant or cistern. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

STATE REFERENCE NOTE: LSA R.S. 32:143

SEC. 8-024.00 Following Fire Apparatus; Parking Near Fire

No unauthorized person with any vehicle shall follow within six hundred (600) feet of any apparatus belonging to a Fire Department, or park any vehicle within three hundred (300 ft.) feet of a fire. (Ord. No. 226, Bk. 4, P. 5; Ord. No. 246, Bk. 4, P. 232; Ord. No. 248, Bk. 4, P. 244)

STATE REFERENCE NOTE: LSA R.S. 32:286

ARTICLE III FIRE PROTECTION DISTRICTS

SEC. 8-036.00 Fire Protection District No. 1

There is hereby created a Fire Protection District to be known as "Fire Protection District No. 1, St. Tammany Parish, Louisiana," which shall comprise and embrace all of the territory within the boundaries of Wards 8 and 9 of the Parish as they existed on February 17, 1977, excluding that portion of land included in Fire Protection District No. 11 of said date. (Ord. No. 632, Bk. 7, P. 547; Ord. No. 690, adopted 02/17/77)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Wards 8 and 9.

EDITORIAL NOTATION: New Subsections 8-036.00(a) and (b) added to the Code of Ordinances under the authority of Ordinance No. 92-1551, adopted 01/16/92.

a) By virtue of the authority of Part I, Chapter 7, Title 40 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the boundaries of Fire Protection District No. 1, St. Tammany Parish, Louisiana, are hereby amended to exclude the following described area from its boundaries, to-wit:

Commence at the intersection of the centerline of the west mouth of West Pearl River with the northerly shoreline of the Rigolets, the point of beginning. Thence from the point of beginning, proceed northerly along the centerline of the west mouth of West Pearl River to the intersection of the centerline of West Pearl River; thence proceed northerly along the centerline of West Pearl River to the intersection of the centerline of Salt Bayou; thence proceed west to the intersection of the centerline of Highway 433; thence proceed southeasterly to the northernmost intersection centerline of Highway 433 and centerline of Highway 90; thence proceed northeasterly along Highway 90 to a point approximately 5000 feet north of the intersection of Highway 433 and Highway 90; thence proceed along a line to its intersection with the centerline of the Geohegan Canal; thence proceed southwesterly along the centerline of the Geohegan Canal to its intersection with the northernmost shore of the Rigolets; thence proceed easterly along said shore to the point of beginning. (Ord. No. 92-1551, adopted 01/16/92)

b) The District has constituted since its creation (01/17/52), and shall continue to constitute, a public corporation and political subdivision of the State of Louisiana, and has had since its creation, and shall continue, to have all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to fire protection districts, including the authority to incur debt, issue bonds and levy taxes. (Ord. No. 92-1551, adopted 01/16/92)

SEC. 8-036.01 Appointments To Fire Protection District No. 1

The District geographically encompasses Wards 8 and 9. There shall be two (2) appointments by the Parish of St. Tammany. The two (2) members shall consist of persons that are residents of, and domiciled within the jurisdictional boundaries of Wards 8 and 9. The Councilpersons of Wards 8 and 9 geographical boundaries shall have the authority to nominate one (1) member for appointment by the Council; there shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 632, Bk. 7, P. 547; Ord. 690, adopted 2/17/77; amended by Ord. No. 88-972, adopted 07/21/88; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 8-037.00 Fire Protection District No. 2

EDITORIAL NOTATION: Fire Protection District No. 2 as originally created by Ord. No. 683-A encompassed the entire Ward 1 of St. Tammany Parish. Ord. No. 88-949 redistricted and divided Fire Protection District No. 2 into two Fire Districts being Fire Protection District No. 2 (southerly) and Fire Protection District No. 13 (northerly). See Section 8-037.00 for the new boundaries for Fire Protection District No. 2 and Section 8-048.00 for boundaries of the new Fire Protection District No. 13.

The Police Jury of St. Tammany Parish, Louisiana, does hereby redistrict Fire Protection District No. 2 by altering and changing the existing boundaries; the boundaries of Fire Protection District No. 2 new shall be South of Interstate 12, including the Town of Madisonville and Flower Estates Subdivision, which is North of Interstate 12, and [to] read as follows:

Commencing at the intersection of the South right-of-way of I-12 and the West boundary of St. Tammany Parish and Ward 1, also being the point of beginning; thence South along the West boundary of St. Tammany Parish and Ward 1 to the intersection with the North shoreline of Lake Pontchartrain; thence East along said North shoreline to its intersection with the mouth of the Tchefuncte River; thence follow the meanderings of said River upstream to the Northeast corner of Flowers Estates Subdivision; thence North 89 degrees 28 minutes West, 1,232.2 feet; thence South 21.8 feet; thence North 89 degrees 02 minutes West, 1,005.5 feet; thence North 00 degrees 02 minutes East, 229.1 feet to the North boundary of Section 47, Township 7 South, Range 11 East. Thence along said North boundary North 89 degrees 22 minutes West, 1,010.2 feet to the intersection with the Southeast right-of-way of LA Hwy. 21; thence Southwest along said Southeast right-of-way to its intersection with the South right-of-way of Interstate 12; thence along said South right-of-way in a Northwest direction to the West boundary of St. Tammany Parish and Ward 1, also the Point of Beginning.

(Ord. No. 623-A, Bk 7, P. 519 repealed; replaced by Ord. No. 88-949, adopted 06/16/88)

SEC. 8-037.01 Board of Commissioners

The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council members from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 8-038.00 Fire Protection District No. 3

There is hereby created a Fire Protection District to be known as "Fire Protection District No. 3 of the Parish of St. Tammany, Louisiana," whose boundaries shall be the same of the Seventh Ward as it existed on April 15, 1954. (Created by Resolution dated 04/15/54)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Ward 7.

SEC. 8-038.01 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-039.00 Fire Protection District No. 4

There is hereby created a Fire Protection District to be known as "St. Tammany Fire Protection District No. 4," whose boundaries shall coincide with the boundaries of Ward Four as it existed on January 16, 1958, including the Town of Mandeville. (Created by Resolution dated 01/14/58)

Boundaries amended to include the following described area, commonly known as River Oaks Subdivision, to-wit:

River Oaks Subdivision:

Commencing at the intersection of Bayou Monga and the Tchefuncte River, thence go upstream along the meanderings of Bayou Monga to I-12, thence go east on I-12 to U.S. Highway 190, thence go south on U.S. Highway 190 to Ponchitolawa Creek, thence follow the meanderings of Ponchitolawa Creek downstream to the Tchefuncte River, thence follow the meanderings of the Tchefuncte River upstream to Bayou Monga and the point of beginning. (Ord. No. 02-0559, adopted 10/10/2002)

Boundaries amended to include an area comprising a portion of Parish Voting Precinct 406 as established by Ordinance C.S. No. 11-2503, adopted 04/20/2011, and described as follows:

Commencing at the intersection of the section line common to Sections 26 and 27, Township 7 South, Range 12 East and Highway 1088; thence go north along the section line common to sections 26 and 27 of said township and range to the northwest corner of section 26 of said township and range; thence go east along the north section line of section 26 of said township and range east to the northeast corner of section 26 of said township and range, thence go south along the east line of section 26 of said township and range south to its intersection with Hwy 1088; thence follow Hwy 1088 southwest to its intersection with the section line common to Sections 26 and 27, Township 7 South, Range 12 East and the Point of Beginning. Ord. No. 13-3062, adopted 12/05/2013)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Ward 4.

SEC. 8-039.01 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council members from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. There

shall be two (2) members appointed by the Town of Mandeville Council. Once appointed, the four (4) members shall select an individual to serve as the final member and Board Chairman. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-040.00 Fire Protection District No. 5

There is hereby created a Fire Protection District to be known as "St. Tammany Parish Fire Protection District No. 5," whose boundaries shall be as follows:

Beginning at the northwest corner of St. Tammany Parish, being the corner common to St. Tammany, Washington and Tangipahoa Parishes, measure southeasterly along the boundary line between Washington and St. Tammany Parishes to the line between Sections 19 and 20, Township 4 South, Range 11 East, St. Tammany Parish; thence measure southerly along the Section line between Sections 19 and 20, Sections 29 and 30, and Sections 31 and 32, Township 4 South, Range 11 East; and continue southerly along the section line between Sections 5 and 6, Township 5 South, Range 11 East, to its intersection with Pigeon Roost Creek, thence following the meanderings of Pigeon Roost Creek and Simalousa Creek to the intersection with the south line of Section 36, Township 6 South, Range 11 East, thence measure westerly with the line between Sections 36 and 18, Township 6 South, Range 11 East; and continue westerly with the line between Sections 2 and 35, 3 and 34, 4 and 33, and 5 and 32, Township 6 South, Range 10 East, to the Tchefuncte River; thence measure northerly along the meandering of the center of the Tchefuncte River to the point of beginning. (Ord. No. 504, Bk. 6, P. 517; Ord. No. 701, adopted 03/24/77)

SEC. 8-040.01 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council members from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. There shall be two (2) members appointed by the Village of Folsom. Once appointed, the four (4) members shall select an individual to serve as the final member and Board Chairman. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-041.00 Fire Protection District No. 6

There is hereby created a Fire Protection District to be known as "Fire Protection District No. 6 of the Parish of St. Tammany, Louisiana," the boundaries of which shall be as follows:

Beginning at the intersection of the boundary line between Washington and St. Tammany Parishes and the section line between Sections 19 and 20, Township 4 South, Range 11 East, St. Tammany Parish, Louisiana, measure southeasterly along the said boundary line between Washington and St. Tammany Parishes to the line

dividing Wards 2 and 5 of St. Tammany Parish in Section 2, Township 4 South, Range 11 East; thence follow southeasterly the meanderings of the Second Ward Line to its intersection with the line dividing Wards 2 and 3 in Section 31, Township 5 South, Range 11 East; thence west along said dividing line to the Simalousa Creek in Section 36, Township 5 South, Range 10 East; thence north along the meanderings of Simalousa Creek and Pigeon Roost Creek to the section line between Sections 5 and 6, Township 4 South, Range 10 East; thence, north along the section line dividing Sections 31 and 32, 29 and 30, and 19 and 20, Township 4 South, Range 11 East, to the point of beginning. (Ord. No. 505, Bk. 6, P. 518, adopted 09/17/70)

SEC. 8-041.01 Board of Commissioners

The Board shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-042.00 Fire Protection District No. 7

There is hereby created a Fire Protection District to be known as "Fire Protection District No. 7 of the Parish of St. Tammany, Louisiana" whose boundaries shall be the entire Sixth Ward of the Parish as it exists on the adoption date of the ordinance from which this section is derived. (Ord. No. 535, Bk. 7, P. 135)

Boundaries amended to exclude an area comprising a portion of Parish Voting Precinct 406 as established by Ordinance C.S. No. 11-2503, adopted 04/20/2011, and described as follows:

Commencing at the intersection of the section line common to Sections 26 and 27, Township 7 South, Range 12 East and Highway 1088; thence go north along the section line common to sections 26 and 27 of said township and range to the northwest corner of section 26 of said township and range; thence go east along the north section line of section 26 of said township and range east to the northeast corner of section 26 of said township and range, thence go south along the east line of section 26 of said township and range south to its intersection with Hwy 1088; thence follow Hwy 1088 southwest to its intersection with the section line common to Sections 26 and 27, Township 7 South, Range 12 East and the Point of Beginning. (Ord. No. 12-3062; adopted 12/05/2013)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Ward 6.

SEC. 8-042.01 Board of Commissioners

The Board shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member

nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 8-043.00 Fire Protection District No. 8

There is hereby created a Fire Protection District to be known as "St. Tammany Fire Protection District No. 8" whose boundaries shall coincide with the boundaries of Ward 10 as said ward existed on May 7, 1974. (Ord. No. 594, Bk. 7, P. 399)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Ward 10.

SEC. 8-043.01 Board of Commissioners

The Board shall be comprised of five (5) members. The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council members from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. There shall be two (2) members appointed by the Town of Abita Springs. Once appointed, the four (4) members shall select an individual to serve as the final member and Board Chairman. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-044.00 Fire Protection District No. 9

"St. Tammany Parish Fire Protection District No. 9" is hereby reconstituted and reestablished and the boundaries shall be as follows:

The boundaries of St. Tammany Parish Fire Protection District No. 9 shall coincide with the boundaries of Ward 5 as it existed on the adoption date of Resolution C.S. No. C-2720, 10/01/2009.

(Ord. No. 675, adopted 11/18/1976, amended by Ord. No. 09-2161, adopted 11/05/2009)

SEC. 8-044.01 Board of Commissioners

The Board shall be comprised of five (5) members. The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council member(s) from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. There shall be two (2) members appointed by the Town of Sun Aldermen. Once appointed, the four (4) members shall select an individual to serve as the final member and Board Chairman.

(Ord. No. 00-0157, adopted 06/01/2000, amended by Ord. No. 09-2161, adopted 11/05/2009)

SEC. 8-045.00 Fire Protection District No. 10

This [ordinance] shall finalize the redistricting, merger and consolidation of St. Tammany Parish Fire Protection Districts No. 9 and St. Tammany Parish Fire Protection District No. 10. The redistricting, merger and consolidation shall become effective upon the installation of the Board of Commissioners of St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished herein and hereby.

Upon the installation of the Board of Commissioners of St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished herein and hereby, St. Tammany Parish Fire Protection District No. 10 shall be merged and consolidated into and with St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished [by this ordinance].

In accordance herewith, and upon the the installation of the Board of Commissioners of St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished herein and hereby, all of the rights and obligations of St. Tammany Parish Fire Protection District No. 10 shall be vested in St. Tammany Parish Fire Protection District No. 9.

Nothing herein shall be construed to change the amount of property taxes authorized by the voters of the respective districts. The taxes authorized to be levied in the respective districts shall continue to be levied for the duration of the term approved by the voters of the respective districts.

(Ord. No. 681, Bk. 8, P. 220, 12/16/1976, amended by Ord. No. 09-2161, adopted 11/05/2009)

SEC. 8-045.01 Board of Commissioners

Upon the installation of the Board of Commissioners of St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished herein and hereby, St. Tammany Parish Fire Protection District No. 10 shall be merged and consolidated into and with St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished [by this ordinance].

In accordance herewith, and upon the the installation of the Board of Commissioners of St. Tammany Parish Fire Protection District No. 9 as reconstituted and reestablished herein and hereby, all of the rights and obligations of St. Tammany Parish Fire Protection District No. 10 shall be vested in St. Tammany Parish Fire Protection District No. 9.

(Ord. No. 00-0157, adopted 06/01/2000, amended by Ord. No. 09-2161, adopted 11/05/2009)

SEC. 8-046.00 Fire Protection District No. 11

There is hereby created a Fire Protection District to be known as "St. Tammany Fire Protection District No. 11. (Ord. No. 81-266, adopted 09/17/81)

SEC. 8-046.01 Clarification of Boundaries

By virtue of the authority conferred by Part I, Chapter 7, Title 40 of the Louisiana Revised Statutes of 1950 and other constitutional and statutory authority supplemental thereto, the boundaries of Fire Protection District No. 11 of the Parish of St. Tammany, State of Louisiana, are hereby clarified to compromise and embrace within its boundaries that area of the Parish of St. Tammany, State of Louisiana (including the municipality of Pearl River), within the following described boundaries, to-wit:

Commencing at the section common to Section 13 and 42, T8S, R14E and Sections 18 and 37, T8S, R15E, thence go due east to the west bank of the Pearl River; thence follow the meanderings of the west bank of the Pearl River upstream to its intersection with the south boundary of Ward 6; thence go along the south boundary of Ward 6 in a westerly direction to its intersection with the Illinois Central & Gulf Railroad; thence follow the Illinois Central & Gulf Railroad southeast to its intersection with the section line common to Sections 16 and 17, T8S, R14E; thence go east to the point of beginning.

All as set forth on a map in the Office of Development, St. Tammany Parish Administrative Complex, 428 East Boston Street, Covington, Louisiana. (Ord. No. 95-2190, adopted 04/20/95)

SEC. 8-046.02 Name, Status and Powers

The Fire Protection District No. 11 has constituted since February 17, 1977, and shall continue to have all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to such corporations, including the authority to incur debt, issue bonds and levy taxes. (Ord. No. 95-2190, adopted 04/20/95)

SEC. 8-046.03 Board of Commissioners

The Board shall be comprised of five (5) members. The Parish is authorized to appoint two (2) members. There shall be one (1) member nominated and appointed by the Parish Council. There shall be one (1) member nominated by joint concurrence of the Parish President and the Council members from the District(s) protected by said Fire Protection District, and thereafter appointed by the Council. There shall be two (2) members appointed by the Town of Pearl River. Once appointed, the four (4) members

shall select an individual to serve as the final member and Board Chairman. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 8-047.00 Fire Protection District No. 12

There is hereby created a Fire Protection District to be known as "St. Tammany Fire Protection District No. 12", whose boundaries shall be the entire Third Ward of the Parish as it existed on April 28, 1977, including the City of Covington, Louisiana. (Ord. No. 706, adopted 04/28/77)

CROSS REFERENCE NOTE: See Chapter 2-017.00 for description of boundaries of Ward 10.

SEC. 8-047.01 Amended Boundaries

In Compliance with the provisions of Part I, Chapter 7, Title 40 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the boundaries of St. Tammany Parish Fire Protection District No. 12, created by Ord. No. 706 adopted by this Police Jury on April 28, 1977, be and the same are hereby changed and altered so as to include in the corporate boundaries of said Fire Protection District the following described area, to-wit:

All of Ward 3 of St. Tammany Parish as presently constituted but excluding all areas included within the present corporate limits of the City of Covington.

(Ord. No. 84-62, adopted 03/15/84)

Boundaries also amended to exclude the following described area, commonly known as River Oaks Subdivision, to-wit:

River Oaks Subdivision:

Commencing at the intersection of Bayou Monga and the Tchefuncte River, thence go upstream along the meanderings of Bayou Monga to I-12, thence go east on I-12 to U.S. Highway 190, thence go south on U.S. Highway 190 to Ponchitolawa Creek, thence follow the meanderings of Ponchitolawa Creek downstream to the Tchefuncte River, thence follow the meanderings of the Tchefuncte River upstream to Bayou Monga and the point of beginning. (Ord. No. 02-0559, adopted 10/10/2002)

SEC. 8-047.02 Name, Status and Powers

The said Fire Protection District shall continue to be known and designated as "St. Tammany Fire Protection District No. 12", and shall continue to constitute a public corporation and political subdivision of the State of Louisiana, and as such, shall have all the powers incidental thereto as granted by the Constitution and Statutes of the State

of Louisiana, including the authority to incur debt, to issue bonds and to levy taxes and assessments. (Ord. No. 84-62, adopted 03/15/84)

SEC. 8-047.03 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 84-62, adopted 03/15/84; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 8-048.00 Fire Protection District No. 13

EDITORIAL NOTATION: Fire Protection District No. 2 as originally created by Ord. No. 683-A encompassed the entire Ward 1 of St. Tammany Parish. Ord. No. 88-949 redistricted and divided Fire Protection District No. 2 into two Fire Districts being Fire Protection District No. 2 (southerly) and Fire Protection District No. 13 (northerly). See Section 8-037.00 for the new boundaries for Fire Protection District No. 2 and Section 8-048.00 for boundaries of the new Fire Protection District No. 13.

The Police Jury of St. Tammany Parish, Louisiana, does hereby redistrict Fire Protection District No. 2 by altering and changing the existing boundaries. Now created from the redistricting is Fire Protection District No. 13 which boundaries shall be North of Interstate 12, including all of Interstate 12 and excluding Flower Estates Subdivision, and [to] read as follows:

Commencing at the intersection of the South right-of-way of Interstate 12 and the West boundary of St. Tammany Parish and Ward 1 also the point of beginning; thence Southeast along said right-of-way to its intersection with the Southeast right-of-way of LA Hwy. 21; thence along said Southeast right-of-way in a Northeasterly direction to the North boundary of Section 47, Township 7 South, Range 11 East, also being the Northwest corner of Flower Estates Subdivision; thence along said North boundary South 89 degrees 02 minutes East, 1,010.2 feet; thence South 00 degrees 02 minutes West, 229.1 feet; thence South 89 degrees 02 minutes East, 1,005.5 feet; thence North 21.8 feet; thence South 89 degrees 28 minutes East, 1,232.2 feet to the Tchefuncte River, also being the North East corner of Flower Estates Subdivision; thence meandering upstream to its intersection with the West boundary of St. Tammany Parish, also being the Northwest corner of Ward 1; thence South along said West boundary of St. Tammany Parish and Ward 1 to its intersection with the South right-of-way of Interstate 12, also the Point of Beginning.

(Ord. No. 88-949, adopted 06/16/88)

SEC. 8-048.01 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one

(1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

CHAPTER 9 GARBAGE AND TRASH

Editor's Note: Chapter 9 Garbage and Trash was comprehensively amended and reenacted by Ord. No. 11-2588, adopted 09/01/2011.

ARTICLE I GENERAL PROVISIONS

Editor's Note: Chapter 9 Garbage and Trash was comprehensively amended and reenacted by Ord. No. 11-2588, adopted 09/01/2011.

SEC. 9-001.00 Purpose and Scope

Purpose. It is the purpose of this Chapter and it is hereby declared to be the policy of the parish to ensure a comprehensive solid waste management system to regulate the storage, collection, transportation, processing and disposal of solid waste and to eliminate litter as much as possible in a manner that will:

- (1) Protect the public health, safety and welfare;
- (2) Prevent land, water and air pollution;
- (3) Prevent the spread of disease and the creation of nuisances;
- (4) Conserve natural resources;
- (5) Enhance the beauty and quality of the environment.

Scope. This chapter is applicable to all solid waste storage, collection, transportation, processing and disposal operations within the unincorporated areas of the parish.

The purpose of the following Articles is to:

Establish procedures, regulations and standards by which the public health and safety and the environment is protected by ensuring that safe, sustainable and proper techniques are employed to better manage solid waste in the unincorporated areas of St. Tammany Parish, Louisiana;

Build upon the existing Litter Abatement Ordinances (Ord. 01-0284, adopted 03/01/2001);

Create licensure and registration requirements and procedures for the unincorporated portions of St. Tammany Parish and to establish penalties for violations thereof;

Licensure in the Parish of St. Tammany is a privilege and not a right;

To permit and authorize the Parish the specific authority to promulgate rules and regulations on an on-going basis and as needed under the circumstances;

Assure that all individuals are both informed and responsible for their actions regarding solid waste that may affect the public health and the environment and the community now and in the future;

Support activities that will promote reduction, reuse and recycling and sustainable diversion of materials found in the waste stream;

Augment, supplement and support existing State of Louisiana controls pertaining to solid waste; and

To impose penalties and fines concerning illegal collection, transfer and/or disposal activities.

AUTHORITY NOTE: Promulgated pursuant to the express authority set forth in La.R.S. 33:4169.1, and all other applicable statutes and regulations.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2514 (November 2000), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1018 (June 2007).

(Ord. No. 11-2588, adopted 09/01/2011)

SEC. 9-002.00 Authority

An ordinance authorizing and providing for the Parish to establish standards and requirements, together with promulgation of binding rules and regulations, for solid waste management operations within the unincorporated areas of the Parish; requiring licenses and/or permits for storage, collection, transportation, processing, and disposal of solid waste embodying and supplementing the minimum standards and requirements established by rules of the Louisiana Department of Environmental Quality (DEQ) as promulgated under Title 33, Part VII et seq. of the Environmental Regulatory Code (ERC) and the Code of Ordinances, Chapter Nine et seq. of St. Tammany Parish, Louisiana; providing for enforcement of said requirements; imposing penalties for failure to comply with these provisions; requiring performance bonds and insurance; promulgate rules and regulations; and promoting the health, safety, and welfare of the public. This ordinance is adopted pursuant to the express authority set forth in La.R.S. 33:4169.1, and all other applicable statutes and regulations pertaining to the licensing, collection, storage, hauling, transfer, disposal and diversion of solid waste.

This ordinance shall consider the State of Louisiana Environmental Quality Act (R.S. 30:2001 et seq.) which established the enforcement authority and procedures for carrying out the purposes of the act. The Louisiana Solid Waste Operator Certification and Training Program (R.S. 37:3151 et seq.) created the Louisiana Solid Waste Operator Certification and Training Program. The principal domicile of the board shall be that of the Department of Environmental Quality. Ord. No. 06-1417, adopted 11/02/2006, is intended to provide for additional requirements in St. Tammany Parish.

SEC. 9-003.00 Definitions

Any and all definitions contained herein are comparable to those found in Title 33 of Environmental Regulatory Code, Part VII, Subpart 1, Chapter 1, Section 115.

When used in this ordinance the following terms shall have the meaning given to them.

“Acceptable Waste” shall include garbage, household refuse, tree & yard trimmings, furniture and municipal solid waste from residential and commercial waste generated by stores, offices, restaurants, warehouses and other non-manufacturing activities that is not otherwise defined as hazardous waste or unacceptable waste. In addition, construction and demolition (C&D) waste is acceptable, which includes building materials and rubble resulting from construction, remodeling, repair, paving and demolition. This also includes wood, brick, concrete, metal, wallboard, insulation and other non-hazardous building materials. Any community waste which is generated and collected which is not otherwise defined herein as hazardous waste or unacceptable waste. The definition of Acceptable Waste shall not be construed to mean that every type of acceptable waste may be deposited at a particular Solid Waste Management Facility or Solid Waste Transfer Station.

“Acceptable Household Quantities” means waste which is otherwise unacceptable waste, but which is contained in garbage, refuse, and municipal solid waste from normal household activities. For the purpose of this definition, “household” includes any residential dwelling unit or place of transient residence.

“Acceptable Non-Household Waste” means waste which is otherwise unacceptable waste, but which is contained in garbage, refuse, and municipal solid waste generated from commercial, industrial, or community activities, where the quantity of such unacceptable waste contained in any load delivered to the designated facility does not constitute a significant portion of such load. No amount of hazardous waste that is regulated by law is acceptable waste.

“Administrative Hearing Officer” shall mean that person or persons authorized, as per law, to conduct hearings and issue rulings for the Parish of St. Tammany;

“Agency” refers to the Environmental Protection Agency, its agent, or representative. In the case of Louisiana, that means Region VI.

“Agricultural Waste means nonhazardous waste resulting from the production and processing of agricultural products, including manures, pruning, and crop residues. This term does not include solid wastes defined as industrial solid waste in this section.

“Air Contaminant” means the presence in the outdoor atmosphere of any dust, fume, mist, smoke, vapor, gas or other gaseous fluid, or particular substance, differing in composition from or exceeding in concentration, the natural components of the atmosphere, such as, but not limited to the resulting ambient conditions created by the unlawful burning of solid waste.

“Air Pollution” means the presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

“Ash” means the incombustible material that remains after a fuel or solid waste is incinerated.

“Backyard Compost Site” means a site used to compost food scraps, garden wastes, weeds, lawn cuttings, leaves, and prunings from a single family or household, apartment building, or single commercial office, a member of which is the owner, occupant, or lessee of the property.

“Bulky waste” includes large items with weights or volumes greater than those allowed for individual household-type containers as described in section 16-4(b). Bulky waste includes, but is not limited to, automobile parts (fenders, seats, and other parts not exceeding four hundred [400] pounds), furniture and toys, large tree limbs and shrubbery, fence boards, rugs and carpeting, construction debris, as defined below in this section. Bulky waste does not include dead animals, hazardous waste, and stable waste.

Bulky waste suitable for manual collection includes those bulky waste items capable of fitting in the back of a rear end loader; those that do not exceed four (4) feet in length and seventy-five (75) pounds in weight (the 4/75 Rule).

Bulky waste requiring boom truck collection includes those bulky waste items which are unable to fit in the back of a rear loader; those that weigh more than seventy-five (75) pounds but less than four hundred (400) pounds and/or measuring between four (4) feet and six (6) feet in length.

“Brush Disposal Facility” means a site used exclusively for disposal of trees and tree parts including stumps, branches, and their attached leaves.

“Canister System” means a facility where solid waste is deposited in mechanically serviced containers as an intermediate step of congregating solid waste from several

properties for periodic removal of the accumulated waste by commercial hauler. Similar to a “transfer station” (see below).

“Closure” means actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the removal of liners, grading, applying final cover, seeding of final cover, installation of monitoring devices, construction of ground and surface water diversion structures, and gas control systems as necessary.

“Co-compost” means the controlled biological decomposition and management of selected organic solid waste that is mixed with a nutrient source, most commonly sewage sludge, which results in an innocuous, stable, humus product which can be used as a soil conditioner.

“Co-disposal” means the disposal of non-hazardous industrial wastes together with mixed municipal solid waste at a waste facility.

“Collection” means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility. Collection may include either manual or automated systems.

“Collection Facility” means a facility where one or more containers are located, that is used to accumulate solid waste generated by and delivered by more than one household or commercial establishment for pickup by a transporter, including, but not limited to, facilities typically located in rural areas where garbage collection does not occur. This definition does not include containers that receive only solid waste generated on property that is contiguous with the property on which the container is located (e.g., containers located at and receiving solid waste only from a multi-unit dwelling or a commercial establishment or an industrial establishment).

“Commercial Hauler” means any person, entity or corporation who owns, operates, leases or subleases vehicles or services for the purpose of contracting to collect or transport solid waste or source separated materials from residential, commercial or industrial property.

“Commercial Solid Waste” means all types of solid waste generated by stores, offices, restaurants, warehouses, and other business or manufacturing activities, excluding residential and industrial wastes.

“Compactor” means any container which has compaction mechanisms, whether stationary or mobile.

“Compost” means solid waste which has undergone biological decomposition of organic matter and has been stabilized using composting or similar technologies, to a degree

that is beneficial to plant growth and that is used, or sold for use, as a soil amendment, artificial topsoil, growing-medium amendment, or other similar uses.

“Compost Facility” means a site used to compost solid waste including all structures used to control drainage, collect and treat leachate, storage areas for the incoming waste, and the final product. A composting facility may include various types of compost operations, including but not limited to windrow, in-vessel or static pile facilities.

“Composting” means the controlled microbic degradation of organic waste to yield a humus-like product. Generally, the compost itself is a solid waste which has undergone biological decomposition of organic matter and has been stabilized using composting or similar technologies, to a degree that is beneficial to plant growth and that is used, or sold for use, as a soil amendment, artificial topsoil, growing-medium amendment, or other similar uses.

“Construction/Demolition Debris” means nonhazardous waste generally considered not water-soluble, including but not limited to metal, concrete, brick, asphalt, roofing materials (shingles, sheet rock, plaster), or lumber from a construction or demolition project, but excluding asbestos-contaminated waste (Regulated Asbestos-containing Material – RACM – as defined in LAC 33:III.5151.B), white goods, furniture, trash, or treated lumber. The admixture of construction and demolition debris with more than five percent by volume of paper associated with such debris or any other type of solid waste (excluding woodwaste or yard trash) will cause it to be classified as other than construction/demolition debris.

“Containment” means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment.

“Cover material” means approved material that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness and compactibility. Also known as Daily Cover.

“Curbside recycling bin” is any bin approved by the Department for the purpose of curbside collection of recyclable materials.

“Curing Area” means an area where organic material that has undergone the rapid initial stage of composting is further stabilized into a humus-like material.

“Demolition Landfill” means an area of land used for the disposal of demolition waste.

“Demolition Waste” means non-putrescible solid waste from the construction, remodeling, repair or demolition of structures including buildings and paved roads. It includes waste building materials, packaging and rubble such as concrete, brick,

bituminous concrete, wood, masonry, glass, trees, structural metals, insulation, roofing material, and plastic building parts. It may also include other waste materials accepted by the Department. It does not include uncontaminated earth or rock, hazardous materials, asbestos, industrial waste, or appliances.

“Department” is the St. Tammany Parish Department of Environmental Services, an agency within the administrative branch of the St. Tammany Parish Government.

“DEQ” is the Louisiana Department of Environmental Quality, as created by R.S. 30:2001 et seq.

“Disposal or Dispose” means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste, or any constituent thereof, may enter the environment or be emitted into the air, or discharged into any waters, including ground water. Abandonment of solid waste, whether or not it comes into contact with land or water, is also considered disposal.

“Disposal Site or Facility” means a waste facility that is designed or operated for the purpose of disposing of waste in or on the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility, which has been approved by the Department and all other applicable local, state and federal agencies.

“Dumping” means the illegal placement of any solid waste anywhere other than an approved facility or container.

“Dwelling” means a residential building or portion thereof intended for human occupancy but not including hotels, motels, boarding or rooming houses.

“Environmental Regulatory Code” means the rules and regulations of the Louisiana Department of Environmental Quality that are codified pursuant to La.R.S. 49:954.3.

“Facility” means the actual land and associated appurtenances used for storage, processing, and/or disposal of solid wastes, but possibly consisting of one or more units. (Any earthen ditches leading to or from a unit of a facility and that receives solid waste are considered part of the facility to which they connect, except for ditches lined with materials capable of preventing groundwater contamination. The term facility does not necessarily mean an entire industrial manufacturing plant.)

“Floodplain” means the areas adjoining a watercourse or water basin that has been or hereafter may be covered by a regional floodplain.

“Financial Assurance” means monetary mechanisms, which are used to assure proper closure, post closure care, and contingency action at a site or facility.

“Garbage” means solid waste that includes animal and vegetable matter from the handling, preparation, cooking, and serving of foods (including grease trap waste), but that does not include industrial solid waste.

“Generate” means the act or process of producing waste, including the production or aggregation of waste occurring at an intermediate disposal facility.

“Generator” means any person, business, institution and/or governmental entity that generates solid waste.

“Groundwater” means water below the land surface in the zone of saturation.

“Hauler” means any person or entity in the business of the collection and transportation of solid waste.

“Hazardous Waste” includes any chemical, compound, mixture, substance or article which is designated by the United States Environmental Protection Agency or appropriate agency of the state to be "hazardous" as that term is defined by or pursuant to federal and state laws and regulations, including LAC 33:V.Subpart 1 and the Resource Conservation and Recovery Act and subsequent amendments. Residential solid waste normally contains some hazardous wastes; however, household hazardous wastes are exempt from federal and state hazardous waste regulations and may be disposed of with household solid waste. Therefore, residential waste is not considered to be "hazardous waste" as used in this chapter.

“Herbaceous” means any non-woody plant.

“Household” means a single detached dwelling unit or a single unit of a multiple dwelling unit.

“Household Hazardous Waste” means any material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunk houses, ranger stations, crew quarters, campgrounds, picnic grounds, and day use recreation areas) that exhibit characteristics of or that is listed as hazardous waste under Louisiana Department of Environmental Quality rules.

“Illegal dumping” means the depositing of solid wastes into a body or stream of water or on the surface of the ground at a location except as authorized by applicable federal, state or local permit(s).

“Inactive (or Abandoned) Facility” means a solid waste storage, processing, or disposal facility that no longer receives solid waste and has not been closed in accordance with Louisiana Solid Waste Regulations.

“Incineration” means the process by which solid wastes are burned for the purpose of volume and weight reduction in permitted and licensed facilities designed for such use.

“Incinerator” generally means a furnace designed for the volume reduction of solid waste by burning in a fire box with proper controls and temperature range with stack emissions which do not exceed any air pollution control limits established by the state department of environmental quality, means including any enclosed device using controlled-flame combustion that neither meets the criteria for classification as a boiler nor is listed as an industrial furnace and is not a boiler nor an industrial furnace as defined in LAC 33:V.109.

“Incinerator Ash” means residual solid waste, which has been received, thermally oxidized, and/or decomposed by an incinerator.

“Incinerator Waste-Handling Facility” means a facility that processes solid waste which has been received, thermally oxidized, and/or decomposed by an incinerator.

“Industrial Solid Waste” means solid waste generated by a manufacturing, industrial, or mining process, or which is contaminated by solid waste generated by such a process. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products; by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; and transportation equipment. This term does not include hazardous waste regulated under the Louisiana hazardous waste regulations or under federal law, or waste which is subject to regulation under the Office of Conservation's Statewide Order No. 29-B or by other agencies.

“Industrial Solid Waste Facility” means a facility for the processing, storage, and/or disposal of industrial solid waste.

“Infectious Waste” means waste that contains pathogens of sufficient virulence and quantity that exposure to it could result in an infectious disease in a susceptible host person or animal that has been or may have been exposed to a contagious or infectious disease.

“Intermediate Disposal” means the preliminary or incomplete disposal of solid waste including, but not limited to, transfer station operations, open burning, incomplete land disposal, incineration, composting, reduction, shredding, compression, recycling, processing, resource recovery, and any other management or handling of waste short of final disposal.

“Junk” means scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, ferrous material, nonferrous material, inoperable automobiles, farm and construction machinery and parts thereof.

“Junkyard” means an establishment or place of storage and deposit which is maintained, operated, or used for storing, buying, or selling junk, or for the maintenance or operation of an automobile graveyard, at which the waste, vehicle body, or discarded material stored is equal in bulk to three or more motor vehicles.

“Land Disposal Facility” means any tract or parcel of land, including any constructed facility, at which solid waste is disposed of in or on the land.

“Landfarm” means a facility for the disposal of solid wastes in which waste are applied to the land and/or incorporated into the soil for biological reduction and soil attenuation.

“Landfill” means a facility for the disposal of solid waste, other than landfarm(s) or surface impoundment(s), that disposes of solid waste by placing it on or into the land surface and usually also compacting and covering with suitable cover material to a depth and at a frequency sufficient to control disease vectors and odors and in a manner that protects human health and the environment.

“Land Pollution” means the presence in or on the land of any waste or waste by-products in such quantity, of such nature and duration, and under such condition as would negatively affect any waters of the state, create air contaminants, cause air pollution, or contaminate soils at the site making the site unacceptable for further use.

“Land-spreading/Land Application” means the placement of waste or waste by-products on or incorporated into the soil surface.

“Land-spreading/Land Application Site” means any land used for the purpose of land-spreading or the land application of waste or waste by-products.

“Leachate” means a liquid that has passed through or emerged from solid waste and may contain soluble, suspended, or miscible materials removed from such wastes.

“Leachate Management System” means the structures constructed and operated to contain, transport, and treat leachate, including liners, collection pipes, detection systems, holding areas, and treatment facilities.

“License/Licensee” means the landowner, owner, operator, or other person or persons given authority by the Department to establish, operate, and maintain a solid waste management activity, collect and transfer solid waste to a disposal site or facility.

“Littering” shall be interpreted by reference to and consistent with applicable state statutes and, for purposes of this Chapter, means throwing, dropping, discarding, permitting the intentional or accidental ejection, emission, escape of, or otherwise

disposing of litter or waste matter of any kind on any public property, or upon private property without permission of the owner of said property, or in the waters of this parish, whether from a vehicle or otherwise. Litter shall include, but not be limited to, glass or metallic objects, trash, refuse, grass clippings or garbage.

“Litter Abatement Officer” means litter enforcement officer employed by the Parish to enforce litter ordinances and codes through the administrative adjudication process as authorized by La.R.S. 33:1236(54)(b) and all other applicable statutes.

“Major Appliances” means clothes washers and dryers, dishwashers, hot water heaters, residential furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers.

“Major Modification” means any change in a site, facility, process or disposal method, or operation which substantially deviates from the permit or tends to substantially increase the impact of the site, facility, process or disposal method, or operation on the environment.

“Mandatory Modification” means any change in a site, facility, unit, process or disposal method, or operation that is required as a result of any new Parish, State or Federal laws and regulations.

“Market” means any person or entity that accepts and recycles recyclable materials.

“Marketed” means delivery of recyclable materials to and acceptance by a market.

“Manure” means a solid waste composed of excreta of animals and any residual materials that have been used for bedding, sanitary, or feeding purposes for such animals.

“Medical Waste” means infectious waste, and waste originating from the diagnosis, care or treatment of a person or animal, or waste resulting from biological research, whether or not the waste has been decontaminated.

“Mixed Solid Waste” means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, but does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, trees and agricultural wastes, tires, lead acid batteries, used oil, and other materials collected, processed, and disposed of as separate waste streams.

“Municipal Solid Waste Landfill or MSW Landfill” means an entire disposal facility in a contiguous geographical space where residential solid waste and/or commercial solid waste is placed in or on the land. The term does not limit the ownership or source of materials to municipalities.

“Municipality” means a city, village, town, sanitary district, school district, or other governmental subdivision or public corporation, or agency created by the legislature, or as defined in the Code of Ordinances.

“Non-Processing Transfer Station” means a solid waste facility where solid waste is transferred from collection vehicles to other vehicles for transportation without processing.

“Nonputrescible” describes solid waste that is not liable to spoil, decompose or putrefy and create noxious odors.

“Notice of Violation” is a formal written notice issued by Department to notify a party that he is in violation of a Parish Ordinance. This Notice will inform the party of the alleged violations, the nature and extent of the violations, and the required corrective actions. The Notice of Violations (NOV) shall also specify additional actions that will be taken by the Department, such as the inclusion of NOV orders into a Final Order or Consent Order and/or the issuance of a citation, as well as specific time frames in which these actions will be completed.

“Nuisance” shall be defined by reference to Chapter 14 of the St. Tammany Parish Code of Ordinances.

“On-Site Processing/Disposal Area” means the land area and appurtenances thereon used for processing and/or disposal of solid waste on the same property or on geographically contiguous property, where waste is generated. Two or more pieces of property that are geographically contiguous but divided by public or private right(s)-of-way are considered a single site.

“Open Burning” means any fire or smoke producing process not conducted in a boiler plant, furnace, high temperature processing unit, incinerator or flame, or in any such equipment primarily designed for the combustion of fuel or waste material which is not approved by the state department of environmental quality and the local fire department. Open burning also means the combustion of solid waste without control of combustion air to maintain adequate temperature for efficient combustion containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion and control of the emission of combustion products.

“Open Dump” means a land disposal site at which solid waste is disposed of in a manner that does not protect the environment, is susceptible to open burning, and is exposed to the elements, vermin, and scavengers. It also means a solid waste processing or disposal facility that has been issued a temporary permit and may not comply with the standards set by these regulations.

“Operations” means any site, facility, or activity relating to solid waste management purposes pursuant to this ordinance.

“Operator” means the person or entity responsible for the overall operation of a facility.

“Owner or Solid Waste Facility Owner” means the person and/or entity who own a facility or part of a facility.

“Parish” shall mean the St. Tammany Parish Government, specifically the administrative branch of the Parish Government

“Permit” means a written authorization issued by the administrative authority to a person for the construction, installation, modification, operation, closure, or post-closure of a certain facility used or intended to be used to process or dispose of solid waste in accordance with the act, these regulations, and specified terms and conditions. For purposes of this Chapter, and unless a distinction is otherwise provided, Permit is synonymous with License/Licensee.

“Permittee/Permit Holder” means a person who is issued a permit and is responsible for meeting all conditions of the permit and these regulations at a facility.

“Person” means an individual, trust, firm, joint-stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of the state, interstate body, or the federal government or any agency of the federal government.

“Personnel or Facility Personnel” means all persons who work at or oversee the operation of a solid waste management facility, and whose actions or failure to act may result in noncompliance with the requirements of this ordinance.

“Political Subdivision” means any municipal corporation, governmental subdivisions of the state, local governmental unit, special district, or local or regional board, commission, or authority authorized by law to plan or provide for waste management.

“Post Closure Care” means actions taken for the care, maintenance, and monitoring of a facility after closure that will prevent, mitigate, or minimize the threat to public health and the environment posed by the closed facility.

“Premises” means any place, land, building, or structure, including but not limited to any adjacent driveway, parking area, adjacent yard or landscaped area(s) under the control of the owner, his agent or occupant of said building or structure, or watercraft on the waters of the state or federal government, or any place upon or in which solid waste is generated, stored, transferred or disposed of.

“Process” means a method or technique, including recycling, recovering, compacting (but not including compacting which occurs solely within a transportation vehicle), composting, incinerating, shredding, baling, recovering resources, pyrolyzing, or any other method or technique designed to change the physical, chemical, or biological character or composition of a solid waste to render it safer for transport; reduced in

volume; amenable for recovery, storage, reshipment, or resale. The definition of process does not include treatment of wastewaters to meet state or federal wastewater discharge permit limits. Neither does the definition include activities of an industrial generator to simply separate wastes from the manufacturing process.

“Processing” means the treatment of solid waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical or biological modification, and transfer from one waste facility to another.

“Processing Facility” means a site used to process solid waste, including all structures, equipment used to process the waste, storage areas for the incoming waste, the final product and residuals resulting from the process, and may be designated for recyclable materials only.

“Processing Transfer Station” means a Type I-A or II-A solid waste processing facility where solid waste is transferred from collection vehicles, processed, and placed in other vehicles for transportation (e.g., a facility that separates recyclables from industrial or putrescible waste streams).

“Promiscuous Dump” means a solid waste disposal facility that has resulted from disposal activities of persons other than the landowner and whose operation is not permitted by the administrative authority.

“Public Nuisance” means conduct that is defined and prohibited pursuant to Chapter 14 of the St. Tammany Parish Code of Ordinances.

“Putrescible Waste” means solid waste which contains organic matter capable of being decomposed by microorganisms and creating noxious odors of such a character and proportion as to be capable of attracting or providing food for birds, and potential disease vectors (such as rodents and flies).

“Prohibited Materials” means solid waste, which is unacceptable for collection, processing, or disposal due to the physical or chemical nature of the material or due to a facility's inability to properly manage the waste.

“Recovered Material” means material which has known recycling potential, can be feasibly recycled, and has been diverted or removed from the solid waste stream for sale, use, or reuse, by separation, collection or processing, as defined in R.S. 30:2412(7) and which would otherwise be processed or disposed of as nonhazardous solid waste.

“Recyclable Materials” means those materials which are capable of being recycled and which would otherwise be processed or disposed of as nonhazardous solid waste, which generally includes any newspaper, glass, metal food and beverage cans, magazines, catalogs, phone books, corrugated cardboard, and plastic.

“Recycling” means any process by which nonhazardous solid waste or material which would otherwise become solid waste, is collected, separated, or processed and reused or returned to use in the form of raw materials or products.

“Recycling Facility” means a site used to collect, process, and repair recyclable materials and reuse them in their original form or use them in manufacturing processes.

“Refuse” means putrescible and non-putrescible solid wastes, including garbage, rubbish, ashes, incinerator ash, incinerator residue, street cleanings, and market and industrial wastes, and including municipal treatment wastes which do not contain free moisture.

“Rejected Waste” means unacceptable waste, which is rejected at the designated facility.

“Refuse Collection Service” means a public or private operation engaged in solid waste collection and solid waste operation.

“Residence” means any building or portion thereof used as a dwelling or sleeping area for people.

“Residential solid waste” means any solid waste (including garbage, trash, and sludges from residential septic tanks and wastewater treatment facilities) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas).

“Resource Recovery” means the process by which solid waste that retains useful physical or chemical properties is reused or recycled for the same or other purposes, including uses as energy sources.

“Resource Recovery Facility” means a waste facility established and used primarily for resource recovery, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility.

“Responsible Party” means the owner, operator, or successor in interest of a solid waste facility.

“Rubbish” means non-putrescible solid wastes, including ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery, or litter of any kind.

“Run-off” means any rainwater, leachate, or other liquid that drains from any part of a facility.

“Run-on” means any rainwater or other liquid that drains onto any part of a facility.

“Salvaging” means the controlled removal of material from a solid waste storage, transfer, processing or disposal site for authorized reuse or recycling.

“Sanitary Landfill” means a landfill for the disposal of commercial or residential solid waste by deposit in a landfill in layers covered with suitable cover material of a depth and at a frequency adequate to control disease vectors and odors, health and the environment. It is located, contoured, and designed so that it will not constitute a source of water pollution.

“Scavenging” means the unauthorized removal of material from a solid waste storage, transfer, processing or disposal site.

“Separation Facility” means a Type III solid waste processing facility at which recyclables are separated from a non-putrescible solid waste stream for future use. The non-putrescible waste stream received by the separation facility shall not contain more than a de minimis amount of putrescible waste.

“Septage” means the contents of a septic tank, cesspool, or other individual sewage-treatment facility that receives domestic-sewage wastes.

“Sewage Sludge” means sludge resulting from treatment of wastewater from publicly or privately owned or operated sewage-treatment plants.

“Sewage treatment residue” is coarse screenings, grit, scum and sludge from sewage treatment plants and pumpings from cesspools, septic tanks or grease traps.

“Shredder” means a solid waste facility that reduces the particle size of solid waste by grinding, milling, shredding, or rasping.

“Site” means the physical location, including land area and appurtenances, of an existing or proposed storage, processing, or disposal facility. A site may consist of a number of facilities, each subject to a permit to process or dispose of solid waste.

“Sludge” means residue produced by or precipitated from a treatment process.

“Small business units” are businesses that do not have dumpsters or compactors and place curbside for collection (on the normal days for collection) typical residential containers or bags.

“Solid waste” means useless, unwanted or discarded solid material with insufficient liquid content to be free-flowing, that results from domestic, industrial, commercial, agricultural, governmental or community operations which require proper storage, collection, transportation and disposal to prevent environmental pollution inimical to public health, safety and welfare. Solid waste does not include abandoned or junked vehicles, sewage, sewage treatment residue, earth or material used to fill land in accordance with construction codes, mining residues, slag, and dissolved or suspended

solids in industrial wastewater effluents which are not acceptable for disposal in regular sewage treatment systems, industrial discharges that are point sources subject to permits under R.S. 30:2075; source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954 (68 Stat. 923 et seq.), as amended; potentially infectious biomedical or hazardous waste subject to permits under R.S. 30:2171 et seq.

“Solid Waste Collection” means the gathering of solid waste from public and private places.

“Solid waste collection service and solid waste hauler” means any person engaged in solid waste collection and transportation services. The term does not include an individual resident hauling his or her own household waste.

“Solid Waste Land Disposal Facility” means a facility used to dispose of solid waste in or on the land.

“Solid Waste Management Facility” means a facility which collects, transports, stores, processes or disposes of any garbage, refuse, or sludge from a waste treatment plant, water-supply treatment plant, or air pollution-control facility, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, including but not limited to Construction Debris Landfills, Non-Processing Transfer Station, Processing Transfer Station, Compost Facility, Separation Facility (Recycling Facility), Sewage Treatment Facility, Septage Treatment Facility, Municipal Solid Waste Landfill, Industrial Solid Waste Facility and Incinerator.

“Solid Waste Management Plan” means the Solid Waste Management Plan for St. Tammany Parish.

“Solid Waste Management System” means the total concept of the entire process of collection, transportation, storage, processing, and disposal of solid waste by any person engaged in such process as a business or by any municipality, authority, trust, parish, or any combination thereof.

“Solid Waste Storage” means the handling and holding of solid waste near the point of generation pending collection and the holding of solid waste for more than 48 hours in quantities equal to or greater than ten cubic yards.

“Solid Waste Transfer Station” means a facility including non-processing, processing or drop stations inclusive of Non-Processing Transfer Stations where solid waste materials, including yard waste, demolition materials, and household refuse are transferred from smaller vehicles to larger trucks for efficient transport to landfills, recycling centers and other disposal sites inclusive of Non-Processing Transfer Stations and Type II-A Facilities as defined by Louisiana Revised Statutes 33.VII.115.

“Solid Waste Transportation” means the conveying of solid waste from one place to another, by means of vehicle, rail car, water, vessel, conveyer, or other means.

“Source Separated Materials” means materials that are separated from solid waste by the generator and recovered for reuse in their original form or for use in the manufacturing process.

“Source Separation” means the separation of recyclable materials from waste by the generator prior to collection for recycling.

“Stable refuse” is body waste of animal and fowl, and cleanings, and waste food stuffs from all barns, stables, corrals, or pens used for stabling, caging or penning of animals or fowl.

“State” means the State of Louisiana.

“Tipping Fee” means the fee(s) charged to haulers or other persons for waste delivered to a designated facility.

“Tire” means a continuous solid or pneumatic rubber covering encircling the wheel of a motor vehicle or off-road vehicle.

“Tire Collector” means a person who owns or operates a site used for the storage, collection, or deposit of waste tires.

“Tire Collection Site” means a permitted site, or a site exempted from permit, used for the storage of waste tires.

“Tire Dump” means an establishment, site, or place of business without a required tire collector or tire processor permit that is maintained, operated, used or allowed to be used for storing, keeping, or depositing unprocessed waste tires.

“Tire Processing” means producing or manufacturing usable materials, including fuel, from waste tires including necessary incidental temporary storage activity.

“Tire Processor” means a person and/or entity engaged in the processing of waste tires.

“Toxic Waste” means substances, whether liquid, gaseous or solid form, which when collected, stored, transported or disposed of, may be acutely toxic to humans or other animals, or plant life, or be directly damaging to property including, but not limited to, pesticides, acids, caustics, pathological wastes, radioactive materials, flammable or explosive materials, and similar noxious substances.

“Transfer Station (Non-processing) – See Non-processing Transfer Stations.

“Transfer Station” (Processing) – See Processing Transfer Station.

“Transport” means to move industrial solid waste off-site and/or to move solid waste of a commercial establishment or more than one household to a transfer station or processing or disposal facility.

“Transportation” means the conveying of solid waste from one place to another.

“Transporter” means any person who moves industrial solid waste off-site and/or to move solid waste of a commercial establishment or more than one household to a transfer station or processing or disposal facility.

“Trash” means non-putrescible solid wastes consisting of both combustible and noncombustible wastes. Combustible trash includes paper, rags, cartons, wood, rubber, plastic, yard trimmings, leaves and similar material. Noncombustible trash includes grass, crockery, cans, dust, scrap metal and like material which will not burn at ordinary incinerator temperatures (one thousand six hundred (1,600) degrees Fahrenheit to two thousand (2,000) degrees Fahrenheit).

“Tree” means a perennial woody plant, generally with a single stem (e.g., trunk). Tree also means the stump of the tree.

“Type I Facility” means a facility used for disposing of industrial solid waste (e.g., a landfill, surface impoundment, or landfarm). If the facility is used for disposing of residential or commercial solid waste, it is also a Type II facility.

“Type I-A Facility” means a facility used for processing industrial solid waste (e.g., a transfer station – processing, shredder, baler, etc.). If the facility is used for processing residential or commercial solid waste, it is also a Type II-A facility.

“Type II Facility” means a facility used for disposing of residential and/or commercial solid waste (e.g., a landfill, surface impoundment, or landfarm). If the facility is used for disposing of industrial solid waste, it is also a Type I facility.

“Type II-A Facility” means a facility used for processing residential, infectious, or commercial solid waste (e.g., a transfer station – processing, composting municipal solid waste facility, refuse-derived fuel facility, shredder, baler, autoclave, etc.). If the facility is used for processing industrial solid waste, it is also a Type I-A facility.

“Type III Facility” means a facility used for disposing or processing of construction/demolition debris or woodwaste, composting organic waste to produce a usable material, or separating recyclable wastes (e.g., a construction/demolition-debris or woodwaste landfill, separation facility, or composting facility).

“Unacceptable Waste” means waste which may pose a threat to health or safety, or to the environment, or may cause damage to, or materially adversely affect, the operation of a designated facility, including but not limited to: incinerator ash; foundry sand;

explosives; hospital, pathological, and biological waste; hazardous waste; chemicals and radioactive materials; oil sludges; asbestos in identifiable quantities; cesspool or other human waste; sewage and other highly diluted, water carried materials or substances; materials in gaseous form; human or animal remains; street sweepings; ash; mining waste; sludges; demolition debris; and hazardous refuse of any kind, such as cleaning fluids, crank case oils, cutting oils, paints, acids, caustics, poisons, drugs.

“Vector (of disease)” means an animal or insect which transmits infectious diseases from one (1) person or animal to another by biting the skin or mucous membrane or by depositing infective material on the skin or food or on another object.

“Warning Letter” is a written notice issued by the Department to notify a party that he is in violation of a Parish Ordinance. The warning letter will inform the party of the alleged violations, the nature and extent of the violations, and the required corrective actions. The warning letter shall be utilized as the initial Parish notification of alleged violations, except in cases of imminent threat to public health and safety and the environment.

“Waste” means solid waste.

“Waste Facility” means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

“Waste Management” means activities which are intended to affect or control the generation of waste and activities which provide for or control the collection, processing and disposal of waste.

“Waste Processing” means the treatment of solid waste after collection and before disposal. Processing includes but is not limited to volume reduction, storage, separation, exchange resource recovery, physical, chemical, or biological modification and the operations of a metal recycling or salvage facility.

“Waste Reduction” means an activity that prevents generation of waste including reusing a product in its original form, increasing the life span of the product, reducing material used in production and packaging, or changing procurement, consumption, or waste generation habits to result in smaller quantities of waste generated.

“Waste Tire” means a whole tire that is no longer suitable for its original purpose because of wear, damage, or defect. Waste tire does not include a tire weighting over 500 pounds and/or a solid tire.

“Waste Tire Collection Site” means a licensed waste facility used for the storage of waste tires prior to their transport to a waste tire processing facility.

“Waste Tire Processing Facility” means a licensed waste facility used for the shredding, slicing, or producing or manufacturing usable materials from Waste Tires, and may include temporary storage activity at the facility. Processing does not include the retreading of waste tires.

“Water Pollution” means the contamination of any waters of the state so as to create a nuisance or render such waters unclean, obnoxious or impure, so as to be actually harmful or detrimental or injurious to public health, safety or welfare, to domestic commercial or industrial use, or to animals, birds, fish or aquatic life.

“White Goods” means inoperative an/or discarded domestic and commercial appliances including refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial appliances.

“Woodwaste” means yard trash/waste and types of waste generated by land and right-of-way clearing operations, sawmills, plywood mills, and woodyards associated with the lumber and paper industry, such as wood residue, cutoffs, wood chips, sawdust, wood shavings, bark, wood refuse, woodfire boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, untreated or unpainted lumber or wooden pallets are considered woodwaste under this definition.

“Yard Waste” means vegetative matter resulting from landscaping or maintenance, including garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

Any word or phrase not specifically defined or discussed herein shall first be used and interpreted by reference to the statutes, rules and regulations of the Louisiana Department of Environmental Quality and, thereafter, in its most common and reasonable sense.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Solid and Hazardous Waste, Solid Waste Division, LR 19:187 (February 1993), amended LR 22:279 (April 1996), amended by the Office of Waste Services, Solid Waste Division, LR 23:1145 (September 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2514, 2609 (November 2000), amended by the Office of Environmental Assessment, LR 31:1576 (July 2005), amended by the Office of the Secretary, Legal Affairs Division, LR 33:1019 (June 2007), LR 34:1023 (June 2008), LR 34:1399 (July 2008)

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-004.00 Effective Date

All rules and regulations contained herein shall be in full force and effect on January 1, 2007. All applications for solid waste licensed activities must be timely submitted and approved before the effective date.

The adoption of Ordinance Calendar No. 4485 shall not be construed as repealing or amending the above provision of this section as it applied prior thereto. Additionally, Ordinance Calendar No. 4485 shall not be construed as requiring the alteration of a structure or site plan of any "Solid Waste Management Facility" that is currently in operation or which has an approved building permit and site plan at the time said ordinance was adopted. Regulations governing the operations of a facility may be applied when necessary to protect the public health, safety and welfare.

Editor's Note: The referenced Ordinance Calendar No. 4485 was adopted 07/07/2011 and became Ord. No. 11-2547. It has the following title: *Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Article 2, Definitions, Create Section 5.36 SWM-1 Solid Waste Management District, Section 5.37 SWM-2 Solid Waste Management District, Section 5.38 SWM-3 Solid Waste Management District and amend Section 8.01 Minimum Standards.*

SEC. 9-005.00 Severability

If any provision of this article or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act and these regulations that can be given effect without the invalid provision or application, and to this end provisions of these rules and regulations are declared to be severable.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-006.00 General Provisions and Responsibilities of the Department

The following general provisions and responsibilities of the Department of Environmental Services, herein referred to as the Department, shall include those defined by St. Tammany Parish Ord. No. 06-1417, adopted 11/02/2006 as listed below.

The Department shall have the right to administer this ordinance. The department's rights and duties shall include, but shall not be limited to those described in this section. Further, this provision shall apply to all persons, entities, applicants and license holders even if they are a holder of an existing permit, license and conditional use permit presently in existence and hereafter granted.

The Department shall have the right to inspect private property to determine if the property owner is in compliance with the provisions of this ordinance. Routine inspection and evaluation of solid waste management activities, sites, or facilities shall be made by the Department in such frequency to ensure consistent compliance by the operation with the provisions of this ordinance. An applicant and the licensee shall allow free access to the Department; provided that the entrance and activity is undertaken after

reasonable notice and during normal business hours, and after notifying facility applicant and licensee of presence at site for the purpose of making such inspections as may be necessary to determine compliance with the requirements of this ordinance, or any other applicable statute, or for the purpose of making written and documented notice of any deficiencies, or recommendations for their correction and the date by which corrections shall be accomplished. (ERC Title 33, Part VII, Subpart 1, Chapter 5, Section 509)

The Department shall have the right to review all license applications submitted to the Department for operation of all solid waste management activities, sites, or facilities within the Parish. Any and all submissions will be managed in a confidential manner according to the provisions for confidential information which may be found in LAC 33:1.Chapter 5.

The Department shall have the right to issue or deny solid waste licenses and to impose solid waste management activity, site, or facility specific conditions on said licenses. Denial of a solid waste license shall be for cause based upon written reasons provided to applicant and applicant's failure to cure any deficiency within a reasonable period of time.

The Department shall have the right to investigate complaints of violations of this ordinance. The Department shall assist the District Attorney's Office and/or the Administrative Hearing Officer.

The Department rules and regulations shall not supersede any actions that may be taken by Code Enforcement of the Parish Planning office, Constables, Justices of the Peace, and the District Attorney's Office of this Parish and the Administrative Hearing Officer.

It is understood that there is concurrent jurisdiction of all agencies and departments.

The Department shall have the right to refer or recommend, when necessary, to the Parish District Attorney's Office and/or the St. Tammany Parish Administrative Hearing Officer, that legal proceedings be initiated against a certain solid waste management activity, or facility after any curative period mentioned herein is not adequately resolved.

The Department shall have the right to identify the solid waste management needs of the Parish through developing and implementing plans to meet those needs. Said plan may be revised if deemed necessary by the Department. The Department, in concert with the Parish Government, may establish a Solid Waste Committee to study, investigate, and research solid waste management issues parishwide. Members of the Committee may include current licensees.

The Department shall have the right to conduct studies, investigations, and research relating to aspects of solid waste management, such as methodology, chemical and physical considerations, and engineering.

The Department shall have the right to advise, consult, and cooperate with other governmental agencies (e.g., DEQ, the Agency) in the furtherance of the purposes of this ordinance.

The Department shall have the right to prepare and negotiate agreements with responsible parties to address the closure and post closure requirements for licensed and unlicensed solid waste facilities should said responsible party fail to meet closure and post closure requirements established by DEQ, but only after advance written notice to the current licensees.

The Department shall have the right to allocate license fee revenues towards creating waste diversion incentives (e.g., composting facility or recycling facility).

The Department shall have the right to enforce the allocation of fee revenues towards creating waste diversion incentives.

The Department shall have the right to work with oil change facilities in order to promote diversion and proper disposal of oil and anti-freeze waste.

The Department shall have the right to review the economic viability of assigning, but not mandating a certain day of the week for the disposal of household hazardous waste at licensed solid waste facilities.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE II LICENSING

SEC. 9-013.00 License Requirements and Licensure - Solid Waste Management Facilities, Solid Waste Disposal and Diversion, Hauling and Transfer, Collection and Storage

The objective of this section shall be to establish better, more effective licensing requirements for solid waste management facilities, solid waste disposal and diversion, hauling and transfer, collection and storage and more efficient monitoring by the Department. Thus, the licensee shall be responsible for all DEQ requirements (inter alia, the Louisiana Solid Waste Operator and Certification Program Act R.S. 37:3151 et seq.) and licenses and compliance with all of the provisions of this ordinance.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Board of Certification and Training for Solid Waste Disposal Operators, LR 10:404 (May 1984), amended by the Department of Environmental Quality, Board of Certification and Training for Solid Waste Disposal Operators, LR 14:12 (January 1988), LR 20:656 (June 1994).

Where and when applicable, the licensee shall be responsible for facilitating all environmental monitoring, including but not limited to water, soil, and landfill gases,

which are required by this ordinance or the license conditions for the applicable solid waste management activity or facility.

The Department may grant up to fifteen (15) Class "A" solid waste hauling permits (See Sec. 9-016.00). Licensee shall comply with DES standards as outlined in Sec. 9-038.00 Subsection A. Each permitted vehicle or conveyance that has been modified shall be inspected and approved by the Department.

The Department may grant up to ten (10) Class "B" solid waste hauling permits (See Sec. 9-016.00). This classification will be allowed to license both Class "A" and Class "B". The largest (GVWR) rated registered vehicle will constitute the level of Class for the entire permit. Should lower Class rated vehicles become permitted, the level of Class may not be reduced. Any Class "A" vehicle must comply with DES standards as outlined in Sec. 9-038.00, Subsection A.

The Department may grant any number of Class "C" solid waste hauling permits (See Sec. 9-016.00). Licensee shall comply with all applicable local, federal and state regulations governing loads on vehicles. This classification is limited to larger standard rear loaded garbage trucks with hydraulic compactors as well as front-end loader dumpster trucks. This classification shall also regulate all commercial roll-off dumpster containers. No lower classification vehicle may be listed, used or operated with this license.

The following shall apply to each Class: The Department reserves the right to inspect each service vehicle or conveyance, and any container, before an application is approved. Each vehicle or conveyance must be in compliance with all applicable local, federal and state regulatory requirements imposed on any such vehicle or conveyance, including those regulations governing the size, width, height, length, weight and load for vehicles, which are currently set forth in La.R.S. 32:380, et seq. Licensee shall comply with all applicable local, federal and state regulations governing loads on vehicles.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-014.00 License Required

The procedures and criteria for license issuance, denial, variance, revocation, suspension, renewal, administration, and fees shall be governed by this ordinance.

License Term. Unless otherwise provided by the St. Tammany Parish Government, each license granted pursuant to the provisions of this ordinance shall be for a period of not more than one (1) year, unless earlier suspended or revoked. The license period shall be from the date of issuance until December 31, 2006 for initial licenses and thereafter annually from January 1 - December 31, a period of one (1) year, for license renewals. Each license granted during the 2006 term shall be valid for the 2007 license

period. The Department may grant automatic license renewal if licensee is in compliance with all of the provisions of this ordinance.

In regards to Solid Waste Management Facilities, Solid Waste Disposal and Diversion, Solid Waste Transfer Stations, Process and Non-Process Transfer Stations; these types of facilities shall be licensed for a period of not more than (2) two years for a temporary permit and not more than (5) five years for a standard permit.

Renewal Application Due Date. Applications for renewal license for the ensuing year under this division shall be filed with the Department of Environmental Services on or before December 1st of each year. If the licensee fails to file their renewal application for such renewal on or before December 1st a penalty of twenty-five dollars (\$25.00) shall be added to the fee for the first 30 days of delinquency, with an additional twenty-five dollars (\$25.00) for each additional 30 days or fraction thereof. The parish government without notice or hearing may suspend the licensee's right to conduct business if he/she fails to make application for a renewal license before March 31st of each year.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-015.00 Application and Fees

Application and Fees. An applicant for a license shall complete and submit to the Department an application on a form provided by the Department. The application shall not be considered complete until the Department receives all applicable fees, all materials required by this section, and all materials required by subsequent sections applying to the specific management activity for which a license is sought. Applicants for a license shall not commence any operation or engage in any activity until the license application has been approved by the Department; nor shall any operation commence until a license is issued.

Those persons and/or entities currently, as of November 2, 2006, engaged in any waste activity discussed herein when this ordinance was adopted have sixty (60) days from November 2, 2006, to file for a permit.

Written Application. A person who requests the issuance, modification, or renewal of a license shall complete sign, and submit to the Department a written application.

The application shall contain the following non-exclusive list of requirements:

- A. The name, address and telephone number of the facility owner, facility operator, and landowner of the activity or facility for which the application is submitted.
- B. The name, address and telephone number of the person who prepared the application.

C. A description including the location of the activity or facility.

D. A general description of the wastes to be stored, processed, or disposed of; anticipated quantity of wastes to be stored, processed, or disposed of; and proposed methods for managing the wastes.

E. A general description of the proposed methods for managing run-off and run-on.

F. A topographic map, or other map if a topographic map is unavailable, that shows the proposed activity or facility and the area surrounding it for a distance of at least one mile in all directions. The map must be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, roads, areas for retention of surface water runoff and other applicable details as determined by the Department. Wells must be identified on the map. An analysis or characterization of the waste may be required by the Department. (Pertains to Solid Waste Disposal and Diversion license only.)

G. Written proof that the municipal or township governing body in which said activity or facility is located has considered the establishment of the activity or facility with respect to zoning, impact on township/municipal roads and other applicable regulations.

H. Where applicable, copies of insurance, inspections and haulers information (e.g., driver's license, driving record) and service records for all transportation vehicles.

I. Notification of any and all DEQ and/or Agency violations within three (3) years prior to submittal.

J. The activity must comply with the perimeter barrier and security requirements in LAC 33:VII. 717. B., 3., A., B. for Type II-A, and with the buffer zone requirements in LAC 33:VII. 719. B., 3., A., B., for DEQ defined Type III Facilities only. Pertains to solid waste disposal and diversion license(s) only.

K. Demonstrate that an emergency action plan has been produced that contains, but is not limited to, the following: method to communicate with customers during extreme weather events (i.e., floods, hurricanes) so that waste is not allowed to be placed curbside or to accumulate and alternate disposal sites in case their primary site is temporarily or permanently closed and/or inaccessible so that waste does not accumulate. Pertains to solid waste disposal and diversion license(s) only.

L. Requirements of the application may be modified or amended as needed by the Department.

M. No person, entity or corporation shall contract to perform any act of which a permit is required by the Department of Environmental Services before first obtaining and securing the proper State and/or Federal permits or license to conduct business within the residential and/or commercial solid waste hauler, waste storage, transfer station or

transfer of any solid waste operation.

Failure to conform to all local, state and federal rules, regulations and statutes concerning solid waste handling and disposal shall be cause for revocation of a Parish permit and subject to any fines or penalties thereof.

Permit decals must be prominently displayed and visible on each service vehicle positioned on the upper left corner of the driver's inside windshield as to not block any view or distraction to the driver.

N. Licenses shall be issued on the basis of anticipated performance of the licensee as gauged from the information furnished on the application. Licenses may be revoked at any time for cause, including, but not limited to, failure to perform under provisions of this article, violation of any term of the license, misrepresentation of failure to disclose any material fact required by this article.

Signatures. A license application must be signed as follows:

A. A license application must be signed by the activity or facility owner, landowner, and operator.

B. The applicant.

Certification. A person who signs a license application shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision to ensure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete."

Application Review. Within thirty (30) days of receipt by the Department of a license application for a facility or activity, the Department shall notify the applicant in writing whether the application is complete and, if not complete, what items are needed to make it complete. Within a reasonable time of receipt of a completed application, the Department shall approve, disapprove, or delay decision on the application, with reasons for the delay, in writing. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license. If the Department denies an application, it shall provide written reasons to the applicant and provide applicant a reasonable opportunity to cure any deficiencies.

Other Waste Facilities. Any facility or activity not otherwise provided for in this ordinance must be licensed or exempted from licensure by the Department and/or DEQ prior to construction or operation. (ERC Title 33, Part VII, Subpart I, Section 313)

Additional or Unnecessary Data. From time to time, as exclusively determined by the Department, the applicant may be asked to submit reasonable additional data as requested by the Department. The Department may waive a requirement for submitting certain information if such a waiver will not endanger the health or safety of the public.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-016.00 License Conditions

License Conditions. The Department may impose conditions on any approvals or licenses that are issued by the Department that may be necessary due to the characteristics of the waste, facility specific conditions or other non-typical management characteristics or conditions pertinent to the regulated solid waste management activity or facility, in order to protect public health, safety, or the environment or as otherwise provided by law, but said conditions shall not exceed or duplicate any DEQ provisions and/or requirements.

Change in Facility Construction or Activity. No change within the parameters of the facility's license and permit shall be made in the construction activity or materials received at the facility unless such change is first approved by the Department.

Financial Assurance-Contingency Action and Closure. Unless otherwise provided by the Department, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing to the Department, financial assurance, in an amount to be set by the Parish Government, and naming the Parish as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Louisiana as sureties. The condition of such financial assurance shall be that if the licensee fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the activity or facility, or if, for any reason, ceases to operate or abandons the activity or facility, and the Parish is required to expend any monies or expend any labor or material to restore the activity or facility to the condition and requirements as provided by the ordinance, the obligor and the sureties on its financial assurance shall reimburse the Parish for any and all expenses incurred to remedy the failure of the licensee to comply with the terms of the ordinance, and the obligor and its sureties will indemnify and save the Parish harmless from all losses, costs and charges that may occur to the Parish because of any defaults of the obligor under the terms of their license to operate and the ordinances of the Parish. The financial assurance shall be subject to cancellation by the surety at any time only upon giving ninety (90) days prior written notice of cancellation to the Department.

The Department is specifically vested with the discretion to evaluate business operations and performance of any licensed party at any time.

The Department is specifically vested with the discretion to evaluate business operations and performance of any applicant for licensure.

The Department, at its sole discretion, may waive the financial assurance requirements under this section if the applicant, owner, or operator demonstrates to the satisfaction of the Parish that financial assurance is being provided to and has been approved by the Parish for the subject solid waste activity or facility and shall address site specific requirements as set by the Parish.

(ERC, Title 33, Part VII, Subpart 1, Chapter 3, Section 315, No. 4)

Insurance. An applicant or licensee shall furnish to the Parish certificates of insurance, the types and amounts which are listed below by classification, by an insurer duly licensed within the State of Louisiana. The Parish reserves the right to be added as an additional named insured on all licensee's insurance coverage issued by insurers duly licensed within the State of Louisiana in types and amounts to be established by the Parish based on the type of said waste management activity or facility under consideration. The licensee shall provide thirty (30) days written notice to the Department should any insurance policy be canceled before the expiration date of said policy.

Class A: Transportation/Conveyance vehicle with a Gross Vehicle Weight Rating (GVWR) of six thousand pounds (6,000 lbs.) to twenty-six thousand pounds (26,000 lbs.). State Law References: Loads on Vehicles, R.S. 32:383

General Liability/Commercial Liability/Business Liability (operations and premises) per vehicle: Minimum \$100,000.00 combined single limit for bodily injury and property damage.

Automotive Liability, per vehicle: Minimum \$100,000.00 including coverage for hired and non-owned vehicles, combined single limit for bodily injury and property damage.

Workers Compensation: State of Louisiana statutory limits.

Class B: Transportation/Conveyance vehicle with a Gross Vehicle Weight Rating (GVWR) of twenty-six thousand and one pounds (26,001 lbs.) to fifty-five thousand pounds (55,000 lbs.). State Law References: Loads on Vehicles, R.S. 32:383

General Liability/Commercial Liability/Business Liability (operations and premises) per vehicle: Minimum \$500,000.00 combined single limit for bodily injury and property damage.

Automotive Liability, per vehicle: Minimum \$500,000.00 including coverage for hired and non-owned vehicles, combined single limit for bodily injury and property damage.

Workers Compensation: State of Louisiana statutory limits.

Class C: Transportation/Conveyance vehicle with a Gross Vehicle Weight Rating (GVWR) of fifty-five thousand and one pounds (55,001 lbs.) to sixty-two thousand pounds (62,000 lbs.) or above: State Law References: Loads on Vehicles, R.S. 32:383

General Liability/Commercial Liability/Business Liability (operations and premises) per vehicle: Minimum \$1,000,000.00 combined single limit for bodily injury and property damage.

Automotive Liability, per vehicle: Minimum \$1,000,000.00 including coverage for hired and non-owned vehicles, combined single limit for bodily injury and property damage.

Workers Compensation: State of Louisiana statutory limits.

Continuation of Expired License. A person and/or entity who holds an expired license and who has submitted a timely and complete application for re-issuance of the license may continue to conduct the licensed activity until the Department takes action on the application if the Department determines that there is compliance with the following non-exclusive criteria:

A. The licensee is in compliance with the terms and conditions of the expired license and the St. Tammany Parish Solid Waste Management Ordinance; or

B. The Department, through no fault of the licensee, has not taken action of the application on or before the expiration date of the license; or

C. The licensee is deemed responsible as unilaterally determined by the Department; or

D. The licensee is deemed responsive to Department orders, as unilaterally determined by the Department.

Unless otherwise provided for in this ordinance, applicants, owners, and operators of proposed or licensed activities or facilities shall comply with Title 33, Part VII et seq. of the Environmental Regulatory Code (ERC). The Department may waive certain requirements provided said waiver will not endanger the environment or the safety or health of the public.

A license will remain valid only so long as the facility or activity is in compliance with applicable Louisiana and Federal Statutes, together with Department rules, regulations, and this ordinance.

All individuals, companies and governmental entities engaged in the collecting and transferring of solid waste & debris shall limit hours of operation to 6:00 a.m. through 9:00 p.m. daily. It is expressly prohibited to conduct collection activities outside of the permitted hours of operation. An exception is in the event of a public emergency affecting the health, safety and general welfare, the limits on hours of operation shall be temporarily suspended pending the resolution of the emergency (St. Tammany Parish

Ordinance No. 02-0588, adopted 12/05/2002). An exception is the collection and transferring of industrial and commercial solid waste. Collection of commercial refuse, commercial recyclables, and industrial solid waste may not be conducted where the dumpster or other commercial and/or industrial refuse container is within three hundred (300)feet of any private residence between the hours of 9:00 p.m. and 6:30 a.m. Where the dumpster or other commercial and/or industrial refuse container is more than three hundred(300)feet from residential property then the collection times stated above do not apply. For the purpose of this section, collection of refuse or recyclables at apartments, apartment houses or complexes, condominiums, and/or co-ops shall be classified as commercial collection.

Applicants shall be required to provide a copy of a valid St. Tammany Parish Occupational License and submit said copy when submitting a completed license application form. Failure to provide or possess a valid St. Tammany Parish Occupational License will cause an application to be deemed deficient.

Licensees shall be required to possess a valid St. Tammany Parish Occupational License throughout the license term. Failure to possess a valid St. Tammany Parish Occupational License during the license term shall be considered cause to terminate and/or revoke any type of license established by this ordinance.

Any and all permittees found not to be in compliance with any section of this or any other applicable Parish ordinances shall be penalized for each and every offense in accordance with Article VII, Section 1, Enforcement and Penalties.

Any license issued by the Parish, as per this ordinance, shall not be assigned or transferred in any way whatsoever. Notwithstanding the foregoing, if a non-licensee acquires the business of a current licensee and meets all applicable requirements, said license shall be transferrable.

Licensee agrees to perform all services in a workmanlike and professional manner.

Licensee agrees to ensure that its personnel are, at all times, educated and trained, and further, that Licensee and its personnel will perform all work and services of a reasonably-related Licensee in St. Tammany Parish.

Licensee shall be required to provide the Department as well as any and all customers written notice at least thirty (30) days prior to a termination/cancellation of service, change in the number of days of pick-up per week, and change in service fees. Licensee shall have the duty and responsibility to remit or refund, on a pro rata basis, any unused funds that are paid in advance. Failure to timely remit or refund over payment shall be deemed a violation of this article.

Parking and Storage of Waste Hauler Vehicles:

No person, entity or corporation shall park or store any commercially licensed truck, trailer or conveyance, whether loaded or unloaded, which is used for the collection and transportation of solid waste, garbage or the contents of private sewage tanks, on any public street, alley or other public place or on private property within a residential district, except for loading purposes or emergency repairs.

Any vehicle parked or stored in violation hereof shall be removed by authorized personnel of the Sheriff's Office and stored in accordance with the provisions of Chapter 16 of Title 32 of the Louisiana Revised Statutes. Violators of this Section shall be notified by the Sheriff's Office to answer before the Twenty-Second Judicial District Court. The Police Jury Parish shall provide suitable serially numbered forms in triplicate for notifying violators to appear in answer to charges of violating this Section, said forms to be given to the Sheriff's Office, which shall make the notification. The disposition of any vehicle which may be impounded pursuant to the provisions of this Section shall be in accordance with the applicable provisions of Chapter 1 and Chapter 16 of Title 32 of the Louisiana Revised Statutes.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE III SOLID WASTE MANAGEMENT FACILITIES

SEC. 9-017.00 Solid Waste Management Facilities and Non-Processing Transfer Stations

The objective of this section shall be to establish better, more effective licensing requirements for solid waste management facilities and more efficient monitoring by the Department. Thus, the licensee shall be responsible for all DEQ requirements (inter alia, the Louisiana Solid Waste Operator and Certification Program Act R.S. 37:3151 et seq.) and licenses and compliance with all the provisions of this Chapter.

HISTORICAL NOTE: Promulgated by the Department of Natural Resources, Board of Certification and Training for Solid Waste Disposal Operators, LR 10:404 (May 1984), amended by the Department of Environmental Quality, Board of Certification and Training for Solid Waste Disposal Operators, LR 14:12 (January 1988), LR 20:656 (June 1994).

No licensee shall operate any solid waste management activity or facility, or dispose of, or permit to be disposed, any solid wastes in a manner so as to degrade the soil, air, or waters of the Parish. Any licensee who causes any degradation of the soil, air, or waters of the Parish shall undertake whatever action is necessary to correct the degradation and restore said soil, air, or waters to its condition prior to its degradation. (ERC, Title 33, Part VII, Subpart 1, Chapter 3, Section 315, (P) and (L))

This Chapter shall not apply to solid waste management facilities located within incorporated areas of the Parish.

The licensee shall be responsible for facilitating all environmental monitoring, including but not limited to water, soil, and landfill gases, which are required by this ordinance or the license conditions for the applicable solid waste management activity or facility, but not to exceed or duplicate any and all DEQ requirements.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-018.00 Additional License Requirements

Unless otherwise provided by this Chapter, no person shall cause, permit or allow real or personal property under their control to be used for solid waste management purposes, except at an operation for which a license has been granted by the Department. The procedures for license issuance, denial, variance, revocation, suspension, renewal, administration, and fees shall be governed by this Chapter.

Licensee. For applicable solid waste management activities or facilities a license shall be issued to the landowner, facility owner, and facility operator or other persons responsible for compliance with the requirements of this ordinance.

License Term. Unless otherwise provided by the St. Tammany Parish Government, each license granted pursuant to the provisions of this ordinance shall be for a period of not more than one (1) year, unless earlier suspended or revoked. The license period for solid waste management activities or facilities shall be from the date of issuance until December 31 for initial licenses and from January 1 - December 31, a period of one (1) year, for license renewals. In regards to Solid Waste Management Facilities, Solid Waste Disposal and Diversion, Solid Waste Transfer Stations, Process and Non-Process Transfer Stations; these types of facilities shall be licensed for a period of not more than (2) two years for a temporary permit and not more than (5) five years for a standard permit.

Notwithstanding, all solid waste management activities or facilities shall submit an annual report containing information, data, plans, and reports as required by the Department for the specific solid waste management activity or facility.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-019.00 Application and Fees

Application and Fees. An applicant for a license to engage in a solid waste management activity shall complete and submit to the Department an application on a form provided by the Department. The application shall not be considered complete until the Department receives all applicable fees, all material required by this section, and all materials required by subsequent sections applying to the specific management activity for which a license is sought. Applicants for a solid waste management activity or facility license shall not commence any operation or engage in any activity until the license

application has been approved by the Department; nor shall any operation commence until a license is issued. Application fees shall established by ordinance.

Those persons and/or entities currently, as of November 2, 2006, engaged in any solid waste activity when this ordinance was adopted have sixty (60) days from November 2, 2006, to file for a permit.

Written Application. A person who requests the issuance, modification, or renewal of a solid waste management activity license shall complete, sign, and submit to the Department a written application.

The application shall contain the following non-exclusive list of requirements:

A. The name, address and telephone number of the facility owner, facility operator, and landowner of the proposed solid waste management activity or facility for which the application is submitted.

B. The name, address and telephone number of the person who prepared the application.

C. A description including the location of the solid waste management activity or facility.

D. A general description of the wastes to be stored, processed, or disposed of; anticipated quantity of wastes to be stored, processed, or disposed of; and proposed methods for managing the wastes.

E. A general description of the proposed methods for managing run-off and run-on.

F. A topographic map, or other map if a topographic map is unavailable, that shows the proposed solid waste management activity or facility and the area surrounding it for a distance of at least one mile in all directions. The map must be of sufficient scale to show all homes, buildings, lakes, ponds, watercourses, wetlands, dry runs, rock outcroppings, roads, areas for retention of surface water runoff and other applicable details as determined by the Department. Wells must be identified on the map. An analysis or characterization of the waste may be required by the Department. A topographic map, or other map if a topographic map is unavailable, is only required if an applicant is applying for solid Waste Disposal and Diversion license.

G. Written proof that the municipal or township governing body in which said solid waste management activity or facility is located has considered the establishment of the solid waste management activity or facility with respect to zoning, impact on township/municipal roads and other applicable regulations.

H. Where applicable, copies of insurance, inspections and haulers information (e.g., driver's license, driving record) and service records for all transportation vehicles.

I. Notification of any and all DEQ and/or Agency violations within three (3) years prior to submittal.

J. The facility must comply with the perimeter barrier and security requirements in LAC 33:VII.717.B., 3., A., B. As well as St. Tammany Parish Ordinance SEC 9-039.00, A.5. and B.1.

K. Demonstrate that an emergency action plan has been produced that contains, but is not limited to, the following: method to communicate with customers during extreme weather events (i.e., floods, hurricanes) so that waste is not allowed to be placed curbside or to accumulate and alternate disposal sites in case their primary site is temporarily or permanently closed and/or inaccessible so that waste does not accumulate.

L. Requirements of the application may be modified or amended as needed by the Department.

M. Licenses shall be issued on the basis of anticipated performance of the licensee as gauged from the information furnished on the application. Licenses may be revoked at any time for cause, including, but not limited to, failure to perform under provisions of this article, violation of any term of the license, misrepresentation or failure to disclose any material fact required by this article.

Signatures. A license application must be signed as follows:

A. By the solid waste management activity or facility owner, landowner, and operator.

B. By a Louisiana registered engineer when a firm prepares the necessary reports and plans for a solid waste management activity or facility license.

Certification. A person who signs a license application shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete."

Application Review. Within thirty (30) days of receipt by the Department of a license application for a solid waste facility or activity, the Department shall notify the applicant

in writing whether the application is complete and if not, what items are needed to make it complete, and shall give an estimate for the delay, in writing. Submission of false information may constitute grounds for denying a license or license renewal, or suspension by revocation of an issued license.

Other Waste Facilities. Any solid waste management site, facility, or activity not otherwise provided for in this ordinance must be licensed or exempted from licensure by the Department and/or DEQ prior to construction or operation. (ERC Title 33, Part VII, Subpart I, Section 313)

Additional or Unnecessary Data. The applicant must submit reasonable additional data requested by the Department. The Department may waive a requirement for submitting certain information if such a waiver will not endanger the health or safety of the public.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-020.00 License Conditions

License Conditions. The Department may impose conditions on any approvals or licenses that are issued by the Department that may be necessary due to the characteristics of the waste, facility specific conditions or other non-typical management characteristics or conditions pertinent to the regulated solid waste management activity or facility, in order to protect public health, safety, or the environment or as otherwise provided by law.

Change in Facility Construction Activities or Materials Accepted. No change within the parameters of the facility's license and permit shall be made in the construction activities or materials accepted at a solid waste management activity or facility unless such change is first approved by the Department, DEQ and the Agency.

Financial Assurance-Contingency Action and Closure. Unless otherwise provided by the Department, issuance of any license pursuant to the provisions of this ordinance shall be contingent upon the applicant furnishing to the Department, financial assurance, in an amount to be set by the Parish Government, and naming the Parish as obligee with sufficient sureties duly licensed and authorized to transact corporate surety business in the State of Louisiana as sureties. The condition of such financial assurance shall be that if the licensee fails to obey any of the requirements or do any of the acts required by this ordinance in the operation of the solid waste management activity or facility, or if, for any reason, ceases to operate or abandons the solid waste management activity or facility, and the Parish is required to expend any monies or expend any labor or material to restore the solid waste management activity or facility to the condition and requirements as provided by the ordinance, the obligor and the sureties on its financial assurance shall reimburse the Parish for any and all expenses incurred to remedy the failure of the principle to comply with the terms of the ordinance, and the obligor and its sureties will indemnify and save the Parish harmless from all losses, costs and charges

that may occur to the Parish because of any defaults of the obligor under the terms of their license to operate and the ordinances of the Parish. The financial assurance shall be subject to cancellation by the surety at any time only upon giving ninety (90) days prior written notice of cancellation to the Department. The Department may waive the financial assurance requirement should licensee provide the Department with proof of financial assurance required by the State of Louisiana for the operation of the activity or facility and said financial assurance meets Department requirements. The Department reserves the right to require licensee to name the Parish as an obligee on said financial assurance.

The Department is specifically vested with the discretion to evaluate business operations and performance of any licensed party at any time.

The Department is specifically vested with the discretion to evaluate business operations and performance of any applicant for licensure.

The Department, at its sole discretion, may waive the financial assurance requirements under this section if the applicant, owner, or operator demonstrates to the satisfaction of the Parish that financial assurance is being provided to and has been approved by the Parish for the subject solid waste activity or facility and shall address site specific requirements as set by the Parish.

(ERC, Title 33, Part VII, Subpart 1, Chapter 3, Section 315, No. 4)

Insurance. An applicant shall furnish to the Parish certificates of insurance in the amount of \$1,000,000.00 of general liability insurance, issued by an insurer duly licensed within the State of Louisiana. The Parish reserves the right to require additional certificates of insurance issued by insurers duly licensed within the State of Louisiana in types and amounts to be established by the Parish based on the type of said solid waste activity or facility under consideration. The licensee shall provide thirty (30) days written notice to the Department should any insurance policy be canceled before the expiration date of said policy.

Continuation of Expired License. A person and/or entity who holds an expired license and who has submitted a timely and complete application for reissuance of the license may continue to conduct the licensed solid waste management activity until the Department takes action on the application if the Department determines that there is compliance with the following non-exclusive criteria:

A. The licensee is in compliance with the terms and conditions of the expired license and the St. Tammany Parish Solid Waste Management Ordinance; or,

B. The Department, through no fault of the licensee, has not taken action of the application on or before the expiration date of the license; or,

C. The licensee is deemed responsible as unilaterally determined by the Department;
or,

D. The licensee is deemed responsive to Department orders, as unilaterally determined by the Department.

Unless otherwise provided for in this ordinance, applicants, owners, and operators of proposed or licensed solid waste management activities or facilities shall comply with Title 33, Part VII et seq. of the Environmental Regulatory Code (ERC). The Department may waive certain requirements provided said waiver will not endanger the environment or the safety or health of the public.

The Department may issue owners or operators of the following solid waste management facilities or activities a St. Tammany Solid Waste Management License upon notification of the proposed activity.

A general solid waste management license will remain valid only so long as the facility or activity is in compliance with applicable Louisiana Statutes, Solid Waste Management Rules, and the St. Tammany Parish Solid Waste Management Ordinance.

A solid waste management owner/operator eligible for consideration under this section shall, upon request by the Department, submit a form provided by the Department notifying the Department of its proposed activity. (ERC Title 33, Part VII, Subpart 1, Chapter 5, Section 503-A)

Any and all permittees found not to be in compliance with any section of this or any other applicable Parish ordinances shall be penalized for each and every offense in accordance with Article VII, Section 1, Enforcement and Penalties.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE IV COLLECTION AND STORAGE

SEC. 9-025.00 Solid Waste Collection and Storage

Solid Waste Accumulation. Except as otherwise allowed by this ordinance, owners and managers of every property shall be responsible for maintaining all open areas free of improperly stored solid waste accumulation.

Nothing in this subsection shall unreasonably restrict commonly accepted activities of farms and duly established automobile, scrap iron, metal recyclers, or salvage operations that maintain such operations in an orderly and nuisance free manner.

Storage Facilities and Containers Required. Every residential property owner shall have adequate solid waste storage facilities or containers. Only those items (i.e. white goods, tree limbs) larger than a standard sized facility of container shall be allowed to be placed

loosely or upon the ground prior to collection. Those items requiring special handling shall be placed adjacent to the service area, but not in the street, so as to block the flow of traffic.

Waste Materials too Large for Containers. Waste objects too large or otherwise unsuitable for storage containers shall be stored in a pollution and nuisance free manner.

Provided Facilities Required to be used. Property owners shall cause occupants and employees to store solid waste for removal in the solid waste storage facilities or containers provided by said property owner or by Licensee if a commercial customer. The property owner shall not permit solid waste to be placed in locations or in a manner that the solid waste may be scattered by wind, water, animals, or insects.

Frequency of Container Service. Every property owner shall cause container contents to be removed and deposited at a permitted disposal facility at a frequency so as to not create a nuisance. Solid waste shall not be stored on public or private property for more than two (2) weeks without the written approval of the Department. Solid wastes suitable and stored for recycling may be contained if stored in an acceptable manner that avoids risk to public safety and otherwise complies with this ordinance.

Storage Construction. All solid waste storage containers shall be constructed of rust and impact resistant materials with covers that deter rodent and insect entry. The containers shall be equipped with tight-fitting covers that shield the container from the entrance of precipitation, rodents, insects, and vermin.

A. As described in Volume 42, No. 113, pages 30296 to 30302 of the Federal Register, Refuse Bins having an internal volume of one (1) cubic yard or greater shall be constructed or retrofitted to meet American National Standards Institute (ANSI) Standard (Z 245.3-1077) for the Stability of Refuse Bins.

B. Single use containers not meeting the above requirements may be used for Yard Waste provided the container is:

1. Constructed of moisture resistant materials
2. Adequately designed to contain the waste.
3. Closed to resist the entrance of water.
4. Loaded no more than fifty-five (55) pounds.
5. Strong enough to allow collection and loading by hand.

Container Maintenance. Solid waste containers shall be maintained in a nuisance free condition by the owner. When supplied by a property owner or commercial hauler, the containers shall be maintained in good repair.

Container Compliance:

A. Any commercial hauler finding solid waste containers in use that appear not to be in compliance with this ordinance shall report the container s location to the Department.

B. The Department shall investigate complaints about solid waste containers and if the container is found not in compliance a notice shall be attached to the container as provided in this section. If the Department does not investigate the complaint, the Department shall mail to the container's owner a notice that a complaint was received regarding the container. The notice shall describe this ordinance s requirements for a solid waste container. The owner shall report their actions to the Department within ten (10) days of the notice date regarding the corrections they have made. If the owner does not make this report to the Department within ten (10) days, the Department shall proceed with an investigation. If the container is found to be in violation of this ordinance, a notice shall be attached to the container stating substantially as follows:

NOTICE: This solid waste container does not comply with the St. Tammany Parish Government Solid Waste Ordinance and this container shall be removed by the owner within ten (10) calendar days. The licensed solid waste hauler who services this property is hereby ordered by the St. Tammany Parish Department of Environmental Services not to empty this container.

SIGNED BY: on behalf of the St. Tammany Parish Department of Environmental Services.

DATE OF NOTICE: _____

WARNING: This notice shall not be removed except by action of the St. Tammany Parish Department of Environmental Services.

C. The notice attached to the container shall not be removed except by action of the Department.

D. Any public costs associated with investigation and removal of the container may be charged as a fee to the owner of the container or as an assessment against the property as provided by law.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-026.00 Transfer of Solid Waste

Transfer of Solid Waste. Solid waste shall not be transferred to another property or solid waste container except with the written consent of the owner, or under contract of services between said owner and a licensed hauler.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-027.00 Solid Waste Burning Prohibited

Solid Waste Burning Prohibited. The burning of solid waste shall be prohibited except as allowed at a permitted solid waste facility.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-028.00 Hazardous Waste Storage

Hazardous Waste Storage. Hazardous wastes shall be stored in leak-proof containers which are adequately labeled, in a safe location and in compliance with the regulations of Federal, State and Local Governments, and their regulatory agencies.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE V SOLID WASTE HAULING AND TRANSFER

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-036.00 Solid Waste Hauling and Transfer

No person or entity may collect municipal solid waste for hire without a license from the Department of Environmental Services.

Applicability. This section shall only apply to all persons and/or entities seeking a license to collect and transport municipal solid waste, at the point of generation or that transfer or otherwise transport municipal solid waste to a licensed disposal or processing facility. In addition, this section shall only apply to the unincorporated areas of the Parish.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-036.1 Commercial Solid Waste Hauling and Transfer

No person, entity or corporation may collect commercial solid waste for hire without a license from the Department of Environmental Services.

Applicability. This section shall only apply to all persons, entities and/or corporations seeking a license to collect and transport commercial solid waste, at the point of generation or that transfer or otherwise transport commercial solid waste to a licensed

disposal or processing facility. In addition, this section shall only apply to the unincorporated areas of the Parish.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-037.00 Additional Licensing Requirements

Additional Licensing Requirements. In addition to the applicable requirements as stated above, an applicant shall also submit the following non-exclusive information:

A. A list of all vehicles, including satellite vehicles, to be used for waste collection and transportation, specifying make, model and year for each vehicle; each vehicle's rated capacity, tare weight, license plate number, state issued registration number, copy of all relevant State and/or Parish inspection decals, including but not limited to brake inspection certifications, and the designated facility number exclusively issued for that specific vehicle. Any vehicle and/or trailer and/or other hauling device employed by the licensee must separately and collectively meet all requirements specified herein, including but not limited to weight limitations and State and Parish inspection requirements. It is the responsibility of the licensee to maintain all their equipment, hauling devices and vehicles in a safe, non-hazardous manner that does not endanger the public nor the environment.

B. The total number of commercial accounts in the Parish, the total number of residential accounts in the Parish, the days of the week waste is collected for each city and township or subdivision or any other residential dwelling in the Parish.

C. A description of the company's recycling and other waste abatement activities.

D. Certificate(s) of insurance as may be required by the Department.

E. Any and all additional information pertaining to waste management requested by the Department, if deemed necessary, including but not limited to a copy of the operator(s) license and driving records for the past three (3) years; emergency management and/or spill remediation plan; and OSHA compliance assessments.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-038.00 Equipment and Operation Requirements

Equipment and Operation Requirements.

A. Each vehicle or other conveyance used by a hauler for the collection or transportation of waste shall be easily cleanable, leak-proof, and be covered with metal, canvas, a fish-net type material made for this purpose so long as such covering does not permit

nuisances or debris or liquid from falling, blowing or otherwise exiting the vehicle until disposal.

Modifications to any vehicle, trailer or other hauling device beyond the manufacturer's specification must be approved by the Department prior to such modifications by the licensee.

In the case of a modified truck or trailer, no such approval will be granted unless said licensee or proposed hauler alters or modifies an existing truck beyond the manufacturer's safety specifications, or if such alterations or modifications endanger public safety or the environment.

The following shall be applicable to Class "A" Transportation/Conveyance Vehicles:

No truck or trailer will receive a DES license if said truck or trailer being altered or modified has pliable sidewalls (used to contain solid waste) that are flimsy in design and fail to enclose all solid waste being stored or transported on any roadway within the Parish. Such design and modification shall be constructed of enclosed heavy gauged diamond expanded metal mesh sidewalls, front and rear walls and roof. The rear wall shall have an open door or double door design that is easily closed and opened during daily operation as well as at least one sidewall with an open door access. All doors shall be securely closed and locked before entering onto any roadway within the Parish to prevent any nuisance or debris from falling, blowing or otherwise exiting the vehicle until reaching the disposal facility. This box, cage or container shall not be larger than (7) feet wide, by (7) seven feet tall, extending from the truck or trailer frame upward (not exceed (10) total feet from the pavement to the top of box, cage or container rail) and not longer than (17) seventeen feet long from rear of truck cab to rear bumper. This box, cage, container or conveyance shall not store, hold or contain more than 5,500 lbs. of trash, debris or solid waste. The base of this box, cage or container shall be constructed of solid metal plate or reinforced fiberglass that shall be leak proof by means of a rubber seal fastened, attached or affixed by any means necessary at the juncture where the inner walls and base meet to prevent any liquid from falling, leaking or exiting the vehicle. All equipment shall be cleaned at least once per week or at other appropriate and regular scheduled intervals to prevent the build up of nuisance hazardous pollution, scum deposits and unhealthy foreign matter from falling onto public roads and/or infecting the general population. Vehicles, containers and conveyances shall be maintained in good repair.

Regardless of any and all modifications to either the trucks or the trailer, any and all responsible safety precautions must be employed by said licensee, such as ensuring that the altered or modified sidewalls are properly anchored or secured to minimize potential harm to employees, the public, and to avoid spills.

All alterations and/or modification beyond manufactured specifications must meet the requirements of this ordinance.

Vehicle bodies or other conveyances used for the collection and transportation of garbage, rubbish or any other solid waste materials containing putrescible matter shall be enclosed, weather tight, leak proof, constructed of durable metal and/or other approved acceptable material, and easily cleanable.

All solid waste collection equipment, vehicles and conveyances must meet State Department of Transportation and Development and State Department of Environmental Quality minimum standards for solid waste collection. Additionally, each service provider must possess or show proof of application for a Louisiana Department of Environmental Quality permit number.

B. Decals may be issued by the Department for each licensed vehicle or conveyance; these shall be displayed in a conspicuous place on the left side of the cab. Designated facility numbers shall be displayed as directed by the designated facility. The licensee must maintain all decals, labeling, and license plates so that they are readily visible and legible at all times. The licensed hauler shall contact the Department by telephone or in writing if it finds it necessary to use a vehicle other than one included in its original or amended license application.

C. The business name and telephone number of the licensee shall be easily visible and be proficiently printed or painted (magnetic decal sign acceptable) in bold legible characters minimum height of three (3) inches and in proportional width. Lettering shall be done in color which will contrast sharply with the background upon which it is painted and shall be placed in such a position on both sides of all vehicles, containers and conveyances used by the waste hauler to store, collect or transport waste generated within the Parish, as to be easily seen by anyone wishing to identify the ownership of said vehicle. These markings shall be kept clean, clear and distinct at all times.

D. The Department may inspect and approve all waste storage, collection and transportation containers, vehicles and conveyances if deemed necessary by the Department to protect public health, safety and the environment. Any new applicant must present his vehicle at the time of initial application for permit and each renewal date thereafter to the Department of Environmental Services for inspection. Each vehicle must meet all existing regulatory requirements imposed on any such vehicle by any federal, state and/or local governing body.

E. The licensee shall not allow waste to remain or be stored in any collection or transportation vehicle in excess of forty-eight (48) hours, except in the event of an emergency such as inclement weather, equipment breakdown, or accident. The Department may approve storage for greater than forty-eight (48) hours, on a case-by-case basis, for reasons other than emergencies, provided such storage will not adversely affect public health, safety, or the environment.

F. The licensee shall be responsible for the cleanup of any waste that must be discharged from a licensed hauling vehicle in an emergency. The licensee shall

cleanup said litter or waste within forty-eight (48) hours of the occurrence. An emergency management and spill remediation plan must be provided to the Department.

G. The licensee shall not impose a greater charge on residents who recycle and/or engage in composting than on residents who do not recycle and/or engage in composting.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-039.00 Non-Processing Transfer Stations

Non-Processing Transfer Stations. If the DEQ requires that a license and/or permit be obtained from the DEQ to construct, establish, maintain, or operate a non-processing transfer station, the applicable license and/or permit shall first be obtained from the DEQ. The application to the Department will not be processed or approved until the license and/or permit required by the DEQ has been obtained. The permit fee, set by resolution of the St. Tammany Parish Government, shall accompany the permit application. The application must meet the following requirements and all other rules, regulations and ordinances determined to be applicable thereto.

A. The following information shall be submitted as part of the application. If any of the following information is also required by the DEQ as part of its Non-Processing Transfer Station permitting process, then the Department shall accept said information as a sufficient substitute.

1. The application for the license shall contain a site-plot plan, engineering plans, and an operational report.

2. The site-plot plan shall have a scale of one inch equal to not more than fifty (50) feet and have a vertical contour interval not greater than five (5) feet. The site-plot plan shall include all land within 1,000 feet of property of the proposed facility. The following shall be included as a minimum:

- a. Location, size and ownership of the land upon which the station will operate.
- b. City and/or township boundaries.
- c. North arrow, section line, section number.
- d. Water of the State, flood plains and flood ways.
- e. Land use and zoning within a 1,000 foot radius of the property lines.
- f. Adjacent residences and property ownership.
- g. Roads and railroads.

3. The following engineering plans shall include as a minimum:

a. Roads, screening, fencing gates, dimensions of buildings, dimensions of storage areas, loading and unloading zones, location of existing utilities.

b. Dikes, berms, walls, dividers.

c. The Department may request a report on the subsurface condition at the proposed facility. The department may request data that is adequate to indicate suitable soils, geological and groundwater information at the site. The above data will be detailed on cross sections, the location of which will be indicated on the site plan.

4. The operations report shall include as a minimum:

a. Complete plans and specifications, proposed operating procedures for the transfer station, place of ultimate disposal and equipment to be used.

b. The composition, thickness, preparation or compaction of the impervious lines, if used.

c. The name of the local fire department. Describe the arrangements that have been made and will be made with the local fire department to ensure the safety of fire response personnel and to minimize pollution which might otherwise occur as a result of fire or firefighting efforts.

5. New facilities that do not have a building permit and site plan approved prior to the adoption of Ordinance Calendar No. 4485 {Ord. No. 11-2547, adopted 07/07/2011} shall comply with the buffer, set back and all other applicable requirements of the zoning district in which the facility is to be located.

B. The following shall be established and maintained at the non-processing transfer station site:

1. A sign, subject to the approval of the Department, shall be posted on the premises indicating the station name, the schedule of days and hours it is open to the public and prices for use. The facility shall have control measures that prevent unauthorized ingress or egress. During operating hours, each facility entry point shall be continuously monitored, manned, or locked. During non-operating hours, each facility entry point shall be locked.

2. Roads on the premises shall be all-weather surfaced. The premises shall be constructed and landscaped in such a manner as to be aesthetically pleasing in appearance. Each tipping area shall be constructed and operated to prevent litter (e.g., solid waste and leachate) from leaving the tipping area. This area shall be constructed of sufficiently low permeable material (i.e., concrete or asphalt) to prevent soil and groundwater contamination.

3. Adequate sanitary facilities and shelter for personnel shall be provided on the premises.

4. Records approved by the Department shall be maintained indicating the type and quantity of solid waste passing through the non-processing transfer station. All facility records shall be maintained and available for inspection within 24 hours of

request. These records shall be maintained for the life of the facility and shall be retained for at least three years after closure.

5. The operator of the facility shall implement an inventory system and segregation procedure sufficient to enable identification of the sources of all containers in storage at any time.

6. The non-processing transfer station shall be so equipped, situated, operated and maintained so as to minimize interference with other activities in the area.

C. A non-processing transfer station permittee shall comply with the following regulations:

1. The non-processing transfer station shall be cleaned daily at the end of each day by an appropriate method to minimize odors and nuisance conditions.

2. The premises, entrances and exits shall be maintained in a clean, neat and orderly manner at all times.

3. All incoming and outgoing traffic shall be controlled by the licensee in such a manner as to provide orderly and safe entrance and exit. The facility shall maintain site access roads or waterways in a manner that shall meet the demands of the facility and is designed to avoid, to the extent practicable, congestion, sharp turns, obstructions, or other hazards conducive to accidents. The surface roadways shall be adequate to withstand the weight of transportation vehicles.

4. No alterations or additions to the disposal system will be made without the written consent of the Department. The owner / operator of a non-processing transfer station may construct a drop-off area at the non-processing transfer station site such that certain activities can be conducted. No industrial waste shall be accepted, and materials shall be managed in accordance with SEC. 9-039.00, and Subsections A, B, and C of this Section. These areas are intended for the use of commercial facilities and residential solid waste. These drop-off areas shall be constructed by means of a commercial steel or metal warehouse type building with concrete floors to prevent any solid waste or residual leakage from solid waste to enter the soil or groundwater. There shall be a preventive drainage system in place to capture any nuisance liquid run off. No commercial or residential solid waste or remnants thereof will be placed, stored, or allowed to come in contact with the soil, earth, dirt, gravel or groundwater. Collection and storage of the following wastes are allowed, provided it does not become a nuisance, a health hazard, or a detriment to the environment as determined by the administrative authority:

1. white goods;
2. presorted yard trash; or
3. household recyclable materials.

5. Records approved by the Department shall be maintained indicating the type and quantity of waste passing through the non-processing transfer station. Each quarter the licensee shall submit reports indicating the type and quantity of waste passing through the transfer station to the Department.

6. All unloading of solid wastes from contributing vehicles shall be conducted in such a manner as to eliminate odor and litter outside the station. Odors shall be controlled by the best practicable means.

7. Solid wastes shall not remain in the pick-up and/or non-processing transfer station longer than forty-eight (48) hours.

8. No processing or disposal shall occur at a Non-Processing Transfer Station.

9. Discharges from the facility shall be controlled and shall conform to all applicable State and Federal laws.

10. The building wherein the transfer occurs must be capable of being fully enclosed.

11. All doorways (entrance and exits for vehicles and personnel) must be closed when not in active use and must be closed when the station is not in operation.

12. All streets and roadways within the property must be hard surfaced (paved).

13. The station must have an independent licensed pest control service under contract. The contract must provide for biweekly inspections and treatment for rodent and insect control as required.

14. The station property must comply with the buffer and setback requirements provided for in the Unified Development Code—Volume I (Zoning), Section 5.36 SWM-1 Solid Waste Management District.

15. The property must be fully enclosed with a fence of not less than 8' high. The gate shall be closed and locked at all times when the station is not in operation to prevent unauthorized ingress. The facility must have control measures that prevent unauthorized ingress or egress during business hours.

16. There should be no access to the general public except during hours of normal operation. Such access must be monitored and controlled at all times, with adequate safeguards provided to prevent accidents, injury and the intentional or unintentional discard of waste and litter outside the transfer building.

17. All transfer operations and vehicle wash down must take place within the building designated for that purpose.

18. At least one employee shall be onsite during operating hours, which employee shall be responsible for ensuring that the site is kept clean, free of litter and to wash down the transfer building on a daily basis.

19. A containment system shall be installed and maintained to contain all wash down water and prevent runoff.

20. The hours of operation shall be limited to 6:00 a.m. to 6:00 p.m., Monday through Saturday.

21. There shall be no processing, sorting or recycling of garbage on site.

22. All collection and transport vehicles must be secured in a manner that will prevent any material, solid or liquid, from leaving the vehicle while the vehicle is in motion.

23. The Department of Engineering shall determine if a formal Traffic Impact Analysis is required.

24. All collection and transport vehicle may be parked outside the transfer building overnight only after being thoroughly washed down

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE VI DISPOSAL AND DIVERSION

SEC. 9-043.00 Solid Waste Disposal and Diversion

It is unlawful to operate a solid waste landfill, recycling facility, composting facility, construction and demolition debris landfill and/or co-composting facility without first obtaining a DEQ permit pursuant to Title 33 of Environmental Regulatory Code, Part VII, and a St. Tammany Solid Waste Management License. It shall also be unlawful to operate any facility that requires a license or permit to be issued by the Department of Environmental Services without first obtaining the required license or permit.

The Department shall encourage lawful and sustainable waste diversion techniques (e.g., recycling, composting) where economically viable and publicly supported.

Any facility that is required to obtain a license or permit from the Department of Environmental Services, including a recycling facility, composting facility, construction and demolition debris landfill and/or co-composting facility shall file a license application that meets all of the DEQ permit requirements along with the following:

A. A current map or an aerial photograph of the area showing the land use and zoning within one-quarter (1/4) mile of the facility. A location inset map shall be included.

B. A plot plan including the legal description of the site of the facility; a description of the immediate adjacent area showing dimensions, present and planned pertinent features, including but not limited to roads, buildings, fencing and other applicable details; and the general topography. The scale of the plot plan shall not be greater than two hundred (200) feet per inch.

C. A report shall accompany the plans indicating:

1. Area of the site in acres;
2. Owner of the site and proposed permittee;
3. Individuals responsible for actual operation and maintenance of the recycling facility and attending operating procedures;
4. Sanitary landfill or other waste facility where any residue will be transferred, the owner, hours of operation and DEQ permit number;
5. Type and amount of equipment to be provided for the operation of the recycling facility;
6. Population and geographical areas to be served by the proposed facility;
7. An estimate of materials to be delivered to the facility;
8. Proposed storage capacity on-site;
9. Proposed marketing plan for materials;
10. Proposed access routes within a one (1) mile radius of the proposed facility;
11. As recommended by the Department, suitable soils, geologic and groundwater information will be submitted;
12. Local government approval of the facility site;
13. Storm water management plan; and
14. Emergency management plan, especially in case of a fire.

D. Where applicable, a DEQ approved permit.

E. Any and all other information required by any applicable provision of this Chapter and the Department.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-044.00 Operating Requirements

Operating Requirements. The following shall be established and maintained at the recycling facility site:

A. A sign, subject to the approval of the Department, shall be posted on the premises indicating the facility name, schedule of days and hours it is open to the public, and prices for use.

B. Records approved by the Department shall be maintained indicating the type and quantity of materials passing through the facility.

C. The facility shall be so situated, equipped, operated and maintained so as to limit interference with other activities in the area.

D. The premises, entrances and exits shall be maintained in a clean, neat and orderly manner at all times.

E. All incoming and outgoing traffic shall be controlled by the permittee in such a manner as to provide orderly and safe ingress and egress.

F. All unloading of materials from contributing vehicles shall be conducted in such a manner as to eliminate odor and litter outside of the facility.

G. Such other regulations as may be established by the St. Tammany Parish Government and/or the Department in order to protect the health, safety and welfare of the public and the environment.

H. All processing shall occur in an enclosed area, or in a manner that reduces the possibility of nuisances and/or vectors.

(Ord. No. 06-1417, adopted 11/02/2006) (ERC, Title 33, Part VII, Subpart 2, Chapter 103)(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE VII SPECIAL ISSUES

SEC. 9-050.00 Scavenging, Waste Tires and White Goods

The scavenging or removal of recoverable or recyclable materials from any facility or container, including but not limited to residential containers, in St. Tammany Parish without the written consent of the owner or operator shall be prohibited.

The disposal of waste tires in the land is prohibited. This does not prohibit the storage of unprocessed waste tires at a collection or a processing facility. Waste tires shall be managed in full compliance with the provisions of this ordinance regardless of number. Waste tire management shall include, but is not limited to, the generation, collection, storage, transportation, processing, reuse, recycling, incineration and/or disposal of waste tires, either whole or in part. Waste tires shall be disposed of according to the requirements of Title 33, Part VII, Chapter 105 of the Environmental Regulatory Code (ERC).

A person and/or entity may not place major appliances, or "white goods" in mixed municipal solid waste, or dispose of major appliances, or "white goods" in or on the land. It is further prohibited to store or abandon junk, wrecked or used automobiles, or motor vehicles, or any other junk, discarded or abandoned machinery of metal, tin or other discarded items on a lot of any subdivision approved by the Parish for residential use, or on any neutral ground, alley, sidewalk space or roadway within the unincorporated areas of the Parish. (Ord. No. 496, Bk. 6, P. 459).

A person and/or entity may not place batteries and/or fluorescent lights in mixed municipal solid waste, or dispose of batteries and/or fluorescent lights in or on the land.

A yard waste compost site not exceeding three hundred (300) cubic feet in size may be allowed on a land parcel without a permit or license under this ordinance if the site is properly managed to prevent nuisance or health and safety problems. Said compost site may utilize grass clippings, leaves, and brush limbs. No household shall make a nuisance of their yard waste compost site regardless of size.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-051.00 Landfill

Landfill. Any and all landfill facilities must comply with Title 33, Part VII, Chapter 7, Subchapter B, §711 of the Environmental Regulatory Code (ERC).

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-052.00 Unauthorized Dumping

Unauthorized Dumping. It shall be a violation of this ordinance for any person and/or entity to dispose of solid waste collected within St. Tammany Parish at any place, regardless of location, except at a Subtitle D- Landfill site or facility authorized by this ordinance and/or DEQ.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-053.00 Unlicensed Open Dumps

Unlicensed Open Dumps. It shall be a violation of this ordinance for any person to operate an open dump. Waste placed in open dumps or illegally disposed of shall be collected and transported to a licensed waste facility for proper disposal by the property owner or other person(s) determined by the Department to be responsible for the illegal activity. The responsible party shall notify the Department at least forty-eight (48) hours prior to commencement of excavation/removal activity at the subject site. A receipt or other documentation approved by the Department, which indicates satisfactory and legal disposal of the subject solid waste shall be submitted to the Department no later than fourteen (14) days after disposal. Any licensee that utilizes an unlicensed open dump, even if such material does not originate in St. Tammany Parish, will be subject to the loss of said license for not less than three (3) years. Furthermore, the licensee shall clean up said area within thirty (30) days and shall be subject to a fine of up to ten thousand (\$10,000.00) per incident.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-054.00 Open Burning or Illegal Incinerators

Open Burning or Illegal Incinerators. It will be illegal for any entity, corporation, firm, association or individual to burn or release into the air or water of St. Tammany Parish any of said hazardous wastes or by-products. (Ord. No. 82- 502, adopted 12/16/82), except that said activity within the boundaries of St. Tammany Fire Protection District No. 1 shall be governed by Section 14.002.02 hereof. (Ord. No. 91-1412, adopted 03/21/91).

EDITORIAL NOTE: See Section 8-014.00, 8-036.00 of the St. Tammany Parish Code of Ordinances for Fire Protection District No. 1. Non-licensed facilities and haulers in existence on the effective date of this ordinance shall be reported to the Department and conform to the provisions of this ordinance. A record, including a map location of any area used for land disposal and/or service area, shall be filed at the office of the Department. Non-licensed operations shall be terminated within one year of the effective date of this ordinance except as authorized by the Department, or brought into compliance with this ordinance.

The Department will remain mindful of Areas Of Special Environmental Concern, which means a flood hazard area or floodplain, wetland, surface or subsurface drinking water source in the Parish. All land below the ten- foot contour line shall be presumed to be a flood hazard area or wetland unless the applicant provides satisfactory proof to the contrary. (Ord. No. 85-381, adopted 14/18/85).

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE VIII ENFORCEMENT, PENALTIES AND FEES

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-060.00 Enforcement and Penalties

Provisions of this ordinance shall be enforced as per law, including but not limited to Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana (Ord. No. 82-502, adopted 12/16/82) and the Administrative Hearing Officer.

Misdemeanor. Any person within the Parish who violates this ordinance, or who shall permit such a violation to exist on the premises under his control, or who shall fail to take action to abate the existence of the violation, shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than Five Hundred (\$500.00) Dollars or by imprisonment of not more than thirty (30) days, or both such fine and imprisonment. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues (Ord. No. 85-381, adopted 04/18/85).

Equitable Relief. In the event a violation exists or there is a threat of violation of this ordinance, the Department, or their designees, may take appropriate actions to enforce this ordinance. Such action may include application for injunctive relief, action to compel performance, including revocation of license or other appropriate action in court

if necessary to prevent, restrain, correct, or abate such violations or threatened violations. Such remedies are cumulative in nature.

Civil Action Costs. If a person fails to comply with the provisions of this ordinance, the Parish may recover all costs and a reasonable attorney fee incurred for corrective action in a civil action in a civil or administrative action. Such costs and attorney fee, together with any fine or penalty, shall be filed as a lien or mortgage as per law.

Citation. The Department, or their designees, may issue citations for violations of this ordinance. The citation shall be issued to the person charged with the violation, or in the case of a corporation, to the supervisor at the site of the violation or any officer or agency expressly implied authorized to accept such issuance.

Inspection. All property affected by this ordinance shall be subject to inspection by the Department, or their designees, in accordance with this ordinance. No person shall refuse to permit the Department, or their designees, to inspect any premises or interfere with or resist the Department, or their designees, in the discharge of their duty to protect the public health and safety and the protection of the environment.

Abatement. The St. Tammany Parish Government, upon recommendation of the Department, may declare a violation of this ordinance to be a public nuisance and order abatement to be made initially at parish expense. The Department shall present an itemized statement for corrective action expenses to the owner of the real property where such abatement has been conducted. Such expenses for corrective action may also be recovered in civil or administrative action.

It shall be unlawful and a public nuisance for any person to park, drive, or permit to be parked or driven any vehicle on any public way, street, avenue, alley, roadway, or other public property while engaging in the collection, removal, transportation, or disposal of solid waste without first having been issued a waste hauler's license or while such a waste hauler license is suspended or revoked.

Administrative Hearing Officer. The Parish Administrative Hearing Officer shall have concurrent jurisdiction over any violation of this ordinance, pursuant to Section 1-012.00, et seq., of the St. Tammany Parish Code of Ordinances.

A Justice of the Peace shall have concurrent jurisdiction over violation of this ordinance, as per law. In addition, a Constable may issue summons and serve subpoenas anywhere in the Parish all in accordance with Louisiana Revised Statutes (R.S.) R.S. 13:2586 and Ord. 01-0284, adopted 03/01/2001. Prosecution of Solid Waste violations and compensation in criminal cases of a justice of the peace and constable shall be in accordance with R.S. 13:2587.1 and R.S. 13:2589. (Ord. 01-0284, adopted 03/01/2001). All fines collected by the Justice of the Peace Courts for litter violations pursuant to R.S. 25:1101 et seq. shall be paid to St. Tammany Parish pursuant to R.S. 25:1112. St. Tammany Parish shall reimburse the Justice of the Peace Court which handles the litter violation(s) for the time spent and expenses incurred pursuant to R.S.

13:2589(B). This reimbursement shall consist of FIFTY PERCENT (50%) of the fines collected by St. Tammany Parish from the Justice of the Peace Courts. (Ord. No. 89-1148, adopted 09/21/89; amended by Ord. No. 01-0284, adopted, 03/01/2001).

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-065.00 Fees

Fees, rates, and other charges pursuant to this ordinance and applicable law shall be set from time to time by ordinance of the St. Tammany Parish Government. License holders will be notified in writing of any proposed changes to fees, rates and charges thirty (30) days prior to the public hearing where said changes are to be discussed.

A Solid Waste License Fee shall be paid with the initial application and annually thereafter by the applicant as a condition for license renewal. Non-payment of the fees shall be grounds for denial of application or renewal. All other fees and charges as set by the St. Tammany Parish Government upon the recommendation of the Department shall be paid in a timely manner as prescribed.

Fees, rates, and other charges pursuant to this ordinance may be billed in a manner determined by the Department.

Solid Waste Facilities, transportation vehicles, or Commercial haulers vehicles owned and operated by St. Tammany Parish or its incorporated cities or townships shall fulfill all requirements of this ordinance except they shall not be required to pay license or permit fees authorized by this ordinance.

The Department is authorized to collect up to (one dollar) \$1/ton on every ton tipped at any and all transfer stations, construction and debris facilities and permitted landfills operating within St. Tammany Parish. It is the responsibility of every owner and/or operator of a transfer station to remit payments for this tipping fee along with volumes each and every month. Said tipping fee shall be used to fund the implementation, oversight and enforcement functions associated with this ordinance. The Department reserves the right to establish the initial date from which said tipping fee will begin to be collected, the exact amount to be collected, and the method of collection, all by ordinance. Notwithstanding the foregoing, all Licensees with existing written contracts with an incorporated municipality and/or residential subdivision shall be exempt from said tipping fees until (after) January 1, 2008.

All other fees and charges assessed herein shall be used to fund the implementation, oversight and enforcement functions associated with this ordinance.

<u>License Type</u>	<u>License Fee</u>	<u>License Period</u>
Solid Waste Hauling	\$100.00 plus \$15.00 each additional	1 year

Vehicle.

Non-Processing Transfer Station	\$1,000.00	5 year
Solid Waste Disposal and Diversion	\$1,000.00	5 year

(Ord. No. 06-1417, adopted 11/02/2006; amended by Ord. 07-1492, adopted 01/04/2007; amended by Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE IX WASTE REDUCTION PROGRAM

SEC. 9-070.00 Waste Tax Credit

The Parish may establish a waste reduction tax credit program. The Waste Reduction Tax Credit program may allow commercial, retail, and food service establishments to implement a waste reduction plan that effectively reduces the amount of waste and litter either on-site and/or leaving the subject site.

A participating commercial, retail, or food service establishment shall meet all program standards to be developed by the Parish in order to receive program accreditation. The participant shall be required to continue accreditation in order to receive a tax credit.

A participant shall retain records of all verifiable expenses associated with program implementation. Verifiable expenses may include, but not be limited to, surveillance equipment; trash receptacles; personnel dedicated to waste reduction/litter abatement; public relations campaign concerning waste/litter reduction efforts by the participating entity.

The participating entity may submit expense records associated with program implementation and request a credit and/or reduction in Parish ad valorem taxes for the corresponding amount.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE X OTHER TERMS AND CONDITIONS

Any dispute or litigation involving this ordinance shall be determined through any proceeding filed with the 22nd Judicial District Court for the Parish of St. Tammany; venue and jurisdiction shall be specifically with this district.

Discrimination. Licensee agrees to comply with the Americans with Disabilities Act of 1990 and any current amendments thereto. All individuals shall have equal access to employment opportunities available to a similarly suited individual. Licensee agrees not to discriminate in its employment practices, and will render services under this contract

without regard to race, color, religion, sex, national origin, veteran status, political affiliation, or disabilities. Any act of discrimination committed by Licensee, or failure to comply with these statutory obligations when applicable shall be grounds for termination of this contract. Licensee agrees to abide by the requirements of all local, state, and/or federal law, including but not limited to the following: Title VI and VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, Federal Executive Order 11246, the Federal Rehabilitation Act of 1973, as amended, the Vietnam Era Veterans Readjustment Assistance Act of 1974, Title IX of the Education Amendments of 1972, the Age Act of 1975, and the requirements of the Americans with Disabilities Act of 1990. Licensee warrants and guarantees that it is an Equal Employment Opportunity employer. In all hiring or employment made possible by or resulting from this Contract, there shall not be any discrimination against any person because of race, color, religion, sex, national origin, disability, age or veterans status; and where applicable, affirmative action will be taken to ensure that Licensee's employees are treated equally during employment without regard to their race, color, religion, sex, national origin, disability, age, political affiliation, disabilities or veteran status. This requirement shall apply to but not be limited to the following: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. All solicitations or advertisements for employees shall state that all applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, disability, age or veteran status.

Conflict of Interest. In the event of reasonably known conflicts of interest or potential conflicts of interest between the Parish and other parties who have engaged Licensee, the Licensee agrees to make full disclosure of the same, and that they will take no action on behalf of any other client directly adverse to the Parish, nor will Licensee take any action on behalf of the Parish directly adverse to any other client.

Independent Licensee. While in the performance of services or carrying out other obligations under this license, the Licensee shall be acting in a capacity of an independent Licensee and not as an employee of the Parish. The Parish shall not be obliged to any person, firm or corporation for any obligations of the Licensee arising from the performance of its services under this license.

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE XI TERMINATION, SUSPENSION, REVOCATION OF LICENSE; OPERATING WITHOUT A LICENSE; AUTHORITY TO CANCEL

Any licensee who violates any portion of this ordinance may also be referred to Code Enforcement of this Parish, the Administrative Hearing Officer, Constable, Justice of the Peace, or office of the District Attorney.

A. For Cause: where and when a licensee fails to perform, is not responsible or responsive to the public needs as determined by the Department, neglects its

obligations herein or refuses to cooperate with the Department. The Department shall issue a notice of deficiency; the licensee or operator shall cure such deficiency within thirty (30) days of notice by the Department; failure to cure will result automatic revocation of licensure; the Department has the exclusive discretion to determine whether a deficiency has been cured.

B. Bankruptcy: As to the filing of bankruptcy, voluntarily or involuntarily, by Licensee, Licensee agrees that if any execution or legal process is levied upon its interest in this

license, or if any liens or privileges are filed against its interest, or if a petition in bankruptcy is filed against it, or if it is adjudicated bankrupt in involuntary proceedings, or if it should breach this license in any material respect, the Parish shall have the right, at its unilateral option, to immediately cancel and terminate this license.

C. Licensee/Operator must be qualified at all times to perform the intended purposes of this ordinance; in the event that licensee/operator becomes unfit or unqualified for any reason

whatsoever, then the Department may take such action against the license as is warranted under the circumstances.

(Ord. No. 06-1417, adopted 11/02/2006 amended and reenacted Chapter 9 in its entirety)

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE XII RESERVED FOR FUTURE PROVISIONS

(Ord. No. 11-2588, adopted 09/01/2011).

ARTICLE XIII GARBAGE DISTRICTS

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-071.00 Garbage District No 1; Boundaries, As Amended

Under and by virtue of the authority conferred by Chapter 25, Title 33 of the Louisiana Revised Statutes of 1950, as amended (LSA R.S. 33:4169.1 and 33:8001 et seq.), and other Constitutional and Statutory authority, a Garbage District is hereby created within the Parish, which Garbage District shall comprise and embrace a portion of that territory within Ward 8 of the Parish, with boundaries described as set forth below:

Commencing at the intersection of LA 1090 (Military Road) and the section line common to Sections 38 and 31, thence southwest following said section line for a distance of 4,120 feet; thence southeast along said section line to its intersection with U.S. 190

(Gause Blvd); thence westerly along U.S. 190 to its intersection with the section line common to Sections 6 and 1; thence south along said section line to the section corner common to Sections 6, 1, 12, and 7; thence west along the section line common to Sections 12 and 1 for a distance of 1377.18 feet; thence south for a distance of 2625 feet; thence east for 1389 feet to the section line common to Sections 12 and 7; thence south along said section line for a distance of 1310 feet, thence west 1765 feet; thence southeasterly for a distance of 1598 feet to a point along the section line common to Sections 12 and 13; thence easterly to the section corner common to Sections 12, 13, 18, and 7; thence southerly along the section line common to Sections 13 and 18 for a distance of 1394 feet to its intersection with U.S. 190; thence southeasterly along said U.S. 190 to its intersection with U.S. 90; thence in a northeasterly direction go along U.S. 90 to the bank of the West Pearl River; thence follow the meanderings of the main stream of the West Pearl River to its intersection with its intersection with Gum Bayou; thence northwesterly following the meandering of Gum Bayou to a point intersecting the section line common to Sections 31 and 39, thence along said section line to the point intersecting with La. 1090 (Military Road), also the point of beginning.

AMENDED to include the following areas by Ord. No. 12-2765, adopted 07/12/2012; then AMENDED to add Forest Ridge Subdivision to the following areas by Ord. No. 12-2843, adopted 10/04/2012:

Part 1: Section 19 and 30 T 8-R15E

Commencing at the intersection common to sections 13, 18, 19 and 24, thence south to LA 1090, thence south following LA 1090 (Military Road) to the intersection of LA 1090 and Crowe's Landing and the point of beginning.

Commencing at the intersection of LA 1090 (military Road) and Crowe's Landing. Following said road east for a distance of 2,823 feet (+/-), thence south along Magnolia Forest subdivision boundary line 475 feet (+/-), thence east 1,121 feet (+/-) to unnamed stream. Following unnamed stream meandering south a distance of 2,680 feet (+/-) to the section line common to section 19 and 20, thence south along said section line 950 feet (+/-), thence west 2,118 feet (+/-) following the boundary line of Magnolia Forest subdivision, thence south along Morgan Bluff Estates subdivision boundary 1,338.59 feet (+/-) to section line common to 19 and 30. Thence east along said section line to the intersection of sections 19, 20, 29 and 30, thence south 2,692 feet (+/-) along boundary of Magnolia Forest subdivision. Thence west 3,531 feet (+/-) to LA 1090 (military Road). Following LA 1090 north 5,521 feet (+/-) to Morgan Bluff Rd, thence east 1,523 feet (+/-), thence north 2,821 feet (+/-) along Magnolia Forest subdivision boundary, thence west 1,813 (+/-) to LA 1090, thence following LA 1090 to Crowe's Landing also being the point of beginning.

Part 2: Sections 1, 31, 36 T 8-R14, 15E

Commencing at the intersection common to sections 31, 38, 38 and 6. Following section line common to 31 and 38 northeast 55 feet (+/-) also the Point of beginning.

Commencing west 3,580 feet (+/-) along section line common to sections 31 and 6 to N. Pearl Dr. thence south 85 feet (+/-), thence west 425 feet (+/-) to section line common to sections 1 and 6. Following said section line south 1,185 feet (+/-) to a point north of Hidden Oaks Lane. Thence west 1,325 feet (+/-) along the southern boundary of Lake Village subdivision, thence north 778 feet (+/-), thence west 675 feet (+/-) to the eastern right of way of the 1-10 Service Rd. Following 1-10 Service Rd 1,415 feet (+/-) to unnamed pond, thence follow the bank of unnamed pond 1,313 feet (+/-), thence north along same said pond 835 feet (+/-), thence east 292 feet (+/-), thence south 215 feet (+/-), thence east to the western right of way of Interstate 10 (I-10). Following said right of way 2,227 feet (+/-) to the southern right of way of LA 1090 (N Military Road). Thence following said right of way south 367 feet (+/-) to section line common to sections 6 and 38. Thence southwest along said section line 468 feet (+/-) also being the point of beginning.

Part 3: Section 37 T 9-R15E

Commencing at the intersection of LA 1090 (S Military Road) and Section line common to sections 37 and 38. Following western right of way of LA 1090 south 1331 feet (+/-) to point of beginning.

Commencing south following the western right of way of LA 1090 (S Military Road) 2,870 feet (+/-) to Belle Cherie Dr. Following Belle Cherie Dr. to intersect with Devereaux Dr. Thence following Devereaux Dr. 3,325 feet (+/-) to a point on the northern right of way, thence north 358 feet (+/-), thence east 292 feet (+/-) to the western right of way of LA 1090 (S Military Road) also being the point of beginning.

Part 4: Section 37, 9, 16 and 17 T 9-R15E

Commencing at the intersection of LA 1090 (S Military Road) and Cross Creek Blvd. also being the point of beginning.

From point of beginning go east 745 feet (+/-), thence 660 feet (+/-) along the western boundary of Turtle creek (phase 5) subdivision, thence 682 feet (+/-) northeast to the southern boundary of Turtle creek (phase 4) subdivision. Following said boundary 1,847 feet (+/-), thence southeast 171 feet (+/-) to the southern right of way of N. Caleb Dr. Following N. Caleb Dr. 765 feet (+/-) to the eastern boundary of Turtle creek (phase 4) subdivision. Thence south 1,202 feet (+/-), thence east 3,334 feet (+/-) between The Bluffs subdivision and Bay Ridge subdivision to the right descending back of the West Pearl River. Following the meandering West Pearl River south 9,562 feet (+/-) to unknown stream. Following the meanderings of the unknown stream west 16,100 feet (+/-) to eastern right of way of LA 1090 (S Military Road).

AMENDED to include the entirety of Hidden Oaks Lane (Road No. 8-L-012) by Ord. No. 13-2961, adopted 06/06/2013.

EDITORIAL NOTE: Ord. No. 1056, adopted 11/15/79, repealed Ord. No. 592, creating Garbage District No. 1, which had been codified in a prior publication as Secs. 9-31 - 9-33. Ord. No. 1057, adopted 11/15/79, created a new Garbage District No. 1. The Article was subsequently repealed by Ord. No. 86-625, adopted 05/15/86. Later Ordinances establishing subsequent Garbage Districts were included as divisions within a newly established Article III, with Division 1 having been reserved for general provisions by the prior publisher. (Ord. No. 86-639, adopted 06/19/86); Ord. No. 06-1417, adopted 11/02/2006 amended and reenacted Chapter 9 in its entirety. Ord. No. 08-1844, adopted 06/05/2008 reestablishes Garbage District No. 1.

STATE REFERENCE: LSA R.S. 33:8001 et seq, Garbage Districts generally.

(Ord. No. 11-2588, adopted 09/01/2011; amended by Ord. No. 12-2765, adopted 07/12/2012; amended by Ord. No. 12-2843, adopted 10/04/2012; amended by Ord. No. 13-2961, adopted 06/06/2013).

SEC. 9-072.00 Name, Status and Powers

The Garbage District hereby created shall be known and designated as "Garbage District No. 1 of St. Tammany Parish, Louisiana", and as thus created shall constitute a political and legal subdivision of the State, of which the St. Tammany Parish Council shall be the governing authority, and shall have all the rights, powers and privileges granted and conferred by the State Constitution and Statutes to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.01 Service Area

The term "Service Area" of Garbage District No. 1 shall include those residential properties receiving water services from Cross Gates Utility, Inc. [a.k.a Tammany Utilities East] and receiving a monthly bill statement from said utility; and shall include the residential properties referenced in Section 9-071.00 Garbage District No. 1, Boundaries, as amended.

(Ord. No. 11-2588, adopted 09/01/2011; amended by Ord. No. 12-2765, adopted 07/12/2012; amended by Ord. No. 12-2843, adopted 10/04/2012).

SEC. 9-072.02 Scope

The provisions of {this Chapter} are applicable to all solid waste storage, collection, transportation, processing and disposal operations within Garbage District No. 1 of St. Tammany Parish, Louisiana (herein after "Garbage District No. 1"). The provisions of Articles I through XI shall be applicable in any Garbage District heretofore or hereafter created, and are intended to compliment and supplement all provisions, rules and

regulations of such District. Therefore, in the event of a conflict, the more stringent provision should apply, except in those cases where a provision, rule or regulation of a District is clearly intended to be controlling on a specific matter.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.03 Additional Authority

Pursuant to the provisions of R.S. 33:4169.1, the powers granted to the Governing Authority of St. Tammany Parish are being transferred to Garbage District No. 1 of St. Tammany Parish, Louisiana (herein after "Garbage District No. 1"). The governing authority of Garbage District No. 1 shall have the following additional powers:

A. Permits, licenses, exclusive or nonexclusive franchises:

(1) To engage in the collection and disposal of garbage and trash within its jurisdiction in cooperation with, or to the exclusion of, other garbage and trash collectors. To the extent that the governing authority of Garbage District No. 1 deems it necessary or appropriate, it is authorized to displace competition and provide a monopoly public service.

(2) To grant permits, licenses, exclusive or nonexclusive franchises, or any combination thereof to garbage and trash collectors and disposers. Any exclusive franchise shall be granted only after advertising for bids, reception of bids, and awarding of the contract or contracts in accordance with the public bid laws of the state and other provisions of law.

(3) To enter into time contracts for the collection and transportation of garbage or trash for a term of up to ten years, and for disposal of garbage or trash for a term of up to twenty-five years.

(4) To assess or authorize assessment of a service charge against any person provided any service pursuant to Paragraphs (1) or (2).

(5) To otherwise regulate the collection and disposal of garbage and trash.

B. Contracts with private water companies, or water districts or waste/trash hauling firms:

(1) The governing authority of Garbage District No. 1 is authorized to execute contracts with private water companies, or water districts or waste/trash hauling firms serving customers in the area served by a garbage and trash collection and disposal service pursuant to Subsection A.

(2) Such contracts may contain such terms and privileges as may be agreed upon between the parties, pursuant to which charges imposed for such garbage and trash collection and disposal service may be collected by water companies or water districts, and providing a procedure to enforce collection by an agreement to shut off or terminate the service of the supply of water, hereinafter referred to as "utility service", to any premises delinquent in the payment of either its utility charges or garbage and trash collection and disposal service charges; however, such procedure shall provide for prior notice by certified mail to any person who fails to pay such service charges that said person's utility service may be shut off or terminated, and not less than thirty days after provision of such notice and only after said person's subsequent refusal to pay such service charges within said thirty days, the utility service may be shut off or terminated.

(3) Any such contract shall not require the approval of any state department, agency, or commission.

(4) A private water company or water district contracting with the governing authority pursuant to this Subsection may require the governing authority to supply such indemnity bond or liability insurance as the private water company or water district may consider necessary for its protection.

C. The power to permit or regulate solid waste collection, transportation, processing, recovery, and disposal, granted herein shall not preempt regulatory and licensing authority of the Environmental Control Commission and the office of environmental affairs, Department of Natural Resources, pursuant to R.S. 30:2001, et seq.

D. Garbage District No. 1 shall not require incineration of recyclable materials, which are considered to be those materials separated by any person or those materials separated from solid waste by any licensed solid waste collector incidental to collection of such waste for utilization as a raw material to be manufactured into a new product.

(Ord. No. 11-2588, adopted 09/01/2011; amended by Ord. No. 12-2809, adopted 09/10/2012).

SEC. 9-072.04 Definitions

The definitions provided for in Section 9-003.00 are incorporated herein by reference. The following words and phrases, when used in this {section}, shall have the meanings respectively ascribed to them:

Contractor means the person, corporation or partnership performing refuse collection and disposal under contract with Garbage District No. 1.

Curbside recycling bin is any bin approved by Garbage District No. 1 for the purpose of curbside collection of recyclable materials.

Recyclable material means those materials which are capable of being recycled and which would otherwise be processed and disposed of as nonhazardous solid waste, which generally includes any newspaper, glass, metal food and beverage cans, magazines, catalogs, phone books, corrugated cardboard, plastic or any other material authorized by Garbage District No. 1 for collection in its curbside recycling program.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.05 Responsibility

A. The owner, his agent and occupant of any property shall maintain the premises in a sanitary and litter-free condition.

B. No person shall place, deposit or allow to be placed or deposited on his premises or any other premises to include any public street, road or alley any refuse or waste, except in a manner described in this chapter.

C. The owner, his agent and occupant of any premises, and other persons having responsibilities as described herein, shall be responsible for the proper storage, collection, transportation and final disposal of all refuse and waste originating on the premises, by a method or methods described in this chapter.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.06 Solid Waste Storage

A. General.

(1) The following provisions of the Unified Development Code - Volume 1 (Zoning), Section 7.0110 Trash and Garbage Screening Requirements are applicable: All storage areas containing three (3) or more refuse, garbage, or rubbish containers or one (1) or more dumpsters, shall be screened on all sides with a minimum seven (7) foot high opaque fence of wood or masonry. Such storage areas are prohibited in buffer planting areas.

(2) The storage of all solid waste shall be practiced so as to prevent the attraction, harborage or breeding of insects and/or rodents and to eliminate conditions harmful to public health or which create safety hazards, odors, unsightliness and public nuisances.

(3) The owner, his agent or occupant of any premises shall be responsible for the satisfactory storage of all waste accumulating or originating at that premises. A sufficient number of appropriate containers shall be provided by the owner, his agent or occupant to accommodate all applicable solid waste material generated between regularly scheduled collections as may be necessary to meet the intent of subsection (A)(1) above.

(4) All containers for storage of solid waste shall be maintained in such a manner as to prevent the creation of a nuisance or menace to public health, safety or welfare. Containers that are broken or otherwise fail to meet requirements of this Division shall be immediately replaced with acceptable containers.

(5) Where garbage and similar putrescible wastes are stored in combination with nonputrescible wastes, containers for the storage of the mixture shall meet the requirements for garbage containers. Garbage and trash shall be drained of all free liquids and garbage shall be bagged prior to being placed in containers.

(6) Bins, receptacles or other containers of a permanent nature above ground shall not be kept, constructed or maintained between any sidewalk or private property line and the roadway edge or curb within the Parish.

B. Individual household-type containers.

(1) In areas where Garbage District No. 1 has implemented automated or semi-automated garbage collection service, a specific container approved by Garbage District No. 1 is the only acceptable container to be used.

(2) Individual containers utilized for the storage of garbage and other putrescible solid wastes at households and certain other applicable premises which utilize manual non-mechanical collection equipment, shall have the following physical characteristics:

a. Containers shall be constructed of durable metal or plastic, be tapered, be rust-resistant, nonabsorbent, watertight and leak-proof, easily cleanable with close-fitting insect and rodent-proof lids, and have adequate handles or bails to facilitate handling.

b. Covers for containers shall be removable and not secured or fastened to containers.

c. Containers shall not be less than twenty (20) gallons or more than thirty-five (35) gallons in capacity and the combined weight of container and contents shall not exceed seventy-five (75) pounds, except for containers utilized at apartments which shall be in accordance with section Sec. 9-037.06(E)(1)b below.

C. Disposable containers.

Disposable containers, such as plastic (polyethylene minimum one and one-half (1.5) mil.) bags, shall be acceptable for storage of solid wastes provided the following conditions are met:

(1) Only those bags specifically designed for storage and collection of solid waste shall be used. Red colored bags are reserved for commercial medical wastes and may not be used for any other type of waste.

- (2) Bags shall be protected against precipitation, vandalism, animal damage and overloading to prevent littering or attracting vectors.
- (3) Bags shall have a holding strength capable of withstanding stresses while being handled and collected.
- (4) The bag opening must be securely tied prior to setting out the bag for collection.
- (5) Bag capacity shall not exceed thirty (30) gallons and filled weight shall not exceed seventy-five (75) pounds.
- (6) Material which cannot be properly contained in bags shall be containerized in garbage cans.

D. Bulk waste containers.

Bulk waste containers normally used with mechanical collection equipment shall be of a type and design specified by the director of the Department of Environmental Services.

- (1) No bulk waste container shall be placed on any premises unless the owner or leaseholder of the property has made application for a permit with the director of the Department of Environmental Services. A placard or other permit certification, approved by the department, shall be kept continuously and conspicuously posted on each container; each container cover shall retain other permit documentation on the premises and produce same upon request of the director or his designee.
- (2) No bulk waste container shall be provided, placed or maintained upon any premises by a bulk waste container service company unless the customer has obtained a permit or can furnish evidence that he has applied for the permit required herein. A permit applicant will be given thirty (30) days from the date the container is first delivered to the premises within which to receive final approval from the director of Department of Environmental Services. If a bulk waste container service company does not receive evidence of the issuance of a permit within forty-five (45) days from the date the container is first delivered, the company shall remove the container from the premises.
- (3) Bulk waste containers used during construction and placed on private property do not require a permit from the Department of Environmental Services, unless the containers if placed in streets or on public property.
- (4) The permit application of the owner or leaseholder of the property shall designate the number and location of all bulk waste containers on the property. The director shall establish regulations for the issuance and renewal of permits.
- (5) For each premises with no more than three (3) bulk waste containers and no record of violations to this section there shall be an annual permit fee established by the District and collected by the director every two (2) years in advance. For each premises

with more than three (3) bulk waste containers and no record of violations to this section there shall be an annual permit fee established by the District and collected by the director each two (2) years in advance. The director shall keep a permanent, accurate account of all fees collected and received pursuant to this section, the names of the person upon whose account the same were paid, the date and amount thereof, together with the location of the buildings or premises to which they relate. A modified permit is needed to request change of location of the bulk waste container on the premises and to request an increase in the number of containers used on the premises. The fees for issuance of modified permits shall be the same as the issuance of a new permit with the applicant receiving credit for any funds remaining on deposit if the modified permit is issued within the two (2) years of the payment of the biannual fee. Notwithstanding that the permit fee is paid two (2) years in advance, the permit shall be valid only for the calendar year in which it is issued; the owner or leaseholder of the premises shall annually file for a renewal of the permit. Delinquent applications shall be subject to a delinquent fee established by the District. In addition to any other penalties or fines provided herein, failure to comply with the bulk waste provisions of this article shall result in the imposition of an additional fee for the annual renewal of the permit as established by the District for the first violation per bulk waste container and for subsequent violations per bulk waste container thereafter.

(6) Property owners or leaseholders may obtain a special events temporary permit from the Department of Environmental Services for a period of three (3) months, e.g. Mardi Gras, at a permit fee established by the District. All conditions stated within this section shall also apply to the temporary use of bulk waste containers.

(7) Bulk waste containers shall not be placed in any required parking space designated and used in the square-footage ratio calculation of a structure or building that the container is servicing.

(8) Bulk waste container service companies or operators shall place containers in the locations designated on the permit application and ultimately to the permit issued to the property owner or leaseholder of the property.

(9) Except in cases of hardship, and then only by special permit, bulk waste containers shall not be placed in the front yard area of the property. "Front yard area" is defined as the area from the front property line to the front building line. In cases of hardship where it is found that a bulk waste container cannot be located behind the front building line, the container shall be screened on all sides with a minimum seven (7) foot high opaque fence of wood or masonry, according to the specifications of the Director of the Department of Planning. Restrictions for containers also apply to the side yard of a property which fronts a side street. The proper location of each bulk waste container on each property will be determined by the director of the Department of Environmental Services in consultation with the Director of the Department of Planning in order to insure compliance with all applicable zoning and subdivision regulations.

(10) "Hardship" is hereby defined as conditions and circumstances existing which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings; and the special conditions and circumstances do not result from the intentional actions of the applicant or any other person who may have or had interest in the property, and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

(11) The director of the Department of Environmental Services, after consultation with the Director of the Department of Planning, shall determine if a hardship exists in locating bulk containers. The director shall determine a feasible solution to the hardship. If the applicant wishes to appeal the decision of the director, that appeal must be made to the Board of Adjustment as set forth in Section 7.04 of the Code of Ordinances.

(12) Each property owner or leaseholder shall ensure that all trash and garbage are properly placed within each container. When screening of bulk waste container is required, the property owner or leaseholder shall maintain screening. Failure to comply with these provisions will subject property owners or leaseholders to citation and fine for each occurrence.

(13) A property owner s or leaseholder s failure to obtain and maintain bulk waste containers according to the provisions of this Code and fire codes shall be cause for forfeiture of any permit fees on deposit, permit revocation, fine, or all of the above.

(14) Bulk waste container companies or operators shall maintain containers in the condition prescribed in this subsection; violations are subject to citations, or fines, or both. Once a citation is issued, the bulk waste container cited must be repaired within thirty (30) days or fines will be imposed.

(15) Failure of bulk waste container service companies, operators, property owners, or leaseholders to comply with these provisions shall result in a penalty of one hundred (\$100.00) dollars for the first violation per bulk waste container, and two hundred (\$200.00) dollars for subsequent violations per bulk waste container thereafter, or permit revocation or denial, or both. Each bulk waste container on any property in violation of any subsection of this section shall be subject to citation or fine. A maximum of one (1) citation per bulk waste container may be issued in a ten-day period.

(16) The director of the Department of Code Enforcement in conjunction with Department of Environmental Services shall have authority to administer this section. The director of the Department of Environmental Services shall promptly establish the regulations and specifications herein required and such other regulations as are necessary for the effective administration of this section. This section shall apply equally to all users and operators, whether public or private, of bulk waste containers.

(17) It shall be unlawful for any person to place or maintain a bulk waste container upon any sidewalk, street or other public right-of-way; any person violating the provisions of

this subsection shall be guilty of a misdemeanor, and upon conviction shall be punished as provided herein.

(18) All owners of multifamily structures containing four (4) or more single-family residences shall provide bulk containers for the storage and disposal of solid wastes generated by the occupants of said residences in accordance with section 9-037.06(E)(1)a below, "Special containers required, Apartments."

E. Special containers required.

(1) Apartments.

a. All owners of multifamily structures containing four (4) or more single-family residences shall provide bulk waste containers for the storage and disposal of solid wastes generated by the occupants of said residences. Owners of structures which cannot accommodate bulk waste containers may petition the director of the Department of Environmental Services for a hardship special permit for alternative solid waste storage and collection as provided for in this section. Hardship is defined in section Sec.9-037.06(d)(10) above.

b. All owners of multifamily structures containing four (4) or more single-family residences that have obtained a hardship special permit from the director of the Department of Environmental Services for alternative solid waste storage and collection as provided in Section 9-037.06(e)(1) apartments, subsection a., shall be responsible for furnishing and maintaining in good condition, at least one (1) container for each dwelling unit in the structure for the storage and curbside collection of garbage and other putrescible solid wastes. Said containers shall be in acceptable condition for the storage of waste without spillage, and shall have the following physical characteristics:

1. Containers shall be constructed of durable metal or plastic, be tapered, be rust-resistant, nonabsorbent, watertight and leak-proof, easily cleanable with close-fitting insect and rodent-proof lids, and have adequate handles or bails to facilitate handling.
2. Covers for containers shall be removable and not secured or fastened to containers.
3. Containers shall not be less than thirty (30) gallons or more than thirty-five (35) gallons in capacity, and the combined weight of container and contents shall not exceed seventy-five (75) pounds.
4. Each container shall be permanently marked with the address and number of the dwelling unit for which it is intended in characters at least six (6) inches high by four (4) inches wide.

c. In areas where Garbage District 1 has implemented automated or semi-automated garbage collection service, a specific container approved by Garbage District 1 is the only acceptable container to be used.

(2) Retail outlets.

The operators of all retail outlets of any type (excluding malls), including but not limited to convenience stores, grocery stores, restaurants and cigarette outlets, shall have a metal or durable plastic waste container not to exceed forty (40) gallons in front of or near the entrance of their business for the deposit by their customers of the garbage, refuse and litter associated with the operation of such businesses. Said container shall be in addition to other containers which are necessary to meet the intent of subsection (a)(1) above. The owner of outdoor malls, that are strip retail outlets that are not connected by enclosed covered walkway(s), shall be responsible to furnish, empty and maintain at least one (1) such container for each one hundred (100) feet of store frontage in the mall. Enclosed retail malls are excluded from this requirement however the owner of such a mall shall be responsible to furnish, empty and maintain an appropriate number of containers in appropriate size(s) and locations. The operator of any retail outlet who fails to provide a waste container as required in this subsection shall be fined no more than five hundred dollars (\$500.00). This subsection may be enforced by the Department of Environmental Services or St. Tammany Parish Sheriff s Deputies.

F. Methods of use of containers.

(1) Containers shall be kept covered at all times except during placement or removal of contents.

(2) Containers shall not be filled so that the lid cannot fit properly.

(3) The area around each container shall be kept clean.

(4) Containers shall be watertight, leak-proof and rodent and insect-proof.

G. Non-containerized temporary storage.

Certain wastes of a nonputrescible nature lend themselves to temporary storage in a manner other than containerization such as:

(1) Magazines, newspapers, and corrugated cardboard should be recycled, when possible, and shall be containerized or neatly stacked and tied in bundles not exceeding four (4) feet in length, two (2) feet in diameter or width and seventy-five (75) pounds in weight to be easily handled by the collection system and so as to minimize littering.

(2) Large items such as furniture, appliances, trees and stumps shall be stored so as not to: pose a safety hazard, collect water, and/or serve as a harborage for insects or rodents.

H. Potentially infectious biomedical wastes, asbestos containing material, and hazardous wastes including, but not limited to, explosives, acids, caustics, pesticides,

paints and solvents, automotive batteries, and vehicular fluids must be handled, stored and disposed of in accordance with all applicable local, state and federal regulations.

I. With the exception of any responsibilities reserved herein to other departments or agencies, all provisions of this section may be enforced by the Department of Environmental Services.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.07 Solid Waste Collection

A. Criteria for collection. By permitting, licensing and/or contracting with fully qualified, experienced and responsible contractors, said contractors will be responsible for the collection of containerized solid wastes from residential units and business establishments, and the collection, from residential units only, of bulky waste, white goods and waste tires within Garbage District No. 1 in accordance with the following guidelines:

(1) Volume of material:

a. An unlimited amount of containerized garbage and trash shall be picked up from all residential units twice weekly. Containerized solid wastes shall also be collected twice weekly from small business units; however, businesses shall be limited to five (5) containers per collection day. The weight of each container may not exceed seventy-five (75) pounds.

b. All loose trash and yard waste including, but not limited to, leaves, grass clippings, and construction debris such as sheetrock, sawdust and other loose debris must be containerized.

c. Bulky waste suitable for manual collection, as defined herein, shall be picked up from only residential units on the second collection day of the week. Bulky waste requiring boom truck collection, as defined herein, shall be collected once per week, and this shall be advertised for one (1) week in the official journal of the parish prior to the start or renewal of the collection contract or changes to routes or collection schedules.

d. Uncontainerized bulky waste and yard waste including, but not limited to, light tree debris, shrubbery, fence boards, etc. shall be neatly stacked or securely tied in bundles and shall not exceed four (4) feet in length, two (2) feet in diameter, and seventy-five (75) pounds in weight for each item. Larger bulky waste requiring boom truck collection shall not exceed six (6) feet in length and four hundred (400) pounds in weight.

e. All waste concrete six (6) inches by six (6) inches and smaller, shall be containerized. Waste concrete larger than six (6) inches by six (6) inches shall be no greater than seventy-five (75) pounds in weight.

f. A maximum of four (4) white goods, such as refrigerators, ranges, water heaters, freezers, washers, dryers and other large appliances and a maximum of four (4) waste tires, excluding truck tires as defined herein, shall be picked up curbside from only residential units once per week, and this shall be advertised in the official journal of the parish prior to the start or renewal of the collection contract or changes to routes or collection schedules. White goods and waste tires shall not be collected from small business units.

(2) Standards for garbage collection.

a. Garbage and other putrescible materials shall only be collected from containers as delineated in Section 9-037.06(b).

b. Nonputrescible trash material shall be collected only from containers as delineated in section 9-037.06(b) and (c), except for bulky waste, yard waste, and construction debris such as fence boards and concrete larger than six (6) inches by six (6) inches, which must be neatly stacked and shall not exceed four (4) feet in length, two (2) feet in diameter and seventy-five (75) pounds in weight for each item.

c. All loose trash, yard waste and construction debris including leaves, grass clippings, sheet rock, saw dust and other loose debris shall be containerized for collection.

d. Boats, automobiles, trailers and any other bulky waste deemed to be unsuitable for curbside collection by Garbage District No. 1 shall not be collected by the District's garbage contractor, and shall be collected and disposed of properly by the owner(s) or occupant(s) of the unit at their own expense, in accordance with this section and the State of Louisiana solid waste rules and regulations.

e. White goods and tires shall be collected from only residential units, limited to four (4) per week.

(3) Point of collection. Containers or other materials for collection shall be placed at curbside immediately between the property owned or occupied by the person placing the material and the street or road fronting that property. The material placed for collection shall be readily accessible to the collectors. Underground containers must be removed from their wells and placed above ground at curbside by the owners or occupants of the premises.

(4) Frequency of collection. The parish shall provide a minimum of two (2) collections per week on a schedule to be determined by Garbage District No. 1.

(5) Hours of collection. Collection shall not commence before 6:00 a.m., and shall be completed by 9:00 p.m. any single collection day. Material authorized to be collected, with the exception of yard waste and bulky waste which is handled in accordance with the standards set forth in section 9-037.07(a)(2), shall not be set out at curbside prior to

4:00 p.m. of the day preceding the regular collection day. Waste tires shall not be set out at curbside prior to 4:00 p.m. on the day preceding

the scheduled collection day for waste tires. The depositing of material for collection before that time shall be considered littering under this Code. Emptied containers, curbside recycling bins and uncollected material exceeding collection standards shall be removed from the curbside by noon on the day following that day on which the collection vehicle has completed collections in the particular geographical collection area. No collections shall be made on Sunday without the expressed approval of Garbage District No. 1. The parish Department of Environmental Services may enforce this provision regarding hours for the placement of materials for collection.

B. Person s responsibility:

(1) Residential and small business units generating solid wastes in quantities greater or types other than that specified above as being the contractor s responsibility shall dispose of such at their own expense as hereinafter provided.

(2) Persons generating all other solid waste shall dispose of such at their own expense as hereinafter provided.

C. The provisions of this section may be enforced by the Parish Department of Environmental Services or St. Tammany Parish Sheriff s Deputies.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.08 Solid Waste Transportation, Salvaging and Scavenging

A. Vehicle/container requirements.

(1) Vehicles or containers used for the collection and transportation of garbage and other putrescible wastes, or refuse containing such materials, shall be covered, leak-proof, durable metal and of easily cleanable construction. These shall be cleaned at appropriate intervals to prevent nuisances, pollution or insect breeding, and shall be maintained in good repair.

(2) Vehicles or containers used for the collection and transportation of potentially infectious biomedical wastes, asbestos containing material, and hazardous wastes including, but not limited to, explosives, acids, caustics, pesticides, paints and solvents, automotive batteries, and vehicular fluids shall be durable, leak-proof, covered, and shall be constructed, loaded, moved and unloaded in a safe manner and in compliance with all applicable local, state and federal regulations.

B. Licensing of solid waste collection and/or transporting vehicles.

(1) No person shall engage in the commercial collection or transportation of solid waste within the parish without first submitting a solid waste notification form and solid waste transporter supplemental form (or the successor form of such documents) to the state department of environmental quality and obtaining a transporter identification number from said state agency.

(2) Persons collecting or transporting solid wastes which originate within their personal household are exempt from licensing of vehicles.

C. Containment of loads on vehicles; prohibition against tracking by vehicles of foreign substances.

No person shall drive or move any truck or other vehicle loaded with litter within the parish, unless such vehicle is constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. Nor shall any person drive or move any vehicle or truck within the parish, the wheels or tires of which carry onto or deposit, mud, dirt, sticky substances, litter or foreign matter of any kind on any street, alley, or other public place.

D. No person or commercial waste hauler shall service a bulk waste container between the hours of 9:00 p.m. and 6:00 a.m. when said bulk waste containers are located within three hundred (300) feet of a residential use.

E. This section may be enforced by the Parish Department of Environmental Services, Code Enforcement Officers, St. Tammany Parish Sheriff s Deputies, and state or federal enforcement officials.

F. Scavenging is strictly prohibited at any location under any circumstances. Salvaging shall be unlawful for any person except by specific permission of the owner of the premises on which salvaging is or is to be conducted. This section may be enforced on public property by the Parish Department of Environmental Services or St. Tammany Parish Sheriff s Deputies; this section may be enforced on private property only by St. Tammany Parish Sheriff s Deputies.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.09 Unauthorized Use of Bulk Waste Containers

A. It shall be unlawful for any person to dump, throw or place trees, trash, garbage, junk or debris in any bulk waste container or other trash receptacle belonging to another and lawfully installed pursuant to section Sec.9-037.06 "solid waste storage" except by specific permission of the owner of the premises.

B. It shall be unlawful for any person to scavenge or rummage the contents of a bulk waste container or other trash receptacle belonging to another except by specific permission of the owner of the premises.

C. This section may be enforced by the Parish Department of Environmental Services Inspectors, St. Tammany Parish Sheriff s Deputies, or state or federal enforcement officials.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.10 Disposal by Burning Prohibited

A. No person shall kindle or set fire to any combustible material upon any public or private premises for the purpose of disposing of solid waste material unless he has obtained all permits required by the applicable federal, state and/or local laws for such burning.

B. This section may be enforced by the St. Tammany Parish Fire Protection Districts, Parish Department Environmental Services, St. Tammany Parish Sheriff s Deputies, and state or federal enforcement officials.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.11 Solid Waste Disposal Sites

A. No person shall dispose of solid waste at any site or facility for which a permit for solid waste disposal has not been issued by the state department of environmental quality.

B. No person shall establish or construct or operate or maintain or permit the use of a solid waste disposal site or facility without first having obtained all of the required federal, state and local permits.

C. Illegal dumping of any solid wastes within the parish is strictly prohibited.

D. This section may be enforced by the Parish Department of Environmental Services, St. Tammany Parish Sheriff s Deputies, and state or federal enforcement officials.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.12 Authority to Issue and Adjudicate Citations and Summons

A. With the exception of the enforcement authority specifically and exclusively granted to St. Tammany Parish Sheriff s Deputies and state or federal enforcement officials, all provisions in this Division may be enforced by the St. Tammany Parish Department of Environmental Services.

B. Any violation of this Division may be heard by the administrative hearing officer of the parish bureau of administrative adjudication or by a court of competent jurisdiction.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.13 Penalties

A. Except as otherwise provided for in a specific Section of this Division, any person violating any provision of this Division, shall be guilty of a misdemeanor that is punishable by a maximum fine of five hundred dollars (\$500.00) for each violation, unless a higher or different fine is expressly governed by state statute.

B. For the purposes of this Division, each occurrence shall constitute a separate violation.

C. In addition to penalties otherwise provided in this Division, a person found liable or convicted under any of the provisions of this Division shall:

(1) Repair or restore property damaged by or pay damages for any losses arising out of the unlawful dumping of litter or other violation of this article; and

(2) Pay all reasonable investigative expenses and costs to the investigative agency or agencies which discovered and reported the unlawful dumping of litter or other violation of this article.

(Ord. No. 11-2588, adopted 09/01/2011).

SEC. 9-072.14 Recycling Regulations

A. Definitions: As used in this Section, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

(1) Authorized recycling contractors means a person, firm, partnership, corporation or other entity authorized under and by virtue of a contract with Garbage District No. 1 to collect recyclable waste material in the Service Area.

(2) Designated recycling collection location means the place designated in the contract between Garbage District No. 1 and an authorized recycling contractor from which the authorized recycling contractor has contracted to collect recyclable waste material.

(3) Recyclable waste materials means discarded materials such as, but not limited to, newspapers, glass, plastics, and metal cans, which are separated from other garbage or refuse for the purpose of recycling.

(4) Recycling means the process of collecting used materials for the purpose of reusing, reprocessing or remanufacturing them.

(5) Recycling bin means a container provided to the residents for the purpose of containing materials to be recycled.

B. Ownership of recyclable waste materials properly placed in a recycling bin.

(1) Upon the placement of recyclable waste material in the collection bin at designated collection site in accordance with the requirements of this article, any recyclable materials shall become the property of the contractor for Garbage District No. 1. It shall be a violation of this article for any person not authorized by the Garbage District No. 1 to collect or pick up or cause to be collected or picked up any of such recyclable materials. Recyclable collection bins are the property of the contractor.

C. Unauthorized collection prohibited.

During the twenty-four-hour period commencing at 6:00 p.m. on any day preceding a day designated for collection of recyclable waste material, no person, other than an authorized recycling contractor, shall remove recyclable waste material and/or recycling bins which have been placed at a designated recycling collection location. Each such unauthorized collection from one (1) or more designated recycling collection locations shall constitute a separate and distinct offense.

D. Theft or unauthorized use of recycling bins prohibited.

The theft or unauthorized use of recycling bins is prohibited.

E. Sale or donation of recyclables.

It is the intent of this article to regulate the throwing away of recyclable materials. Nothing herein shall be deemed to prohibit any person, firm or corporation from selling or donating recyclable materials when such materials are not put out for collection as waste.

F. Enforcement; authority.

The Director of the department of Environmental Services shall have the authority to enforce the provisions of this article. This authority shall be in addition to the authority granted to police officers by law.

G. Civil action by authorized recycling contractor.

An authorized recycling contractor may bring a civil action against any person who violates this article. This shall be in addition to all other remedies and penalties.

H. Penalty.

Any person, firm or corporation violating any provision of this Section shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

(Ord. No. 11-2588, adopted 09/01/2011).

CHAPTER 10 GAS

ARTICLE II ST. TAMMANY GAS UTILITY DISTRICT NO. 1

SEC. 10-016.00 Gas Utility District No. 1; Boundaries

There is hereby created a Gas Utility District within the Parish which shall comprise and embrace all of that territory included within the boundaries of the Second, Third, Fifth, Sixth and Tenth Wards of the Parish with the exception of that territory included within the municipalities of Covington, Folsom and Abita Springs, as said boundaries are constituted on October 15, 1964. (Ord. No. 352, Bk. 5, P. 486; Ord. No. 369, Bk. 5, P. 501)

STATE REFERENCE: LSA R.S. 33:4301, Power of Police Jury to create Gas Utility District.

SEC. 10-017.00 Name And Powers

The Gas Utility District created herein shall be known and designated as St. Tammany Gas Utility District No. 1, and as thus created shall constitute a public corporation and shall have all of the powers granted by the constitution and laws of this State to such public corporations. (Ord. No. 352, Bk. 5, P. 486)

SEC. 10-018.00 Domicile

The domicile of St. Tammany Gas Utility District No. 1 [to] be and the same is hereby, designated at the Town Hall, Sun, St. Tammany Parish, Louisiana, which domicile is within the corporate limits of the said District. (Ord. No. 352, Bk. 5, P. 486)

STATE REFERENCE: LSA R.S. 33:4305, Domicile required.

PUBLICATION ANNOTATION: The St. Tammany Gas Utility Service District cannot serve areas already served by franchised gas companies without permission of such company. The District does have the right, however, to refuse such company the right to serve areas not served by it at the time of the District's creation. *La. Gas Service Co. v St. Tammany Gas Utility Service Dist.*, 189 So 2d 304 (1st. Cir. La. 1966).

CHAPTER 11 HEALTH, SANITATION

ARTICLE I IN GENERAL

SEC. 11-001.00 Food Service Operator To Have Permit From Parish Health Unit; Permit To Be Prerequisite To Occupational License Or Alcoholic Beverage Permit

1. **Food Service Operator**, as used in this Section, shall mean any person who manufactures, prepares, serves or offers for sale any food or beverage product to the public.
2. **Food Service Operation** as used herein shall mean any building, place or mobile unit used for the purpose of manufacture, preparation or service of any food product or beverage to the public.
 1. It shall be unlawful for any food service operator to be issued or sold an occupational license or alcoholic beverage license unless and until such food service operator provides the issuing or selling Parish agency, with valid proof of a permit from the Parish Health Unit to operate at the same address for which license is being requested.
 2. It shall be unlawful for any food service establishment to be operated without a valid permit from the Parish Health Unit.
 3. It shall be unlawful for any food service operator to continue the food service operation for which the permit from the Parish Health Unit has been revoked. Either verbal or written notification of permit revocation shall be considered as sufficient notification.
 4. It shall be the duty of the Sheriff to immediately close any food service establishment found to be operating without a permit from the Parish Health Unit or who continues to operate after their permit for such food service operation has been revoked by the Director of the Health Unit or his authorized representative and to prefer charges against the food service operator responsible for such unlawful operation. (Ord. No. 517, Bk. 7, P. 6)

SEC. 11-001.01 Pain Management Clinics

A. As used in this Part, the following definitions shall apply unless the content clearly states otherwise:

- (1) "Department" means the Department of Health and Hospitals.
- (2) "Pain management clinic" means a publicly or privately owned facility which primarily engages in the treatment of pain by prescribing narcotic medications.
- (3) "Primarily Engaged" means the majority of patients, 51 percent or more of the patients seen on any day a clinic is in operation, are issued a narcotic prescription for the treatment of chronic non-malignant pain. A physician who in the course of his practice, treats patients with chronic pain, shall not be considered primarily engaged in

the treatment of chronic non-malignant pain by prescribing narcotic medications provided that the physician:

- a. treats patients within their areas of specialty and who utilizes other treatment modalities in conjunction with narcotic medications;
- b. is certified by a member board of the American Board of Medical Specialties, or is eligible for certification based upon his completion of an ACGME (Accreditation Council for Graduate Medical Education) certified residency training program; and
- c. currently holds medical staff privileges that are in good standing at a hospital in this state.

(4) A pain management clinic operating on or before June 15, 2005, means a pain management clinic operating pursuant to an occupational license or certificate of operation which has not been suspended or revoked.

B. A pain management clinic shall be required to obtain an occupational license in accordance with the St. Tammany Parish License Tax regulations and as provided as follows:

(1) A pain management clinic that is required to be licensed by the department shall obtain a zoning approval verification from the St. Tammany Parish Department of Development prior to applying for an occupational license with the St. Tammany Parish Tax Collector.

(2) The required zoning approval verification shall be submitted to the St. Tammany Parish Tax Collector with the department's license application and occupational license application.

(3) Following the issuance of a pain management clinic license by the Department of Health and Hospitals, the license holder shall file a copy of the license with the St. Tammany Parish Tax Collector prior to commencing operations as a pain management clinic.

C. It shall be unlawful for any pain management clinic to be operated without a valid occupational license.

D. A valid occupational license and certificate of occupancy must be kept on file in the pain management clinic.

(Ord. No. 14-3137, adopted May 01, 2014)

SEC. 11-002.00 Parish To Have Jurisdiction Over Enforcement Of Health & Sanitation Ordinances

The Parish, through its officers, agents or employees, shall have exclusive jurisdiction, civil and criminal, over the enforcement of all Parish Ordinances which regulate Health and Sanitation within the Parish unless otherwise specially provided for in the regulatory Ordinance. (Ord. No. 1143, adopted 04/24/80)

EDITORIAL NOTE: Ord. No. 1143, adopted 04/24/80 (by the Council), was nonamendatory of the Code; hence inclusion herein was at the discretion of the Municipal Code Corp, further copied with new edition.

SEC. 11.003.00 Disposal Of Unhealthful Materials

EDITORIAL NOTE: This section amended by authority of Ord. No. 88-992, which re-adopted Ordinance No. 87-824 adding new Sections 11-003.01 through 11-003.03 dealing with the penalty for non-compliance with the provisions of Sec. 11.003.00, the empowerment of inspectors to serve citations, and the definition of citations. Further reference LSA R.S. 33:4776, Act No. 388 of the 1988 Louisiana State Legislature.

STATE REFERENCE: LSA R.S. 33:4776

(a) (1) It shall be unlawful for the owner of any lot, place or area within all subdivisions, within one hundred feet (100) of all homes, business places or establishments and within one hundred feet (100) of the exterior right-of-way limits of all state highways and parish roads or streets in the Parish of St. Tammany, or the agent of such owner, to permit on such lot, place or area, or upon any sidewalk abutting same, any weeds, grass, or deleterious unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, that may be growing, lying or located thereon.

(2) It shall be unlawful for the owner of any lot, place or area located on Lake Pontchartrain or any waterway which has a current flow and is designated as a river or bayou on any official map of the State of Louisiana or any other body of water, depression or bed, whether or not there is a current flow present or water present within its bank, when such stream is identifiable on any official map of the State of Louisiana and the directional course of said stream indicates a discharge of water into Lake Pontchartrain, to deposit or place, or to permit the deposition or placement on such lot, place or area, or upon any river bank or seashore, adjoining owner s lot, place or area any fill material comprised, either entirely or partly, of asphaltic and/or asbestos roofing shingles. (Amendment added by Ord. No. 90-1290, adopted 06/21/90)

(b) The St. Tammany Parish Police Jury, or its duly authorized representative, is hereby authorized and empowered to notify, in writing, the owner of any lot, place or area within the Parish of St. Tammany, or the agent of such owner, to cut, destroy and/or remove any such weeds, grass or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, found growing, lying or located on such owner s property, or upon the sidewalk abutting same; or, to remove any fill material, comprised in whole, or in part of asphaltic and/or asbestos roofing

shingles deposited or placed on such owner s lot, place, or area, or upon any river bank or seashore adjoining owner s lot, place or area located on Lake Pontchartrain or any waterway which has a current flow and is designated as a river or bayou on any official map of the State of Louisiana or any other body of water, depression or bed, whether or not there is a current flow present or water present within its bank, when such stream is identifiable on any official map of the State of Louisiana and the directional course of said stream indicates a discharge of water into Lake Pontchartrain; provided that such written notice shall be by Registered Mail, addressed to said owner, or agent of said owner, at his last known address. (amended by Ord. No. 90-1290, adopted 06/21/90)

(c) Upon failure, neglect or refusal of any such owner, or agent of such owner to cut, destroy and/or remove such weeds, grass or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, growing, lying or located upon such owner s property, or upon the sidewalk abutting same, or, to remove any fill material, comprised in whole, or in part of asphaltic and/or asbestos roofing shingles deposited or placed on such owner s lot, place, or area, or upon any river bank or seashore adjoining owner s lot, place or area located on Lake Pontchartrain or any waterway which has a current flow and is designated as a river or bayou on any official map of the State of Louisiana or any other body of water, depression or bed, whether or not there is a current flow present or water present within its bank, when such stream is identifiable on any official map of the State of Louisiana and the directional course of said stream indicates a discharge of water into Lake Pontchartrain, within ten (10) days after receipt of the written notice provided for in the Section 11-003.00 subparagraph (b), or within ten (10) days after the date of such notice, in the event the same is returned to the St. Tammany Parish Police Jury by the Post Office Department because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the St. Tammany Parish Police Jury, or its duly authorized representative, is hereby authorized and empowered to order by Parish forces or by contract and to pay for the cutting, destroying and/or removal of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter or to remove any fill material comprised in whole, or in part of asphaltic and/or asbestos roofing shingles. (amended by Ord. No. 90-1290, adopted 06/21/90)

(d) Whenever the St. Tammany Parish Police Jury, or its duly authorized representative, has paid for the cutting, destroying and/or removing of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, or removing any fill material, comprised in whole, or in part of asphaltic and/or asbestos roofing shingles as set forth in Section 11-003.00, subparagraph (c), the actual cost thereof, plus accrued interest at the rate of eight percent (8%) per annum from the date of the completion of said work, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the Sheriff and Ex-Officio Tax Collector for the Parish of St. Tammany, if not paid by such owner prior thereto, which said charge shall be due and payable by said owner at the time of payment of such tax bill. (Amended by Ord. No. 90-1290, adopted 06/21/90)

(e) If the full amount due the Parish of St. Tammany is not paid by such owner within ten (10) days after the cutting, destroying and/or removing of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, or removing any fill material, comprised in whole, or in part of asphaltic and/or asbestos roofing shingles as set forth in Section 11-003.00, subparagraphs (c) and (d); then, and in that case, the St. Tammany Parish Police Jury, or its authorized representative, shall cause to be recorded in the Mortgage Office of the Parish of St. Tammany, a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Said costs and expenses shall be collected in the manner fixed by law for the collection of taxes, and, further, shall be subject to a delinquent penalty of ten percent (10%) in the event same is not paid in full on or before the date the tax bill upon which said charge appears becomes delinquent, sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done, and shall be full notice to every person concerned that the amount of that statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

(Ord. No. 87-824, adopted 06/18/87; amended by Ord. No. 88-992, adopted 10/20/88; amended by Ord. No. 90-1290, adopted 06/21/90.

SEC. 11-003.01 Failure To Comply With Provisions Is A Misdemeanor

In addition to the above remedies, violations of the provisions of this Section, or failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who violates this Section or fails to comply with any of its requirements shall upon conviction therefore be fined not less than Fifty Dollars (\$50.00) per day, and in addition, shall pay all cost and expenses involved in the case; however, the maximum of aggregated fines are not to exceed Five Hundred Dollars (\$500.00). Each day such violation continues shall be considered as a separate offense all in accordance with Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. (added by Ord. No. 88-992, adopted 10/20/88)

SEC. 11-003.02 Appointed And Acting Inspectors Empowered

The Director of Permits and Inspections, the Director of Development and all persons appointed as acting inspectors of the Parish of St. Tammany are empowered to serve a citation upon persons charged with violations of any provision contained in this Ordinance or to post a notice of violation at the place of violation. (added by Ord. No. 88-992, adopted 10/20/88)

SEC. 11-003.03 Citation Defined

As used in this Section, the term "citation" shall mean a written or printed notice served upon the person charged with a violation. Such citation shall include, but may not be limited to, the following information:

- (1) The name of the person[s] creating the violation or the owner or person in charge of the premises at which the violation occurs.
- (2) The date and place of violation.
- (3) A short description of the violation followed by the number and Section of the Code of Ordinances of St. Tammany Parish, Louisiana or Supplements thereto and/or the number and Section of the Ordinance provision violated.
- (4) The date and place at which the person[s] shall appear and a notice that if the person does not respond to the citation a warrant shall be issued for such person(s) s arrest.
- (5) A notice that the person charged may be represented by counsel, that he may plead guilty or not guilty, and that he has a right to a court hearing.

(Ord. No. 88-992, adopted 10/20/88)

Cross Reference: Chapter 14 - Nuisances, Sec. 14-009.00

STATE REFERENCE: LSA R.S. 33:4776, Act No. 388 of the 1988 Louisiana State Legislature.

ARTICLE II ST. TAMMANY PARISH MOSQUITO ABATEMENT DISTRICT

SEC. 11-016.00 Mosquito Abatement District; Boundaries

The boundaries of the Mosquito Abatement District are hereby expanded to be coextensive with the boundaries of the Parish of St. Tammany, State of Louisiana, and to comprise and embrace all of the area within the Parish.

(Ord. No. 86-726, adopted 10/16/86, Ord. No. 93-1851, adopted 10/21/93, Ord. 99-3217, adopted 12/16/99, Ord. 01-0254, adopted 02/01/2001; amended Ord. 01-0401, adopted 12/06/2001)

STATE REFERENCE: LSA R.S. 33:7721, Power to create Mosquito Abatement District.

SEC. 11-017.00 Domicile

The Mosquito Abatement District herein created is hereby named and shall be known as the "St. Tammany Parish Mosquito Abatement District. Its corporate domicile shall be Slidell, Louisiana, at which domicile it may be sued and serviced of citation made on the Chairman, and in his absence, upon the Director. (Ord. No. 462, Bk. 6, P. 284, amended by Ord. No. 08-1824, adopted 05/01/2008)

SEC. 11-018.00 Board Of Commissioners

The Mosquito Abatement District herein shall be governed by a Board of five (5) members to be known as Commissioners, who shall be qualified electors in the District. There shall be four (4) appointments by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. Terms of office of the Commissioners shall run concurrent with those of the appointing authorities. (Ord. No. 462, Bk. 6, P. 284; amended by Ord. No. 00-0157, adopted 06/01/2000; amended Ord. 01-0254, adopted 02/01/2001; amended by Ord. No. 08-1824, adopted 05/01/2008)

STATE REFERENCE: LSA R.S. 33:7723, Board Required

SEC. 11-019.00 Powers

The Mosquito Abatement District herein created shall have and enjoy all of the powers, privileges and rights conferred upon such Districts by the Constitution and Laws of the State, and the Parish of St. Tammany. (Ord. No. 462, Bk. 6, P. 284; amended by Ord. No. 08-1824, adopted 05/01/2008)

STATE REFERENCE: LSA R.S. 33:7724 et seq, Powers of Board and District.

SEC. 11-020.00 Tower/structure height restrictions

Any tower/structure within the St. Tammany Parish Mosquito Abatement District and measuring more than one hundred sixty-five (165) feet in height shall be required to install a light atop said structure in order to identify its location and ensure the safety of all aircraft.

On new structures, a grace period of thirty (30) days, from the date construction is completed, will be allowed for compliance with the lighting requirement.

"Light" shall mean an electric device equivalent to a beacon or similar apparatus to provide sufficient illumination, from dusk to dawn, for aircraft pilots to identify the location and height of such structures.(Ord. No. 97-2711, adopted 08/21/97; amended by Ord. No. 08-1824, adopted 05/01/2008)

ARTICLE III HAZARDOUS SUBSTANCES AND WASTES

DIVISION 1, GENERALLY

EDITORIAL NOTE: Ord. No. 81-269, adopted 09/17/81 was specifically amendatory of the Code of Ordinances by adding provisions designated as 15-41 through 15-52, which provisions were redesignated by the Municipal Code Corp. with the city's [Parish's] permission as 11-31 through 11-35 for purposes of classification.

SEC. 11-031.00 Definitions

1. **Close Proximity:** It is declared that for the purposes of this Article, "close proximity" shall mean a distance of One Thousand (1,000 ft.) feet from the waterline or watermark of any herein designated stream, river or lake, at its highest recorded floodstage or tide, provided further, that any such facility designated in Section hereof shall be prohibited where upon certification by the St. Tammany Parish Engineer, any spill or runoff from such facility can or will gravitate at any time in the future to a stream, river or lake without regard to the distance to be traveled or the anticipated concentration or strength of the substance once it mixes with or enters the waters of any stream, river or lake.
2. **Hazardous, Dangerous And/Or Toxic Substances:** For the purposes of this Article, "hazardous, dangerous and/or toxic substances" shall be those substances, chemicals, compositions or agents which are identified as any one or combination of the following substances:
 1. Pesticides including insecticides, herbicides, fungicides, and rodenticide;
 2. Phenolic compounds;
 3. Polynuclear aromatic hydrocarbons (PAH);
 4. Elements limited to arsenic, cadmium, chromium, lead, mercury, selenium and thallium.

Any such substance which is identified by a trade name, common name or names used to identify a category of such substances, chemicals or agents shall apply to all such substances which have a substantial likeness or similarity in nature and use.

1. **Lake, River, Stream:** For the purpose of this Article, "lake shall mean any body of water designated or named as a lake on any official maps of the State of Louisiana. "River" shall mean any stream or body of water which has a current flow and designated as a river or bayou on any official map of the State of Louisiana. "Stream" shall mean any body of water, depression or bed whether or not there is a current flow present or water present within its banks, when such stream is identifiable on any official map of the State of Louisiana and the directional course of said stream indicates a discharge of water into any river as defined above or into tributaries of any river.
2. **Storage Facility:** For the purpose of this Article, "storage facility" is defined as any facility or part of a facility wherein any hazardous, dangerous or toxic substance as herein described comprises or accounts for a substantial part of the business or use of said facility regardless of whether the substance is marketed individually or incorporated into another product. (Ord. No. 81-269, adopted 09/17/81)

SEC. 11-032.00 Administration And Enforcement

(1) To ensure effective enforcement of the herein provisions the St. Tammany Parish Department of Public Works shall have all administrative jurisdiction over the enforcement of this Article regarding review of all plans submitted by applicants and certification thereof.

(2) Any person, firm, company or corporation desiring to construct, use or maintain any facility described herein, where any of the identified chemicals, agents, compositions or substances are to be used, stored or transported within the Parish, shall make application to Department of Public Works for review and should said Department decide that the facility is in an area which will not allow any spill or runoff from such facility to gravitate hazardous, dangerous or toxic substances into any designated stream, river or lake, the Engineer shall so certify and upon certification, such facility can be commenced in construction or use provided same complies with all other laws. All applications for such certification shall be accompanied by a true and accurate plan of the facility together with a map showing the exact geographical location of the proposed facility and said map shall show all ditches, drains, canals, streams, rivers and lakes within the vicinity of the proposed facility. (Ord. No. 81-269, 09/17/81)

SEC. 11-033.00 Use, Storage Of Hazardous Substances

It shall be unlawful for any person, company or corporation to construct, maintain or operate any storage facility, processing plant or facility, wood preservation facility or transportation terminal wherein any hazardous, dangerous and/or toxic substances are to be used as a manufactured substance or chemical, or as a processing or preserving agent in said facilities, or wherein hazardous, dangerous and/or toxic substances are to be stored or transferred, in, upon or in close proximity to any herein designated waterway within the Parish of St. Tammany. (Ord. No. 81-269, adopted 09/17/81)

SEC. 11-034.00 Construction Of Pipeline To Transport Hazardous Substances Prohibited

It shall be unlawful to construct any pipeline within the area defined in Section 11-031.00 above wherein said pipeline is intended to transfer or transport any prohibited hazardous, dangerous and/or toxic substance as designated herein through any area as defined herein. (Ord. No. 81-269, adopted 09/17/81)

SEC. 11-035.00 Violations; Penalty; Civil Remedy

1. A violation of any of the provisions of this Article shall constitute a misdemeanor and shall be punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature.

2. There is also established herein a civil remedy at law separate and apart from any criminal violations herein for the removal of any facility constructed in violation of this Article.

3. The Parish of St. Tammany may petition any court of competent jurisdiction to have any such facility removed at the expense and costs of the owner thereof and any such petition shall not effect nor penalize any prosecution of criminal charges hereunder. (Ord. No. 81-269, adopted 09/17/81)

SEC. 11-050.00 Hazardous/Nonhazardous Materials, Fire Protection Districts To Recover Costs

(a) Any fire protection district and any volunteer fire department shall have the authority to charge any person causing or contributing to a discharge of a hazardous or nonhazardous material or substance the extraordinary expenses of undertaking any remedial actions necessary to contain, abate, clean up, restore, or remove the discharge.

(b) The governing authority of any fire protection district assessing charges for remedial costs for actions taken in the cleaning up of any discharge of hazardous or nonhazardous material or substance as provided in this Section shall also have the authority to use any reasonable means to collect and enforce the collection of such costs.

(c) The governing authority of any fire protection district shall be entitled to recover the amount of said costs, together with all costs of court and reasonable attorney fees incurred in the enforcement of collection.

(Ord. No. 91-1537, adopted 12/19/91)

STATE REFERENCE: LSA R.S. 33:1974. **CROSS REFERENCE:** See Article I Chapter 8, Section 8-035.00 for similar provisions.

DIVISION 2, DISPOSAL

SEC. 11-051.00 Findings

The St. Tammany Parish Police Jury finds that the surreptitious disposal of hazardous materials, at other than an established site established by the Parish therefor to be regulated by the Department of Natural Resources constitutes a real danger to the life, health, property and public safety of the citizens of St. Tammany Parish, Louisiana.

The St. Tammany Parish Council recognizes the exclusive jurisdiction of the Louisiana Department of Natural Resources, or its successor, over the generation, transportation and/or disposal of hazardous wastes and that it has pre-empted the field pursuant to the Louisiana Hazardous Waste Control Law, Louisiana Statutes Annotated - Revised Statutes, Section [Title] 30:1131 et seq. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-052.00 Wastes Designated As Hazardous

Hazardous wastes for the purpose hereof shall be any waste or combination of wastes, which because of its quantity, concentration, physical, chemical or infectious character may:

1. Cause or significantly contribute to the mortality or an increase in serious irreversible or incapacitating reversible illness, or
2. Pose a substantial present or potential hazard to human health or the environment.

Same shall include, but are not necessarily limited to containers of phosphorous, chlorine, nerve gas, bacterial or germ canisters, armed forces material designed for military purposes, including mines, bombs, tear gas in quantity, incendiaries, chemicals designed and stored for weed kills, fish kills, or which, if inadvertently deposited in water wells, water systems, rivers, streams or bayous would be dangerous to health or environment, and any others which may be listed presently or from time to time added to the list or register of hazardous wastes or by-products of the Louisiana Department of Natural Resources. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-053.00 Authority Of Parish To Create Site; No Site Created

Pursuant to Louisiana Statutes Annotated - Revised Statutes, Section [Title] 33:1236(31) the Parish Police Jury is vested with the jurisdiction over the initial siting of facilities for the disposal of hazardous wastes and accordingly it is herewith Ordained and declared that presently no such site exists under Parish Ordinance and further that none shall be created hereunder unless by Parish Ordinance and after public hearing. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-054.00 Burning, Releasing Into Air Or Water Declared Illegal

It shall be illegal for any entity, corporation, firm, association, or individual to burn or release into the air or water of St. Tammany Parish any of such hazardous wastes or by-products. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-055.00 Exemptions

Exempted here from shall be any military reservation or National Guard site within the Parish when the storage or use of such products is consonant with the military training and necessary for such training. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-056.00 Emergencies

In an emergency the consent and written approval of the Sheriff of St. Tammany Parish and the Director of the St. Tammany Office of Civil Defense (or the Parish Office of Emergency Preparedness, as the case may be) must be first had and obtained so as to

provide proper notice and alert to the citizens of St. Tammany Parish. (Ord. No. 82-502, adopted 12/16/82)

SEC. 11-057.00 Violation; Penalty

Any violation hereof shall constitute a misdemeanor and shall be punishable as is provided in Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana. (Ord. No. 82-502, adopted 12/16/82)

DIVISION 3 REGULATION OF POLYCHLORINATED BIPHENYLS

SEC. 11-061.00 Definitions

1. **Disposal** means the discharge, deposit, injection, dumping, spilling, leaking or placing of a material into or on any land or water so that such material, or any constituent thereof, may enter the environment or be emitted into the air or discharged into any waters, including groundwaters; or the incineration of any material, so that such material, is emitted into the air.
2. **Storage** means the containment of any material on a temporary basis.
3. **Treatment** means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any material, so as to neutralize such material or render it nonhazardous or nontoxic, safer for transport, amenable for recovery or storage, or reduced in volume. The term includes any activity or processing designed to change the physical form or chemical composition of material, to render it nonhazardous or nontoxic.
4. **Polychlorinated Biphenyls (PCB and PCB s)** are defined for the purpose of this Division as any chemical substance that is limited to the biphenyl molecule that has been chlorinated to varying degrees, or any combination of substances which contain such substances. The terms refer to any chemical substances and combinations of substances that contain greater than fifty (50) ppm (on a dry weight basis) or greater of PCB s and any container, piece of electrical equipment, item or other device or material which either deliberately or unintentionally contains, includes as a part of it, or has been in direct contact with any PCB or PCB s at a concentration of fifty (50) ppm or greater. Any chemical substances and combination of substances that contain less than fifty (50) ppm of PCB s because of any dilution shall be included as PCB and PCB s. Substances that are regulated by this Division include but are not limited to dielectric fluids, contaminated solvents, oils, waste oils, heat transfer fluids, hydraulic fluids, paints, sludges, slurries, dredge spoils, soils, materials contaminated as a result of spills, other chemical substances, or combinations of substances, including impurities and by-products, capacitors, transformers, contaminated containers, and any other contaminated item, device or material.
5. **Area Of Special Concern** means a school, day care center, nursing home, grain elevator, public building or auditorium, hospital, church or theater.

6. **Area Of Special Environmental Concern** means a flood hazard area or floodplain, wetland, surface or subsurface drinking water source in the Parish. All land below the ten-foot contour line shall be presumed to be a flood hazard area or wetland.

(Ord. No. 85-381, adopted 14/18/85)

SEC. 11-062.00 Regulated Areas

1. No facility for the treatment, storage or disposal of polychlorinated biphenyls may be located in an area of special environmental concern.<
2. No facility for the treatment, storage or disposal of PCB s may be located within one (1) mile of an area of special concern.
3. Any facility for the treatment, storage or disposal of PCB s located over an area of special environmental concern must be isolated from such area by a concrete slab two (2 ft.) feet or more thick with a vertical permeability of less than 1×10^{-8} cm/sec.
4. Any facility for the treatment, storage or disposal of PCB s shall meet all local regulations and Ordinances applicable to the size and type of structure and the procedures conducted therein, as well as all applicable Federal and State laws and regulations in addition to the provisions of this Division.

(Ord. No. 85-381, adopted 04/18/85)

SEC. 11-063.00 Administration And Enforcement

1. To ensure effective enforcement of the provisions of this Division, the Engineer shall have all administrative jurisdiction over the enforcement of this Division regarding review of all plans submitted by applicants and certification thereof.
2. Any person, firm, company or corporation desiring to construct, use or maintain any facility described herein, wherein any of the identified chemicals, agents, compositions or substances are to be used, stored or transported within the Parish shall make application to the Engineer for review and should such Department decide that the facility is in an area which will not allow any spill or runoff from such facility to gravitate hazardous, dangerous or toxic substances into any herein designated stream, river or lake, the Engineer shall so certify; and upon certification, such facility can be commenced in construction or use provided that the same complies with all other laws. All applications for such certification shall be accompanied by a true and accurate plan of the facility, together with a map showing the exact geographical location of the proposed facility; and the map shall show all ditches, drains, canals, streams, rivers and lakes within the vicinity of the proposed facility.

(Ord. No. 85-381, adopted 04/18/85)

SEC. 11-064.00 Violations And Penalties

Any person found by a court of competent jurisdiction to be in violation of this Division shall be fined not more than Five Hundred Dollars (\$500.00) and/or imprisoned for not more than six (6) months for each violation. Any corporation, partnership or other legal entity found by a court of competent jurisdiction to be in violation of this Division shall be fined not more than Five Hundred Dollars (\$500.00) per violation, and any officers of such a legal entity found by a court of competent jurisdiction to be knowingly in violation of this Division shall be fined not more than Five Hundred Dollars (\$500.00) and/or imprisoned for not more than six (6) months for each violation. Each day s violation shall be construed as a separate offense. (Ord. No. 85-381, adopted 04/18/85)

DIVISION 4, HERBICIDES

SEC. 11-066.00 Herbicides Prohibited

It shall be unlawful for any person, group, company, corporation or organization to apply, use, or incorporate the use of any herbicide, including but not limited to, those registered with and/or approved by the U. S. Environmental Protection Agency or the Louisiana Department of Agriculture and Forestry, for the management, control, eradication or maintenance of weeds, grass, trees, shrubs, foliage, vegetation or other natural growth in any parish right-of-way, ditch, servitude, drainage area, roadside, road shoulder, green area, buffer zone, waterway, neutral ground or median in the unincorporated areas of St. Tammany Parish. (Ord. No. 93-1789, adopted 08/19/93)

CROSS REFERENCE: See also in Sections 15-005.00, .01, .03, and 15-00.05; see also in Sections 20-002.20 through 20-002.03.

SEC. 11-066.01 Definitions

a) **Herbicide:** Any substance, chemical, toxic, element or composition thereof, commonly or professionally known, identified as, or used, for the purpose of destroying, eradicating, eliminating, killing, stunting or preventing weeds or the growth thereof. (Ord. No. 93-1832, adopted 10/21/93)

b) Parish rights-of-way, etc.:

1) **Right-of-Way:** Any public way, street, road, alley, easement, servitude or access, which was dedicated to or acquired by the Parish to provide means of access to abutting properties; whether paved, improved or unimproved, including those areas dedicated for proposed or future uses.

2) **Ditch:** Natural or dedicated area which provides for the containment or flow of water from rain or adjacent drainage areas or waterways such as streams, creeks, ponds, lakes or rivers.

3) **Servitude:** A right-of-way through or across property belonging to another.

4) **Easement:** A designated right to use the property of another for specific purpose, i.e., drainage, utility easement.

5) **Drainage Area:** Area maintained for the purpose of channeling or preventing accumulation of water from surrounding land.

6) **Roadside/Road Shoulder:** Natural or dedicated areas which are parallel, contiguous to, abut, adjoin, border, edge, connect or approach any public right-of-way, street or highway.

7) **Median/Neutral Ground:** The area dividing or separating a roadway and not used for right of passage.

(Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE See also in Sections 15-005.00, .01, .03, and 15-00.05; see also in Sections 20-002.20 through 20-002.03.

SEC. 11-066.02 Exemptions

Exempt herefrom are hand held manual pump sprayers up to a maximum three (3) gallon capacity. (Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE: See also in Sections 15-005.00, .01, .03, and 15-00.05; see also in Sections 20-002.20 through 20-002.03.

SEC. 11-066.03 Violations; penalties:

A violation of the provisions of this article [Division] shall constitute a misdemeanor and shall be punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature. (Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE: See also in Sections 15-005.00, .01, .03, and 15-00.05; see also in Sections 20-002.20 through 20-002.03.

ARTICLE IV DISCHARGE OF SEWAGE INTO WATER BODIES OR WITHIN FLOOD PRONE AREAS

SEC. 11-070.00 Definitions.

Camp: Any structure, floating or foundation-secured, used temporarily or occasionally as a dwelling; not used as a residence.

Flood Prone: Any area which is regularly subject to flooding, as determined by United States Geological Survey or the Corps of Engineers.

Individual Mechanical Plant: Any individual sewage system which employs aerobic bacterial action which is maintained by mechanical aeration.

Individual Sewage System: Any system of piping (excluding building plumbing), treatment device or other facility that conveys, stores, treats or disposes of sewage on the property where it originates, and which utilizes the individual sewage system technology as prescribed in Section 11-072.00, "Permits."

Marine Sanitation Device (MSD): Any device designed for the handling, storage and/or disposal of domestic waste (sewage) generated aboard a vessel or camp.

Permit: A written document issued by the State Health Officer which authorizes the installation, construction and operation of an individual mechanical plant, individual sewage system or marine sanitation device or a modification of the existing system which affects the performance of the system.

Residence: Any structure occupied customarily or most of the time as a dwelling, a place of primary residence.

Secondary Treatment Standard: A sewage affluent water quality standard which prescribes a maximum thirty-day average concentration of biological oxygen demand (five-day) of thirty milligrams per liter (30 mg/l), a maximum seven-day average concentration of biological oxygen demand (five-day) of forty-five milligrams per liter (45 mg/l), and a maximum daily average concentration of biological oxygen demand (five-day) of sixty milligrams per liter (60 mg/l). The daily average concentration shall be based on at least three (3) affluent portions collected at time intervals no shorter than one (1) hour each and combined in a flow-weighted composite. The thirty (30) day average, seven-day average, and the daily average are the arithmetic means of the values for all effluent samples collected in each period.

Septic Tank System: Any individual sewage system which consists of a septic tank flowed by an acceptable method of septic tank effluent treatment or disposal. A **Conventional Septic Tank System** is a septic tank followed by a subsurface absorption field.

Sewage: Human or domestic waste, except household consumer refuse, including conveying liquid from residences, buildings, industrial establishments, or other places, together with such groundwater, surface water, storm water, and other wastes as may be present.

Sewage System: Any or all of the various components, including piping, plumbing, pumping and treatment facilities comprising a system designed for the collection and/or treatment and/or disposal of sewage.

(Ord. No. 84-209, adopted 09/20/84)

CROSS REFERENCE NOTE: See Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 - 21-006.00 of this Code.

SEC. 11-071.00 Discharge Of Untreated Sewerage Prohibited

All individuals who own, rent, lease, operate or manage any occupied premises, public or private, where people live, work, or congregate in a flood prone area shall provide for sewage disposal in compliance with this Article. The contents or effluent from any water closet, sink, lavatory, bathtub, shower drain, kitchen fixture and/or appliance, laundry fixture and/or appliance, vault, privy, leaching pit, chemical toilet or any personal hygiene fixture or appliance not aforementioned, or septic tank, or from any portion of any individual sewage system shall not be discharged directly or indirectly into any street, gutter, ditch, watercourse, water shed, slough, body of water, or onto the surface of the ground except where appropriate permits have been obtained. (Ord. No. 84-209, adopted 09/20/84)

CROSS REFERENCE NOTE: See Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 - 21-006.00 of this Code.

Sec. 11-071.01 Sewage System Required

a) The owner of any property which is situated in a marsh or swamp, or on, over, or contiguous to any river, stream, bayou, lake, or other waterway within or bordering the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, or any other structure which is occupied customarily or occasionally as a dwelling, must connect the toilet facilities and other plumbing fixtures within the said residence, camp, or structure to a community-type sewage system where available, or to an individual sewage system specifically approved for the premises by the State Health Officer after determining that connection to a community-type sewage system is not feasible and that the installation and operation of an individual sewage system will not create a nuisance or public health hazard. (Ord. No. 92-1676, adopted 11/19/92)

b) Violation of this section shall constitute a misdemeanor and shall be punishable in accordance with the provisions of Sec. 1-008.00 of this Code of Ordinances.

c) Enforcement of this Section shall be effected only by employees or agents of the Water Services Commission of St. Tammany Parish pursuant to the authority provided in R.S. 33:4064.1 et seq. (Ord. No. 92-1676, adopted 11/19/92)

d) For any existing residence, camp, or other structure subject to the provisions of paragraph a) of this Ordinance, the effective date for enforcement of said provisions shall be July 1, 1993. (Ord. No. 92-1676, adopted 11/19/92)

SEC. 11-072.00 Permits

1. **Camps:** No person shall install, cause to be installed, materially alter, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or materially alter an individual sewage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer prior to the start of the installation or alteration. Any such permit shall be in writing and shall be issued only for marine sanitation devices. Detailed plans and specifications for each installation of an individual sewage system for which a permit is requested shall be submitted in advance for approval to the State Health Officer.
2. **Residences:** No person shall install, cause to be installed, materially alter, or operate an individual sewage system of any kind without first having obtained a permit from the State Health Officer. No person shall install, cause to be installed, or materially alter an individual sewage system of any kind except in accordance with the plans and specifications for the installation which have been approved as a part of a permit issued by the State Health Officer prior to the start of the installation or alteration. Any such permit shall be in writing and shall not be issued until the property and its surroundings have been inspected and it has been determined that connection to community-type sewage systems is not feasible, and that the condition of the soil, the natural drainage, the estimated population density, and other related factors are such that the construction and use of properly designed individual sewage facilities are not likely to create a nuisance or public health hazard. All permits for residences shall be for secondary sewage treatment only. Detailed plans and specifications for each installation of an individual sewage system for which a permit is requested shall be submitted in advance for approval to the State Health Officer.

(Ord. No. 84-209, adopted 09/20/84)

CROSS REFERENCE: See Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 - 21-006.00 of this Code.

SEC. 11-073.00 Maintenance And Operation

Individual sewage systems shall be kept in service and in a serviceable condition sufficient to ensure compliance with the secondary treatment standard and to avoid creating or contributing to a nuisance to the public. (Ord. No. 84-209, adopted 09/20/84)

CROSS REFERENCE: See Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 - 21-008.00 of this Code.

SEC. 11-074.00 Enforcement

Enforcement of this Article shall be the responsibility of the Parish Engineering in conjunction with the State Department of Health and Human Resources, the State Department of Environmental Quality and the Parish Health Unit as supportive enforcement activists. (Ord. No. 84-209, adopted 09/20/84)

SEC. 11-075.00 Penalties

Any individual, owner of premises and/or installer of sewage system shall both be responsible for violations of this Article and subject to the following penalty provisions:

1. **First Offense:** One Hundred Dollar (\$100.00) fine and thirty-day abatement notice.
2. **Second Offense And Each Offense Thereafter:** Five Hundred Dollar (\$500.00) fine and mandatory thirty-day sentence. Failure to abate within the thirty-day notice shall subject offenders to second offense penalties.

(Ord. No. 84-209, adopted 09/20/84)

CROSS REFERENCE: Chapter 21, Article I, entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 - 21-008.00, Code of Ordinances of St. Tammany Parish, Louisiana for Ord. No. 86-630, which stated legislative purpose is "to provide a Parish regulatory vehicle to insure that owner/developers properly install, operate and maintain sewage and water facilities provided in residential, commercial and industrial developments.

STATE REFERENCE : Act No. 934 of the 1986 Louisiana State Legislature being LSA R.S. 33:4064.1 through R.S. 33:4064.6.

CHAPTER 12 LICENSES, TAXATION AND REGULATIONS

ARTICLE I IN GENERAL

SEC. 12-001.00 Acreage Tax

There is hereby levied an annual acreage tax of two cents (\$0.02) per acre on all forest lands and cut over potential forest lands situated in all areas of the Parish, except lands classified as marsh or swamp land subject to overflow. Said tax shall be assessed, collected, remitted and administered as provided by law. (Ord. No. 103, Bk. 2, P. 164)

SEC. 12-002.00 Permits For Seismographic Exploratory Work

1. **Required, Fee, Term, Renewal:** A seismic exploratory permit from the St. Tammany Parish Police Jury is hereby required of all parties engaging in seismic exploratory activities within the boundaries of St. Tammany Parish, Louisiana (excluding activities totally confined to State of Louisiana owned or controlled lands and water bodies). The seismic exploratory permit shall bear the signature of the Police Jury President or authorized designee, the Secretary to the Police Jury and approval signature of the Director of the Department of Permits and Inspections or head of the Department of Public Works. The fee for a seismic exploratory permit shall be established as One Hundred Dollars (\$100.00). Permits shall be valid for a period of six (6) months and are subject to renewal for not more than two (2) ninety-day (90) periods at the discretion of the Police Jury President and the Director of the Department of Permits and Inspections or head of the Department of Public Works.
2. **Application Information Required:** All applications for seismic exploratory permits shall be submitted to the St. Tammany Parish Police Jury Office ten (10) days prior to the issuance of a permit. All applications shall contain the following information:
 1. The name of the applicant (agent/representative and corporation);
 2. Address(es) of applicant(s);
 3. Phone number(s);
 4. Description of proposed work;
 5. Location of proposed work;
 6. Name of contractor;
 7. Address of contractor;
 8. Phone number of contractor.
3. **Additional Information Required:** The following information shall accompany and be attached to all applications for seismic exploratory permits:
 1. A certificate of proof of current liability insurance (included therein shall be identification of the carrier, representative and claims telephone number);
 2. Copies, including permit numbers, of all applicable State and Federal agency permits, i.e., Wildlife and Fisheries Commission, State Mineral Board, Department of Transportation, Department of Public Safety, Division of State Police, and U.S. Corps of Engineers.
4. **Public Recordation:** It shall be the responsibility of the Secretary to the St. Tammany Parish Police Jury to record all applications for seismic exploratory permits with the St. Tammany Parish Clerk of Court at the time of issuance. The fees for said recordation are to be borne by the applicant at the time of permit issuance.
5. **Financial Guarantee:** Upon the issuance of a seismic exploratory permit the applicant/recipient shall provide a letter of credit in the sum of Twenty-Five Thousand Dollars (\$25,000.00) to St. Tammany Parish, Louisiana, to ensure compliance with subsection (f) of this Section.
6. **Restoration Of Lands:** All operators conducting seismic activities shall exercise due and reasonable caution when traversing public rights-of-way and public

lands and water bodies as to minimize disturbance to same. All public rights-of-way, public properties, existing and recognized natural drainage and engineered drainage shall be restored to its preexisting condition if damaged by work crews and/or equipment associated with the exploratory activity.

7. **Monitoring:** It shall be the responsibility of the Department of Public Works to review and inspect the seismic exploratory site prior to the commencement of any activity and upon the cessation of activity and vacation of the operator to ensure compliance with subsection (f) of this section. The operator shall be assessed a fee of Seventy-Five Dollars (\$75.00) for each such inspection to cover the costs of the Department of Public Works, St. Tammany Parish, Louisiana.
8. **Penalties For Noncompliance:** Any person, firm or corporation violating any of the provisions or requirements of this Section shall be deemed guilty of a misdemeanor and upon conviction shall be assessed a fine of not less than One Hundred Dollars (\$100.00) or be imprisoned for not more than thirty (30) days, or both at the discretion of the court. Each day s violation shall be considered a separate offense. (Ord. No. 1087, adopted 12/11/79; Ord. No. 84-91, adopted 05/17/84)

CROSS REFERENCE: See Chapter 2, Section 2-009(b)(2) of the Code of Ordinances for Seismic Exploratory Permit Costs reiterated.

SEC. 12-003.00 Land Clearing Permit

(a) All land clearing permits within Sub-Drainage District No. 1 (Parcel) of Drainage District No. 3, shall be reviewed and approved by Sub-Drainage District No. 1 (Parcel) Board of Commissioners.

CROSS REFERENCE: See Chapter 7, Section 7-078.00 for the description of the boundaries of Sub-Drainage District No. 1 (Parcel) of Gravity Drainage District No. 3.

(Ord. No. 84-231, adopted 10/18/84; Ord. No. 85-413, adopted 06/20/85; Ord. No. 86-698, adopted 09/18/86; Ord. No. 87-826, adopted 07/16/87; Ord. No. 87-862, adopted 10/15/87; Ord. No. 87-872, adopted 10/29/87)

EDITORIAL NOTE: Adoption of Ord. C.S. No. 02-0460, 04/04/02, and Ord. C.S. No. 04-0951, 09/02/04, amending Land Use Regulations Ordinance 523, Section 5.17 Land Clearing Permit, operated to repeal the provisions of subsections (a) through (l) of Section 12-003.00. Subsection (j) is retained and renumbered as Subsection (a) above.

SEC. 12-004.00 Contractors/Subcontractors Required To Register With Sheriff

EDITORIAL NOTE: Ord. No. 88-999 adopted 11/17/88 amends Ord. No. 87-882 adopted 11/19/87 subsection (a) thereof increasing the contract amount from \$5,000.00 to \$20,000.00.

1. To the end that the Parish of St. Tammany, and the political subdivisions thereof may receive all taxes due in every instance, contractors and subcontractors desiring to engage in, prosecute, follow or carry on the business of contracting shall register with the St. Tammany Parish Sheriff as Collector of Sales and Use Tax for the Parish of St. Tammany, for each contract where the total contract price or compensation to be received amounts to more than Twenty Thousand Dollars (\$20,000.00). The Sheriff shall charge a fee for such registration in the amount of Ten dollars (\$10.00) for each such contract. (Ord. No. 87-882, adopted 11/19/87; amended by Ord. No. 88-999, adopted 11/17/88)
2. "Contractor" is synonymous with the term "builder" and means a person, firm, partnership, corporation, association or other organization, or a combination of them, which undertakes to or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement or to do any part thereof, including the erection of scaffolding or other structure or works in connection therewith, and includes subcontractors and specialty contractors. As such, the word "contractor" shall include oil field service contractors, which shall consist of those contractors performing general oil well servicing, maintenance and construction when conducted as a single company unit. "General oil well servicing" shall include welding, pipe coating, pipe inspection, wireline service, automation, workover, logging, analysis, seismograph, installing and servicing equipment, packing, platform work, perforating, and completion.
3. No Parish entity charged with the responsibility of issuing any permit, license or certificate necessary for the lawful commencement of any construction contract shall issue such permit, license or certificate to a contractor until sufficient evidence is presented by the applicant that he has registered with the Sheriff, as collector of sales and use tax in compliance with this Section.
4. The Sheriff shall promulgate such rules and regulations and may have printed such forms as are necessary to effectuate the provisions of this Section.
5. Nothing herein shall be constructed so as to affect the licensing requirements of this chapter [Section].

(Ord. No. 87-850, adopted 08/20/87; Ord. No. 87-882, adopted 11/19/87)

SEC. 12-005.00 Political Signs; Temporary Permits

1. Any person desiring to distribute or display a political sign in connection with an organized campaign in support of or opposition to and candidacy, political slate or ticket, or ballot proposal shall first make an application to the Department of Development for the issuance of a temporary sign permit. Such application shall include the name, address and telephone number of the applicant. The applicant for the permit shall provide the Department of Development with specimen copies of all signs to be distributed or displayed under the permit.

2. The Department of Development shall issue the requested permit upon receipt of the application and specimens provided for in paragraph A, above. Said permit shall authorize the distribution, erection and display of an unlimited number of signs of the type or types submitted by the applicant.

3. Any such permit shall be issued for a period of time not to exceed thirty (30) consecutive calendar days before qualifying and expires on the tenth (10th) day following the date of the general election to which the sign pertains, however, that in the event that signs are distributed, erected or displayed under any such permit in connection with any candidacy or ballot proposal which involves more than one election, the permit shall automatically extend to the tenth (10th) day following the date of the general election to which the sign pertains.

4. No political sign shall be erected or displayed in any public right-of-way.

5. No political sign shall exceed thirty-two (32) square feet in sign face area.

6. The applicant shall remove all political signs erected or displayed under any permit issued to him under the provisions of this section no later than ten (10) calendar days following the last election to which the signs pertain. Upon the failure to timely remove such signs, the Parish may thereafter remove and dispose of any remaining signs.

(Ord. No. 96-2421, adopted 05/16/96)

ARTICLE II ST. TAMMANY PARISH [OCCUPATIONAL] LICENSE TAX

Cross Reference - Chapter 3, Sec. 3-103.00 et seq. requiring sales tax clearance prior to issuance of alcoholic beverage permits and occupational licenses.

SEC. 12-016.10 Short Title

This article may be cited and otherwise referred to as the "St. Tammany Parish License Tax". (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended and corrected by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.17 Adoption Of State Law

The amount of license tax levied in each case is hereby fixed, determined and ordained to be the same as the fixed, levied, and collectable by the governing authority under, and shall be granted in accordance with, the provisions of Louisiana State Revised Statutes, Title 47, Article 3, both inclusive as amended, and all other applicable laws, all of which for all purposes of this Article are made a part hereof by reference as if written herein in extenso. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.18 General Definitions

For the purposes of this Article, unless the context clearly otherwise requires or unless otherwise defined in specific portions of this Article, the following words shall have the respective meanings ascribed to each in this Section.

(1) **Business:** Business includes any business, trade, profession, occupation, vocation or calling.

(2) **Collector:** For the purpose of this Article, the collector is the tax collector, finance office, treasurer, or any other officer whose duty is to receive and collect the taxes and money due to this Parish.

(3) **Contractor:** Contractor is synonymous with the term **Builder** and means a person, firm, partnership, corporation, association, or other organization, or a combination of them, which undertakes to or offers to undertake to, or purports to have the capacity to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation, or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structure or works in connection therewith and includes subcontractors and specialty contractors. As such, the word, contractor shall include oil field service contractors, which shall consist of those contractors performing general oil well servicing, maintenance, and construction when conducted as a single company unit. **General oil well servicing** shall include welding, pipe coating, pipe inspection, wireline service, automation, workover, logging, analysis, seismograph, installing and servicing equipment, packing, platform work, perforating, and completion.

(4) **Contractor s gross receipts:** For the purpose of computing the license fee provided for in this Article, a contractor s gross receipts are determined the same for all contractors, whether or not they have a lump sum contract or a cost-plus contract. The gross receipts for a lump sum contract are based on the actual amount of the contract, whereas, the gross receipts for a cost plus contract are based on the actual cost of the contract to the owner, including the amount added thereto as a fee.

(5) **Peddler:** For the purpose of this Article, a peddler means any person who for himself or any other person, goes from house to house, or place to place, or store to store, exposing and selling merchandise which he carries with him and delivering the same at the time of or immediately after the sale or without returning to the base of business operation between the taking of the order and the delivery of the goods; however, any person who uses the same vehicle or a combination of one (1) or more vehicles for the purpose of taking orders and delivering merchandise, regardless of the fact that the vehicle returns to the base of operations between the taking of the order and the delivery of the merchandise shall be deemed a peddler, unless such person can show that the merchandise delivered is accompanied by an invoice or delivery ticket prepared at the base of operations and which conforms to the original order and that the person delivering the merchandise has permitted no deviation from the original order by allowing the purchaser to reject, cancel, increase or decrease the quantity at the time of

delivery or to offset against such quantity any merchandise delivered at a prior time which is being returned.

The extension of the meaning of the term peddler shall not be interpreted so as to prevent rejection or cancellation of bona fide orders or the return of inferior merchandise, but shall be construed so as to prevent persons peddling merchandise from escaping their tax liability by subterfuge through means of so-called "standing order" or blanket advance orders, increase and decrease in quantities at the time of delivery, arbitrary rejections and cancellations, and offset of merchandise returned by reason of non-sale rather than obligation of warranty, all of which are hereby declared to be mere devices to prevent normal methods of operations so as to disguise the business of a peddler as an ordinary wholesale business. Peddler shall include, but is not limited to, hawkers, itinerant vendors, and any retail dealers not having a fixed place of business.

(6) **Person:** Person includes an individual, firm, corporation, partnership, association, or other legal entity.

(7) **Gross income for real estate broker:** For carrying on each business of real estate broker, the license tax shall be based on gross income. Gross income for real estate brokers is defined as those fees from any source deposited into the real estate broker's agency's general fund account less escrow deposits, and less fees paid to cooperating real estate brokers. Notwithstanding any provisions herein to the contrary, the maximum amount paid by a real estate broker shall be Two Thousand Two Hundred Dollars (\$2,200.00).

(8) **Retail dealers to institutional consumers:** For the purpose of this Article, a retail dealer to institutional consumers includes all businesses selling, at retail from a fixed place of business, merchandise to dairymen, cattlemen, or farmers, to federal, state, parish, or municipal governments or institutions, to educational or charitable institutions, to hospitals, manufacturers, public utility companies, processors, refiners, fabricators, contractors, surveyors of natural resources, carriers of freight or passengers, pipelines, hotels, and restaurants provided that such sales constitute the major portion of the business.

(9) **Separate location:** As used in this Article, a separate location exists unless a similar or associated type of business is operated as a unit under a single roof or on the same contiguous tract of land.

(10) **Wholesale dealer:** For the purpose of this Article, except as specifically provided in this Article, a wholesale dealer means any person who sells to other dealers who in turn resell. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.19 Payment Of Tax

(a) Except as otherwise expressly provided, the first license tax herein authorized to be levied shall be due and payable to the tax collector as follows:

(1) In the case of any business which is subject to license under this Article, commencing on or after the effective date of this Article, the license tax shall be due and payable on such date of commencement.

(2) In the case of a business commenced prior to the effective date of this Article, the license tax shall be due and payable on January 1, 1988.

(b) (1) Annually thereafter, all license taxes levied hereunder shall be due and payable on January first of each calendar year for which the license is due, except that for a new business commencing after January first of any calendar year, the first license shall be due and payable on the date the business commenced.

(2) All licenses unpaid after the last day of February of the calendar year for which they are due shall be deemed delinquent and subject to the payment of delinquent interest and penalty. Delinquent interest and penalty shall be computed from March first of the calendar year for which they are due.

(3) All licenses of new businesses unpaid on the date such business is commenced shall be deemed delinquent and subject to the payment of delinquent interest and penalty. Delinquent interest and penalty for such new businesses shall be computed from the date such business is commenced.

(c) Interest shall be collected at the rate of eighteen percent (18%) per annum, or fractional part thereof, to be computed from the first date the license is delinquent, until it is paid; and in addition to the interest that may be so due there shall also be collected a penalty equivalent to five percent (5%) for each thirty (30) days, or fraction thereof, of delinquency, not to exceed twenty-five percent (25%) in aggregate of the license tax due. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.20 New Business; License Required Before Commencing

No person shall commence any business within the jurisdictional boundaries of the Parish under the governance of the Police Jury of St. Tammany Parish without first paying a tentative license tax. Within forty (40) days after commencing the business, each person shall compute in the manner provided by Section 12-016.24, the balance of the license tax, if any, owed for the year in which the business started and pay such tax balance. When the business is begun prior to July 1 of any year, the tentative tax shall be the minimum annual rate for the particular class of business in cases in which the tax is based on gross receipts, sales, fees, premiums or commissions, or the full annual rate in cases in which the tax is based on a specific amount per unit. When the business is begun on or after July 1 of any year, the tentative tax shall be one-half (1/2) of the minimum annual rate or the specific amount per unit, as the case may be. (Ord.

No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.21 Change Of Ownership Or Lessee

(a) The license is issued in the name of the person making application and paying the initial fee and is not transferrable or assignable. If at any time during the license year a change of ownership takes place, the license period is from January 1, to the date of sale or change of lessee. A change of ownership occurs when a business is sold or leased, and does not include changes in partnership or corporate shares.

(b) The new owner or lessee shall obtain another business license, as the license issued to the former owner or lessee is not transferrable or assignable. The license period for the new owner or lessee covers the date of transfer of ownership or lease to December thirty-first (31st) of the license year. The Collector shall be notified within ten (10) days when a change is effected. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.22 Separate License Required For Each Location

Only one (1) license shall be required for each place of business, and the license shall be based upon the classification of business which constitutes the major portion of the taxable annual gross sales and receipts. However, any person operating coin vending or weighing machines shall obtain only one (1) license, regardless of the locations of the machines. However, a separate license shall be required for hotels, motels, rooming houses, and boarding houses. Such license shall be in addition to the license required if other classes of business are operated in conjunction with the hotel, motel, rooming house or boardinghouse. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.23 Class Of Business

In order to calculate the license fee for a business location at which business activities are carried on that fall under more than one (1) tax basis schedule, gross receipts, fees or commissions for each group of activities falling under each schedule must be compared. The rate for the schedule which constitutes the major portion of the gross receipts, fees or commissions will be used. However, the total gross receipts, fees or commissions for all business activities carried on at the business location, minus any applicable deductions, are applied to the schedule to compute the fee. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.24 Period Used Where Gross Receipts Is The Measure Of The License

The basis for determining the amount of the annual licenses provided by this Article, where the license is measured by gross receipts shall be as follows:

(1) If the business has been conducted previously by the same party, the annual gross receipts, gross fees or gross commissions earned, whether received or accrued, during the preceding calendar year for which the license is issued shall be the basis for determining the amount of the annual license.

(2) If the business is begun during the calendar year for which the license is issued, the license for the year of commencement shall be based on the gross receipts, gross sales, premiums, gross fees, or gross commissions earned, regardless of whether received or accrued, during the first thirty (30) days of business, multiplied by the number of months, or major fraction thereof, remaining in the calendar year; however, any business which opens after June 30 of the year in question whose estimated gross receipts for the remainder of the year is less than one-half (1/2) of the maximum gross receipts allowed in the minimum rate under the classification of the particular business, shall pay for the remainder of the year at one-half (1/2) the minimum rate.

(3) If the business is begun less than thirty (30) days before the end of the calendar year for which the license is to be issued, the tax shall be based on the gross receipts, gross sales, gross premiums, gross fees, or gross commissions earned, regardless of whether received or accrued, during the calendar year; however, one-half (1/2) of the annual rate shall apply to such business whose gross receipts for the period operated during the calendar year is less than one-half (1/2) of the maximum gross revenue allowed in the minimum rate under the classification of the particular business.

(4) The license tax of the business for the calendar year following that of commencement shall be based on the gross receipts, gross sales, gross premiums, gross fees, or gross commissions earned, regardless of whether received or accrued, during the previous year, divided by the number of days in operation during the year of commencement, and multiplied by three hundred sixty-five (365).

The date of beginning business for the purposes of this Section shall depend upon the type of business involved, and shall be governed by regulations promulgated by the Collector of Revenue according to law.

(Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.25 Taxpayers To Keep Records; Tax Collectors To Keep Strict Confidentiality

1. In general each person shall keep a reasonable record of his gross receipts, gross fees or commissions, or loans made. This record shall be kept separately for each place of business, and shall be subject to examination and inspection by the Collector or his duly authorized assistants.

2. Except as otherwise provided by law, the records and files of the collector or the records and files maintained pursuant to a tax ordinance, excluding ad valorem property taxes and ad valorem property tax assessment rolls, of any political subdivision are confidential and privileged; and no person shall divulge or disclose any information obtained from such records and files except in the administration and enforcement of the tax laws of this State or of a political subdivision of this State.
3. No person shall divulge or disclose any information obtained from any examination or inspection of the premises or property of any person in connection with the administration and enforcement of the tax laws of this State or a political subdivision of this State, except to the taxing jurisdiction of his employment or, in the case of an already existing independent contractor arrangement, to the contracting taxing jurisdiction.
4. Neither the Collector nor any employee engaged in the administration or charged with the custody of any such records or files shall be required to produce any of them for inspection or use in any action or proceeding, except in an action or proceeding in the administration or enforcement of the tax laws of this State or of a political subdivision.
5. Any officer, employee, or agent or any former officer, employee, or agent of any political subdivision of the State who unlawfully discloses any information obtained from a return of a taxpayer or records and files of the Collector, contrary to the provisions of this Section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than Ten Thousand Dollars (\$10,000.00) or be imprisoned for not more than two (2) years, or both.

STATE REFERENCE: Penalty specifically imposed from Chapter 3 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 comprised of R.S. 47:341 through 47:363 as amended and reenacted, more specifically in subparagraph 349 thereof. Said act became effective 01/31/87).

(5) Nothing contained in this Section shall be construed to prevent such persons from disclosing a return of a taxpayer or the records of the secretary as authorized by law in any judicial proceeding in which the State or any political subdivision thereof is a party.

(Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.26 Application For Licenses

1. Every person subject to a license tax levied by this Article shall apply to the Collector for a license before the same becomes delinquent, as provided in this Article. The application shall state all facts necessary to determine the amount of taxes due under this Article.
2. If the Collector is not satisfied with the facts set forth in the application or for any reason desires to audit the books and records of the taxpayer, the Collector or

any of his authorized assistants may audit and inspect all records of the taxpayer that would have any bearing upon the amount of taxes due under this Article.

3. If an individual is an applicant for a license required by this Article the applications must be signed by him; if a partnership or an association of persons, by a member of the firm; and if a corporation, by the proper officer thereof.
4. Any intentional false statement as to any material facts in the application for a license under this Article shall constitute a misdemeanor, and any person convicted thereof shall be fined not more than Two Hundred Dollars (\$200.00) or imprisoned for not more than six (6) months, or both.

(Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.27 Failure To Pay Tax; Judgment Prohibiting Further Pursuit Of Business

Failure to pay the tax levied by this Article shall ipso facto, without demand or putting in default, cause the tax, interest, penalties, and costs to become immediately delinquent, and the Collector is hereby vested with authority, on motion in a court of competent jurisdiction, to take a rule on the delinquent taxpayer to show cause in not less than two (2) or more than ten (10) days, exclusive of holidays, why the delinquent taxpayer should not be ordered to pay the total amount due and owing under this Article. This rule may be tried out of term and in chambers and shall always be tried by preference. If the rule is made absolute, the order therein rendered shall be considered a judgment in favor of the Parish. (Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.28 Collector Authorized To Make Rules And Regulations

1. The Collector shall make and enforce all rules and regulations necessary for the proper, complete, and equitable collection of the tax levied by this Article. He may adopt different rules and regulations and forms for different classes or kinds of businesses, uniform as to each class, if by so doing the collection of the full amount of taxes due under this Article may be simplified and made more certain.
2. The Collector may make and publish reasonable rules and regulations, not inconsistent with law, for the enforcement of the provisions of this Article and collection of the revenue hereunder.

(Ord. No. 608, Art. IX, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.29 Records To Be Kept By Collector

The Collector shall keep an accurate record showing the names of every person paying taxes under this Article, together with the business pursued, the amount of the license, and the date of the collection and the payment thereof. (Ord. No. 608, Art. IX, Bk. 7, P.

452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.30 Withholding Of Costs Of Collection

The Collector is authorized to withhold from the collection under this Article not more than the percentage for collection of taxes as approved by the Police Jury and authorized by the State Legislature. (Ord. No. 608, 6-1, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.31 Disposition Of Collections

All taxes collected under the provisions of this Article, and all penalties, interest and costs, pertaining thereto, shall be paid to the tax Collector. All monies collected, less allowable deductions and refunds, shall be paid to the Parish Treasurer on or before the tenth (10th) day of the month following the month in which the taxes are collected, and shall be credited to the Parish General Fund. (Ord. No. 608, 6-1, Bk. 7, P. 452; Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.32 Retail Dealers In Merchandise, Services, And Rentals

(a) For every fixed location retail dealer in merchandise, services and rentals, including, but not limited to, all businesses enumerated in this section, the license shall be based on the total business activity and shall be based on the table below.

IF THE ANNUAL GROSS SALES ARE:

AS MUCH AS BUT LESS THAN LICENSE SHALL BE

0	50,000	50
50,000	75,000	60
75,000	100,000	90
100,000	150,000	120
150,000	200,000	160
200,000	250,000	250
250,000	300,000	300
300,000	400,000	360
400,000	500,000	500
500,000	600,000	650
600,000	750,000	800
750,000	1,000,000	900
1,000,000	1,500,000	1,200
1,500,000	2,000,000	1,800
2,000,000	2,500,000	2,400

2,500,000	3,000,000	3,000
3,000,000	3,500,000	3,600
3,500,000	4,000,000	4,200
4,000,000	4,500,000	4,800
4,500,000	5,000,000	5,400
5,000,000	5,500,000	6,000
5,500,000		6,200

(b) This schedule includes, but is not limited to, the following businesses:

Abstractors

Advertising agencies

Ambulance services

Amusement parks

Appraisers

Barbershops

Beauty Salons

Boats or barge carriers of freight or passengers

Bonding companies, surety companies or bondsmen

Business, professional or instructional schools

Cable television businesses

Carpet and rug cleaning businesses

Cold storage plants or refrigerated lockers

Collecting agencies

Commercial reporting or rating agencies

Credit bureaus

Decorators

Detective agencies

Elevator repair, service and maintenance businesses

Employment agencies

Engravers

Ferry boats

Flea market participants

Health or recreational clubs

Insurance adjusters

Jewelers

Businesses engaged in leasing, renting or licensing the use of movable property

Medical transportation services

Miniature golf links

Motor vehicle carriers of freight or passengers

Motor vehicle rentals

Motor vehicle repair and repainting shops

Motor vehicle storage businesses

Operators of coin vending and weighing machines

Packing houses for meats and fish

Parking lots

Photographers

Railroad carriers of freight or passengers

Repair businesses

Restaurants, coffee houses, or other eating establishments

Retail dealers in boats

Retail dealers in merchandise

Retail dealers in motor vehicles

Service businesses

Sign painting

Skating rinks

Steam cleaning, steam dyeing or steam pressing businesses

Steam or electric laundering businesses

Storage businesses

Storage rooms or landings

Taxicab service

Theaters

Tourist camps

Towboat or tugboat businesses

Trackless trolleys or buses

Transportation businesses

Undertakers and funeral directors

Warehouses

Washaterias or laundromats

Watchman agencies

Wreckers and tow truck services

(c) For every dealer in merchandise, service, and rentals not otherwise provided for by this Article or by special laws, whether conducted as principal, agent or commission, or otherwise, the license tax shall be based on the amount of gross sales and receipts, at the rate set above. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.32.1 Wholesale Dealers In Merchandise, Service And Rentals; Retail Dealers To Institutional Consumers; Shipbuilders; And Contractors

(a.) For every fixed location wholesale dealer in merchandise, service and rentals, retail dealers to institutional consumers, shipbuilders, and contractors, including, but not limited to, all businesses enumerated in this section, the license shall be based on the total business activity and the amount of said license shall be as shown in the following table.

IF THE ANNUAL GROSS SALES ARE:

AS MUCH AS BUT LESS THAN LICENSE SHALL BE

0	100,000	50
100,000	150,000	75
150,000	250,000	100
250,000	500,000	150
500,000	600,000	200
600,000	800,000	250
800,000	1,000,000	300
1,000,000	1,500,000	400
1,500,000	2,000,000	500
2,000,000	2,500,000	700
2,500,000	3,000,000	900
3,000,000	4,000,000	1,000
4,000,000	5,000,000	1,250
5,000,000	5,500,000	1,800
5,500,000	6,000,000	2,400
6,000,000	6,500,000	3,000
6,500,000	7,000,000	3,600
7,000,000	7,500,000	4,200
7,500,000	8,000,000	4,800
8,000,000	9,000,000	5,200
9,000,000	10,000,000	5,600
10,000,000	11,000,000	6,000
11,000,000	12,000,000	6,500
12,000,000	13,000,000	7,000
13,000,000		7,500

(b) This schedule includes, but is not limited to, the following businesses:

Wholesale dealers in merchandise, service, and/or rentals

Retail or wholesale dealers in building materials

Retail dealers to farmers or institutions

Shipbuilders

Contractors, both lump sum and cost plus

The maximum license tax paid by a retail dealer of building materials shall not exceed \$6,200.00. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.32.2 Business Of Lending/Dealing In Notes Secured By Chattel Mortgages Or Liens

(a) For every person, firm, corporation or association or persons engaged in the business of purchasing, selling, trading in, or lending on unsecured notes or on notes secured by chattel mortgages, or other statutory lines, being commonly known as finance or securities companies, a license based on the amount of loans made by the business shall be required. The license shall be based on the amount of loans made by the business and the amount of said license shall be as shown in the following table:

IF THE ANNUAL AMOUNT OF LOANS MADE IS:

AS MUCH AS BUT LESS THAN LICENSE SHALL BE

0	250,000	50
0	250,000	50
250,000	500,000	100
500,000	730,000	150
750,000	1,000,000	200
1,000,000	1,250,000	250
1,250,000	1,500,000	300
1,500,000	1,750,000	350
1,750,000	2,000,000	400
2,000,000	2,250,000	450
2,250,000	2,500,000	500
2,500,000	3,000,000	550
3,000,000	3,500,000	600
3,500,000	4,000,000	650
4,000,000	4,500,000	700
4,500,000	5,000,000	750
5,000,000	5,500,000	800
5,500,000	6,000,000	850

6,000,000	6,500,000	900
6,500,000	7,000,000	950
7,000,000	7,500,000	1,000
7,500,000	8,000,000	1,050
8,000,000	8,500,000	1,100
8,500,000	9,000,000	1,150
9,000,000	9,500,000	1,200
9,500,000	10,000,000	1,250
10,000,000	11,000,000	1,350
11,000,000	12,000,000	1,450
12,000,000	13,000,000	1,550
13,000,000	14,000,000	1,650
14,000,000	15,000,000	1,750
15,000,000	16,000,000	1,850
16,000,000	17,000,000	1,950
17,000,000	18,000,000	2,050
18,000,000	19,000,000	2,150
19,000,000	20,000,000	2,250
20,000,000	25,000,000	2,500
25,000,000	30,000,000	3,000
30,000,000	35,000,000	3,500
35,000,000		3,700

(b) The "amount of loans made", for the purposes of this Section, shall mean the total of all amounts of funds or goods advanced to borrowers and the amounts paid for notes or other similar evidences of indebtedness purchased or otherwise acquired from others.

(c) In the case of a new business, the basis for the first year s license shall be provided for in Section 12-016.20 and Section 12-016.24 of this Article except that the "amount of the loans made" shall be substituted for "gross revenue".

(Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.32.3 Brokerage And Commission Agents

(a) For every factorage, commission, or brokerage business; dealers in stocks or bonds as principal; stocks, bonds or cotton factories; commission or brokerage business, whether or not the principal or party solicited is within or without the state, including, but not limited to, all businesses enumerated in this section, the license shall be based on gross annual commissions and brokerages earned on sales and purchases. The amount of the license shall be as shown in the table below and shall be subject to applicable deductions.

IF THE GROSS ANNUAL COMMISSION AND BROKERAGE ARE:

(b) This schedule includes, but is not limited to:

Brokerages in money, produce or sugar

Cotton compress businesses

Cotton factor and commission businesses

Cotton future brokerages

Cotton pickeries

Distillers of alcohol

Grain and product commission houses

Businesses engaged in leasing, renting, or licensing the use of immovable property

Livestock auctions

Manufacturer s agents

Operators of office buildings

Owners or lessees of toll bridges or ferries

Real Estate Brokers

Slaughterhouses

Steamboat or steamship agencies

Stock or bonds brokerages

Sugar factories

(c) For carrying on each business of dealing in or buying and selling stocks or bonds, as principal, the license shall be based on gross annual profits; however, where no gross annual profit is realized, the minimum tax under the above schedule shall be paid. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

THE ANNUAL AS MUCH AS BUT LESS THAN LICENSE SHALL BE

0	15,000	50
15,000	20,000	70

20,000	25,000	90
25,000	30,000	112
30,000	40,000	137
40,000	50,000	180
50,000	65,000	225
65,000	80,000	300
80,000	100,000	360
100,000	125,000	450
125,000	150,000	600
150,000	175,000	675
175,000	200,000	750
200,000	250,000	900
250,000	300,000	1,050
300,000	350,000	1,200
350,000	400,000	1,400
400,000	450,000	1,600
450,000	500,000	1,800
500,000	550,000	2,000
550,000	600,000	2,200
600,000	650,000	2,400
650,000	700,000	2,600
750,000	800,000	2,800
800,000	850,000	3,000
850,000	900,000	3,200
900,000	950,000	3,400
950,000	1,000,000	3,600
1,000,000		3,700

SEC. 12-016.32.4 Public Utilities

(a) For carrying on each business of gas, light, heat or power, electric light, heat or power; waterworks, and for each telephone, telegraph, or express business, the license shall be based on gross annual revenue from all business activities as shown in the following table:

IF THE GROSS ANNUAL RECEIPTS ARE:

AS MUCH AS BUT LESS THAN LICENSE SHALL BE

0	20,000	50
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20,000	25,000	60
25,000	37,500	75
37,500	50,000	115
50,000	75,000	150
75,000	100,000	200
100,000	150,000	300
150,000	200,000	450
200,000	250,000	650
250,000	500,000	750
500,000	750,000	1,500
750,000	1,000,000	2,250
1,000,000	1,250,000	3,000
1,250,000	1,500,000	3,750
1,500,000	1,750,000	4,500
1,750,000	2,000,000	5,250
2,000,000	2,250,000	6,000
2,250,000	2,500,000	6,900
2,500,000		7,500

(b) Person[s] engaged in the business of selling electricity in more than one (1) municipality, locality, or community shall be deemed to be carrying on but one (1) business, and to have only one (1) place of business, which place of business shall be the place where the general office of such person is located.

(Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.32.5 Business[es] Where License Is Based On Flat Fees

EDITORIAL NOTE: This section amended by Ord. No. 88-925, adopted 03/17/88 to change subparagraph (c)(1) to provide for a single event license for Peddlers and Itinerant Vendors.

The following types of businesses shall obtain an annual license based on the flat fee designated hereafter. For purposes of this Section, the minimum tax noted in Section 12-016.20 for most new businesses for the first year of commencement or fractional part thereof does not apply.

(a) Private Banking Or Investment Banking Business[es]:

(1) For each business of carrying on a private banking house, business or agency, investment banking house, business or agency, a license based on a flat fee of Five Hundred Dollars (\$500.00) shall be required.

(2) The term "investment banking" means a business that is carried on through the purchase or underwriting of security issues and their subsequent sale to investors.

(b) Pawnbrokers And Persons Lending Money On Wages Or Salaries:

For each and every pawnbroker, or person keeping a loan office and engaged in lending money on articles pawned or pledged and for each and every money broker, money lender or person lending money on, or purchasing time, wages or salaries of laborers, clerks, or other wage earners or other persons, whether the same be earned or unearned, and whether the business is conducted in an office or otherwise, a license based on a flat fee of One Thousand Dollars (\$1,000.00) shall be required. Persons licensed under this category may conduct retail sales, provided that the gross receipts from such sales do not exceed One Million Dollars (\$1,000,000.00). If the gross receipts from retail sales exceed One Million Dollars (\$1,000,000.00), a retail license is required. Such retail license shall be based on the sum of the gross receipts of the retail sales and of one-third of the total amount of the money loaned. The license fee shall be based on the rates listed in the table in Section 12-016.32.

(c) Peddlers And Itinerant Vendors:

(1) All peddlers, hawkers, itinerant vendors, and every person who displays samples, models, goods, wares or merchandise on a temporary basis in any hotels, motels, store, storehouse, house, vehicle, or any other place, for the purpose of securing orders for the retail sale of such goods, wares, or the like kind or quality, either for immediate or future delivery shall obtain a license based on a flat fee not to exceed One Hundred Dollars (\$100.00). A single event license may be obtained for a 72 hour time period at a fee of Ten Dollars (\$10.00). (Ord. No. 87-871 amended by Ord. No. 88-925; adopted 03/17/88)

(2) This Section does not apply to the following classes: those persons making house to house or personal calls displaying samples and taking orders for shipment directly from the manufacturer; those persons making a business call or visit upon the verbal or written invitation of the inhabitant of the premises; those persons, or their representatives, engaged in the business of selling at wholesale, from a fixed place of business in this state, to licensed retail dealers; and vendors, or their agents or representatives, in the sale or delivery of petroleum products when drawn, conveyed, and distributed from a stock maintained at a warehouse, distributing station, or established place of business.

(3) Parochial and municipal officers shall require all peddlers to exhibit their occupational license. The license shall indicate thereon the motor vehicle license number. They shall seize the merchandise and any vehicle or other conveyance used by the peddler to peddle the same, if the peddler fails or refuses to exhibit his license. All property seized shall be turned over to a court of competent jurisdiction, to be sold according to law, to satisfy the license due and enforce the privilege therefor. The rights

of the holder of a chattel mortgage note or any vehicle seized shall not be affected or prejudiced as a result of the seizure.

(4) Whoever shall sell goods, wares, and merchandise as a peddler without first obtaining the license herein required shall be guilty of a misdemeanor and upon conviction shall be fined not less than Five Hundred Dollars (\$500.00) or shall be imprisoned not more than sixty (60) days or both.

CROSS REFERENCE: See Chapter 17, entitled "Peddlers" of this Code of Ordinances.

(d) Mechanical Or Electronic Amusement Machines Or Devices:

(1) Every person engaged in the business of operating any coin-operated mechanical or electronic device shall pay a license tax of twenty dollars (\$20.00) for each such device, except that the license tax for each electronic pinball machine, flipper machine, video game or video draw poker device or similar device shall be fifty dollars (\$50.00) for each such device. (Amended by Ord. No. 91-1493, adopted 09/19/91)

STATE REFERENCE: LSA R.S. 47:359, House Bill No. 283 (1991 session) authorizing parish governing authority to levy an occupational license tax on the operation of Video Draw Poker Devices in amount not to exceed fifty dollars (\$50.00) per device.

(2) The provisions of this Subsection shall not apply in cases where the person engaged in the business of operating such mechanical devices is operating same under a written contract with and is solely sponsored by a nonprofit corporation for the purpose of conducting a fair, festival, or trade show which has as one of its objectives the promotion of agricultural and agri-industrial products. For the purposes of this Subsection, the term "nonprofit corporation" shall be construed to mean only a nonprofit corporation which:

a. Was organized under the provisions of Chapter 2 of Title 12 of the Louisiana Revised Statutes of 1950 prior to January 1, 1969; and

b. Holds membership in good standing in an association organized for the purpose of promoting fairs, festivals, and trade shows in the State of Louisiana.

(3) For the purpose of this Subsection, a "**Coin-Operated Mechanical Amusement Device**" is any machine or device operated by depositing a coin, token, slug, or similar object for the placing of the device in readiness of play. This definition includes, but is not limited to, the following devices: video games, merry-go-rounds, mechanical hobby horses, jukeboxes, pool tables, domino tables, bowling alleys, blood pressure monitors, and pulse rate monitors.

(4) All such mechanical amusement devices subject to tax under this Ordinance (Article) and which do not return to the operator or player thereof anything but free additional games or plays, or, through the exercise of the skill of the operator or player, a

merchandise prize, shall not be deemed to be classed as gambling devices, and neither this Section nor any other Act shall be construed to prohibit same. Payment of the tax imposed by this Article shall not be held to legalize the operation of any machine or device defined herein which is prohibited by law. This Ordinance shall not be held to repeal any provisions of any law prohibiting the operation, possession, or use of any such machine or device.

(e) **Evidence Of Payment:** The payment of the taxes levied by this Section shall be evidenced by a certificate of tax payment, or a stamp, or similar evidence of tax payment which shall be issued by the Collector. The certificate of payment shall be securely affixed or attached to each machine or other device with respect to which a tax has been paid, or if such certificate cannot be affixed, shall be prominently posted in the place in which the machine or device is located and near to such machine or device. If a machine or device is replaced by another, such other machine or device shall not be considered an additional device service. Certificates of tax payment or stamps are not transferable from one taxing jurisdiction to another.

(f) **Forfeitures:**

(1) Any machine or other device, on which taxes are imposed by Subsection D, which shall be found in possession or custody or within the control of any person for the purpose of being operated or permitted to be operated without having certificate of tax payment, or a stamp or similar evidence of tax payment, issued by the Collector, affixed or attached thereto, or prominently posted in the place in which the machine or device is located and near to such machine or device, may be seized by the Collector, or his agent, in order to secure the same for trial, and the same shall be forfeited to the Collector. The Collector or his agent making the seizure shall appraise the value of the machine or other device according to his best judgment and shall deliver to the person, association of persons, firm or corporation if any, found in possession of the machine or other device, a receipt showing the facts of seizure, stating from whom seized, the place of seizure, and description of the machine or the device; and appraised value and a duplicate of said receipt shall be filed in the office of the Collector and shall be open to public inspection.

(2) a. The proceeding to enforce such forfeiture shall be by rule and be in the nature of a proceeding in a court of competent jurisdiction where such seizure is made. The proceeding shall be filed by the Collector, or his assistant or attorney on behalf of the Parish, and the same shall be summary, and it may be tried out of term time and in chambers, and shall always be tried by preference. Whenever the petition for rule shall be sworn to by the Collector of Revenue, or his assistant or his attorney, that the facts contained in said petition are true, and accompanied with a duplicate copy of the notice of the seizure, the same shall constitute a prima facie case, but may be rebutted by the defendant.

b. The proceeding shall be directed against the person operating or permitting the operation of the article seized, demanding the forfeiture and sale of said property, as a

penalty for the violation of this section. Service of said proceeding shall be made upon the persons operating or permitting the operation of the articles seized, demanding the forfeiture and sale of said property, as a penalty for the violation of this Section. Service of said proceeding shall be made upon the person operating or permitting the operation of the seized articles if he is a resident of this State, or his residence is known to the plaintiff in rule. In all cases where it is made to appear by affidavit that the residence of the person operating or permitting the operation of the seized articles is out of the State or is unknown to the Collector or his assistants or his attorney, an attorney at law shall be appointed by the court, which has jurisdiction of the proceedings, to represent the said person operating and permitting the operations, against whom the said rule shall be tried contradictorily within ten (10) days from the date of the filing of same. The said affidavit may be made by the Collector or one of his assistants, or by the attorney representing the Collector, if it be not convenient to obtain the affidavit of the Collector. The attorney so appointed to represent the person operating or permitting the operation of the seized article(s) may waive service and citation of the petition or rules, but he shall not waive time nor any legal defense.

c. Upon the trial of said proceedings if it is established by satisfactory proof that with respect to the article(s) under seizure that this Section has been violated in any respect, then the Court shall render judgment accordingly, maintaining the seizure, declaring the forfeiture of said seized property other than cash after ten (10) days notice of advertisement at least twice in the official parish where the seizure is made of the machine or other device, by the Sheriff, at public auction; it being the intent and purpose of this proceeding to afford the person operating or permitting the operation of said seized article a fair opportunity of hearing in a court of competent jurisdiction. It is further the intent and purpose of this proceeding that the forfeiture and sale of said seized property shall be and operate as a penalty for the violation of this Section as aforesaid, and payment of the tax due on said seized article(s) at the moment of seizure or thereafter shall not operate to prevent, abate, or discontinue, or defeat the said forfeiture and sale of said property. The Court may fix the fee of the attorney appointed by the Court to represent the owner of the seized article(s) at a nominal sum to be taxed as costs and to be paid out of the proceeds of the sale of said property.

(3) In cases where, in the opinion of the trial Judge, the value of the seized machine or other device is so small as not to justify the expense of advertising and selling at public auction and the seized commodities as hereinabove provided, the Court may in any such case, in rendering judgment maintaining the seizure and declaring the forfeiture of the seized property, direct that the seized property be sold by the Collector at private sale, without advertisement, but shall direct that the seized property be not thus sold for a price less than a minimum figure to be fixed by the Court in its judgment.

(4) Forfeiture of the machine or other device and its contents to the Collector, as herein provided, shall not prevent any action by the Collector to recover from the persons liable any taxes incurred.

(g) **Professional Sports:** For each person owning or carrying on a business known as "professional sports" a license based on a flat fee of One Thousand Dollars (\$1,000.00) shall be required. By way of extension and not of limitation, the business of "professional sports" shall include football, basketball, and baseball games, where the individual participants are paid for their services. Sporting events that are provided for by special laws are exempt under this Section.

(h) **Circuses, Concerts, Carnivals And Special Events:** For each person operating a circus, carnival, or other traveling show, and for each person or organization sponsoring a concert or other special event, including but not limited to, gun shows, arts and crafts fairs, and antique shows, a license based on a flat fee of Two Hundred Fifty Dollars (\$250.00) shall be required. This license shall be issued by the parish or municipality in which the event is located and shall be good for a period of ten (10) days. Should the person or organization move the circus, concert, or other event to another jurisdiction in the State, a new license shall be required by that jurisdiction.

(i) **Hotels, Motels, Rooming Houses, Boardinghouses:** Any person operating a hotel, motel, rooming house, or boardinghouse, shall pay an annual license tax of Two Dollars (\$2.00) for each sleeping room contained by the hotel, motel, rooming house, or boarding house.

(j) **All Other Businesses:** For all businesses not otherwise covered by or specifically exempted under this Article, including, but not limited to, printers, lithographers, editors, publishers, attorneys-at-law, accountants, oculists, physicians, osteopaths, dentists, chiropractors, bacteriologists, veterinarians, chemists, architects, and civil, mechanical, chemical or electrical engineers engaged in the practice of their profession as an individual, or as a firm, partnership, or corporation, the license shall be one-tenth (0.01) of one percent of the annual gross receipts for professional fees for services rendered by the taxpayer, with minimum tax of Fifty Dollars (\$50.00) and a maximum tax of Two Thousand Dollars (\$2,000.00). The tax levied herein shall be levied only on the business and not separately on any individual who is employed by or is a member of the taxpayer which conducts its business as a firm, partnership, or corporation. (Ord. No. 88-925; adopted 03/17/88 to amend Ord. No. 87-871 Section 12-32.5 (C) (New Section 13-502.045), Peddlers and Itinerant Vendors (1), to provide for a single event license at a fee of ten (\$10.00) dollars. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87; amended by Ord. No. 88-925, adopted 03/17/88)

SEC. 12-016.33 Exemptions

(a) **Blind Persons And Their Widows Or Orphans:** License taxes levied by this Article shall not apply to blind persons who are exempted from license taxes by La. R.S. 46:371 through 46:373. The exemption provided by this Subsection shall apply only where the business is conducted by a blind person exclusively for his own support or the support of his family.

(b) **Artists And Craftsmen:** Any occupational license tax imposed on retail dealers not having a fixed place of business shall not apply to Louisiana artists and craftsmen who display their own original art and handicraft for sale at functions sponsored by nonprofit organizations.

(c) **Nonprofit Organizations:** The occupational license tax required by this Article shall not apply to those qualified nonprofit organizations which are exempt from the collection of sales and use taxes under the provisions of La. R.S. 47:305.14 or from the payment of federal income taxes under the applicable provisions of the Internal Revenue Code.

(d) **Specifically Not Exempt:** This subsection shall not be construed to exempt museums, menageries, circuses or other traveling shows from the license required by Section 12-016.32.5 (h) unless all of the proceeds from such shows are used for charitable, educational or religious purposes of the sponsoring qualified nonprofit organizations. It is the intention of this Subsection to exempt such traveling shows where its entire proceeds, except for necessary expenses connected therewith, are used for the charitable, educational, and religious purposes of the sponsoring qualified nonprofit organizations.

(e) **Wholesale Dealers In Certain Alcoholic Beverages:** There shall be no license tax imposed, assessed, or collected under the provisions of this Article, on any person engaged in the business of selling at wholesale, malt, vinous, spirituous, alcoholic or intoxicating liquor containing more than six (6%) per cent of alcohol by volume, and beer, porter, ale, fruit juices and wine containing more than one-half of one (0.5) per cent of alcohol by volume.

(f) **Other Exempted Businesses:** Banks, homestead and building and loan associations, clerks, laborers, ministers of religion, school teachers, graduated trained nurses, those engaged in agricultural or horticultural pursuits, those operating saw mills, and corporations organized and operated for the purpose of lending money to farmers for production purposes, the stock of which is owned by farmer members and employees of such corporations, shall be exempted from any provisions of this Article.

(g) **Manufacturers:** Manufacturers shall be exempted from any provisions of this Article; however, manufacturers who sell their manufactured articles at retail shall be subject to the payment of a license tax on such retail sales as fixed by this Article. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.34 Deductions

(a) **Petroleum Taxes:** In calculating the gross sales at retail gasoline filling and service stations or at bulk or distributing plants engaged in the storage and sale of petroleum products, the taxpayer shall exclude therefrom that part of the purchase price paid by him for gasoline and motor fuels or lubricating oils as shall equal the manufacturer's or dealer's license, privilege, or excise tax levied by Federal or State statutes on the

manufacturing, handling, storing, selling, or consuming of gasoline, motor fuels, or lubricating oils.

(b) **Undertaking And Funeral Directing:** The term "gross annual receipts" as used in this Article shall cover all of the receipts of the person carrying on the business of undertaking and funeral directing, except that deduction shall be allowed for collections made by one undertaker and funeral director for the account of another undertaker and funeral director, as shown by the books of both parties at interest.

(c) **Stocks And Bonds, Interstate Sales:** In determining the amount of gross annual commissions and brokerage to be subject to the tax, each commission business operating on exchanges located outside the State of Louisiana shall deduct therefrom forty percent (40%) in the case of purchase and sales of stocks and bonds consummated on exchanges located outside the State of Louisiana and fifty-five percent (55%) of purchases and sales of commodities consummated on exchanges located outside the State of Louisiana.

(d) **Retail Or Wholesale Sales Of Motor Vehicles And Boats:** In determining the amount of gross sales and receipts to be subject to the tax for retail or wholesale dealers in motor vehicles, automobiles, motor trucks, motor busses, motorcycles, motor bicycles, motor scooters, motor tractors, motor propelled road machinery, farm implements, and equipment designed for use with tractors and other motor propelled equipment, trailers, semi-trailers, aircraft, or other motor propelled land vehicles, and pleasure or commercial boats, the license shall be computed on the total gross sales from all sales, including, but not limited to, sales of parts and accessories, receipts from repair shops and sales of motor vehicles; however, the gross sales and receipts from the sale of the above listed motor vehicles and boats shall not exceed Seven Hundred Thousand Dollars (\$700,000.00). (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

SEC. 12-016.35 Special Provisions

(a) No municipality or parish shall levy a license tax upon any person engaged in the business of contractor, who holds a license issued by the State Licensing Board for Contractors, as defined in this Article, either upon a cost-plus basis or upon other than a cost-plus basis, except the governing authority of the municipality or Parish in which is located the principal place of business of such contractor within the State, as designated by the contractor. The maximum license tax paid by contractors licensed as required by this Subsection shall not exceed Seven Hundred Fifty Dollars (\$750.00).

(b) The tax shall be computed on the basis of the schedules contained in this Article according to the physical location of each place of business without regard to the location where the actual sale takes place or where a product or service is delivered or performed.

(c) For lessors with a place of business in this State, the tax shall be computed on the basis of the schedules contained in this Article according to the physical location of such business without regard to the location where the leased property is situated within this State.

(d) A person engaged in the business of operating a railroad for the transportation of freight or passengers shall be deemed to be carrying on but one (1) business, and to have only one place of business which shall be the place where the general office within the State as designated by such person is located.

(e) Nothing in this Article is intended to levy a tax on those receipts subject to the tax under the provisions of LSA R.S. 22:1076.

(f) Under the provisions of this Article no occupational license tax totaling more than Fifty Dollars (\$50.00) levied against a small business will increase more than twenty-five percent (25%) in the first year over the occupational license tax it paid under the schedules of classifications used in 1985. "Small business" shall be defined as any person who employs fifteen full-time persons or less per business establishment and which has Two Million Dollars (\$2,000,000.00) or less in gross annual sales or receipts. Any person not paying an occupational license tax in 1985 shall pay according to the appropriate schedule or classification in this Article.

(g) In imposing the tax set forth in this Article, any municipality or Parish may grant such exemptions or deductions as it deems necessary.

(Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87)

STATE REFERENCE: Chapter 3 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 comprised of R.S. 47:341 through 363 as amended and reenacted Act 1017, revising the State Occupational License Tax Law for local governments of the 1986 Regular Session.

SEC. 12-016.38 Effective Date

This Ordinance/Article shall become effective January 1, 1988. (Ord. No. 87-815, adopted 06/18/87; amended by Ord. No. 87-871, adopted 10/15/87, amended by Ord. No. 88-925; adopted 03/17/88)

Section 12-016.39 Failure to Obtain License When Required; Penalty

It is strictly prohibited for any person who is required to obtain a license under the provisions of Section 12-016.10 through Section 12-016.38 to conduct any business or activity governed by the provisions thereof, prior to obtaining the required license. A violation of this requirement shall constitute a misdemeanor, and any person convicted thereof shall be fined not more than two hundred dollars per day for each day the violation continues or imprisoned for not more than thirty (30) days, or both.

(Ord. No. 05-1215, adopted 12/01/2005)

ARTICLE III CHAIN STORE TAX

SEC. 12-020.10 Scope

The license herein authorized shall be in addition to ad valorem taxes and any other licenses prescribed or authorized under laws of this State or the Ordinances of this Parish. However, this tax shall not be imposed or collected on a chain store located within any municipality of this Parish. (Ord. No. 653, Bk. 8, P. 51)

STATE REFERENCE: LSA R.S. 47:10, Power of Police Jury to levy chain store tax.

SEC. 12-020.20 Levied

There is hereby levied an annual chain store tax upon each person engaged in the business of operating or maintaining, as part of a group or chain, any store or stores within their respective boundaries, where goods, wares, merchandise or commodities of every description whatsoever are sold or offered for sale at retail under the same general management, supervision, ownership and control, and who are commonly recognized as a member of a chain and as a branch store.

SEC. 12-020.48 Amount

The license tax for the businesses described in this Article shall be based on the number of stores or merchandise establishments included under the same general management, supervision, ownership and control, whether within the Parish or not and whether within this state or not; the maximum license for each store or establishment shall be as follows:

NUMBER OF STORES IN GROUP

At Least But Not More Than License \$

2	10	10.00
11	35	15.00
36	50	20.00
51	75	25.00
76	100	30.00
101	125	50.00
126	150	100.00
151	175	150.00
176	200	200.00
201	225	250.00
226	250	300.00

251	275	350.00
276	300	400.00
301	400	450.00
401	500	500.00
501	and over	550.00

The tax for any store opened after June thirtieth of any year shall not exceed one-half of the annual amount. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.49 Reports

Every person engaged in a chain store business in this Parish shall, on or before the first day of February of each year, render to the Parish Tax Collector a report containing a true and complete statement showing the number of stores or establishments operated or maintained in the Parish, and the name, location and street address of each store, the total number of such stores whether in this State or not, as of the report date, and such other information as may be required by the Parish Tax Collector. Whenever a new store is opened which was not included in the above mentioned report, a supplemental report setting forth the required information shall be filed prior to the expiration of thirty (30) days after the date of opening. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.50 Payment; Separate Licenses Required; Posting

Payment of licenses authorized and levied hereunder shall accompany the report required per above paragraph and become delinquent if not paid when due. A separate license shall be issued for each store for which the tax has been paid, as herein provided. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.51 Posting Of License

A person holding a license issued pursuant to the provisions of this Article shall post such license in a conspicuous place in each store. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.52 Due Date, Interest And Penalties

All taxes levied herein shall be due and payable on January first of each year and shall become delinquent March first of each year, and shall, after becoming delinquent, bear interest at the rate of one per cent per (1%) month plus ten per cent (10%) additional on both principal and interest as attorney fees in all cases where an attorney is called on to assist in the collection of such licenses. In addition, a penalty of five per cent (5%) of the tax due for each thirty (30) days or fraction thereof from the due date until the tax is paid, shall also be imposed, but is limited to a maximum of twenty-five per cent (25%). (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.53 Applicability Of State Law

There is hereby incorporated into this Section by reference all of the applicable provisions of State law relating to the assessments, collections, enforcement, interest, penalties, and costs, and all other provisions, as amended. (Ord. No. 653, Bk. 8, P. 51)

STATE REFERENCE: LSA R.S. 47:10, Power of Police Jury to levy chain store tax.

SEC. 12-020.54 Application For License

1. Every person subject to a chain store tax levied by this Article shall apply to the Tax Collector in and for the Parish for a license before the same becomes delinquent, as provided in this Article. The application shall state all facts necessary to determine the amount of taxes due under this Article.
2. If the Tax Collector is not satisfied with the facts set forth in the application, or for any reason desired to audit the books and records of the taxpayer, the Tax Collector, or any of his authorized assistants, may audit and inspect all records of the taxpayer that would have any bearing upon the amount of taxes due under this Article.
3. Where an individual is an applicant for a license, required by this Article, the application must be signed by him; there a partnership or an association of persons, by a member of the firm; and where a corporation, by the proper officer thereof.
4. Any intentional false statement as to any material facts in the application for a license under this Article shall constitute a misdemeanor, and any person convicted thereof shall be punished as provided in Section 1-008.0 of this Code. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.55 Costs Of Collection

The Collector is authorized to withhold from the collections under this Ordinance not more than the percentage for collection of taxes as approved by the Police Jury and authorized by the State Legislature. (Ord. No. 653, Bk. 8, P. 51)

SEC. 12-020.56 Disposition Of Collections

All taxes collected under the provisions of this Article, and all penalties, interest and costs, pertaining thereto, shall be paid to the Tax Collector of the Parish; all moneys collected less allowable deductions and refunds, shall be paid to the Parish Treasurer on or before the tenth day of the month following the month in which the taxes are collected, and shall be credited to the Parish General Fund. (Ord. No. 653, Bk. 8, P. 51)

ARTICLE IV HOTEL TAX

SEC. 12-023.70 Definitions

As used in this Article, the following words, terms and phrases have the meanings ascribed to them in this Section, except when the context clearly indicates a different meaning:

Collector means the person or agency designated by the Police Jury as the collector of the tax imposed herein and includes any employees and duly authorized assistants.

Commission means the St. Tammany Parish Tourist and Convention Commission, comprising the entire Parish and including its appointed members to the Board of Directors.

Hotel as used herein shall mean and include any establishment, both public and private, engaged in the business of furnishing or providing rooms and overnight camping facilities intended or designed for dwelling, lodging or sleeping purposes to transient guests where such establishment consists of two (2) or more guest rooms and does not encompass any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families. Motels and tourist camps and overnight camping facilities are included within the definition in this paragraph and shall specifically include establishments providing campgrounds and hook-ups or connection facilities for transient or overnight campers who travel or provide their own camping equipment but pay fees and consideration for the location and placement and various services for such campers.

Person as used herein shall have the same definition and meaning as that contained in LSA R.S. 47:301(8) and shall include any individual, firm, copartnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate, this State, any Parish, municipality, district or other political subdivision thereof or any board, agency, instrumentality or other group or combination acting as a unit, and the plural as well as the singular number. (Ord. No. 674, Bk. 8, P. 197)

STATE REFERENCE: LSA R.S. 33:4574.1, authorization of tax, and LSA R.S. 33:4574.2.

SEC. 12-023.72 Imposition And Levy Of Tax

1. There is hereby levied and imposed within both the incorporated and unincorporated areas of the Parish a tax upon the occupancy of hotel rooms, motel rooms and overnight camping facilities, including campgrounds, within the Parish for the operations of the Commission.
2. The tax levied and imposed hereby is fixed at the rate of three per cent (3%) of the rental or fee charged for such occupancy as defined and described in this Article. (Ord. No. 674, Bk. 8, P. 197; amended by Ord. No. 93-1788, adopted 08/19/93)

EDITORIAL NOTE: By the authority of Ord. No. 95-2275, adopted 09/21/95, the authority to levy the 3% hotel occupancy tax is transferred to the St. Tammany Parish Tourist and Convention Commission.

3. c. In accordance with the framework provided by Act. No. 47 of the 1995 Regular Session of the Louisiana Legislature, the three per cent (3%) tax upon the rental of fee charged for the occupancy of hotel rooms, motel rooms and overnight camping facilities within Ordinance P.J.S. No. 93-1788, adopted August 19, 1993, is hereby rescinded and repealed, effective October 1, 1995, the effective date of the three per cent (3%) hotel occupancy tax is now levied by the St. Tammany Tourist and Convention Commission. (Ord. No. 95-2275, adopted 09/21/95)

SEC. 12-023.73 Exemption

The tax imposed by the provisions of this Article shall not apply to the rent for hotel rooms rented to the same occupant for a period of thirty (30) or more calendar days, or those hotel rooms rented on an annual contractual basis for consecutive or non-consecutive days. (Ord. No. 674, Bk. 8, P. 197)

SEC. 12-023.74 Collection From Occupants; Exemption

The Tax levied and imposed by this Article shall be paid by the person or persons who exercise or are entitled to occupancy of the hotel room, motel room, overnight camping facility or campground and shall be paid at the time the rent or fee of occupancy is paid. (Ord. No. 674, Bk. 8, P. 197)

SEC. 12-023.75 Collection From Dealers Or Operators

The tax levied and imposed by this Article shall be collectible from all persons engaged in as dealers or operators of the facilities for which this occupancy tax is imposed. (Ord. No. 674, Bk. 8, P. 197)

SEC. 12-023.76 Payment In Accordance With Sales & Use Tax Imposed By School Board

The taxes levied and imposed hereunder shall be due and shall be payable monthly at the same time and on the same dates as the sales and use tax imposed by the Parish School Board is due and payable. (Ord. No. 674, Bk. 8, P. 197)

SEC. 12-023.77 Other Collection Provisions

The Police Jury shall, as circumstances and necessity dictate, employ or arrange for a collector for the collection of and accounting for the tax imposed hereby. The President of the Police Jury is hereby authorized to execute on behalf of the Police Jury an agreement with the Sheriff to collect the aforesaid tax on behalf of the Police Jury and

shall allow the Sheriff to retain a percentage of the taxes collected to cover the cost and fair compensation for the services rendered in collecting, enforcing and remitting the tax to the St. Tammany Parish Tourist and Convention Commission. (Ord. No. 674, Bk. 8, P. 197)

SEC. 12-023.78 Disbursement

The proceeds of the tax levied herein, less a reasonable sum to be retained by the governing authority or authorities for a collection fee, shall be appropriated to the St. Tammany Parish Tourist and Convention Commission, and shall be used by the commission for the purpose of attracting conventions and tourists into the area of the jurisdiction of the commission or any other purpose authorized by law. (Ord. No. 674, Bk. 8, P. 197)

CROSS REFERENCE: See St. Tammany Parish Convention and Tourist Commission, Chapter 2, Article V, Section 2-061.0 through 2-063.0 in the Code of Ordinances.

SEC. 12-023.79 Budget, Borrowing Money; Audit

1. The Commission shall annually submit to the Police Jury a budget for its operations during the ensuing year, and the Police Jury shall have the right to approve or disapprove such budget. Upon approval of the budget by the Police Jury, the Commission shall proceed to act thereunder.
2. The Commission may borrow money to pay its obligations that cannot be paid at maturity out of current revenue from the tax authorized herein but shall not borrow a sum greater than can be repaid out of the revenue received by the Commission during the year in which the money is borrowed.
3. The books of the commission shall be audited by an independent Certified Public Accountant annually and said accountant shall make a written report of his audit to the Police Jury and the Commission. Such report shall be furnished to the Police Jury not less than thirty (30) days prior to the submission by the Commission of its proposed budget to the Police Jury as provided by subsection (b). (Ord. No. 674, Bk. 8, P. 197)

CROSS REFERENCE: See "Special District Budgets", Chapter 2, Article VI, Sections 2-071.0 through 2-092.0 in the Code of Ordinances.

SEC. 12-023.80 Failure To Pay Tax - Court Action

Failure to pay any tax due as provided in this Article shall ipso facto, without demand or putting in default, cause said tax, interest, penalties, and costs to become immediately delinquent, and the Police Jury is hereby vested with authority, on motion in a court of competent jurisdiction, to take a rule on the said dealers or operators of the facilities for which this occupancy tax is imposed to show cause in not less than two (2) or more than ten (10) days, exclusive of holidays, after the service thereof, which may be tried out of term and in chambers, and shall always be tried by preference, why said dealer

or person should not be ordered to cease from further pursuit of business as a dealer, and in case said rule is made absolute, the order thereon rendered shall be considered a judgment in favor of the governing authority, prohibiting such dealer from the further pursuit of said business until such time as he has paid the said delinquent tax, interest, penalties and costs, and every violation of the injunction shall be considered as a contempt of court, and punished according to law. (Ord. No. 82-384, adopted 06/17/82)

SEC. 12-023.81 Same - Interest And Penalties

If the amount of tax due by the person or dealer is not paid on or before the twentieth day of the month next following the month for which the tax is due, there shall be collected, with said tax, interest upon said unpaid amount, at the rate of eighteen per cent (18%) per annum, or fractional part thereof, to be computed from the first day of the month next following the month for which the tax is due until it is paid; and in addition to the interest that may be so due there shall also be collected a penalty equivalent to five per cent (5%) for each thirty (30) days, or fraction thereof, of delinquency, not to exceed twenty-five per cent (25%) in aggregate, of the tax due, when such tax is not paid within thirty (30) days of the date the tax first becomes due and payable, and in the event of suit, attorneys fees at the rate of twenty-five per cent (25%) of the aggregate of tax, interest and penalty. (Ord. No. 82-384, adopted 06/17/82)

SEC. 12-023.82 Same - Failure To Make Report; Estimate Of Tax By Collector

In the event any person or dealer fails to make a report and pay the tax as provided by this Article, or in case the dealer or person makes a grossly incorrect report, or a report that is false or fraudulent, it shall be the duty of the collector to make an estimate for the taxable period of the occupancy of the facility and an estimate of the cost price of the occupancy and assess and collect the tax and interest, plus penalty, if such have accrued, on the basis of such assessment, which shall be considered prima facie correct, and the burden to show the contrary shall rest upon the person or dealer. In the event such estimate and assessment requires an examination of books, records or documents, or an audit thereof, then the Collector shall add to the assessment the cost of such examination, together with any penalties accruing thereon. Such costs and penalties when collected shall be placed in an account in the same manner as are the taxes collected under this Article.

If any person or dealer fails to make any return required by this Article or makes an incorrect return, and the circumstances indicate willful negligence or intentional disregard of rules and regulations, but not intent to defraud, there shall be imposed, in addition to any other penalties provided herein, a specific penalty of five per cent (5%) of the tax or deficiency found to be due or Ten Dollars (\$10.00), whichever is greater. This specific penalty shall be an obligation to be collected and accounted for in the same manner as if it were a part of the tax due and can be enforced either in a separate action or in the same action for the collection of the tax. (Ord. No. 82-384, adopted 06/17/82)

SEC. 12-023.83 Selling Or Quitting Of Business

If a person or dealer liable for any tax, interest or penalty hereunder shall sell his business or shall sell out his business or quit business; he shall make a final return and payment within fifteen (15) days after the date of selling or quitting business. His successor, successors, or assigns, if any, shall withhold sufficient purchase money to cover the amount of such taxes, interest and penalties due and unpaid until such time as the former owner shall produce a receipt from the collector showing that they have been paid, or certificate stating that no taxes, interest, or penalties are due. If the purchaser of a business fails to withhold purchase money as provided, he shall be personally liable for payment of taxes, interest and penalties accrued and unpaid on account of the operation of the business by any former owner, owners, or assignors. (Ord. No. 82-384, adopted 06/17/82)

ARTICLE V CHARITABLE RAFFLES, BINGO, KENO AND PULL-TAB GAMES

DIVISION 1, GENERAL

EDITORIAL NOTE: Ord. No. 85-328, adopted 01/17/85, revised Article V to read as set out in Divisions 1, 2, and 3. The Article formerly was derived from Ord. No. 491. Ord. No. 85-546, adopted 12/19/85, amended the Article in its entirety to add pull-tab games.

SEC. 12-025.10 Legalized

A. Except as otherwise provided in paragraph B of this Section, it shall be legal, and charitable raffles, bingo, keno and pull-tab games shall be permitted within the Parish subject to the provisions of this Article.

B. Based on the authority set forth in Title 4 of the Louisiana Revised Statutes, Sections 718(F), 724(I), 706(B) and (C)(1), 713(A) and 735(B), and all other applicable authority, it shall be prohibited in the unincorporated areas of St. Tammany Parish for any person, association, organization, or corporation to hold, operate or conduct the specific game of chance identified in R.S.4:707(A)(4) as electronic video bingo as provided for in R.S. 4:724. It shall be prohibited for any office, agency, department or employee of St. Tammany Parish to issue any license or permit to any person, association, organization, or corporation to hold, operate or conduct the specific game of chance identified in R.S.4:707(A)(4) as electronic video bingo as provided for in R.S. 4:724.

(Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85, amended by Ord. No. 09-2078, adopted 06/04/2009)

SEC. 12-025.12 Supervision And Control

The Police Jury or its designee shall have and exercise control of such supervision of all games of chance conducted under a license issued in accordance with the provisions of

this Article, and [the] provisions of LSA R.S. 33:4861.1 - 33:4861.17 governing the holding, operating and conduct of the same; and the Police Jury shall have the power and authority to suspend any license issued by the Police Jury and to revoke the same, after hearing, for any violation of any such provisions, and shall by its officers and agents have the right of entry at all times into any premises where any such game of chance is being held, operated and conducted, or where it is intended that any game of chance shall be held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purpose of inspecting the same. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-025.13 Number Of Games Per Month

No game or games of chance shall be conducted under any license issued under the provisions of this Article no more often than fifteen (15) sessions per month or three (3) sessions per week per bingo facility. The number of bingo sessions shall be limited to one (1) session per day for each bingo facility. No session shall be held between the hours of 12:00 a.m. (midnight) and 12:00 p.m. (noon), nor shall any sessions be held for more than two (2) consecutive days. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85; amended by Ord. No. 91-1410, adopted 02/21/91)

SEC. 12-025.14 Unlawful Acts

No person shall hold, operate or conduct or assist in holding, operating or conducting any game or games of chance under any license issued under this Article except an active member of the organization or association to which the license is issued. No such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee. No item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance, held, operated or conducted pursuant to any license issued under this Article, except such as are bona fide items of expense for goods, wares and merchandise furnished which are reasonably necessary to be purchased or furnished for the holding, operating or conducting of such game. No commission, salary, compensation, required or recompense whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting, or assisting in the holding, operation or conduct of any games of chance so held, operated or conducted.

Bingo halls (lessor), their agents nor any of their subsidiaries shall not lease, rent or sell any bingo equipment or related materials and supplies for the operation of these games of chance (bingo). Bingo halls in violation of the provisions of this Article shall lose their authorization to operate. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

DIVISION 2, LICENSES

SEC. 12-026.00 Authority To Issue

It shall be lawful for any bona fide nonprofit veterans charitable, educational or religious or fraternal, civic, service clubs or Mardi Gras Carnival organization that has received a permit to parade from a municipality or public governing authority which is domiciled in the Parish to hold and operate the specific kind of game of chance commonly known as bingo, raffle, keno and pull-tab games, played for prizes with cards bearing numbers or other designations, five (5) or more than one (1) line, the holder covering numbers, as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangements of numbers on such a card; and the game of chance commonly known as pull-tabs played for prizes with cards or tickets and as defined in LSA R.S. 33:4861.2; by selling shares or tickets or rights to participate in such games, and by conducting the games accordingly when the entire net proceeds of such games are to be devoted entirely to educational, charitable, patriotic, religious or public spirited uses within the State, whose officers are residents of the Parish as evidenced through the voter registration rolls of the Parish Registrar of Voters. It is herewith required that all bona fide local organizations provide the Parish with a copy of a valid permit issued by the State of Louisiana. Should an applicant not currently possess a valid permit issued by the State of Louisiana, the applicant shall be eligible for a ninety day permit to conduct games of chance allowable under the provisions of this Division provided that all net proceeds are escrowed with the Parish. Should such permit be denied by the State of Louisiana, all proceeds shall be forfeited to the Parish for the benefit of nonprofit community service organizations. In the event such permit is approved by the State of Louisiana, such funds shall be released to the organization conducting such games. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85; amended by Ord. No. 91-1450, adopted 05/16/91)

SEC. 12-026.01 Pull-Tab Games

1. **Definition.** Pull-tabs shall mean single or banded tickets or cards each with its face covered to conceal one (1) or more numbers or symbols, where one (1) or more card or ticket in each set has been designated in advance as a winner.
2. **Regulated.** No organization, distributor or manufacturer or any representative thereof, either with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell or otherwise furnish to any person any deal of pull-tabs:
 1. In which the winning pull-tabs have not been completely and randomly distributed and mixed among all other pull-tabs in the deal;
 2. In which the location or approximate location of any of the winning pull-tabs can be determined in advance of opening the pull-tabs in any manner or by any device, including but not limited to any pattern in the manufacture, assembly or packaging of pull-tabs by the manufacturer, by any markings on the pull-tabs or container, or by the use of a light; or
 3. Which does not conform in any respect to these requirements as to manufacturer, assembly, or packaging.
3. **Purchase.** Effective January 1, 1986, a distributor shall not purchase or be furnished any deal of pull-tabs from a manufacturer of pull-tabs unless all of the following conditions are met:

1. The manufacturer's label or trademark has been registered with the Office of State Police.
2. Each individual pull-tab manufactured has conspicuously set forth on it the name of the manufacturer or a label or trademark which identifies its manufacturer.
3. The pull-tab is of a type approved by the Office of State Police for use in Louisiana. (Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.02 Exemptions

A bona fide senior citizen recreation club, upon application to the Parish shall be exempt from the licensing and reporting provisions of Divisions 2 and 3 of this Article. A bona fide senior citizen's recreation club for the purpose of this Article shall be defined as an organization which is recognized and sanctioned by the local Council on Aging, composed wholly of members, age sixty (60) years or greater, whose only function is to provide amusement and diversion for its membership exclusively. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.03 Application

1. Each applicant for a license under this Division shall file with the Parish Police Jury a written application therefor in the form prescribed by the Jury, duly executed and verified, in which shall be stated:
 2. The name and address of the bona fide nonprofit organization or association;
 3. The names and addresses of its officers;
 4. The specific kind of game or games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates and the time or times when such game or games of chance are intended to be conducted by the applicant under the license applied for;
 5. The items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such game or games of chance and the names and addresses of the persons to whom, and the purposes for which, they are to be paid;
 6. The specific purposes to which the entire net proceeds of such game or games of chance are to be devoted and in what manner;
 7. That no commission, salary, compensation, reward or recompense will be paid to any person for holding, operating or conducting, or assisting in the holding, operating or conducting of such games of chance;
 8. A description of all prizes to be offered and given in all such games of chance to be held, operated and conducted under such license;

9. A list containing the names and addresses of all of its officers and members. The lone exception to this provision would be in the case of churches, which are required to submit the names of those persons responsible for the operation of the game of chance, along with the names of all persons who would be working in conjunction therewith.

10. In each application there shall be designated an active member or members of the applicant under whom the game or games of chance described in application are to be held, operated and conducted; and, to the application shall be appended a statement executed by the applicant and by member or members so designated that he or they will be responsible for holding, operating and conducting of such game or games of chance in accordance with the terms of such license. (Ord. No. 85-328, adopted 01/17-/85; Ord. No. 85-546, adopted 12/19/85; amended by Ord. No. 91-1450, adopted 05/16/91)

SEC. 12-026.04 Investigation

Upon application for a permit, the State of Louisiana shall make or cause to be made an investigation of the qualifications of each applicant and the merits of the application, with due expedition after the filing of the application. The State shall determine whether the applicant is duly qualified to hold, operate and conduct games of chance; whether the member or members of the applicant designated in the application to hold, operate, conduct or assist in holding, operating or conducting the game or games of chance are bona fide active members of the applicant, persons of good moral character and have never been convicted of crime. Upon the applicant's approval by the State of Louisiana, no investigation shall be made by the Parish. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85; amended by Ord. No. 91-1450, adopted 05/16/91)

SEC. 12-026.05 License Fee

Each organization applying for a bingo license shall pay an annual fee in the amount of One Hundred Dollars (\$100.00). The fee shall be used by the Parish Police Jury staff or any other permanent department deemed necessary by the Police Jury to handle the correspondence and/or supervision of bingo. An organization desiring a "one event" license shall submit an application in compliance with the provisions of this Article. Such organization shall submit a Twenty-Five Dollar (\$25.00) fee for each such "one event" application. No more than four (4) such "one event" applications shall be accepted from any one (1) organization. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.06 Hearing; Amendment Of License

1. No application for the issuance of a license shall be refused by the Police Jury until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the applications.

2. Any license issued pursuant to the provisions of this Article may be amended upon application made to the Police Jury if the subject matter of the proposed amendment could lawfully have been included in the original license. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.07 Revocation Or Suspension

1. The Parish Police Jury shall have the power to revoke or suspend a license immediately upon the notification of an alleged violation of any provision of this Article. The Police Jury would then be compelled to call a public hearing on the alleged violation within thirty (30) days of the suspension to determine whether or not the permit should be permanently revoked. The Police Jury may grant a temporary operating permit for the interim operation of the games pending the hearing, provided necessary safeguards can be implemented compelling the organization to deposit all proceeds of the games into a special escrow account pending determination of the violation. Once a permit has been revoked, the organization is ineligible to apply for another permit for one (1) calendar year.
2. No organization which has had a permit previously revoked for violations of the terms of this Article shall be eligible for a new license under this Division until a public hearing is held on its qualifications and there is a showing by the applicant of just cause as to why a permit should be issued. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.08 Form Of License; Display

Each license granted by the Police Jury pursuant hereto shall be in such form as the Police Jury shall require or deem necessary and shall contain a description of the kind or kinds of game or games of chance authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the applicant under whom such game or games of chance will be held, operated and conducted, of the number of times, or the hours during which, such game or games of chance are authorized to be conducted and the place or places where and of the specific purposes of which the entire net proceeds of such game or games of chance are to be devoted and any other information which may be required by the rules and regulations to be contained therein; and each license issued for the conduct of any game of chance shall be conspicuously displayed at the place where any game is to be conducted thereunder at all times during the conduct thereof. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-026.09 Calendar Year

Bingo permits shall be issued for the Calendar Year of July 1st to June 30th. Effective January 1, 1992, bingo permits will be issued for six months, January 1 - June 30, 1992.

Thereafter, all bingo permits will be issued from July 1st - June 30th. (Ord. No. 91-1450, adopted 05/16/91)

DIVISION 3 REQUIRED STATEMENTS OF RECEIPTS, EXPENSES, PROFITS, FEES AND RECORDS

SEC. 12-027.00 Statement

1. No later than fifteen (15) days after the end of the calendar month in which a game of chance licensed under this Article was held, operated or conducted, the organization or association which held, operated or conducted the game and its member or members who were in charge thereof shall furnish to the Parish Police Jury a duly verified statement showing:
 1. The amount of the gross receipts derived from each such game of chance, which shall include receipts from the sale of shares, tickets or rights in manner connected with participation in the game or the right to participate therein;
 2. Each item of expense incurred, or paid, and each item of expenditure made or to be made, including the name and address of each person to whom each such item has been, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor;
 3. The net profit derived from each such game of chance, and the uses to which such net profit has been or is to be applied; and
 4. A list of prizes offered or given, with the respective values thereof.
2. It shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.
3. It is herewith required of all organizations which are issued licenses to operate games of chance under this Article to submit to the Parish Police Jury quarterly reports (on the last working day of the month following that quarter) consolidating the monthly reports as follows:

Covering Calendar Months Of: Due:

Jan., Feb., March	April 15
April, May, June	July 15
July, Aug., Sept.	Oct. 15
Oct., Nov., Dec.	Dec. 31

(Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85; Ord. No. 89-1092, adopted 05/18/89)

STATE REFERENCE: LSA R.S. 33:4861 et seq.

SEC. 12-027.01 Police Jury Empowered To Examine Records

The Parish Police Jury shall have the power to examine or to cause to be examined the books and records of any organization or association to which a license is issued under this Article, so far as they may relate to any transactions connected with the holding and conducting of any game of chance thereunder, and further, to examine any manager, officer, director, agent, member or employee thereof under oath in relation to the conduct of any such game of chance under any such license. Any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this Article. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-027.02 Examination Of Records And Audit Fees

Additionally, all organizations which are issued licenses under the provisions of this Article shall remit a fee to the Police Jury to provide for the examination and administration of records and audit fees based on a flat fixed rate of three percent (3%) of net proceeds (gross proceeds after allowable expenses) for each quarterly filing.

Any prior monies collected under Ordinance No. 91-1424 in excess of 3% of net proceeds be refunded to the charitable organizations remitting same.

All charitable organizations holding licenses under this Article be given advance written notice of any proposed amendments in the future. (Ord. No. 86-328, adopted 01/17/85; amended by Ord. No. 91-1424, adopted 03/21/91; amended by Ord. No. 91-1485, adopted 09/19/91)

SEC. 12-027.03 Immunity

No persons, associations or corporation:

1. Possessing, selling or in any manner disposing of in the Parish, any shares, tickets or rights to participate in any game or games of chance conducted or to be conducted under any license lawfully issued pursuant to this Article;
2. Lawfully conducting or participating in the conduct of any such game of chance; or
3. Permitting the conduct of any such game of chance upon premises owned by him or it of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this Article shall be liable to prosecution or conviction for violation of any provision of R.S. 14:90; however, this immunity shall not extend to any person or corporation knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, possessing, selling or disposing of shares, tickets or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense or statement. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

SEC. 12-027.04 Violations

Any person who or which shall make any false statement in any application for a license under this Article or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating or conducting of games of chance under any such license or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license or shall falsify or make any false entry in any books or record so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license or shall violate any of the provisions of this Article or of any terms of such license shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed forfeit any license issued to it under this Article and shall be ineligible to apply for a license under this Article for one (1) year thereafter. (Ord. No. 85-328, adopted 01/17/85; Ord. No. 85-546, adopted 12/19/85)

ARTICLE VI PLACES OF PUBLIC AMUSEMENT

SEC. 12-030.00 Definitions

As used in this Article, the following terms shall mean as indicated below:

License: The license required by the provisions of this Article.

Licensee: A person holding a license required by the provisions of this Article.

Places Of Public Amusement: This term shall include the following:

1. Amusement park, which shall mean any place commonly known as an amusement park, amusement ground or amusement center where swimming, dancing, games, exhibits or shows are carried on, conducted or allowed whether an admission fee is charged or not; provided that beer, wine or liquor is not sold, kept, provided or given away in connection with such amusement park.
2. Circus show, which shall mean and include all sideshows, circuses, traveling shows, animal shows, traveling carnivals, traveling or moving tent shows, exhibitions, temporary theaters or itinerant playhouses, excepting, however, motion picture theaters, playhouses being operated in a permanent structure, or the annual Parish Fair.
3. Dance hall, which shall be any place wherein dances are given, operated, conducted or permitted as a business enterprise, occupation or amusement whether or not music is provided by paid or amateur performers or by pre-recorded means. It shall not mean dances conducted by any nonprofit or charitable organization; provided that the net profit from any dance does not accrue to the private profit of any person.
4. Music festivals, which shall mean and include any outdoor festival, carnival, dance or like musical activity, whether or not music is provided by paid or

amateur performers or by prerecorded means, which is of a periodic nature and to which members of the public are admitted for a charge, whether or not said charge is directly or indirectly made.

5. Public swimming pool, which shall mean a swimming pool to which members of the public are admitted for a charge, whether or not said charge is made directly or indirectly. The term shall not mean those swimming pools constructed on the business premises of motels, which pools serve exclusively the registered guests of said motel, or swimming pools operated by or for any municipality or recreation district. (Ord. No. 628, Bk. 7, P. 537)

CROSS REFERENCE: Sec. 16-002.00 (a) of this Code.

SEC. 12-030.01 Hours Of Operation

All public amusements which are subject to license under this Article shall close and cease operation continuously between the hours of 1:00 a.m. and 6:00 a.m. of each day. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.02 License Required

Any person wishing to operate, maintain or conduct a place of public amusement shall first obtain a license to do so. No license shall be issued, however, until all conditions required have been met and fulfilled. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.03 License Application

Any person desiring to operate or conduct a place of public amusement shall file a written application (consisting of an original and five (5) copies) with the Police Jury, which shall contain the following facts and information:

1. The name, age, residence and mailing address of the person making said application. If the application is made by a partnership the names and addresses of the partners must appear. Where the applicant is a corporation, the application must be signed by the President, Vice-President and Secretary thereof and must contain the address of said corporate officers; and a certified copy of the Articles of Incorporation shall be submitted with the application.
2. A statement of the kind, character or type of place of public amusement, which the applicant proposes to conduct, operate or carry on.
3. The addresses or legal description of the place or premises where the proposed public amusement is to be conducted, operated or carried on, to include the following:

1. The applicant must submit proof of ownership of the place where the public amusement is to be conducted or a statement signed by the owner of the premises indicating his consent that the site be used for the proposed amusement.
2. The applicant must submit statement from the Parish Department of Development, verifying that location of said public amusement is in compliance with the requirements as set forth in St. Tammany Parish Zoning Ordinance No. 523, Appendix C.
3. The number of days for which the license is sought.
4. An estimate of the number of customers, spectators, participants and other persons expected to attend the public amusement for each day it is conducted. (Ord. No. 628, Bk. 7, P. 537; Ord. No. 86-660, adopted 07/17-/86)

SEC. 12-030.04 License Filing Fee

The Clerk of Court shall collect from the license applicant a filing fee of Twenty-Five Dollars (\$25.00) which shall be non-refundable. (Ord. No. 628, Bk. 7, P. 537; Ord. No. 86-628, 06/19/86)

SEC. 12-030.05 Transmission Of Application; Hearing

(1) Upon receipt of the license application, the Clerk of Court shall file the original application and distribute one copy thereof to the Sheriff, the Parish Health Officer, the Director of the Department of Public Works, and the District Attorney. These Parish Department heads shall thereupon cause an investigation of the application.

(2) The Secretary of the Police Jury shall set the matter for public hearing at a regular meeting of the Jury, which shall be not later than sixty (60) days from the date of the filing of the application. Ten (10) days written notice of the date of such hearing shall be given to the applicant and to the Parish Departments receiving a copy of the application.

(3) The Police Jury shall, based upon the reports of the interested Parish Departments and on the testimony of witnesses and evidence presented at said hearing, grant the application, deny the application, or set conditions which must be met before a license may be granted.

(4) Where conditions are imposed pertaining to Section 12-030.14 of this Code, the parish clerk must certify to the Tax Collector that all conditions have been met before a license may be issued. The clerk shall require written notice from Parish Departments charged with responsibility under said Section, that conditions have been met before issuing its certification.

(5) When the Clerk of Court certifies that conditions have been met, the Tax Collector shall immediately issue a license specifying the name and address of the licensee, the

premises licensed and the number of days operation authorized. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.06 Grounds For Denial Of License; Notice

After holding the required public hearing, the Police Jury may deny issuance of a license if it finds any of the following:

- (1) That the applicant fails to meet the conditions imposed in this Article.
- (2) That the proposed public amusement will be conducted in a manner and/or location not meeting the health or safety standards established by the Ordinances of the Parish or the laws of the State.
- (3) That the applicant has knowingly made a false, misleading or fraudulent statement of material fact in the application for license, or in any other document required by this Article.
- (4) That the applicant, his employee, agent or any person connected or associated with the applicant as partner, director, officer, stockholder, associate or manager, has previously conducted the type of public amusement being applied for which resulted in the creation of a public or private nuisance.
- (5) That the applicant, his employee, agent or any person associated with applicant as partner, director, officer, stockholder, associate or manager has been convicted in a court of competent jurisdiction, by final judgment of:
 - (1) An offense involving the presentation, exhibition, or performance of an obscene production, motion picture or play; or of selling obscene matter; or
 - (2) An offense involving lewd conduct; or
 - (3) An offense involving the use of force and violence upon the person of another; or
 - (4) An offense involving misconduct with children.

Where the application is denied, the Secretary of the Police Jury shall mail to the applicant written notice of denial within fourteen (14) days of said action, which notice shall include a statement of the reasons the application was denied. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.07 License Fee

- (1) A person desiring a license shall pay the appropriate fee indicated below:

(1) For a dance hall, the sum of One Hundred Dollars (\$100.00) per year, payable in four (4) equal quarterly installments in advance.

(2) For an amusement park, the sum of One Hundred Dollars (\$100.00) per year, payable in four (4) equal quarterly installments in advance.

(3) For a public swimming pool, the sum of Twenty-Five Dollars (\$25.00) per year, payable in four (4) quarterly installments in advance.

(4) For a circus show, the sum of Two Thousand Four Hundred Dollars (\$2,400.00) per year, payable in four (4) equal quarterly installments in advance; provided, however, that a license may be issued on a daily basis, a fee for which is hereby set at Fifty Dollars (\$50.00) per day of operation.

(5) For a music festival, the sum of Four Thousand Eight Hundred Dollars (\$4,800.00) per year, payable in four (4) equal quarterly installments in advance; provided, however, a license may be issued on a daily basis, a fee for which is hereby set at One Hundred Dollars (\$100.00) per day of operation.

(6) A neighborhood or community benefit organization, organized for charitable or religious purposes, shall be exempt from paying the license fee provided in this Section; provided net proceeds from such activity does not accrue to benefit any private person.(Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.08 License Term And Renewal

A license authorizes the conduct of a public amusement for a maximum of three hundred sixty-five (356) days and shall be thereafter renewed. A license may be renewed upon the same terms, conditions and pursuant to the same procedures required herein for the issuance of an initial license. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.09 Posting Of License

A licensee shall keep his license posted in a conspicuous place upon the premises at which the public amusement is conducted. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.10 Grounds For Revocation Of License

The Police Jury shall have the power to revoke any license, or to revoke and reinstate any license upon suitable conditions, when the following causes exist:

(1) The licensee fails, neglects or refuses to pay to the Tax Collector the fee prescribed by this Article.

(2) The licensee, his employee or agent, fails, neglects or refuses to fulfill any or all of the conditions imposed with reference to this Article.

(3) The public amusement violates any law or regulations established by the Ordinances of the Parish or the laws of the State.

(4) The licensee allows the public amusement to be conducted in a disorderly manner or knowingly allows any person to remain on the premises of the meeting while under the influence of intoxicating liquor, or any narcotic or dangerous drug.

(5) The licensee, his employee or agent, is convicted of any of the offenses enumerated under Section 12-030.14 of this Code. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.11 Revocation Complaints

Any person may file a complaint with the Secretary of the Police Jury or may petition the Police Jury to conduct a hearing concerning the revocation of the license of any licensee. The Secretary of the Police Jury shall give notice of the petition for hearing in accordance with the provisions of this Article. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.12 Notice Of Intent To Revoke; Hearing

Notice of intent to revoke any license shall be given and the licensee shall be entitled to a hearing. The Secretary of the Police Jury shall give notice, setting forth the causes for revocation and shall state the time and place at which the matter of revocation will be heard before the Police Jury. Said notice shall be mailed no later than ten (10) days prior to the date set for hearing. The Police Jury shall hear all interested parties and may revoke a license only for one or more causes enumerated by Section 12-030.14 hereof. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.13 License Conditions

At the hearing required under Section 12-030.14 hereof, the Police Jury may establish conditions which must be met prior to the issuance of any license under this Article, except that the Police Jury may take a matter under submission before determining which conditions shall be imposed. Where the Jury takes a matter under submission, written notice of any conditions imposed as prerequisite to the issuance of a license must be mailed to the applicant within fifteen (15) days of the original hearing.

The conditions which may be imposed by the Police Jury regarding the Parish's general police power for the protection of health, safety and property of local residents and persons attending such public amusements in the Parish, are as follows:

Police Protection: Every licensee shall employ at his own expense at least one private patrolman or guard, approved by the Sheriff whose duty shall be the preservation of order and protection of property in and around the place of public amusement.

In the case of public amusements expected to attract large numbers of persons, provision for additional private patrolmen and security guards may be required. One

patrolman or security guard for every three hundred (300) persons expected to be in attendance may be required.

Said patrolmen may be required to be licensed and to be in attendance, wearing uniforms, at all times the public amusement is in operation. Where the Sheriff authorizes the employment of off-duty peace officers to meet the requirements of this Article, said peace officers shall be under the direction and control of the Sheriff. The Sheriff must be satisfied that the requisite number of private patrolmen or guards will be provided at all times of operation, before a license is issued. Submittal by the applicant of a written agreement between said applicant and a licensed private patrol agency may be required.

(2) **Water Facilities:** Every licensee shall provide an ample supply of water for drinking and sanitation purposes on the premises of the public amusement. Quality and quantity of water and location of facilities must be approved by the Parish Health Officer prior to the issuance of a license.

In the case of outdoor public amusements, a supply of ten (10) gallons of water for each person expected to be in attendance may be required. All water shall meet U.S. Public Health Service Standards. Public and/or private lavatories and drinking facilities may be required. Drainage and sewage systems relating to such facilities shall be adequate to the satisfaction of the Parish Health Officer and shall be subject to his prior approval.

(3) **Food Concessions:** In case of public amusements proposed to be held in areas located a substantial distance from markets, restaurants or like eating establishments, applicant may be required to demonstrate that food will be available at the premises for each day of operation to adequately feed the number of persons expected to be in attendance. Concessionaires must be licensed pursuant to local regulation and State laws. Quality and quantity of food and location of concessions must be approved by the Parish Health Officer prior to the issuance of any license.

(4) **Sanitation Facilities:** Every licensee shall provide at least one closed toilet facility marked "MEN" and one such facility marked "WOMEN" on the premises of a public amusement. If large crowds are expected, a toilet for each forty (40) males and for each forty (40) females expected to be in attendance may be required.

Chemical toilets must be emptied at licensee s expense as necessary and according to procedures established by the Parish Health Officer.

Every licensee shall be required to furnish at least one trash can with thirty-two (32) gallons capacity for every twenty-five (25) persons expected to be in attendance. Proof that the requisite quantity of trash and refuse receptacles will be available must be made to the Parish Health Officer. Trash and refuse shall be emptied at licensee s expense as necessary and pursuant to procedures established by the Parish Health Officer.

(5) **Medical Facilities.** Where a proposed public amusement is expected to attract large numbers of persons and is planned for a site which is located a substantial distance from existing medical treatment facilities, the applicant may be required to provide emergency medical treatment facilities on the premises of the public amusements. The location of such facilities, number of doctors, psychiatrists, psychologists, nurses and other aids needed to staff said facilities and the quantity of medical supplies, drugs, ambulances and other equipment that must be on the site, must be approved by the Parish Health Officer prior to the issuance of any license under this Article.

The Parish Health Officer shall calculate the need for medical service, based on the number of person expected to attend a public amusement, their expected age group, the duration of events planned and the possibility of exposure to inclement weather and outdoor elements.

(6) **Parking Areas.** Persons desiring to operate or conduct public amusements may be called upon to provide a separate parking space for every two (2) persons expected to attend the public amusement by motor vehicle. Such individual parking spaces shall be clearly marked and shall be not less than nine (9) feet wide and twenty (20) feet long.

The Sheriff or his designated agent must approve an applicant s "parking plan" before a license shall be issued.

(7) **Access And Parking Control.** Every licensee shall provide adequate entrance and exit to his public amusement premises and parking areas therefor. Necessary roads, driveways and entrance ways shall exist to insure orderly flow of traffic into the premises from a highway or road which is a part of the Parish system of highways or which is a highway maintained by the State. The Sheriff must approve the licensee s plan for entrance and exit before a license shall be issued.

Additionally, any applicant may be required to show that traffic guards are under his employ to insure orderly traffic movement and relieve traffic congestion in the vicinity of the public amusement area.

(8) **Illumination.** Every licensee planning to conduct a public amusement after dark, or planning to allow persons who attend the public amusement to remain on the premises after dark, shall provide electrical illumination to insure that those areas which are occupied are lighted at all times. The Sheriff or his designated agent must approve an applicant s lighting plan as a prerequisite to issuance of a license hereunder.

A licensee may be required to illuminate specific areas on the premises in accordance with the following scale of lighting intensity:

Footcandles

Open area reserved for spectators 5 to 10

State areas 75 to 100

Parking and overnight areas 1 to 5

Restroom and concession areas 20 to 50

(9) **Overnight Camping Facilities.** Every licensee authorized to allow persons who attend the public amusement to remain on the premises overnight shall provide camping facilities and overnight areas. Such areas and facilities must be approved by the Parish Health Officer and Department of Permits and Inspections prior to the issuance of any license.

(10) **Bonds.** Any licensee may be called upon to post an indemnity bond and/or a performance bond in favor of the Parish in connection with the operation of a public amusement. Bonds required by this Article must be approved by the District Attorney prior to issuance of a license.

An applicant may be required to submit a surety bond written by a corporate bonding company authorized to do business in the State by the Department of Insurance, in an amount determined by the Police Jury. Said bond shall indemnify the Parish, its agents, officers, servants, employees and the Police Jury against any and all loss, injury and damage of any nature whatsoever arising out of, or in any way connected with, said public amusement and shall indemnify against loss, injury and damage to both person and property.

Additionally, the Parish may demand that applicant provide a corporate surety bond written by a corporate bonding company authorized to do business in the State, indemnifying the Parish and the owners of property adjoining the public amusement site for any costs necessitated for cleaning up and/or removing debris, trash, or other waste from, in and around the premises. Said bond shall be in an amount determined by the Police Jury.

(11) **Miscellaneous.** Any applicant may be required to meet any other condition prior to receiving a license to conduct a public amusement which is reasonably calculated as necessary to protect the health, welfare and property of local residents and persons attending a public amusement. (Ord. No. 628, Bk. 7, P. 537)

SEC. 12-030.14 Violations; Remedies Of Parish

It shall be unlawful for any person acting alone or in concert with another person to do any other following:

1. Operate a public amusement, as herein defined, without first procuring license to do so.
2. Advertise, or otherwise publicly announce, that a public amusement will be held in the Parish without a license first having been received for the conduct thereof.

3. Provide entertainment at a public amusement whether or not compensation is paid for the performance of said entertainment, with the knowledge that a license has not been obtained.
4. Operate, conduct or carry on any public amusement in such a manner as to create a public or private nuisance.
5. Exhibit, show or conduct within said place of public amusement any obscene, indecent, vulgar or lewd exhibition, show, play, entertainment or exhibit, no matter by what names designated.

Any of the above enumerated violations shall constitute a criminal act and shall be punishable pursuant to Ordinances of the Parish and the laws of the State. It is provided however, that the Parish retains any and all civil remedies, including the right of civil injunction for the prevention of said violations and for the recovery of money damage therefor. (Ord. No. 628, Bk. 7, P. 537)

ARTICLE VII HEALTH SPAS; RECREATIONAL, ATHLETIC CLUBS; WEIGHT REDUCING CENTERS

SEC. 12-037.00 Definitions

For the purposes hereof, the words and/or phrases hereinafter listed for establishments selling memberships for such purpose shall mean:

1. **Health Spa:** Any facility which provides sauna baths, suntan lamps, exercises and/or exercise equipment, massages, steam baths, diet regimens, and the like for group or individual sessions, and which holds itself out to the public for such uses or any combination of the foregoing.
2. **Recreational Club:** Any facility which provides pool tables, tennis courts, racquetball and/or handball courts, swimming pool and the like for the purpose of providing recreation and recreational facilities and which holds itself out to the public for such purpose or any combination of the foregoing.
3. **Weight Reducing Center:** Any facility which is designed for and provides equipment for weight control and/or muscle tone; which provides diets, dietary supplements, and the like; which holds itself out to the public for such purpose or any combination of the foregoing.
4. **Athletic Club:** Any facility which is designed for, and provides athletic equipment, a gymnasium, track, basketball, handball and/or volleyball, tennis and racquetball courts, steam rooms, weight lifting equipment; which provides for the teaching of any of the foregoing or any of the martial arts, etc.; which holds itself out to the public for such purpose or any combination of the foregoing purposes.
5. **Selling Memberships:** The sale for cash or on terms to any person of a membership which extends more than twelve (12) consecutive months or which exceeds in amount the sum of One Hundred Twenty-Five Dollars (\$125.00) including interest for a shorter duration.
6. **Commencement Of Business:** For a new business, the date of the first subscription or sale of membership or the date the establishment opens for

business, whichever comes first. For an existing business, commencement of business shall mean the date of any new membership as defined in paragraph (e) above or the opening of any additional establishment or location. (Ord. No. 81-306, adopted 12/17/81)

SEC. 12-037.01 Applicability

(a) Said establishments shall not be permitted to sell memberships for lump sums of cash which exceed a time period of twelve (12) months or which exceeds in amount the sum of One Hundred Twenty-Five Dollars (\$125.00), including interest, for a shorter duration if financed by the facility.

(b) Nothing contained herein shall be interpreted to restrict or impair in any way any obligation or contract in existence prior to the enactment of this Article. Prior contracts of membership shall not be affected by the Article. All contracts of membership to be entered into after the effective date of this Article shall be governed by the herein provisions. (Ord. No. 81-306, adopted 12/17/81)

SEC. 12-037.02 Restrictions On Contracts For Membership

Contracts for membership in said establishment shall not be binding until seventy-two (72) hours, excluding holidays and weekends, after both parties have executed said contract. During the first seventy-two (72) hours after the contract has been signed, either party to the contract shall have the uncontested right to cancel said contract. Financial contracts for memberships shall be owned and maintained by the establishment selling the memberships. It shall be a violation of this Article to sell or otherwise transfer or pledge ownership of said notes and/or financial contracts to any other agency or institution. (Ord. No. 81-306, adopted 12/17/81)

SEC. 12-037.03 Licensing

(a) Before commencement of business, the owner(s) thereof shall apply to the Sheriff of St. Tammany Parish, Louisiana, for a commercial license, in addition to an occupational license and he (or they) shall make an affidavit listing name and addresses of the owner, the name and addresses of the establishment, the cost of membership therein, the names and addresses of the operator thereof, if different from the owner; attached thereto will be the membership contract or contracts to be used; the affidavit will include the fact that the owner (or owners) are citizens of the United States and that he (or they) have not been convicted of a felony, or pleaded guilty thereto, within the five (5) years immediately preceding the application.

(b) In the event the owner or operator is a corporation, those holding more than ten per cent (10%) each of the issued shares must each execute such an affidavit.

(c) If the establishment or facility is leased, a copy of the lease must be attached to the application.

(d) After processing the application, the Sheriff shall forward same to the Secretary of the Police Jury indicating that he has no objection thereto.

(e) The Secretary of the Police Jury shall thereafter, at the first Police Jury meeting immediately following the receipt thereof, place same before the Police Jury for issuance or rejection of the license.

(f) The facility shall not be open for business until after the Parish license is actually received and also a permit is received from DHHR or appropriate health agency, if the latter is required.

(g) The license shall be posted within the facility at a conspicuous place and readily available for inspection.

(h) The fee for the application for the Parish license shall be Fifty Dollars (\$50.00) payable to the Sheriff's Department.

(i) Once issued, the license need not be reissued (however the occupational license must be paid to the Parish) unless:

1. The ownership changes.
2. The license is revoked for cause.

(Ord. No. 81-306, adopted 12/17/81)

SEC. 12-037.04 Bond Required

Said establishments shall be bonded with a Louisiana firm on the sum of Twenty-Five Thousand Dollars (\$25,000.00) or in total amount of their prepaid yearly memberships whichever is higher. Said establishment shall supply proof to the Sheriff's Department of said bond at the time of application and thereafter of the total number of prepaid yearly memberships when their occupational licenses are renewed. (Ord. NO. 81-306, adopted 12/17/81)

SEC. 12-037.05 Exemptions

1. The provisions of this Article shall not apply to:
 1. Such establishments as are already in operation; however, it shall apply if and when there is a change in ownership, in whole or in part.
 2. To any such establishments which are nonprofit and conducted as an adjunct to a school, church, synagogue, governmental agency or bona fide homeowners association or private club.
 3. To any establishment which does not sell or finance memberships, i.e., which operates on a noncontract basis wherein the customer pays only on "per visit" or "per each use".

(Ord. No. 81-306, adopted 12/17/81)

SEC. 12-037.06 Penalty For Violation

1. Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of the Code of Ordinances; should said violations continue, each day thereof will be a separate offense.
2. Additionally or alternatively the Parish Police Jury may suspend or revoke the license after an administrative hearing brought on the complaint of any agency or law enforcement officer of this Parish.

(Ord. No. 81-306, adopted 12/17/81)

ARTICLE VIII SPECIAL TAX DISTRICT NO. 1

SEC. 12-054.00 Created

In accordance with the provisions of Act 1011 of the Regular Session of the Louisiana Legislature for the year 1985, and other Constitutional and Statutory authority, there is hereby created a special taxing district within the Parish, containing all of that portion of Ward 8 as follows, excluding that portion contained within the present corporate boundaries of any municipality:

All that certain piece or parcel of land, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances and advantages there unto belonging or in anyway appertaining, and being situated in Ward 8 are more fully described as follows:

Commencing at the intersection of Interstate 10 and La. 1090 (Military Road), go south to the intersection of Gause Road; thence go southwest along Gause Road to the section line common to Sections 1 and 6; thence south along said section line to U.S. 190; thence in a southeasterly direction along U.S. 190 to its intersection with U.S. 90; thence in a northeasterly direction go along U.S. 90 to the bank of the West Pearl River; thence follow the meanderings of the main stream of the West Pearl River to its intersection with I-10; thence along I-10 in a northwesterly direction to the intersection of La. 1090 (Military Road), the point of beginning.

(Ord. No. 85-471, adopted 08/15/85)

SEC. 12-055.00 Title; Seal; Governing Authority; Domicile; Officers

The special taxing district created by this Article shall be known and is hereby designated as "Special Tax District No. 1 (Police Jury District No. 13) of the Parish of St. Tammany, State of Louisiana" (the "district"), and the seal of the Parish is hereby adopted as the seal of the district. The governing authority of the district shall be the Police Jury, the domicile shall be the regular meeting place of the Police Jury, and the

officers of the Police Jury shall be the officers of the district. (Ord. No. 85-471, adopted 08/15/85)

SEC. 12-056.00 Powers

The district shall have all powers granted to it under Louisiana law, including the power to levy an ad valorem tax in accordance with Act 1011 of the Regular Session of the Louisiana Legislature of 1985, and other constitutional and statutory authority. (Ord. No. 85-471, adopted 08/15/85)

ARTICLE IX OFF TRACK WAGERING FACILITIES

SEC. 12-160.00 License Fee of 2% Imposed

EDITORIAL NOTE: This new Article is created under the authority of Ord. No. 88-903 adopted 01/21/88.

Under the provisions of Act 203 of the Louisiana Legislature for the year 1987 (Part 1-A of chapter 4 of Title 4 of the Louisiana Revised Statutes of 1950), and other constitutional and statutory authority supplemental thereto, and under the provisions of a special election held in the Parish of St. Tammany, State of Louisiana on Saturday, November 21, 1987 authorizing the Louisiana State Racing Commission to license offtrack wagering facilities therein, all as set forth in the proposition attached thereto as duly approved by a majority of the qualified electors voting in said election by Resolution 87-3158 adopted 09/17/87 and further under Resolution No. 87-3313 adopted 12/17/87 approving the site for the facility the Police Jury for the Parish of St. Tammany, State of Louisiana herein imposes a fee of 2% of the total amount wagered at the offtrack wagering facilities located in the Parish as permitted by said special election. (Ord. No. 88-903, adopted 01/21/88)

SEC. 12-160.01 Fee Collected From Moneys Wagered

The license fee imposed by this Article (the "Fee") shall be collected by the licensee from the moneys wagered at the offtrack wagering facilities operated by such licensee within the boundaries of the Parish of St. Tammany. (Ord. No. 88-903, adopted 01/21/88)

SEC. 12-160.02 Licensee Shall Remit To Finance Director

Said licensee shall remit the Fee to the finance Director of the Parish of St. Tammany (the "Director") monthly on the first day of each month. (Ord. No. 88-903, adopted 01/21/88)

SEC. 12-160.03 Monthly Reports Required Of Licensee

For the purpose of ascertaining the amount of Fee payable under this Article, it shall be the duty of the licensee to furnish to the Director on or before the twentieth (20th) day of each month, commencing the month that such wagering facilities become operational, a report showing the total amount wagered in the preceding month at the offtrack wagering facilities operated by said licensee in the Parish of St. Tammany. (Ord. No. 88-903, adopted 01/21/88)

SEC. 12-160.04 Failure To Comply

If a licensee fails to comply with the provisions of this ordinance, the District Attorney for the 22nd Judicial District, acting for and on behalf of the Parish of St. Tammany, State of Louisiana, is hereby authorized to take any and all actions against such licensee allowed under the statutes of the State of Louisiana to ensure compliance with the provisions of this Article. (Ord. No. 88-903, adopted 01/21/88)

ARTICLE X SALES TAX DISTRICT NO. 3

SEC. 12-170.00 Created With Bonding Authority

EDITORIAL NOTE: Sales Tax District No. 3 created by special election approved by a majority of the voters as canvassed and declared by the Police Jury on 11/20/86 and further by Ord. No. 86-693, adopted 09/04/86 and Ord. No. 86-730, adopted 11/20/86.

In accordance with the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974 and other constitutional and statutory authority and under the guidelines of LSA R.S. 47:301 through R.S. 47:317, there is hereby created Sales Tax District No. Three (3) of the Parish of St. Tammany, State of Louisiana, comprising all of St. Tammany Parish less and except those portions within the present corporate boundaries of any incorporated municipality (the "District"), hereby authorized to levy and collect a tax of two percent (2%) (the "Tax") upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and on sales of services in the District for a period of twenty (20) years from the date of the first levy of the Tax, with the net proceeds of the Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax) to be deducted and used for the following purposes:

1. Constructing, overlaying and improving Priority I and Priority II roads, streets and bridges in the District (as designated by Ordinance No. 86-693, adopted 09/04/86).
2. Repairing and maintaining roads, streets and bridges in the District (including the acquisition of all equipment and materials and payment of all salaries directly in connection therewith);

and, further, the District shall be authorized to fund the proceeds of the Tax into bonds to be issued in series from time to time for the purpose of constructing, overlaying and improving Priority I and Priority II roads, streets and bridges in the District, to the extent

and in the manner permitted by the laws of Louisiana, including particularly Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950, as amended. (Resolution No. 86-2494, adopted 09/04/86; Resolution No. 86-2478, adopted 09/18/86; Special Election 11/04/86; Resolution No. 86-2618, adopted 11/20/86)

STATE REFERENCE: Additional State Statutory Authority for reference: Chapters 5 and 6A, Title 18, and Section 2721.6 of Title 33 of the Louisiana Revised Statutes of 1950 as amended; Sub-Part F, Part III, Chapter 4, Title 39 of the Louisiana Revised Statutes of 1950 as amended.

SEC. 12-170.01 Priority Roads Defined:

EDITORIAL NOTE: This section is authorized by Ord. No. 86-693 being the statement of Legislative intent, Section 4 and Section 5 thereof.

A. Priority I roads shall be - connector routes between State and Federal Highways and other main arteries, or [as specifically designated and described in Exhibit A to Ord. No. 86-693 on file with the Secretary of] the Police Jury.

B. Priority II roads shall be - school bus routes, or State and Federal Highways and other main arteries, or [as specifically designated and described in Exhibit A to Ord. No. 86-693 on file with the Secretary of] the Police Jury.

C. Priority III roads shall be - all other Parish roads, streets and bridges or [as specifically designated and described in Exhibit A to Ord. No. 86-693 on file with the Secretary of] the Police Jury.

D. Sub-road Districts shall be reimbursed for any costs incurred by said districts as a result of the constructing, overlaying and/or improving of Priority I and/or Priority II roads, streets and bridges in the District, set forth [as specifically designated and described in Exhibit A to Ord. No. 86-693 on file with the Secretary of the Police Jury, to the amount of Twelve Dollars (\$12.00) per linear foot or the cost of such construction, overlay and/or improvement, whichever is less, pursuant to appropriate intergovernmental agreement.

E. Upon duly providing for the constructing, overlaying and/or improving of all Priority I and Priority II roads, streets and bridges [as specifically designated and described in Exhibit A to Ord. No. 86-693 on file with the Secretary of] the Police Jury, the Police Jury can then expand the lists of roads, streets and bridges designated as Priority I or Priority II [roads, streets and bridges] by subsequent ordinance, and the Police Jury shall have the authority to use proceeds of the Sales Tax for the constructing, overlaying and improvement thereof. (Ord. No. 86-693, adopted 09/04/86)

SEC. 12-170.15 Bonding Of Sales Tax

[The] Police Jury shall, to the extent permitted by law and as necessary to construct, overlay and improve Priority I and Priority II roads, streets and bridges, fund the net proceeds of the Sales Tax into sales tax bonds, and it is the intent of [the] Police Jury to fund said proceeds into such bonds as quickly as possible and to complete the improvements to be financed by the proceeds of such bonds within two years of the sale, issuance and delivery thereof. (Ord. No. 86-693, adopted 09/04/86)

SEC 12-170.20 Rules And Regulations Of Sales Tax District No. Three (3)

Definitions: As used in this ordinance the following words, terms and phrases have the meaning ascribed to each in this Section, unless the contents clearly indicate a different meaning:

1.01 "**Business**" includes any activity engaged in by any person or cause to be engaged in by him with the object of gain, benefit, or advantage, either direct or indirect. The term "business" shall not be construed to include the occasional and isolated sales by a person who does not hold himself out as engaged in business.

1.02 "**Collector**" means the Sheriff and Ex-Officio Tax Collector for the Parish of St. Tammany, State of Louisiana, and includes his duly authorized assistants.

1.03 "**Cost Price**" means the actual cost of the articles of tangible personal property without any deductions therefrom on account of the costs of materials used, labor, or service cost, except those service costs for installing the articles of tangible personal property if such cost is separately billed to the customer at the time of installation, transportation charges, or any other expenses whatsoever, or the reasonable market value of the tangible personal property at the time it becomes susceptible to the use tax, whichever is less. In the case of tangible personal property which has acquired a Police Jury tax situs and is thereafter transported outside the Police Jury for repairs performed outside the Police Jury and is thereafter returned to the Police Jury, the cost price shall be deemed to be the actual cost of any parts and/or materials used in performing such repairs, if applicable labor charges are separately stated on the invoice. If the applicable labor charges are not separately stated on the invoice, it shall be presumed that the cost price is the total charge reflected on the invoice.

1.04 "**Dealer**" includes every person who manufactures or produce tangible personal property for sale at retail, for use, or consumption-, or distribution, or for storage to be used or consumed in this District. "Dealer" is further defined to mean:

(a) Every person, who imports, or causes to be imported, tangible personal property from outside this District for sale at retail, for use, or consumption, or distribution, or for storage to be used or consumed in this District.

(b) Every person who sells at retail, or offers for sale at retail, or who has in his possession for sale at retail, or for use, or consumption, or distribution, or storage to be used or consumed in this District, tangible personal property as defined herein.

(c) Any person who has sold at retail, or used, or consumed, or distributed, or stored for use or consumption in this District, tangible personal property and who can not prove that the tax levied by this ordinance has been paid on the sale at retail, the use, the consumption, the distribution or the storage of said tangible property.

(d) Any person who leases or rents tangible personal property for a consideration, permitting the use or possession of the said property without transferring title thereto.

(e) Any person who is the lessee or renter of tangible personal property and who pays to the owner of such property a consideration for the use or possession of such property without acquiring title thereto.

(f) Any person, who sells or furnishes any of the services subject to tax under this Ordinance.

(g) Any person, as used in this Ordinance, who purchases or receives any of the services subject to tax under this Ordinance.

(h) Any person engaging in business in this District. "**Engaging in business in this District**" means and includes any of the following methods of transacting business: maintaining directly, indirectly, or through a subsidiary, an office, distribution house, sales house, warehouse, or other place of business or by having an agent, salesman, or solicitor operating within the District under the authority of the seller or its subsidiary irrespective of whether such place of business, agent, salesman, or solicitor is located in this District permanently or temporarily or whether such seller or subsidiary is qualified to do business in this District, or any person who makes deliveries of tangible personal property into the District other than by a common or contract carrier.

(i) Any person who sells at retail any tangible personal property to a vending machine operator for resale through coin-operated vending machines.

(j) Any person who makes deliveries of tangible personal property into the District in a vehicle owned or operated by said person.

1.05 "**District**" means the Police Jury, State of Louisiana, whose boundaries are coterminous, without limitation or restriction, with the boundaries of the Police Jury.

1.06 "**Gross Sales**" means the sum total of all retail sales of tangible personal property, without any deduction whatsoever of any kind or character except as provided in this Ordinance.

1.07 "**Hotel**" means and includes any establishment engaged in the business of furnishing sleeping rooms, cottages or cabins to transient guests, where such establishment consists of six or more sleeping rooms, cottages or cabins at a single business location.

1.08 "**Lease or Rental**" means the leasing or renting of tangible personal property and the possession or use thereof by the lessee or renter for consideration, without transfer of the title of such property.

(a) The term "**lease or rental**", however, as herein defined, shall not mean or include the lease or rental made for the purposes of re-lease or re-rental of casing tools and pipe, drill pipe, tubing, compressors, tanks, pumps, power units, other drilling or related equipment used in connection with the operating, drilling, completion, or reworking of oil, gas, sulphur, or other mineral wells.

1.09 "**Person**" includes any individual, firm, co-partnership, joint adventure, association, corporation, estate, trust, business trust, receiver, syndicate, this state, any parish, city and parish, municipality, district or other political subdivision thereof or any board, agency, instrumentality or other group or combination acting as a unit, and the plural as well as the singular number.

1.10 "**Purchaser**" means and includes any person who acquires or receives any tangible personal property, or the privilege of using any tangible personal property, or receives any services pursuant to a transaction subject to tax under this Ordinance.

1.11 "**Retail Sale**" or "**sale at retail**", means a sale to a consumer or to any other person for any purpose other than for resale in the form of tangible personal property, and shall mean and include all such transactions as the collector, upon investigation, finds to be in lieu of sales; provided that sales for resale must be made in strict compliance with the rules and regulations. Any dealer making a sale for resale, which is not in strict compliance with the rules and regulations, shall himself be liable for and pay the tax.

(a) The sale of tangible personal property to a dealer who purchases said property for resale through coin-operated vending machines shall be considered a "**sale at retail**", subject to the tax levied by R.S. 47:302(A) and R.S. 47:321(A). The subsequent resale of the property of the dealer through coin-operated vending machines shall not be considered a "sale at retail".

(b) The term "**sale at retail**" does not include sale of materials for further processing into articles of tangible personal property for sale at retail or sales of electricity for chloralkali manufacturing processes, nor does it include an isolated or occasional sale of tangible personal property by a person not engaged in such business.

(c) The term "**sale at retail**" does not include the sale of any human tissue transplants, which shall be defined to include all human organs, bone, skin, cornea, blood, or blood products transplanted from one individual into another recipient individual.

(d) The term "**sale at retail**" does not include the sale of raw agricultural commodities, including but not limited to feed, seed, and fertilizer, to be utilized in preparing, finishing, manufacturing, or producing crops or animals for market.

(e) Notwithstanding any other law to the contrary, for purposes of the imposition of the sales and use tax of any political subdivision or special district, the sale of a vehicle subject to the Vehicle Registration License Tax Law (R.S. 47:451 et seq.) shall be deemed to be a "**retail sale**" or a "**sale at retail**":

(1) In the political subdivision of the principal residence of the purchaser if the vehicle is purchased for private use, or

(2) In the political subdivision of the principal location of the business if the vehicle is purchased for commercial use, unless the vehicle purchased for commercial use is assigned, garaged, and used outside of such political subdivisions, in which case the sale shall be deemed "**retail sale**" or a "**sale at retail**" in the political subdivision where the vehicle is assigned, garaged, or used.

(f) The term "**retail sale**" does not include a sale of corporeal moveable property which is intended for future sale to the United States government or its agencies, when title to such property is transferred to the United States government or its agencies prior to the incorporation of that property into a final product

(g) The term "**sale at retail**" does not include the sale of food items by youth serving organizations chartered by Congress.

1.12 "**Retailer**" means and includes every person engaged in the business of making sales of retail or for distribution, or use or consumption, or storage to be used or consumed in this District.

1.13 "**Sale**" means any transfer of title or possession, or both, exchange, barter, conditional, or otherwise, in any manner or by any means whatsoever, of tangible personal property, for a consideration, and includes the fabrication of tangible personal property for consumers who furnish, either directly or indirectly, the materials used in fabrication work, and the furnishing, preparing or serving, for a consideration, of any tangible personal property, consumed on the premises of the person furnishing, preparing or serving such tangible personal property. A transaction whereby the possession of property is transferred but the seller retains title as security for the payment of the price shall be deemed a sale.

1.14 "**Sales Price**" means the total amount for which tangible personal property is sold, less the market value of any article traded in including any services, except services for financing, that are a part of the sale valued in money, whether paid in money or otherwise, and includes the cost of materials used, labor or service costs, except cost for financing which shall not exceed the legal interest rate and a service charge not to exceed six percent of the amount financed, and losses; provided that cash discounts allowed and taken on sales shall not be included, nor shall the price include the amount charged for labor or services rendered in installing, applying, remodeling, or repairing property sold.

1.15 "**Sales of Services**" means and includes the following:

(a) The furnishing of sleeping rooms, cottages or cabins by hotels.

(b) (1) The sale of admissions to places of amusement, to athletic entertainment other than that of schools, colleges and universities, and recreation events, and the furnishing, for dues, fees, or other consideration of the privilege of access to clubs or the privilege of having access to or the use of amusement, entertainment, athletic, or recreational facilities; but the term "**sales of services**" shall not include the membership fees or dues of nonprofit, civic organizations, including by way of illustration and not of limitation the Young Men s Christian Association, the Catholic Youth Organization, and the Young Women s Christian Association.

(2) Places of amusement shall not include "museums", which are hereby defined as public or private nonprofit institutions which are organized on a permanent basis for essentially educational or aesthetic purposes and which use professional staff to do all of the following:

(a) Own or use tangible objects, whether animate or inanimate.

(b) Care for those objects.

(c) Exhibit them to the public on a regular basis.

(3) Museums include but are not limited to the following instructions:

(a) Museums relating to art, history, including historic buildings, natural history, science and technology.

(b) Aquariums and zoological parks.

(c) Botanical gardens and arboretums.

(d) Nature centers.

(e) Planetariums.

(c) The furnishing of storage or parking privileges by auto hotel and parking lots;

(d) The furnishing of printing or overprinting, lithographic, multilith, blue printing, photostating or other similar services of reproducing written or graphic matter;

(e) The furnishing of laundry, cleaning, pressing and dyeing services, including by way of extension and limitation, the cleaning and renovation of clothing, furs, furniture, carpets and rugs, and the furnishing of storage space for clothes, furs and rugs.

(f) The furnishing of cold storage space and the furnishing of the service of preparing tangible personal property for cold storage where such service is incidental to the operation of storage facilities; and

(g) (l) The furnishing of repairs to tangible personal property, including but not restricted to the repair and servicing of automobiles and other vehicles, electrical and mechanical appliances and equipment, watches, jewelry, refrigerators, radios, shoes, and office appliances and equipment. Charges for the furnishing of repairs to tangible personal property may be excluded from sales of service, as defined in this Subparagraph, when the repaired property is delivered to the customer in another state either by common carrier or the repair dealer's own vehicle; provided however, that as to aircraft, delivery may be by the best available means. This exclusion shall not apply to sales or use taxes levied by any District, municipality or school board. Offshore areas shall not be; considered another parish for the purpose of this Subparagraph.

(2) For the purpose of this Subparagraph, tangible personal property shall include machinery, appliances, and equipment which has been declared immovable by declaration under the provisions of Article 467 of the Louisiana Civil Code, and things which have been separated by land, buildings, or other constructions permanently attached to the ground or their component parts as defined in Article 466 of the Civil Code.

(h) The term "sale of service" shall not include an action performed pursuant to a contract with a United States Department of the Navy for construction or overhaul of U.S. Naval vessels.

1.16 "**Storage**" means and includes any keeping or retention [in] this District of tangible personal property for use or consumption in this District or for any purpose other than for sale at retail in the regular course of business.

1.17 "**Tangible personal property**" means and includes personal property which may be seen, weighed, felt or touched, or is in any other manner perceptible to the senses. The term "**tangible personal property**" shall not include stocks, bonds, notes or other obligations of securities or proprietary geophysical survey information or geophysical data analysis furnished under a restricted use agreement even though transferred in the form of tangible personal property.

(a) For purposes of the imposition of the sales and use tax levied by the Parish, for the period beginning January 1, 2003, and ending on June 30, 2003, the term "tangible personal property" shall not include one-quarter of the cost price of custom computer software.

(b) For purposes of the imposition of the sales and use tax levied by the Parish, for the period beginning July 1, 2003, and ending on June 30, 2004, the term "tangible personal property" shall not include one-half of the cost price of custom computer software.

(c) For purposes of the imposition of the sales and use tax levied by the Parish, for the period beginning July 1, 2004, and ending on June 30, 2005, the term "tangible personal property" shall not include three-quarters of the cost price of custom computer software.

(d) For purposes of the imposition of the sales and use tax levied by the Parish, for all taxable periods beginning on or after July 1, 2005, the term "tangible personal property" shall not include custom computer software.

(Ord. No. 02-0590, adopted 12/05/2002)

1.18 "**Off-road Vehicle**" is any vehicle manufactured for off road use which is issued a manufacturer's statement of origin that cannot be issued a registration certificate and license to operate on the public road(s) of this District because at the time of manufacture the vehicle does not meet the safety requirements prescribed by R. S. 32:1301 through R. S. 32:1310. This includes vehicles which are issued a title by the Vehicle Registration Bureau, Department of Public Safety and Corrections, such as all terrain vehicles and recreational and sport vehicles but it does not include off road vehicles used for farm purposes, farm equipment or heavy construction equipment.

1.19 "**Use**" means and includes the exercise of any right or power over tangible personal property incident to the ownership thereof, except that it shall not include the sale at retail of that property in the regular course of business or the donation to a school in the District which means the definition provided in R. S. 17:236 or to a public or recognized independent institution of higher education in the District of property previously purchased for resale in the regular course of a business.

(a) Notwithstanding any other law to the contrary, for purpose of the imposition of the sales and use tax of any political subdivision or special district, the use of a vehicle subject to the Vehicle Registration License Tax Law (R. S. 47:451 et seq.) shall be deemed to be a "use":

(1) In the political subdivision of the principal residence of the purchaser if the vehicle is purchased for private use, or

(2) In the political subdivision of the principal location of the business if the vehicle is purchased for commercial use, unless the vehicle purchased for commercial use assigned, garaged, and used outside of such political subdivision, in which case the use shall be deemed a use in the political subdivision where the vehicle is assigned, garaged and used.

1.20 "**Use Tax**" includes the use, the consumption, the distribution and/or the storage as herein defined.

1.21 "**Drugs**" includes all pharmaceuticals and medical devices which are prescribed for use in the treatment of any medical disease.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

1.22 "Custom Computer Software"

(a) The term "custom computer software" means computer software prepared, created, adapted, or modified to the special order of a particular purchaser, licensee, or user; or to meet the specific needs or requirements of a particular purchaser, licensee, or user, regardless of the means by or through which such computer software is furnished, delivered, or transmitted, and regardless of whether such software incorporates or consists of preexisting routines, utilities, or other computer software components.

(b) In order to be considered "custom computer software," the computer software must require preparation, creation, adaptation, or modification by the vendor in order to be used in a specific work environment or to perform a specific function for the user.

(c) Updates, upgrades, and new versions of custom computer software shall be considered custom computer software, provided such upgrades, updates, and new versions meet the definition of custom computer software contained in this Chapter.

(Ord. No. 02-0590, adopted 12/05/2002)

SEC. 12-170.25 Imposition Of Tax

There is hereby levied a tax upon the sale at retail, the use, the consumption, the distribution and the storage for use or consumption in this District, of each item or article of tangible personal property, as defined herein, the levy of said taxes to be as follows:

(A) At the rate of two (2%) percent of the sales price of each item or article of tangible personal property when sold at retail in this District; the tax to be computed on gross sales for the purpose of remitting the amount of tax due the District, and to include each and every retail sale.

(B) At the rate of two (2%) percent of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed or stored for use or consumption in this District; provided there shall be no duplication of the tax.

(C) At the rate of two (2%) percent of gross proceeds derived from the lease or rental of tangible personal property, as defined herein, where the lease or rental of such property is an established business or part of an established business, or the same is incidental or germane to the said business.

(D) At the rate of two (2%) percent of the monthly lease or rental price paid by the lessee or renter, or contracted or agreed to be paid by lessee or renter to the owner of tangible personal property.

(E) At the rate of two (2%) percent of the gross proceeds derived from the sale of services, as defined herein.

(F) At the rate of two (2%) percent of the gross proceeds derived from a transfer or mass-produced advertising items by an advertising business which manufactures the items itself to a client for the client's use, which transfer involves the furnishing of minimal services other than manufacturing service by the advertising business.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.26 Collection From Dealer

The tax levied in this section shall be collected from the dealer as defined herein, shall be paid at the time and in the manner hereinafter provided and shall be, in addition to all other taxes, whether levied in the form of excise, license, privilege or property taxes.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.28 Dealer Shall Collect The Tax

The dealer shall collect the tax levied by this ordinance, together with all applicable sales and use taxes, in accordance with the integrated bracket schedule or schedules prepared and furnished by the Collector of Revenue of the State of Louisiana under the authority of Section 304 of Chapter 2 of Title 47 (LSA R.S. 47:304). Such schedule or schedules shall include, in addition to the tax hereby levied, all sales taxes levied by the State of Louisiana, and sales taxes levied by the District and any sales taxes levied by any other political subdivision applicable in the District. The dealer will remit that portion of such total taxes representing the tax levied by this ordinance to the collector. Copies of said integrated bracket schedules are available to dealers on request to the collector.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.30 Collection By State Vehicle Commission

The tax imposed by this ordinance on the sale or use of any motor vehicle, automobile, motorcycle, truck, truck-tractor, trailer, semi-trailer, motor bus, house trailer, or any other vehicle subject to the vehicle license tax shall be collected by the state vehicle commission as part of an agreement between the state vehicle commission and the District as provided in R. R. 47:303. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.31 Auctioneers Must Collect Use Tax

All auctioneers shall register as dealers and shall display their registration to the public as a condition of doing business in this District. Such auctioneers or the company they represent shall be responsible for the collection of all local and state taxes on articles sold by them and shall report and remit to the collector as provided in this ordinance.

(Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.32 Health Clubs Must Collect Use Tax

The sales tax due under the provisions of this Chapter on contracts for membership in a health and physical fitness club shall be assessed and shall be due and payable on a monthly basis computed on the amount paid each month less any actual or imputed interest or collection fees or unpaid reserve amounts not received by the health and fitness club. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.35 Exemptions And Exclusions From Tax

No exemption from this tax shall be granted unless the state exemption specifically provides that it applies to this District sales and use tax levies. In the absence of any such specific application of the state exemption of sales and use tax levies of any local governmental subdivision or school board, any state exemption granted pursuant to the provisions of Chapter 2-A of Title 47 of the Louisiana Revised Statutes of 1950 shall be applicable only to the levy and collection of the state sales and use tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.38 Storage For Use Outside Authority

No tax shall be levied or collected on storage of property which has been documented for use outside the District although the property may be stored within the District if the owners of such property which is to be stored for exclusive use outside the District have acquired a tax exemption certificate from the Collector. When vendor is presented with a copy of a tax exemption certificate from a vendor, vendor shall be relieved from liability for the collection of use tax on such property. If the property is removed from storage and is used within the District, the property shall be subject to taxation. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.45 Collection Of Tax By Dealer

The tax levied by this ordinance shall be collected by the dealer from the purchaser or consumer, except as provided for the collection of the tax on motor vehicles as hereinafter set forth. The dealer shall have the same right in respect to collecting the tax from the purchaser, or in respect to non-payment of the tax by the purchaser, as if the tax were part of the purchase price of the property, or charges for services and payable at the time of the sale; provided, that however, that the District shall be joined as a party plaintiff in any action or proceeding brought by the dealer to collect the tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.46 Dealers Outside Authority Shall Collect Tax For Sales Within The Authority

Every dealer located outside the District making sales of tangible personal property for distribution, storage, use, or other consumption, in the District, shall, at the time of

making sales, collect the tax imposed by this ordinance from the purchaser. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.47 Tax, A Debt Of Purchaser And/Or Dealer

Dealers, shall, as far as practicable, add the amount of the tax imposed under this ordinance in conformity with the schedule or schedules to be prescribed by the collector, to the sale price or charge, which shall be a debt from the purchaser or consumer to the dealer until paid, and shall be recoverable at law, in the same manner as other debts. Any dealer who neglects, fails, or refuses to collect the tax herein provided, shall be liable for and pay the tax himself. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.47.1 Payment Of Tax In Excess

Where the tax collected for any period is in excess for the tax rate provided by this ordinance, the total tax collected must be paid over to the collector, less the compensation to be allowed the dealer as hereinafter set forth. This provision shall be construed with other provisions with this ordinance and given effect so as to result in the payment to the collector of the total tax collected if in excess of the tax rate provided. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.47.2 Dealer Can't Absorb Tax

No dealer shall advertise or hold out to the public, in any manner directly or indirectly, that he will absorb all or part of the tax or that he will relieve the purchaser from the payment of all or any part of the tax. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.47.3 Tax Collected Separately

The dealer or seller is permitted and required to state and collect the tax separately from price paid by the purchaser. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.48 Certificate [License] Required

In order to aid in administration and enforcement of provisions hereof, and collect all taxes imposed herein within three (3) days after commencement or opening, every dealer purchasing or importing tangible personal property for resale shall file with the Collector an application for registration certificate in a form prescribed by him. The Collector shall issue without charge to each dealer who purchases or imports for resale, a registration certificate empowering such dealer to collect tax from the purchaser. A separate application must be submitted for each additional place of business of such dealer. Each certificate shall state the place of business to which it is applicable. Such registration certificate shall be prominently displayed in all places of business of the dealer. A dealer who has no regular place of business shall attach such certificate to his cart, stand, truck, or other merchandising devise. Such certificate shall be non-

assignable and non-transferrable and be surrendered immediately to Collector upon dealer s ceasing to do business therein named. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.49 Manufacturer, Wholesaler, Dealer, Etc.

A manufacturer, wholesaler dealer, jobber or supplier shall refuse to accept a certificate that any property upon which a tax is imposed by this ordinance is purchased for resale, and shall collect the tax imposed by this ordinance, unless the purchaser shall have a registration certificate to collect the tax imposed by this ordinance; provided, however, that the payment of the tax by such purchaser shall not relieve the purchaser of the duty herein imposed upon such purchaser to collect the tax upon any resale made by him. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.50 Vehicles Subject To Tax; Method Of Collection

The tax imposed by this ordinance upon the sale or use of any motor vehicle, subject to the Vehicle Registration License Tax Law (R. S. 47:451 et seq.) shall be collected by the Vehicle Commission and distributed to the District as provided for in R. S. 47:301 (10)(f) and (18)(b). (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

(1) It is not the intention of this ordinance to grant an exemption from the sales and use tax levied in this ordinance to any sale, use, item, or transaction which has heretofore been taxable, and this ordinance is not to be construed as so doing. It is the intent of this ordinance to transfer the collection of the sales and use tax on vehicles from the vendor to the Vehicle Commissioner as agent for the District and to provide a method of collection of the tax directly from the vendee or user by the vehicle commissioner as agent of the Collector. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

(2) The provisions contained elsewhere in this Ordinance which exclude isolated or occasional sales from the definition of a sale at retail are not to apply to the sale of vehicles which are subject to this ordinance. Isolated or occasional sale of vehicles are hereby defined to be sales at retail and as such are subject to the tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.53 Failure To Pay Or Collect Tax, Duty Of Purchaser

Where the purchaser has failed to pay and a dealer has failed to collect a tax upon a sale, as imposed by this ordinance, then in addition to all other rights, obligations, and remedies provided, such tax shall be payable by the purchaser directly to the Governing Body, and it shall be the duty of this purchaser to file a return thereof with the Collector and to pay the tax imposed thereon to the Governing Body within fifteen (15) days after such sale was made or rendered. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.54 Cost Of Accounting And Remitting Tax

For the purpose of compensating the dealer in accounting for and remitting the tax levied by this ordinance, each dealer shall be allowed one and one-tenth percent (1.1 %) of the amount of tax due and accounted for remitted to the Collector in the form of a deduction in submitting his report and paying the amount due by him. If the amount due was not delinquent at the time of payment. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.60 Collection Of Tax From Dealer

The tax imposed by this ordinance shall be collected by the Collector on behalf of the District from all persons engaged in business.

(A) The Collector is duly authorized and empowered to carry into effect the provisions of this ordinance, and in pursuance thereof to make and enforce such rules as he may deem necessary. Such regulations when promulgated shall have the full force and effect of law. Promulgation shall be accomplished by publication at least one time in the official journal of the parish.

(B) The Collector may employ such personnel, including legal counsel on a fee or salary basis, as are necessary to assist in the collection of the taxes imposed hereunder.

(C) Any duly authorized representative or deputy of the Collector, when acting under his authority and direction, shall have the same power as is conferred upon the Collector by this ordinance.

(D) The Collector may conduct hearings and administer oaths, and examine under oath, any dealer and the directors, officers, agents and employees of any dealer, and any other witness relative to the business of such dealer in respect to any matter incident to the administration of this ordinance.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.61 Tax Imposed On Products Used By Dealer

On all tangible personal property imported, or caused to be imported, from other states or other political subdivisions of this State, or any foreign country, and used by him, the dealer shall pay the tax imposed by this ordinance on all articles of tangible personal property so imported and used, the same as if the said articles had been sold at retail for use or consumption, in the District. For the purpose of this ordinance, use or consumption, or distribution or storage to be used or consumed in the District of tangible personal property, shall be equivalent to a sale at retail, and the tax shall thereupon immediately be levied and be collected in the manner provided herein, provided there shall be no duplication of the tax in any event. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.62 Credit When Tax Paid By Purchaser In Another Jurisdiction

A credit against the use tax imposed by this ordinance shall be granted to taxpayers who have paid a similar tax upon the sale or use of the same tangible personal property in another city or parish in the State of Louisiana, or city or county in a state other than Louisiana. The credit provided herein shall be granted only in the case where the city or parish in the State of Louisiana, or the city or county in a state other than Louisiana to which a similar tax has been paid grants a similar credit as provided herein. The proof of payment of the similar tax to another city or parish in the State of Louisiana, or to a city or county in a state other than Louisiana shall be made according to rules and regulations promulgated by the Collector. In no event shall the credit be greater than the tax imposed by this District upon the said tangible personal property which is the subject of the use tax imposed by this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.70 Returns And Payment Of Tax

The tax levied herein shall be due and payable by all dealers monthly on the first day of the month. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.71 Accounting And Reporting Tax By Dealers

For the purpose of ascertaining the amount of tax payable under this ordinance, it shall be the duty of all dealers on or before the twentieth (20th) day of the month following the month in which the tax shall become effective to transmit to the Collector, upon forms prescribed, prepared and furnished by him, returns showing the gross sales, purchases, gross proceeds from lease or rental, gross payments for lease or rental, gross proceeds derived from sales of services, or gross payment for services, as the case may be, arising from all taxable transactions during the preceding calendar month, running from the effective date of this ordinance to the end of such month. Thereafter, like returns shall be prepared and transmitted to said Collector by all dealers, on or before the twentieth (20th) day of each month, for the preceding calendar month. Said returns shall show such further information as the Collector may require to enable him to correctly compute and collect the tax herein levied. Such returns shall be signed by the dealer filing the same, and his signature thereon shall constitute a warranty on the part of the dealer that he has read and examined the said returns and that, to the best of his knowledge and belief, the same are true, correct and complete. Every dealer at the time of making the return required hereunder shall compute and remit to the District the required tax due for the preceding calendar month. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.72 Submission Of The Tax Collected

At the time of transmitting the return required hereunder to the Collector, the dealer shall remit to the Collector, the amount of the tax due under the applicable provisions of

this ordinance, and failure to so remit such tax shall cause said tax to become delinquent. All taxes, interest, and penalties imposed under this ordinance shall be paid to the Collector in the form of remittance required by the Collector. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.73 Rentals Or Leases Shall Pay Tax

Gross proceeds from rentals or leases of tangible personal property where the lease or rental is part of a regularly established business, or the same is incidental or germane thereto, shall be reported and the tax shall be paid with respect thereto, in accordance with such rules and regulations as the Collector may prescribe. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.74 Extension Of Time For Returns

The Collector, for good cause, may extend for not to exceed thirty (30) days the time for making any returns required under the provisions of this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.75 Dealer As Agent Of Governing Body

For the purpose of collecting and remitting to the Collector the tax imposed by this ordinance, the dealer is hereby declared to be agent of this District. The sums of money collected by the dealer for payment of sales and use taxes shall be and remain the property of the taxing authority. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.80 Records And Inspection Thereof

It shall be the duty of every dealer to make a report and pay any tax under this ordinance, to keep and preserve suitable records of the sales of purchases or sales of services, as the case may be, taxable under this ordinance and such other books of account as may be necessary to determine the amount of tax due hereunder, and other information as may be required by the Collector and it shall be the duty of every such dealer moreover, to keep and preserve, for a period of three (3) years, all invoices and other records of goods, wares and merchandise or other subjects of taxation under this ordinance; and all such books, invoices, and other records shall be open to examination at all reasonable hours, by the Collector or any of his duly authorized agents. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.81 Records And Inspection Further Defined

Each dealer shall secure, maintain and keep, for a period of three (3) years, a complete record of sales of services and tangible personal property received, used, sold at retail, distributed, or stored, leased or rented within this Authority by said dealer, together with invoices, bills of lading, and other pertinent records and papers as may be required by

the Collector for the reasonable administration of this Article, and all such records shall be open for inspection to the Collector at all reasonable hours. (Ord. No. 86-730, adopted 11/20/86)

SEC. 12-170.82 Wholesale Dealers And Jobbers Required To Keep Records

In order to aid in the administration and enforcement of the provisions of this ordinance and to collect all of the tax imposed by this ordinance, all wholesale dealers and jobbers in this District are hereby required to keep a record of all sales of tangible personal property made in this district, whether such sales be for cash or on terms of credit. The record required to be kept by all wholesale dealers and jobbers shall contain and include the name and address of the purchaser, the date of the purchase, the article or articles purchased and the price at which the article is sold to the purchaser. These records shall be open to inspection of the Collector or his duly authorized assistants or deputies at all reasonable hours. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.83 Examination Of Records At Place Of Business

For the purpose of administering this ordinance, the Collector, whenever he deems it expedient, may make or cause to be made an examination or investigation of the place of business, if any, the tangible personal property, and the books, records, papers, vouchers, accounts, and documents of any dealer. It shall be the duty of every dealer and every director, official, agent, or employee of every dealer to exhibit to the Collector the tangible personal property, and all of the books, records, papers, vouchers, accounts, and documents of the dealer and to facilitate any such examination or investigation as far as it may be in his or their power so to do. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.84 Examination Of Transportation Companies Authorized

For the purpose of enforcing the collection of the tax levied by this ordinance, the Collector is hereby specifically authorized and empowered to examine, at all reasonable hours, the books, records, and other documents of all transportation companies, agencies or firms operating in this district whether said companies, agencies or firms conduct their business by truck, rail, water, airplane or otherwise, in order to determine what dealers, as provided in this ordinance, are importing or are otherwise shipping articles of tangible personal property which are liable for said tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.85 Collector To Keep Records

The Collector shall keep a record of all of the official acts and shall preserve copies of all rules, decisions and orders made by him. Copies of such rules, decisions or orders and of any paper or papers filed in any office maintained by him in the administration of this ordinance may be authenticated under his official signature and when so

authenticated shall be evidence in all courts of the state of the same weight and force as the original thereof. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.86 Records Of Collector Confidential

Except as otherwise provided by law, the records and files of general sales and use tax ordinance, of this District are confidential and privileged, and no person shall divulge or disclose any information obtained from such records and files except in the administration and enforcement of the tax laws of this district, or of another political subdivision of this state.

(A) No person shall divulge or disclose any information obtained from any examination or inspection of the premises or property of any person in connection with administration and enforcement of the general sales and use tax laws of this district except to the Collector.

(B) Neither the Collector nor any employee engaged in the administration or charged with the custody of such records or files shall be required to produce any of them for inspection or use in any action or proceeding, except in an action of proceeding in the administration or enforcement of the tax laws of this state or of a political subdivision.

SEC. 12-170.87 Permitted Uses Of Records Of Collector

Nothing herein contained shall be construed to prevent:

(A) The delivery to a taxpayer or his duly authorized representative of a copy of any return or report or any other paper filed by him pursuant to the provisions of this ordinance.

(B) The publication of statistics so classified to prevent the identification of any return or report and the items thereof.

(C) The use of reports filed by a taxpayer under a State Statute or an ordinance of a political subdivision, in an action against the same taxpayer for a tax due under another State Statute, or another tax ordinance of a political subdivision.

(D) The inspection by the legal representative of the District of the returns, reports, or files relating to the claim of any taxpayer who has bought an action to review or set aside any tax imposed under this Ordinance or against whom an action or proceeding has been instituted in accordance with the provisions thereof.

(E) The furnishing, in the discretion of the Collector of any information disclosed by the records or files to any official person of this state, or any other state, or of the United States who is concerned with the administration of taxes and who in fact furnishes or has agreed with the Collector to furnish information contained in the records and files

administered by him to the District. On a reciprocal basis; however, no such exchange of information shall be made in contravention of any provision of Chapter 18 of Title 47 of the Louisiana Revised Statutes (R. S. 47: 1501 et seq.) prohibiting the dissemination of such information, nor shall such information be divulged except as provided by law. In addition, information divulged under this subsection shall only be given to an agency which has agreed in advance to respect the confidentiality of such information.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.88 Sentences For Divulging Information

Whoever violates any provisions of this Section by divulging information shall be punished by imprisonment for not more than two (2) years or fined not more than TEN THOUSAND DOLLARS (\$10,000.00) Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.90 Imported Goods, Permits (Licenses) Required

In order to prevent the illegal importation into the district of tangible personal property which is subject to the tax, and to strengthen and make more effective the manner and method of enforcing payment of the tax imposed by this ordinance, the Collector is hereby authorized and empowered to put into operation a system of permits whereby any person, or dealer, may import tangible personal property by truck, automobile, or other means of transportation other than a common carrier, without having said truck, automobile or other means of transportation seized and subjected to legal proceedings for its forfeiture. Such system of permits shall require the person, or dealer, who desires to import tangible personal property into the District, which property is subject to tax imposed by this ordinance, to apply to the Collector for a Sales Tax Registration Certificate. The dealer may make as many copies of the certificate as necessary in order to assure that one copy is displayed in every vehicle of the dealer which operated or may operate within the boundaries of the District. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12.170.95 Remedies For Collection, Including Interest, Penalties, Etc.

For purposes of enforcement, and the collection of the tax levied hereunder, it is presumed that all tangible personal property, subject to the provisions of this ordinance, imported into this District or held in this District by any dealer is to be sold at retail, used or consumed, or stored for use or consumption in this District, and is subject to the tax herein levied; provided that such presumption shall be prima facie, only, and subject to proof furnished to the Collector. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.96 Failure To Pay Tax; Rule To Cease Pursuit Of Business

Failure to pay any tax due as provided in this ordinance, shall ipso facto, without demand or putting in default, cause said tax, interest, penalties, and costs to become

immediately delinquent, and the Collector is hereby vested with authority, on motion in a court of competent jurisdiction, to take a rule on the said dealer, to show cause in not less than two (2) or more than ten (10) days, exclusive of holidays, after the service thereof, which may be tried out of term and in chambers, and shall always be tried by preference, why said dealer should not be ordered to cease from further pursuit of business as a dealer, and in case said rule is made absolute, the order thereon rendered; shall be considered a judgment in favor of the Sheriff, prohibiting such dealer from the further pursuit of said business until such time as he has paid the said delinquent tax, interest, penalties and costs, and every violation of the injunction shall be considered as a contempt of court, and punished according to law. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.97 Interest On Tax Fixed At 18 Per Cent (18%)

If the amount of tax due by the dealer is not paid on or before the twentieth (20th) day of the month next following the month for which the tax is due, there shall be collected, with said tax, interest upon said unpaid amount, at the rate of eighteen (18%) percent per annum, or fractional part thereof, to be computed from the first day of the month next following the month for which the tax is due until it is paid; and in addition to the interest that may be so due there shall also be collected a penalty equivalent to five percent (5%) for each thirty (30) days, or fraction thereof, of delinquency, not to exceed twenty-five percent (25%) in aggregate, of the tax due, when such tax is not paid within thirty (30) days of the date the tax first becomes due and payable, and in the event of suit, attorneys fees at the rate of twenty five (25%) percent of the aggregate of tax, interest and penalty. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.98 Assessment By Collector If Report Deemed Fraudulent

In the event any dealer fails to make a report and pay the tax as provided by this ordinance, or in case the dealer makes a grossly incorrect report, or a report that is false or fraudulent, it shall be the duty of the Collector to make an estimate for the taxable period of the retail sales, or sales of services, of such dealer, or of the gross proceeds from rentals or leases of tangible personal property by the dealer, and an estimate of the cost price of all articles of tangible personal property imported by the dealer for use or consumption or distribution or storage to be used or consumed in this District and assess and collect the tax and interest, plus penalty, if such have accrued, on the basis of such assessment, which shall be considered prima facie correct, and the burden to show the contrary shall rest upon the dealer. In the event such estimate and assessment requires an examination of books, records, or documents, or an audit thereof, then the Collector shall add to the assessment the cost of such examination, together with any penalties accruing thereon.

If any dealer fails to make any return required by this ordinance or makes an incorrect return, and the circumstances indicate willful negligence or intentional disregard of rules and regulations, but no intent to defraud, there shall be imposed in addition to any other

penalties provided herein, a specific penalty of five percent (5%) of the tax or, deficiency found to be due, or Ten Dollars (\$10.00), whichever is greater. This specific penalty shall be an obligation to be collected and accounted for in the same manner as if it were a part of the tax due and can be enforced either in a separate action or in the same action for the collection of the tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.99 Required-Final Return Prior To Quitting Business; Liability Of Purchaser

If any dealer liable for any tax, interest, or penalty hereunder shall sell out his business or stock of goods or shall quit the business, he shall make a final return and payment within fifteen (15) days after the date of selling or quitting business. His successor, successors, or assignees, if any, shall withhold sufficient of the purchase money to cover the amount of such taxes, interest and penalties due and unpaid until such time as the former owner shall produce a receipt from the Collector showing that they have been paid, or a certificate stating that no taxes, interest, or penalties are due. If the purchaser of a business or stock of goods shall fail to withhold purchase money as provided, he shall be personally liable for the payment of the taxes, interest and penalties accrued and unpaid on account of the operation of the business by any former owner, owners, or assignors. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

In the case of a dealer who has quit business, and who subsequently opens another similar business under the same ownership, whether that ownership is individual, partnership, corporation, or other, that dealer shall be liable for any tax, interest, penalty, cost or fee owed by the original business. (Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.100 Collector To Notify Debtors Of Delinquent Dealer

In the event that any dealer is delinquent in the payment of the tax herein provided for, the Collector may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such dealer, or owing any debts to such dealer at the time of receipt by them of such notice and thereafter any person so notified shall neither transfer nor make any other disposition of such credits, other personal property, or debts until the Collector shall have consented to a transfer or disposition, or until thirty (30) days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five (5) days after receipt of such notice, advise the Collector of any and all such credits, other personal property, or debts, in their possession, under their control or owing by them, as the case may be. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.101 Collector May Estimate The Cost Price

In the event the dealer has imported tangible personal property and he fails to produce an invoice showing the cost price of the articles which are subject to tax, or the invoice does not reflect the true or actual cost price, then the Collector shall ascertain, in any manner feasible, the true cost price and assess and collect the tax with interest, plus penalties, if such have accrued, on the true cost price as assessed by him. The assessment so made shall be considered prima facie correct, and the burden shall be on the dealer to show the contrary. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.102 Collector May Estimate The True Value Of A Lease Or Rental For Tax

In the case of the lease or rental of tangible personal property, if the consideration given or reported by the dealer does not, in the judgment of the Collector, represent the true or actual consideration, then the Collector is authorized to fix the same and collect the tax thereon for the Sheriff in the same manner as above provided (SEC 12-170.101), with interest plus penalties, if such have accrued. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.103 Refusal To Allow Collector To Examine Books, Etc.

In the event any transportation company, agency, or firm shall refuse to permit examination of its books, records and other documents by the Collector, the Collector may proceed by rule, in term or in chambers, in any court of competent jurisdiction and require said transportation company, agency or firm to show cause why the Collector should not be permitted to examine its books, records or other documents, and in case said rule be made absolute, the same shall be considered a judgment of the Court and every violation of said judgment as a contempt thereof and punished according to law. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.104 Collector; Authority To Compel Examination Of Books, Records & Invoices

If any dealer, subject to make and file a return required by any of the provisions of this ordinance, fails to render such return within the time required, or renders a return which is false or fraudulent, in that it contains statements which differ from the true gross sales, purchases, leases, or rentals or other transactions, taxable under this ordinance, or otherwise fails to comply with the provisions of this ordinance, for the taxable period for which said return is made, the Collector shall give such dealer fifteen (15) days notice, in writing, requiring such dealer to appear before him or his assistant, with such books, records and papers as he may require, relating to the business of such dealer, for such taxable period; and said Collector may require such dealer, or other agents or employees of such dealer, to give testimony or to answer interrogatories, under oath administered by the Collector or his assistants, respecting the sale at retail, the use, or consumption, or distribution, or storage for use or consumption, in this District, or lease or rental of tangible personal property, or other transactions, subject to tax, or the failure

to make report thereof, as provided in this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.105 Dealer Must Submit To Investigation

If any dealer fails to make a return, or refuses to permit an examination of his, the dealer's, books, records, or papers, or to appear and answer questions within the scope of such investigation relating to the sale, use, consumption, distribution, storage, lease or rental of tangible personal property, or sale of services, the Collector may apply to any court of competent jurisdiction, for an order requiring such dealer to make such return or requiring the dealer, or his agents or employees, to appear and to answer any such questions or permit such examination, and the court or any judge thereof, shall thereupon issue an order, upon such reasonable notice as shall be prescribed therein, to be served upon said dealer or the agents or employees of such dealer, directing him or them to so appear and testify, and to produce such books, records, and papers as may be required. Any person, or any member of any firm, copartnership, joint venture, association, or corporation, or any agent or employee thereof, failing to comply with any such order shall be guilty of contempt, and shall be punished as provided by law in cases of contempt. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.106 Penalty For Importation Without Permit

The importation into this District of tangible personal property which is subject to tax, by truck, automobile, or other means of transportation other than a common carrier, without having first obtained a permit as described in Section 12-070.090 (if the tax imposed by this ordinance on said tangible personal property has not been paid), shall be construed as an attempt to evade payment of said tax and the same is hereby prohibited, and the said truck, automobile, or means of transportation other than a common carrier, and said taxable property may be seized by the Collector in order to secure the same as evidence in a trial and the same shall be subject to forfeiture and sale in the manner provided for in this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.107 Additional Penalties Imposed; Remedies Of The Governing Body And Collector

The failure of any dealer who imports tangible personal property from outside the District into the District for use or consumption or distribution or storage to be used or consumed in this District, or who imports for lease or rental any tangible personal property subject to the provisions of this ordinance, shall ipso facto make the said tax, interest, penalties, and costs delinquent and shall be construed as an attempt to avoid the payment of same which shall be sufficient grounds for attachment of such tangible personal property wherever the same may be located or found, whether said delinquent dealer be a resident or non-resident of this Parish, and whether said tangible personal property is in the possession of said delinquent dealer or in the possession of other

persons, firms, corporations, or association of persons; provided that it is the intention of this ordinance to prevent the disposition of the said tangible personal property in order to insure payment of the tax imposed by this ordinance, together with interest, penalties, and costs, and authority to attach is hereby specifically authorized and granted to the Collector.

In addition to the penalties prescribed in this and the preceding section (Section 12-070.106), any person, or dealer, who shall violate the provisions thereof, upon conviction shall be fined in a sum of not more than One Hundred Dollars (\$100.00) or imprisonment in jail for a period of not more than ninety (90) days or by both such fine and imprisonment, in the discretion of the Court. And, each importation or shipment by truck, automobile, or other means of transportation, other than a common carrier, found to be in violation of the provisions of these sections shall constitute a separate offense. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.108 Further Remedies For Collection; Corporate Officers Personally Liable For Tax

The liability of any person or dealer arising from any tax, interest and penalty, or any of them, imposed by this ordinance, from the time they are due, shall be a personal debt of such person, or dealer to the Collector recoverable in any court of competent jurisdiction in an action at law by the Collector. Such debts, whether sued upon or not, shall be a lien on all the property of such delinquent person, or dealer, except as against an innocent purchaser for value without notice in the actual course of business, and shall have preference in any distribution of the assets of the person, or dealer, whether in bankruptcy, insolvency, or otherwise. The proceeds of any judgment or order obtained hereunder shall be paid to the Collector. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.109 Security Or Bond May Be Required

The Collector may require a bond or other security satisfactory to him for the payment of any taxes, fees, interest and penalties, or any of them, imposed pursuant to this ordinance when he shall find that the collection thereof may be prejudiced without such security. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.110 Collector; Three Years Before Prescription Of Debt

If any person, or dealer, shall fail to make a return or report as required by this ordinance, the Collector, after the last day on which the omitted report could have been filed without penalty, may make an estimate of the amount of taxes such person, or dealer, is liable to pay under the terms of this ordinance, from any information he is able to conveniently obtain, and according to such estimate so made by him, assess the taxes, fees, penalties and interest due the Collector from such person, or dealer, give notice of such assessment to such person, or dealer, and must make demand upon him

for payment, or otherwise the said claim shall prescribe. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.111 Collector; May Increase Tax Requirement Payable After Examination Of Return

After a return or report is filed under the provisions of this ordinance, the Collector shall cause to be examined and make such further audit or investigation as he may deem necessary, and if therefrom, he shall determine that there is a deficiency with respect to the payment of any tax due under this ordinance, he shall assess the additional amount of tax, and any penalties and interest, or either of them due the Collector from such person, or dealer, and make demand upon him for payment. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.112 Collector; Immediate Payment Or Security

If the Collector finds that any person, or dealer liable for the payment of any tax under this ordinance designs quickly to depart from this Parish or to remove therefrom his or its property, subject to any lien under the provisions of this ordinance, or to discontinue business, or to do any other act tending to prejudice or render wholly or partially ineffectual any proceedings that might be instituted to collect such tax, whereby it shall have become important that such proceedings be instituted without delay, the Collector may make an arbitrary assessment as herein provided, whether or not any return or report is then due by law, and may proceed under such arbitrary assessment to collect the tax, or demand security for it, and thereafter shall cause notice of such findings to be given to such a dealer, together with a demand for an immediate return or report, and immediate payment of such tax.

All taxes, penalties and interest assessed pursuant to the provisions of the last three proceeding sections, shall be paid within fifteen (15) days after notice and demand shall have been mailed to the dealer liable therefore by the Collector. If such taxes, penalties; and interest so assessed shall not be paid within such fifteen (15) days, there shall be added to the amount assessed, in addition to interest as hereinabove provided, and any other penalties provided by this ordinance, a sum equivalent to five percent (5%) of the tax. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.113 Collector; Seizure And Sale Of Any Property

If any dealer against whom taxes have been assessed under the provisions of this ordinance shall refuse or neglect to pay such taxes within the time prescribed in this ordinance, it shall be lawful for the Collector, or his duly authorized representative, who is charged with the enforcement of collection of such taxes, to enforce collection of such taxes, together with such interest and other additional amounts as are added by law, by distraint and sale of any property or rights to property belonging to the delinquent

dealer. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.114 Additional Means To Enforce Collection Of Use Tax

Notwithstanding any other provision of law to the contrary, if any corporation fails to file returns or to remit the sales and use taxes collected from purchasers or consumers, the Collector may, as an additional means of enforcing collection, without prejudice to any other remedies at his disposal, hold those officers or directors having direct control or supervision of such taxes or charged with the responsibility of filing such returns and remitting such taxes and who willfully fail to remit or account for such taxes withheld or collected, personally liable for the total amount of such taxes withheld or collected, and not accounted for or not remitted, together with any interest, penalties and fees accruing thereon. Collection of the total amount due may be made from any one or any combination of such officers or directors who willfully fail to remit or account for such taxes withheld or collected, by use of any of the alternative remedies for the collection of taxes as provided either in LSA R.S. 47:1561 or under any provisions of either this ordinance or any other law. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.115 Violations Declared A Misdemeanor

For any one of the following violations, in addition to being liable for the other penalties provided herein, the party named shall be guilty of a misdemeanor and upon conviction be punished by a fine of not more than One Hundred Dollars (\$100.00), or imprisonment in jail for not more than three (3) months, or both, in the discretion of the court:

(A) any person who as a purchaser is obligated to report and pay the tax imposed upon any purchase made by him under Sections 12-170.045 through 12-170.050(2) of this ordinance and who fails, neglects, and refuses to file a return thereof with the Collector and pay the tax imposed thereon, within the time stated after such sale is made;

(B) any dealer who shall fail, neglect, or refuse to collect the tax as provided in Sections 12-170.045 through 12-170.050(2) of this ordinance, whether by himself or through his agents or employees;

(C) any dealer violating the provisions of Sections 12-170.099 and 12-170.100 of this ordinance;

(D) any dealer who fails to permit an inspection of records by the Collector as provided in Section 12-170.081 of this ordinance;

(E) any wholesale dealer or jobber in this District who fails to keep records, or fails to permit an inspection thereof by the collector as provided in Section 12-170.082 of this ordinance;

(F) any dealer, wholesale dealer or jobber who violates the provisions of Sections 12-170.047A and 12-170.047B of this ordinance;

(G) any dealer who violates the provisions of Section 12-170.081 (page,) of this ordinance;

(H) any dealer required to make, render, sign, or verify any return as provided in Sections 12-170.070 through 12-170.075 of this ordinance, who makes a false or fraudulent return, with intent to evade a tax hereby levied;

(I) the president, executive officers, managers, and/or directors of any corporation, who shall violate the provisions of either Sections 12-170.114 or 12-170.116 of this ordinance; provided that such fine and imprisonment shall not prevent other action against the corporation as otherwise provided in this ordinance for the recovery of the tax, interest and penalties that may be due; and

(J) any person who shall violate any other provisions of this ordinance, punishment for which is not otherwise herein provided.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.116 Taxes Paid Prior To Merger, Dissolution, Etc.

No corporation organized under the laws of this state shall hereafter be dissolved, or effect a merger, reorganization, or consolidation under any law of this State; by the action of the stockholders or by the decree of any Court until all taxes, fees, penalties and interest imposed on the corporation in accordance with provisions of this ordinance shall have been paid in full. No foreign corporation which has obtained authority from this State to transact business in this Parish may surrender such authority and withdraw from this State until all taxes, fees, penalties, interest, and other charges imposed upon said corporation in accordance with the provisions of this ordinance shall have been fully paid. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.117 Interest Due On Unpaid Tax

Any person or dealer who shall fail to pay any tax levied by this ordinance on or before the day when such tax shall be required by this ordinance to be paid, shall pay in addition to the tax, interest on the tax at the rate specified in Section 12-170.097 of this ordinance, for each month or fraction thereof that the tax remains unpaid, to be calculated from the date the tax was originally due to the date of actual payment.

In addition, such person or dealer shall pay any special penalty or penalties provided by this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.118 Collector May Waive Penalty And/Or Part Of Interest

All penalties and interest imposed by this ordinance shall be payable to and recoverable by the Collector in the same manner as if they were part of the tax imposed. If the failure to pay any such tax when due is explained to the satisfaction of the Collector, he may at his discretion remit or waive payment of the whole or any part of any penalty or interest. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.125 Refunds And Reimbursements

In the event purchases are returned to the dealer by the purchaser or consumer after the tax imposed by this ordinance has been collected or charged to the account of the consumer or user, the dealer shall be entitled to reimbursement of the amount of tax so collected or charged by him, in the manner prescribed by the Collector and in case the tax has not been remitted by the dealer to the Collector, the dealer may deduct the same in submitting his return. Upon receipt of a sworn statement of the dealer as to the gross amount of such refunds during the period covered by such sworn statement, which period shall be no longer than ninety (90) days, the Collector shall issue to the dealer an official credit memorandum equal to the net amount remitted by the dealer for such tax collected. Such memorandum shall be accepted by the Collector at full face value from the dealer to whom it is issued, in the remittance for subsequent taxes accrued under the provisions of this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.126 Following Proper Notice, Dealer May File For Refund Except As Provided

If any dealer shall have given to the Collector notice within the time provided in Section 12-070.125 of this ordinance, such dealer thereafter, at any time within two (2) years after the payment of any original or additional tax assessed against him, may file with the Collector a claim under oath for refund, in such form as the Collector may prescribe, stating the grounds thereof. However, no claim for refund shall be required or permitted to be filed with respect to a tax paid, after protest has been filed with the Collector as hereinafter provided, or after proceeding on appeal has been finally determined. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.127 Refund Credited To Liability, Except As Provided

If, upon examination of such claim for refund, it shall be determined by the Collector that there has been an overpayment of tax, the amount of such overpayment shall be credited against any liability of any dealer under this ordinance, and if there be no such liability, the said dealer shall be entitled to a refund of the tax so overpaid. If the Collector shall reject the claim for refund in whole or in part he shall make an order accordingly and serve notice upon such dealer. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.129 Collector To Certify Refund

When, to secure compliance with any of the provisions of this ordinance any moneys shall have been deposited with the Collector by any dealer, and shall have been paid over to the Collector and the Collector shall be satisfied that such dealer has fully complied with all such provisions, the Collector shall so certify and authorize repayment from any appropriations available for such purpose to such dealer of such moneys, or such part thereof as the Collector shall certify has not been applied by him to the satisfaction of any indebtedness arising under this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.135 Remedies Of The Dealer

A right of action is hereby created to afford a remedy at law for any dealer aggrieved by the provisions of this ordinance; and in case of any such dealer resisting the payment of any amount found due, or the enforcement of any provisions of such laws in relation thereto, such dealer shall pay the amount found due by the Collector and shall give the Collector notice, at the time, of his intention to file suit for the recovery of the same; and upon receipt of such notice the amount so paid shall be segregated and held by the Collector for a period of, thirty (30) days; and if suit be filed within such time for recovery of such amount, such funds so segregated shall be further held, pending the outcome of such suit. If the dealer prevails, the Collector shall refund the amount to the claimant, with interest at the rate of two percent (2%) per annum covering the period from the date the said funds were received by the Collector to the date of refund. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.137 Legal Remedy Concerning Interstate Commerce Or Other Act Of Congress

This section shall be construed to provide a legal remedy in the State, City, or Federal Courts, by action of law, in case such taxes are claimed to be an unlawful burden upon interstate commerce, or the collection thereof, in violation of any Act of Congress or the United States Constitution, or in any case where jurisdiction is vested in any of the courts of the United States; **provided** that upon written request of the dealer and upon proper showing by such dealer that the principle of law involved in an additional assessment is already pending before the courts for judicial determination, the said dealer, upon agreement to abide by the decision of the courts may pay the additional assessment under protest, but need not file an additional suit. In such cases the tax so paid under protest shall be segregated and held by the Collector until the question of law involved has been determined by the courts and shall then be disposed of as therein provided. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.138 Protest; Hearing; Appeal

If any dealer shall be aggrieved by any finding or assessment of the Collector, he may, within thirty (30) days of the receipt of notice of the assessment or finding, file a protest in writing signed by him or his duly authorized agent, which shall be under oath and shall set forth the reasons therefore, and he may request a hearing. Thereafter, the Collector shall grant a hearing to such dealer, if a hearing has been requested, and may make an order confirming, modifying, or vacating any such finding or assessment. The filing of any such protest shall not abate any penalty for non-payment, nor shall it stay the right of the Collector to collect the tax in any manner herein provided unless the dealer shall furnish security of a kind and in an amount satisfactory to the Collector. Appeals from the decision of the Collector shall be direct to any State, City, or Federal Court of competent jurisdiction as provided for in Section 12-170.137. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.145 Other Administrative Provisions

The Collector is empowered to carry into effect the provisions of this ordinance and in pursuance thereof to make and enforce such rules as he may deem necessary in administering the provisions of this ordinance and other policies or procedures established by his office. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.146 Collector Granted Power To Make Rules

The Collector shall have the power to make and publish reasonable rules and regulations, not inconsistent with this ordinance or the laws and the Constitution of this State or of the United States, for the enforcement of the provisions of this ordinance and the collection of the revenues and penalties imposed by this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.147 Collector To Design Forms, Dealer's Responsibility

The Collector shall design, prepare, print, and furnish to all dealers or make available to said dealers, all necessary forms for filing returns, and instructions to insure a full collection from dealers and an accounting for the taxes due, but failure of any dealer to secure such forms shall not relieve such dealer from the payment of said taxes at the time and in the manner herein provided. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.148 Cost Of Collection Borne By Collector

The cost of preparing and distributing the report forms and paraphernalia for the collection of said tax, and of the inspection and enforcement duties required herein, shall be borne by the Collector. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

170.149 Effective Date Of Tax Liability Related To Ordinance

In any case where tangible personal property is sold at retail under a contract providing for such retail sale, made and entered into prior to the effective date of this ordinance and containing the sale price, and delivery is made after the effective date of this ordinance, and such sale is taxable under this ordinance, the seller shall add the tax imposed by said ordinance to said sale price, and collect it from the buyer.

The provisions of this section shall also apply where such tangible personal property is not sold but is used, consumed, distributed, stored, leased, or rented, and where services taxable hereunder are contracted for before the effective date of this ordinance, but are actually furnished after the effective date hereof.

The provisions of this section shall not apply to tangible personal property actually imported or caused to be imported into, or stored within, the territorial limits of the District prior to the effective date of this ordinance, if the said tangible personal property is actually used or consumed by the person who imported and stored said tangible personal property.

(Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.150 Authority - Administer Oaths, Take Dispositions, Etc. Collector For Administration

It shall be lawful for the Collector, or any deputy by him duly designated, to receive the written oath of any person signing any application, disposition, statement, or report required by the Collector in the administration of this ordinance. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.151 Authority To Conduct Hearings, Etc. Given To Collector For Administration

The Collector, or any deputy by him duly designated, or his legal counsel, may conduct hearings and have administered and examined under oath, any dealer and the directors, officers, agents and employees of any dealer, and any other witnesses, relative to the business of such dealer in respect to any matter incident to the administration of this ordinance. Such examinations or hearings shall be at a time convenient to the dealer within fourteen (14) days after requested by the Collector in writing. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.152 Notice By Personal Service Or U.S. Mail; Mail Presumptive Of Receipt

Any notice required to be given by the Collector pursuant to this ordinance, may be given by personal service on the dealer for whom it is intended, or be mailed to the dealer for whom it is intended, addressed to such dealer at the address given in the last report filed by him pursuant to the provisions of this ordinance, or if no report has been

filed, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of its receipt by the dealer to whom it is addressed. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.153 Collector Authorized To Authenticate Documents

The Collector shall maintain official copies of this ordinance, which may be authenticated under his official signature, and when so authenticated, shall be evidence in all Courts of the State of the same weight and force as the original thereof. For authenticating of any such copy, he shall be paid a fee of Five Dollars (\$5.00). (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.154 Not The Intention To Deprive Dealer Or Governing Body Of Legal Remedy

Nothing in this ordinance shall be construed to deprive the dealer of any remedy in the review of any tax, or in any proceedings to collect the tax given such dealer by any other law, or to deprive the Collector of any remedy for the enforcement of this ordinance through any procedure or remedies expressly provided in this ordinance imposing the tax herein levied or in any other law, nor shall this ordinance be construed as repealing or altering any such laws, ordinances, or resolutions. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.155 Validity Of Decisions

If any section, subsection, sentence, clause, or phrase of this ordinance be held invalid, such decisions shall not affect the validity of the remaining portions of this ordinance. The governing body hereby declares that it would have enacted this ordinance, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be so declared invalid. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.156 Tax In Addition To All Other Taxes

The tax levied herein is declared to be supplemental and in addition to all other taxes levied by and under the authority of the governing body of any kind or nature. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.160 Disposition Of Tax Proceeds And Revenues

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance shall be promptly deposited by the Collector for the account of the Police Jury, which fund shall be reasonably identifiable and calculable; provided, however, any amount which is paid under protest or which is subject to litigation may be

transferred to another account established by the Collector pending final determination of the protest or litigation. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.161 Disposition Of Funds By Collector

Out of the funds received as a result of this Ordinance, the Collector shall first deduct the costs of collecting the tax levied hereby and administering the provisions of this ordinance as well as the various administrative procedures established herein. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

SEC. 12-170.176 Recordation Of Ordinance

A certified copy of this ordinance has been recorded in the Mortgage Records of the Parish of St. Tammany, Louisiana (MOB, folio).

SEC. 12-170.177 General Sales and Use Tax, Effective Date

This ordinance shall be effective upon approval of the President of the Police Jury. Amended ordinance to adopt the rules and regulations of St. Tammany Parish Police Jury General Sales and Use Tax are incorporated herein to be in full force and effect as of January 1, 1992. (Ord. No. 86-730, adopted 11/20/86; amended by Ord. No. 92-1666, adopted 11/19/92)

EDITORIAL NOTES: A Special Election was held on November 4, 1986 authorizing and approving said tax by a majority of the qualified electors as required. General Sales Tax Bond Ordinance No. 87-873, adopted 11/19/87; First Supplemental Sales Tax Bond Ordinance No. 88-937, adopted 05/19/88; Application No. L88-188 approved by the State Bond Commission, State of Louisiana signed by the Secretary on 05/18/88. Ord. No. 89-1121, adopted 07/29/89 entitled "A Second Supplemental Sales Tax Bond Ordinance" of file with Bonding Ordinances of the St. Tammany Parish Police Jury.

SEC. 12-180.00 Agreement - Tax Collector For Sales Tax District No. 3 & for City of Slidell

The Tax Collector for Sales Tax District No. 3 is hereby authorized to enter into an administrative agreement with the Tax Collector for the City of Slidell concerning the collection of sales taxes from businesses subject to the Sales Tax Enhancement Plan.

SEC. 12-180.01 Businesses Subject To Provisions

All businesses covered by the Sales Tax Enhancement Plan shall be subject to the following additional collection provisions:

1. The Tax Collector may require that a business or contractor file a use tax return on purchases rather than payment of sales tax directly to the vendor. The Tax Collector is authorized to issue exemption certificates or such other documents that might be necessary to implement this procedure.

2. The Tax Collector may require that applicants for building permits complete a registration and use tax application form prior to issuance of the building permit.

3. The Tax Collector may require that all use tax be paid on a construction project or that a bond be filed in lieu thereof prior to issuance of an occupancy permit.

4. For buildings and stores in the developments referred to in the Sales Tax Enhancement Plan as Northshore Limited Partnership (NLP); Manufacturers Retail Outlet (MRO), and Undeveloped Commercial Properties, tax collections will be done as follows:

(A) NLP [Northshore Limited Partnership]: The City, as agent for the Parish Tax Collector, will collect the tax from the contractors and all stores in this development. The City shall retain the full tax until FIVE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED NINETEEN DOLLARS (\$556,119.00) has been paid to the City. At the conclusion of that event, the Tax Collector for Sales Tax District No. Three will collect one percent (1%) Sales Tax District No. 3 Sales Tax from the contractors and all stores in this development. The City, as agent for the Parish Tax Collector, will collect one percent (1%) Sales Tax from the contractors and all stores in this development. The entire net tax collected by the Tax Collector for Sales Tax District No. 3 will be sent to the Police Jury.

(B) MRO [Manufacturers Retail Outlet]: The City, as agent for the Parish Tax Collector, will collect the tax from the contractor and all stores in this development. The City will retain the full tax until it recoups its costs of extending utility lines limited to a maximum of EIGHT HUNDRED THOUSAND DOLLARS (\$800,000.00) At the conclusion of that event, the Tax Collector for Sales Tax District No. Three will collect one percent (1%) Sales Tax District No. 3 Sales Tax from the contractors and all stores in this development. The City, as agent for the Parish Tax Collector, will collect one percent (1%) Sales Tax from the contractors and all stores in this development. The entire net tax collected by the Tax Collector for Sales Tax District No. 3 will be sent to the Police Jury.

(C) Undeveloped Commercial Properties: The Tax Collector for Sales Tax District No. 3 will collect one percent (1%) Sales Tax District No. 3 Sales Tax from the contractors and all stores in these geographical areas. The City, as agent for the Parish Tax Collector, will collect one percent (1%) Sales Tax from the contractors and all stores in these geographical areas. The entire net tax collected by the Tax Collector for Sales Tax District No. 3 will be sent to the Police Jury.

(Ord. No. 89-1063, adopted 03/16/89; amended by Ord. No. 89-1149, adopted 09/21/89)

ARTICLE XI ST. TAMMANY PARISH CIGARETTE PAPER TAX

SEC. 12-190.00 Tax Established And Defined

Pursuant to R.S. 33:2740(B), there shall be levied a sales tax of not more than One Dollar and twenty-five (\$1.25) per pack on the sale at retail, sales from distributors, sales from manufacturers, and sales from wholesalers that sell for resale of cigarette papers in St. Tammany Parish. (Ord. No. 89-1048, adopted 02/23/89; amended by Ord. 89-1075, adopted 05/18/89; amended by Ord. 92-1645, adopted 09/17/92; Resolution P.J.S. NO. 96-7903, adopted 11/21/96))

R.S. 33:2740.25(B)(3) provides that fifty cents (\$.50) of the tax on the sale of each pack of cigarette papers collected by the parish shall be dedicated to the Drug Abuse Resistance Education (D.A.R.E.) program and the remainder of the monies collected shall be dedicated to recreational purposes in the parish.

EDITORIAL NOTE: In accordance with R.S. 33:4567, the original cigarette paper tax was \$.25 per pack and dedicated to the St. Tammany Parish Recreation and Parks District established by the Louisiana Legislature as a pilot project. This District ceased to exist June 30, 1996 in accordance with R.S. 33:4567.4 and its powers and property was transferred to the parish governing authority.

ARTICLE XII ESSENTIAL UTILITY FRANCHISE FEE

SEC. 12-200.00 Fee For Franchises On Essential Utilities

A uniform annual franchise fee of two percent (2%), as evidenced by the attached table and fee schedule, [shall] be imposed on all new and renewed franchises established and hereinafter to be granted and/or established by the St. Tammany Parish Police Jury pursuant to Louisiana Revised Statute 33:4361(A) 1, 2, 3 and 4; said franchise fee is being imposed due to financial emergency that exist[s] in the Parish General Fund as a result of state mandated costs; said franchise fee of two percent (2%) shall be computed on the gross sales or revenue derived from that portion of St. Tammany Parish being, lying and situated outside the corporate limits of any village, town or municipality. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.01 Quarterly Payments Of Fee

The franchise fee shall be payable quarterly on or before April 15 for the first quarter, July 15 for the second quarter, October 15 for the third quarter, and January 15 for the fourth quarter for the year of 1990. Attached to the payment of the franchise fee will be a statement showing the gross sales or revenue derived from the unincorporated portions of St. Tammany Parish for the months reported. Delinquent balances shall

accrue interest at twelve percent (12%) per annum beginning on the first day following the due date of the payment of said franchise fee. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.02 Duty Of Franchisee

A. It shall be the duty of every franchisee required to make a report and pay any fee under this Article to keep and preserve suitable records of the gross sales or revenue subject to this Article, and such other books of account as may be necessary to determine the amount of tax due hereunder, and other information as may be required by the Parish Treasurer; and it shall be the duty of every such franchisee, moreover, to keep and preserve for a period of three (3) calendar years, in addition to the current year, all records of gross sales or revenue subject to this Article; and all such books or other records shall be open to examination at all reasonable hours by the Parish Treasurer or any of his authorized agents.

B. Any information required during the conduct of the audit shall be furnished to the Parish Treasurer or his duly authorized agent without cost. Such information may include, but is not limited to specialized reports accumulating data from electronic data processing records.

SEC. 12-200.03 Failure To Report

In the event any franchisee fails to make a report and pay the franchise fee as provided by this Article, or in case the franchisee makes a grossly incorrect report or a report that is false or fraudulent, it shall be the duty of the Parish Treasurer to make an estimate for the delinquent reporting period of gross sales or revenue of such franchisee and assess and collect the fee and interest, plus penalty, if such have accrued, on the basis of such assessment, which shall be considered prima facie correct, and the burden to show the contrary shall rest upon the franchisee. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.04 Fraudulent Return Of Franchisee

Any franchisee, its agent or employee, required to make, render, sign or verify any return as aforesaid, who makes a false or fraudulent return with intent to evade a fee hereby imposed, or fails to comply with any provision of this Article shall be guilty of a misdemeanor, and upon conviction shall be fined not more than TWO HUNDRED DOLLARS (\$200.00), or be imprisoned in jail for not more than sixty (60) days, or shall be punished by both fine and imprisonment, at the discretion of the court. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.05 Authority Of Parish Treasurer

The Parish Treasurer shall be authorized to enter into a formal installment payment agreement with a taxpayer for the collection of past due fee, penalty and interest, when in his opinion it is in the best interest of the Parish to do so. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.06 Exemption Defined

Any public or governmental entity supported by tax dollars is hereby exempt from this annual fee. (Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-200.08 Schedule Of Franchise Fees

If Amount of Gross Receipts are As Much As:	But Less Than:	The Annual Fee Shall Be:
0	50,000	1,000
50,000	100,000	2,000
100,000	150,000	3,000
150,000	200,000	4,000
200,000	250,000	5,000
250,000	500,000	10,000
500,000	750,000	15,000
750,000	1,000,000	20,000
1,000,000	1,250,000	25,000
1,250,000	1,500,000	30,000
1,500,000	1,750,000	35,000
1,750,000	2,000,000	40,000
2,000,000	2,250,000	45,000
2,250,000	2,500,000	50,000
2,500,000	3,000,000	60,000
3,000,000	3,500,000	70,000
3,500,000	4,000,000	80,000
4,000,000	4,500,000	90,000
4,500,000	5,000,000	100,000
5,000,000	5,500,000	110,000
5,500,000	6,000,000	120,000
6,000,000	6,500,000	130,000
6,500,000	7,000,000	140,000
7,000,000	7,500,000	150,000
7,500,000	8,000,000	160,000
8,000,000	8,500,000	170,000
8,500,000	9,000,000	180,000
9,000,000	9,500,000	190,000
9,500,000	10,000,000	200,000
10,000,000	11,000,000	220,000

11,000,000	12,000,000	240,000
12,000,000	13,000,000	260,000
13,000,000	14,000,000	280,000
14,000,000	15,000,000	300,000
15,000,000	15,000,000	320,000
16,000,000	16,000,000	340,000
17,000,000	17,000,000	360,000
18,000,000	19,000,000	380,000

(Ord. No. 89-1207, adopted 12/21/89)

SEC. 12-201.00 Service Monitoring Fee

1. A uniform service monitoring fee of two percent (2%) on gross sales derived from the unincorporated portions of St. Tammany Parish is hereby imposed on all municipally owned utility companies currently operating in the Parish without a valid, written service agreement, on all renewed service agreements with municipal utility companies currently operating in the Parish with a valid, written service agreement, and on all publicly owned utility companies that wish to establish a franchise service area in unincorporated portions of St. Tammany in the future pursuant to La. R.S. 33:4361, said service agreement fee is being imposed to fund the monitoring of all activities associated with the placement and location of public utilities in Parish rights-of-way.

2. The service agreement fee will be computed according to the two percent (2%) schedule listed in Sec. 12-200.08 and payable quarterly on or before April 15 for the first quarter, July 15 for the second quarter, October 15 for the third quarter, and January 15 for the fourth quarter. Attached to the payment of the franchise fee will be a statement showing the gross sales or revenue derived from the unincorporated portions of St. Tammany Parish for the months reported. Delinquent balances shall accrue interest at twelve percent (12%) per annum beginning on the first day following the due date of the payment. (Ord. No. 97-2710, adopted 08/21/97)

Cross Reference: Sec. 2-009.00(F), Sec. 20-020.02, and Appendix A

CHAPTER 13 MOTOR VEHICLES TRAFFIC

DIVISION I MOTOR VEHICLES

SEC 13-001.00 Driving Vehicles Across Ditches

It shall be unlawful for any person to drive any vehicle across any ditch except on a Parish bridge or crossing. (Ordinance of 11/17/15; Ordinance of 04/11/22)

SEC. 13-001.01 Motor Vehicles Prohibited on Levees

1) Prohibited:

(a) No person shall operate a motor vehicle upon any public levee that is located in unincorporated St. Tammany Parish.

(b) No person shall operate a motor vehicle upon any levee that is privately owned and maintained after having been forbidden to do so, either orally or in writing, including by means of any sign hereinafter described, by any owner, lessee, or custodian of the property or by any other authorized person. For the purposes of this Section, the above-mentioned sign means a sign or signs posted on the immovable property, or part, portion or area thereof, at a place or places where such sign or signs may be reasonably expected to be seen. Such sign shall be on a white background with large block letters, no less than four (4) inches high, which read, "MOTOR VEHICLES PROHIBITED ON LEVEE."

2) Definition:

"Public levee" means a levee that is publically owned or maintained by St. Tammany Parish or is under the jurisdiction and control of a political subdivision thereof.

"Motor vehicle" means any vehicle propelled by steam, gasoline, electricity, or any other source of energy other than muscular power, which includes but is not limited to automobiles, trucks, truck-tractors, trailers, semitrailers, motor homes and recreational vehicles, motorcycles, motorbikes, motor scooters, motorized bicycles, and off-road vehicles commonly referred to as three-wheelers, four wheelers, or other all-terrain vehicles which are not specifically designated for road use.

3) Penalty:

Whoever violates the provisions of this Section shall be guilty of a misdemeanor. The following penalties shall be imposed for a violation of this Section:

(a) For the first offense, the fine shall be two hundred dollars or imprisonment for not more than thirty days or both.

(b) For the second offense, the fine shall be three hundred and fifty dollars or imprisonment for not more than thirty days or both.

(c) For the third offense and all subsequent offenses, the fine shall be five hundred dollars or imprisonment for not more than thirty days or both.

4) Exemption:

The following persons may be exempt from the provisions of this Section:

- (a) A duly commissioned law enforcement officer in the performance of his duties.
- (b) Any firefighter, whether or not a member of a volunteer or other fire department, and any employee or agent of the Louisiana Department of Agriculture and Forestry engaged in locating and suppressing a fire.
- (c) Emergency medical personnel engaged in the rendering of medical assistance to an individual.
- (d) Any federal, state or local government employee, public utility employee or agent engaged in suppressing or dealing with an emergency that presents an imminent danger to human safety or health or to the environment.
- (e) Any federal, state, public utility employee or agent, or local government employee, including employees of the St. Tammany Parish Department of Engineering, Department of Public Works, and levee or drainage district, in the performance of duty in inspecting, guarding, maintaining, or repairing the levees.
- (f) In the case of a levee that is privately owned and maintained, an employee of the owner, lessee or custodian of the immovable property while performing his duties, functions and responsibilities in the course and scope of his employment.
- (g) A professional land surveyor or his authorized personnel, engaged in the "Practice of Land Surveying", as defined in R.S. 37:682.
- (h) Any person authorized by the owner of the levee or by a court of law.
- (i) Any person exercising the mere right of passage to an enclosed estate, as otherwise provided by law.
- (j) Nothing in this Section shall interfere with the crossing over any public levees, at ramps, crossings, or inclines established under plans and specifications of the Department of Public Works.

CROSS REFERENCE: See Sec. 15-718.00 entitled Trespassing Prohibited On Levees Within Drainage District No. 4.

EDITORIAL NOTE: New Section 13-001.01 was created under the authority of Ordinance No. C.S. 09-2011, adopted 03/05/09, which provides that All Ordinances or parts of Ordinances in conflict herewith are hereby repealed. To the extent that any provision of Sec. 15-718.00 may be inconsistent with, or in conflict with, the provisions of this Section, the provisions of this Section shall govern.

SEC. 13-001.01.1 Vehicles Prohibited around Meadow Lake Detention Pond

a) Prohibited: A “No Motorized Vehicles” zone is hereby established around Meadow Lake Detention Pond

b) Exemptions: Exempt here from are any law enforcement official(s) engaged in the pursuit of his duties, or individuals contracted by or representing St. Tammany Parish 4 in connection with the maintenance or preservation of such detention pond.

c) Violation: Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.00 of this Code of Ordinances.

(Ord. No. 02-0499, adopted 07/11/2002)

SEC. 13-001.02 No Trespassing in Parish Detention Ponds and on Levees

a) Prohibited: It shall be unlawful for any person to be upon, within or around any parish owned detention pond or levee.

b) Exemptions: Exempt here from are any law enforcement officials engaged in the pursuit of their duties and parish personnel or authorized contractors in connection with the maintenance of said levees and detention ponds.

c) Violation: Any violation hereof shall constitute a misdemeanor punishable under the provisions of Section 1-008.00 of the Parish Code of Ordinances.(Ord. No. 02-0541, adopted 09/05/2002)

SEC. 13-002.00 Parking For Over Forty-Eight Hours

1. It shall be unlawful for any person or entity to park or abandon a vehicle on any public street, highway or roadway for longer than forty-eight (48) consecutive hours.
2. Vehicles parked or abandoned in excess of forty-eight (48) consecutive hours shall be removed from the street, highway or roadway by authorized personnel of the St. Tammany Parish Police Jury or the Sheriff s Office and stored in accordance with the provisions of Chapter 16 of Title 32 of the Louisiana Revised Statutes.
3. Violators of this Section shall be notified by the Sheriff s Office to answer before the Twenty-Second Judicial District Court.
4. The Police Jury shall provide suitable serially numbered forms in triplicate for notifying violators to appear in answer to charges of violating this Section, said forms to be given to the Sheriff s Office, which shall make the notification.
5. The disposition of any vehicle which may be impounded pursuant to the provisions of this Section shall be in accordance with the applicable provisions of Chapter 1 and Chapter 16 of Title 32 of the Louisiana Revised Statutes.

(Ord. No. 382, Bk. 5, P. 553; Ord. No. 82-385, adopted 06/17/82; Ord. No. 85-461, adopted 08/15/85; amended by Ord. No. 96-2423, adopted 05/16/96)

SEC. 13-002.01 Parking For Over Twenty-Four (24) Hours within Police Jury Districts (District 13)

EDITORIAL NOTE: New Section 13-002.01 is hereby created under the authority of Ordinance No. 90-1299, adopted 06/21/90.

(a) It shall be unlawful for any person or entity to park or abandon boats with trailers, trailers of any kind, motor homes, and/or vehicles in excess of six (6) feet in width for a period of over 24 hours.

(b) It shall be unlawful for any person or entity to park any vehicle in a roadway or parish right-of-way that hampers the flow of traffic or creates a traffic hazard whereby a moving vehicle must enter the oncoming traffic lane in order to pass; or in any way obstructs the vision of moving traffic or sight triangle of an intersection.

(c) Exemptions: Exempt here from are;

(i) disabled vehicles that must be moved within a reasonable period of time, but no longer than one (1) hour,

(ii) construction and utility vehicles in use for a specific job, in which case such construction and utility vehicles required to be in the roadway and obstructing the flow of traffic must be clearly marked, have warning signs appropriately posted and have yellow or amber warning lights on and a flagman when necessary; and

(iii) law enforcement, fire and medical emergency vehicles.

(d) Vehicles found parked or abandoned for a period of time in excess of twenty-four (24) consecutive hours shall be removed from the street, highway, roadway or right-of-way by authorized personnel of the Sheriff s Office and stored where designated.

(e) Violators of this Section, whose vehicles are impounded, shall be notified by the Sheriff s Office to answer before the 22nd Judicial District Court.

(f) The Police Jury shall provide suitable serially numbered forms in triplicate for notifying violators to appear in answer to charges of violating this Section, said forms to be given to the Sheriff s Office, which shall make the notifications.

(g) Impounded vehicles will be surrendered to the duly identified owners upon payment of towing charges plus any storage fees to the agency or company contracted by the Sheriff providing the towing and storage of these vehicles.

(h) Vehicles remaining unclaimed ten (10) days after proper notification of one of the registered owners, or thirty (30) days after vehicle is impounded if the owners are unknown, shall be sold by the Sheriff s Office after advertising in the parish journal three

(3) times within thirty (30) days and the net proceeds, after payment of advertising, costs, Sheriff s costs, and other fees, shall be paid into the Parish General Fund.

(i) The following Police Jury District(s), Roads and/or Subdivisions are to be included:

ALL OF POLICE JURY DISTRICT 13 AS FOLLOWS:

SUBDIVISIONS

Abney Country Aire

Avery Estates

Bell Acres

Cross Gates

Doubloon Bayou

Eden Isles

Fox Hollow

French Branch

Frenchman s Estates

Harmony Heights

Holiday Acres

Howze Beach

Kingspoint

Lake Gardens

Lindberg Glen

Northshore

Northshore Beach

Oak Harbor

Pine Shadows

Pine Villa

Quail Ridge

River Oaks

Robert Park

Snug Harbor

Village Acadian

Willow Wood

ROADS

Apple Pie Ridge

Carr Drive

East Howze Beach

Home Lane

Indian Village

Northshore Drive

Old River Road

River Crest

Salt Bayou

Voters

West Howze Beach

(Ord. No. 90-1299, adopted 06/21/90)

SEC. 13-002.02 No Parking in Designated Fire Zones and/or Designated Handicap Parking Spaces

a. It shall be unlawful for any vehicle to park in an off-street designated handicap parking space, unless a valid handicap vehicle license or permit which is easily identified or openly displayed, has been issued by the State of Louisiana.

b. It shall be unlawful for any vehicle to park in an off-street fire safety zone around a commercial structure as designated by the State of Louisiana.

c. Issuance of Citation: A Sheriff's Deputy or any bona fide or deputized police officer shall have the right to issue a traffic citation to any driver or operator of any motorized vehicle which is parking in established off-street parking space or fire zone who is in violation of a or b.

d. Violation: Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.00 of the Code of Ordinances.

(Ord. No. 96-2498, adopted 09/19/96)

SEC. 13-002.03 No Parking Zones

Parking on parish roadways in general is prohibited by sections of this code. Any regulation required for a specific roadway or area of roadway shall be implemented by ordinance of the governing authority, however, same shall not be included within the Code of Ordinances. Records of all "No Parking Zones" or variations thereof, shall be retained by the Department of Public Works. (Ord. No. 98-2910, adopted 7/23/98)

SEC. 13-003.00 Traffic Signs, Signals, Etc., Ratified

All signs, signals, markings and devices regulating traffic on roads and bridges which are part of the Parish Road System, including, but not limited to, speed limit signs, parking signs, stop signs, yield signs and weight limit signs, which are in place on the adoption date of this Code are hereby ratified and confirmed, and such signs shall be deemed to have been authorized by the Police Jury.

SEC. 13-004.00 No Thru Trucks

Regulations of the "No Thru" operation of trucks and/or vehicles on parish roadways (or portions thereof) shall be implemented by ordinance of the governing authority, however, same shall not be included within the Code of Ordinances. Records of all "No Thru" zones or variations thereof, shall be retained by the Department of Public Works. (Ord. No. 98-2910, adopted 7/23/89)

SEC. 13-005.00 Defacing, Removing, Etc., Traffic Signs

No person shall deface, destroy, remove, interfere with, tamper with or have in their possession any traffic-control signs, signals, devices or markings.

(a) Violations of this section shall constitute a misdemeanor, and anyone found guilty thereof, shall be fined and/or imprisoned therefor as is contained in Section 1-008.00 of the Code of Ordinances of St. Tammany Parish Louisiana. (Ord. No. 177, Bk. 3, P. 118; and Ord. No. 425, Bk. 7, P. 198; amended by Ord. No. 88-947, adopted 05/19/88)

SEC. 13-006.00 Allowing Contents Of Vehicle/Mud From Tires To Fall Onto Roadway Prohibited; Closing Of Violator s Business; Other Penalties

1. No person, firm or corporation shall operate any truck or other vehicle on any Parish road in such a manner or condition that the contents can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.
2. If any person, firm or corporation owns and/or operates any business or enterprise within the Parish from which vehicles are operating and entering onto Parish roads, whereon mud or other debris is being deposited by any such vehicle, said business is subject to being closed at the direction of the Parish legislative body [Police Jury] by means of an injunction in any court of competent jurisdiction.
3. In addition to any civil remedy available to the Parish, any person, firm or corporation who shall be guilty of operating or allowing any person, firm or corporation to operate any vehicle in violation of this Section shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than thirty (30) days or by both such fine and imprisonment. For second and subsequent offenses, the punishment shall be by fine of not more than Five Hundred Dollars (\$500.00) or imprisonment for not more than thirty (30) days or by both such fine and imprisonment. (Ord. No. 1128, adopted 03/20/80, amended by Ord. No. 97-2634, adopted 04/17/94)

SEC. 13-007.00 Speed Limits In General

1. Established. Except as otherwise provided herein, no person shall operate or drive a vehicle or automobile upon any highway, road, street and/or bridge situated within the unincorporated limits of this Parish (Federal and State Highways excepted) at a speed greater than the following:
 - a. Hard surface or concrete highways, roads, streets and/or bridges: Twenty-five (25) miles per hour unless otherwise posted. (amended by Ord. No. 88-945, amendment adopted 05/19/88)
 - b. All other highways, roads, streets and/or bridges: Twenty-five (25) miles per hour.
2. Speed to be governed by existing conditions. That no person shall operate or drive a vehicle or automobile upon the highways, streets, roads and/or bridges within this Parish at a speed greater than is reasonable and prudent under the circumstances, conditions and potential hazards then existing, having due regard for traffic thereon, surface conditions, the width thereof and the condition of the weather. Whoever violates this paragraph shall be guilty of prima facie speeding.
3. Department of Engineering to determine Speed Limits. The Parish Department of Engineering is herewith vested and delegated with the power, authority and discretion in application and furtherance of sound engineering and transportation principles and caution, to establish and designate a lower speed limit on any

portion or all of any Parish highways, streets roads and/or bridges than is herein-above shown; it shall also similarly have the power and authority to regulate the speed limits and to establish and designate same at a greater speed limit than that above shown, except that in no event shall said greater speed limit exceed fifty-five (55) miles per hour on hard surface or concrete Parish highways, roads, streets and/or bridges, nor forty-five (45) miles per hour on Parish highways, streets, roads and/or bridges otherwise surfaced. It shall be the responsibility of the Parish Department of Public Works to post the appropriate speed limit signs established by the Department of Engineering.

4. Speed to be governed by signs. No person shall operate or drive any vehicle or automobile upon any highway, street, road and/or bridge in this Parish (State and Federal highways excepted) at a speed greater than is posted thereon.
5. Authority to establish different speed limits for different vehicles. The Parish Department of Engineering shall have the authority to legally establish and post speed limits differing with the type of vehicle traversing the surface.
6. Authority to establish and post traffic-control devices. The Parish Department of Engineering is herewith vested with the authority to establish and post traffic-controls; e.g., stop, yield or slow signs, rumble bumps, or any such other controls and postings as it deems necessary. It shall be the responsibility of the Parish Department of Public Works to post the appropriate traffic control signs/measures established by the Department of Engineering.
7. Violation, penalties. Whoever shall violate any provision of this Section shall be fined not more than One Hundred Dollars (\$100.00) or serve not more than thirty (30) days in the Parish Jail, or both. For second and subsequent convictions, the violator shall be fined not more than Five Hundred Dollars (\$500.00) or serve not more than ninety (90) days in the Parish Jail or both.

(Ord. No. 1103, adopted 01/17/80; Ord. No. 80-70, adopted 11/06/80; amended by Ord. No. 88-945, adopted 05/19/88; amended by Ord. No. 97-2730, adopted 09/25/97; amended by Ord. No. 98-2910, adopted 7/23/98)

SEC. 13-008.00 Dangerous, Distracting or Unreasonably Loud Noises From a Motor Vehicle

(a) Prohibited Conduct: It shall be unlawful to operate any motor vehicle while emitting therefrom any unreasonably loud noises which may distract the operator of such vehicle, which may impair the ability of the operator to hear and respond to emergency vehicles or to the warning sounds of a horn from another vehicle, which may distract the operators of other vehicles or which may distract pedestrians. The operator of a motor vehicle is prohibited from operating a vehicle with a device or source that is actually emitting such unreasonably loud noises, which shall include, but are not limited to, radios, stereos or any other sound systems or devices, including those that are commonly referred to as "boom boxes", and any vehicle that is not equipped with a muffler that is in good working order, or any vehicle being operated with a muffler that has been rendered inoperative.

(1) The owner and/or occupants of any parked vehicle that is emitting therefrom any unreasonably loud noise while the vehicle is not being operated upon the roadway, shall be subject to all applicable nuisance provisions set forth in Chapter 14, including Section 14-001.00 (d) and (e), Section 14-002.00 (e) and (f), and Section 14-035.00.

(b) Motor Vehicle: Motor vehicle shall mean every device by which persons or things may be transported upon a public highway or bridge, except devices moved by human power or used exclusively upon stationary rails or tracks, and includes a "motor vehicle", which is commonly referred to as a car, any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, motor home, motorcycle, trailer or semi-trailer propelled or drawn by mechanical power.

(c) Penalty: Any person who shall violate the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) DOLLARS, or by imprisonment for not more than THIRTY (30) DAYS in the parish jail, or both such fines and imprisonment.

(Ord. No. 04-0984, adopted 10/07/2004)

SEC. 13-009.00 Compression Engine Brakes

A. Use of Un-muffled Compression Engine Brakes Prohibited.

No person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine exhaust of such motor vehicle or any unit or part thereof within the unincorporated areas of St. Tammany Parish, unless such braking system is equipped with a functional muffler. Such prohibition shall not apply if an emergency situation exists, and the use of un-muffled compression engine brakes is necessary for the protection of persons or property.

B. Use of Muffled Compression Brakes Prohibited in Certain Areas.

No person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine exhaust of such motor vehicle or any unit or part thereof, regardless of the presence of a muffling device on said compression brakes, within the following described areas of unincorporated St. Tammany Parish. Such prohibition shall not apply if an emergency situation exists and the use of compression engine brakes is necessary for the protection of persons or property:

1. Barker's Corner; specifically, the areas within ½ mile of the intersections of Million Dollar Road and Hwy 1081 (a.k.a. Stafford Rd.) with Highway 437; within ½ mile of both intersections of Highway 40 with Highway 1129; and on Hwy 437 beginning ½ mile south of the intersection of Million Dollar Road and Hwy 437, extending to Hwy 1129 ½ mile north of the intersection Hwy 40 and Hwy 1129.

2. On Highway 1077 (a.k.a Turnpike Road) and on Highway 1078 (a.k.a Bennett Bridge Road) within one-half mile of the intersection of Highway 1077 and Highway 1078.

3. On Hwy 437 between River Road and Hwy 1081(a.k.a. Stafford Road).

C. Definitions

"Brake" means any device used for slowing, halting or stopping the movement of any vehicle.

"Compression Engine Brake" means any motor vehicle brake that is operated by the compression of the engine exhaust of the motor vehicle or any unit or part thereof. A compression engine brake is also commonly known and referred to as a "jake brake".

"Motor vehicle" means every device by which persons or things may be transported upon a public highway or bridge except devices moved by human power or used exclusively upon stationary rails or tracks, and includes vehicles commonly referred to as car, truck, tractor, tractor-trailer, motor home, and semi-trailer, propelled or drawn by mechanical power.

D. Penalty

Any person who shall violate the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) dollars, or by imprisonment for not more than THIRTY (30) DAYS in the parish jail, or both such fines and imprisonment.

E. Posting

Signs identifying those areas where use of muffled compression brakes is prohibited shall read "Use of Engine Brakes Prohibited, St. Tammany Parish Code Section 13-009.00". The Parish Department of Public Works is authorized and directed to post appropriate signs on parish roads consistent with the provisions of this section. Placements of signs on state highways shall first receive approval by the State Department of Transportation and Development and the Department of Public Safety.

(Ord. No. 09-2074, adopted 06/04/2009, amended by Ord. No. 092146, adopted 10/01/2009; amended by Ord. No. 12-2747, adopted 06/07/2012; amended by Ord. No. 13-2960, adopted 06/06/2013)

DIVISION II MOTOR VEHICLES (PRIVATE)

SEC. 13-017.00 Speed Limit For Brier Lake Estates Subdivision

It shall be unlawful for any person to operate or drive a motor vehicle at a rate of speed in excess of 35 miles per hour upon Brier Lake Drive from its intersection with U.S. Highway 190 to the Cypress Bayou Bridge. (Ord. No. 88-947, adopted 05/19/88)

SEC. 13-017.00.1 Additional Speed Restrictions

It shall be unlawful for any person to operate or drive a motor vehicle at a rate of speed in excess of 25 miles per hour upon Brier Lake Drive from the Cypress Bayou Bridge to its intersection with St. John Drive, and upon all other streets and roads in Brier Lake Estates Subdivision, whether now constructed or constructed in the future.

(a) Preferential right of way at an intersection may be indicated by stop signs or yield signs.

(b) Except when directed to proceed by a police officer or traffic-control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right of way to all vehicles which have entered the intersection from another highway or which are approaching so closely on said highway as to constitute an immediate hazard.

(c) The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another street or roadway so closely as to constitute an immediate hazard. (Ord. No. 88-947, adopted 05/19/88)

SEC. 13-017.00.2 Misdemeanor

Whoever violates the provisions of this Section shall be guilty of a misdemeanor and shall be fined not more than One Hundred (\$100.00) Dollars or imprisoned for not more than thirty (30) days, or both, at the discretion of the Court. (Ord. No. 88-947, adopted 05/19/88)

SEC. 13-017.01 Operation Of Motorized Vehicles Within Tchefuncta Club Estates Subdivision

It shall be unlawful for any person to operate or drive a motor vehicle upon certain roads of St. Tammany Parish hereinafter named outside of incorporated municipalities and exclusive of State Highways at a rate of speed in excess of 25 miles per hour.

The speed limit for all motorized vehicles traversing said streets shall be twenty-five (25) miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic-control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection from another highway or which are approaching so closely on said highway as to constitute an immediate hazard.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard.

The roads covered by this ordinance shall be all streets and roads in Tchefuncta Club Estates Subdivision, Ward 1, St. Tammany Parish, Louisiana.

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the Court.

(Ord. 602, adopted 08/15/74; amended by Ord. No. 01-0305, adopted 05/03/2001)

1. **Proper License Required.** It shall be unlawful for any person to operate any motorized vehicle or conveyance on any street within the boundaries of the Tchefuncta Club Estates Subdivision unless the operator or driver thereof having in his or her possession a current Louisiana Operator s License.
2. **Use Of Sidewalks Other Than For Pedestrian Traffic Prohibited.** It shall be unlawful to operate or drive any motorized vehicle on any sidewalk within Tchefuncta Club Estates Subdivision even if the driver is duly licensed to operate the vehicle.
3. **Definitions.**

1. Tchefuncta Club Estates Subdivision is all of that portion or parcel of land therein, for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision have been dedicated to the Parish of St. Tammany, and the Parish has never maintained said streets. The streets were constructed at the expense of an on property owned by Tchefuncta Club Estates, Inc. The streets within said subdivision are thus privately owned by Tchefuncta Club Estates, Inc.
2. Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.
3. Sidewalk shall mean any cement, hard surface or other walkway paralleling any street therein and intended for pedestrian use.
4. Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.
4. **Exemptions.** Exempted from the provisions hereof are bicycles which are self-propelled, roller skates and skate boards and any other form of conveyance which is not motorized. For the purposes hereof, driveways, driveway aprons, any sidewalk to or [from] other construction which provides ingress and egress to dwellings and as same may cross the sidewalks which parallel the streets are exempted from the provisions hereof.
5. **Enforcement.** It shall be the duty of, and any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the streets of the Tchefuncta Club Estates Sub-division if the vehicle is exceeding the speed limit, has failed to obey a stop sign, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License, or for any other violation of motor vehicle laws or ordinances and to issue citation therefor.
6. **Issuance Of Citation.** Said Sheriff s Deputy or any bona fide or deputized police officer in addition to any other traffic citation shall have the right to issue a traffic citation to any driver or operator of any motorized vehicle traversing the streets or sidewalks of said subdivision who is operating a vehicle traveling in excess of the speed limit, or who has failed to obey a stop sign, or who does not have in his or her possession a valid and current Louisiana Operator s License.

(g) It is the responsibility for Tchefuncta Club Estates, Inc. to maintain and keep up the roads within the said subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. Tchefuncta Club Estates, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic laws within said private development.

(Ord. No. 83-592, adopted 05/19/83; amended by Ord. No. 01-0305, adopted 05/03/2001)

EDITORIAL NOTE: This Ordinance formally appeared in Chapter 15, entitled "Offenses-Miscellaneous" as Section 15-16, of the St. Tammany Parish Code of Ordinances as published by the Municipal Code, Corp., pub. 1979-1987. It has been moved into Chapter 13, entitled "Motor Vehicles and Traffic" by authority of the Police Jury/Parish Council.

SEC. 13-017.02 Speed Limits and Speed Zones for Meadowbrook Subdivision

EDITORIAL NOTE: Sections 13-011.00 - 13-011.03 were established by Ord. No. 96-2394, adopted 03/21/96)

Pursuant to Louisiana Revised Statute 32:42 and 32:41(a)(9), the speed limit for the subdivision known as "Meadowbrook" shall be as posted. In addition, the St. Tammany Parish Department of Public Works is directed to post any required speed limit signs upon payment of cost of materials and labor by the Meadowbrook Homeowner's Association. (Ord. No. 96-2394, adopted 03/21/96)

STATE REFERENCE: LSA R.S. 32:42, 32:41 (a)(9) authorizes parishes and municipalities to create speed limits.

SEC. 13-017.02.1 Stop Signs

Stop signs shall be placed at certain intersections that St. Tammany Parish Department of Public Works determines to be appropriate and stop signs placed thereafter the material and labor costs are paid by the Meadowbrook Homeowner's Association. (Ord. No. 96-2394, adopted 03/21/96)

SEC. 13-017.02.2 Citations

The St. Tammany Parish Sheriff's Office is hereby authorized to issue citations for speeding and stop sign violations within the Meadowbrook Subdivision. (Ord. No. 96-2394, adopted 03/21/96)

SEC. 13-017.02.3 Maintenance of Subdivision Signs

It is the responsibility of the Meadowbrook Subdivision to be responsible for the maintenance and upkeep of the various signs within the subdivision. Furthermore, the Meadowbrook Homeowner's Associations agrees to hold harmless and indemnify St. Tammany Parish from any and all damages that may occur as a result of the placement of the signs and the authorizing of the St. Tammany Parish Sheriff's Office to enforce said speed and stop sign laws within the said private subdivision. (Ord. No. 96-2394, adopted 03/21/96)

SEC. 13-017.03 Speed Limits and Speed Zones for The Lakes Subdivision

EDITORIAL NOTE: Sections 13-012.00 - 13-012.03 were established by Ord. No. 96-2393, adopted 03/21/96.

Pursuant to Louisiana Revised Statute 32:42 and 32:41(a)(9), the speed limit for the subdivision known as "The Lakes Subdivision" shall be as posted. In addition, the St. Tammany Parish Department of Public Works is directed to post any required speed limit signs upon payment of cost of materials and labor by The Lakes Homeowner's Association. (Ord. No. 96-2393, adopted 03/21/96)

STATE REFERENCE: LSA R.S. 32:42, 32:41 (a)(9) authorizes parishes and municipalities to create speed limits.

SEC. 13-017.03.1 Stop Signs

Stop signs shall be placed at certain intersections that the St. Tammany Parish Department of Public Works determines to be appropriate and stop signs placed thereafter the material and labor costs are paid by The Lakes Homeowner's Association. (Ord. No. 96-2393, adopted 03/21/96)

SEC. 13-017.03.2 Citations

The St. Tammany Parish Sheriff's Office is hereby authorized to issue citations for speeding and stop sign violations within The Lakes Subdivision. (Ord. No. 96-2393, adopted 03/21/96)

SEC. 13-017.03.3 Maintenance of Subdivision Signs

It is the responsibility of The Lakes Subdivision to be responsible for the maintenance and upkeep of the various signs within the subdivision. Furthermore, The Lakes Homeowner's Association agrees to hold harmless and indemnify St. Tammany Parish from any and all damage that may occur as a result of the placement of the signs and the authorizing of the St. Tammany Parish Sheriff's Office to enforce said speed and stop signs laws within the said private subdivision. (Ord. No. 96-2393, adopted 03/21/96)

SEC. 13-018.00 Speed Limits and Speed Zones for Audubon Lakes Subdivision

Pursuant to Louisiana Revised Statute 32:42 and 32:41(a)(9), the speed limit for the subdivision known as Audubon Lakes Subdivision shall be as posted. In addition, the St. Tammany Parish Department of Public Works is directed to post any required speed limit signs upon payment of cost of materials and labor by Audubon Lakes Homeowner's Association. (Ord. No. 99-3094, adopted 6/17/99)

SEC. 13-018.01 Stop Signs

Stop signs shall be placed at certain intersections that the St. Tammany Parish Department of Engineering determines to be appropriate and stop signs placed there and said stop signs placed there after the material and labor costs are paid by Audubon Lakes Homeowner's Association. (Ord. No. 99-3094, adopted 6/17/99)

SEC. 13-018.02 Citations

The St. Tammany Parish Sheriff's Office is hereby authorized to issue citations for speeding and stop sign violations within Audubon Lakes Subdivision. (Ord. No. 99-3094, adopted 6/17/99)

SEC. 13-018.03 Maintenance of Subdivision Signs

It is the responsibility of Audubon Lakes Subdivision to be responsible for the maintenance and upkeep of the various signs within the subdivision. Furthermore, Audubon Lakes Homeowner's Association agrees to hold harmless and indemnify St. Tammany Parish from any and all damages that may occur as a result of the placement of the signs and the authorizing of the St. Tammany Parish Sheriff's Office to enforce said speed and stop sign laws within the said private subdivision. (Ord. No. 99-3094, adopted 6/17/99)

SEC. 13-019.00 Speed Limits - Tammany Mobile Home Park

Pursuant to Louisiana Revised Statute 32:42 and 32:41(a)(9), the speed limit for the development known as "Tammany Mobile Home Park" shall be established and posted at 15 MPH. In addition, the Parish Department of Public Works is directed to post any required speed limit signs upon payment of cost of materials and labor by Tammany Mobile Home Park.

SEC. 13-019.01 Stop Signs - Tammany Mobile Home Park

Stop signs shall be placed at certain intersections that the St. Tammany Parish Department of Engineering determines to be appropriate and the material and labor costs for stop signs placed there after shall be paid by Tammany Mobile Home Park.

SEC. 13-019.02 Enforcement

The St. Tammany Parish Sheriff's Office is authorized to issue citations for speeding and stop sign violations within Tammany Mobile Home Park.

SEC. 13-019.03 Maintenance

Tammany Mobile Home Park shall be responsible for the maintenance and upkeep of the various signs within the development. Furthermore, Tammany Mobile Home Park agrees to hold harmless and indemnify St. Tammany Parish from any and all damages

that may occur as a result of the placement of signs and the authorizing of the Sheriff's Office to enforce said speed and stop signs within the said private development.

(Ord. 00-0235, adopted 12/07/2000)

SEC. 13-019.04 Motor Vehicles - Clipper Estates Subdivision

SEC. 13-019.04.1 Definitions:

(1) **Clipper Estates Subdivision** is all of that portion or parcel of land therein, for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision have never been dedicated to the Parish of St. Tammany, and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Clipper Estates and are thus privately owned by Clipper Estates Homeowners' Association.

(2) **Street** shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) **Motorized vehicle** shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.04.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon streets within Clipper Estates Subdivision at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the

intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.04.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.04.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the streets of Clipper Estates Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated "No Parking" zone or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.04.5 Maintenance and Indemnification.

It is the responsibility of the Clipper Estates Homeowners' Association to maintain and keep up the roads within the said subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. Clipper Estates Homeowners' Association agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 02-0431, adopted 02/07/2002)

SEC. 13-019.05 Beau Chene/Marina Beau Chene

SEC. 13-019.05.1 Definitions

(1) Beau Chene Subdivision and Marina Beau Chene consists of all those portions or parcels of land therein, for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivisions have never been dedicated to the Parish of St. Tammany, and the Parish has never maintained said streets. The streets were constructed at the expense of the developer(s) of Beau Chene Subdivision and Marina Beau Chene and are thus privately owned by the Homeowners' Association.

(2) Street shall mean any roadway in said subdivisions and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.05.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon streets within Beau Chene Subdivision and/or Marina Beau Chene at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.05.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.05.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the streets of Beau Chene Subdivision and/or Marina Beau Chene if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.05.5 Maintenance and Indemnification

It is the responsibility of the Beau Chene Homeowners' Association to maintain and keep up the roads within Beau Chene Subdivision and Marina Beau Chene and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision(s). The Homeowners' Association agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 02-0474, adopted 05/02/2002)

SEC. 13-019.06 Northpark Subdivision, Phase III

SEC. 13-019.06.1 Definitions

(1) Northpark Subdivision, Phase III consists of all those portions or parcels of land therein, for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivisions have never been dedicated to the Parish of St. Tammany, and the Parish has never maintained said streets. The streets were constructed at the expense of the developer(s) of Northpark Subdivision, Phase III and are thus privately owned by the Estates of Northpark Homeowners Association, Inc.

(2) Street shall mean any roadway in said subdivisions and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC.13-019.06.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon streets within Northpark Subdivision, Phase III at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.06.3 Violation

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.06.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the streets of Northpark Subdivision, Phase III if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated “No Parking” zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.06.5 Maintenance and Indemnification

It is the responsibility of the Estates of Northpark Homeowners Association, Inc. to maintain and keep up the roads within Northpark Subdivision, Phase III and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision(s). The Estates of Northpark Homeowners Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 02-0479, adopted 05/02/2002)

SEC. 13-019.07 Oak Harbor Subdivision

SEC. 13-019.07.1 Definitions

(1) Oak Harbor Subdivision is all of that portion or parcel of land zoned as a Planned Unit Development (“PUD”) by the St. Tammany Parish Ordinance P.J. S. No. 88-938, which subdivision is shown on the maps attached to said ordinance, and for which final

subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Oak Harbor, with the exception of Oak Harbor Boulevard and Landmark Drive, have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Oak Harbor and privately owned by the Oak Harbor Property Owners' Association, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.07.2. Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Oak Harbor Subdivision at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.07.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-19.07.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Oak Harbor Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated “No Parking” zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-19.07.5 Maintenance and Indemnification.

It is the responsibility of the Oak Harbor Property Owners’ Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Oak Harbor Property Owners’ Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 05-1103, adopted 05/05/05)

SEC. 13-019.08 Meadowbrook Subdivision

SEC. 13-019.08.1 Definitions

(1) Meadowbrook Subdivision consists of all those portions or parcels of land therein, for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision have never been dedicated to the Parish of St. Tammany, and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Meadowbrook Subdivision and are thus privately owned by Meadowbrook Homeowners’ Association, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.08.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon streets within Meadowbrook Subdivision at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.08.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.08.4 Enforcement.

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the streets of Meadowbrook Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.08.5 Maintenance and Indemnification.

It is the responsibility of Meadowbrook Homeowners' Association, Inc. to maintain and keep up the roads within Meadowbrook Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Homeowners' Association agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 06-1345, adopted 08/03/2006)

SEC. 13-019.09 Lake Ramsey Development

SEC. 13-019.09.1 Definitions

(1) Lake Ramsey Development is a residential subdivision located within an unincorporated area of St. Tammany Parish consisting of phases 1 through 4 and other phases to be developed in the future, and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Lake Ramsey Development, have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Lake Ramsey Development and privately owned by the Homeowners' Association of Lake Ramsey, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.09.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Lake Ramsey Development at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

The placement of speed limit signs, stop signs or yield signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Homeowners' Association of Lake Ramsey, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the

cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard

SEC. 13-019.10 The Reserve Subdivision

SEC. 13-019.10.0 Definitions

(1) The Reserve Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developer have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of The Reserve Subdivision and privately owned by The Reserve Owners Association, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.10.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within The Reserve Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

The placement of speed limit signs, stop signs or yield signs at intersections, and other traffic control signage will be the responsibility of The Reserve Owners Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.10.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.10.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of The Reserve Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated “No Parking” zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.10.5 Maintenance and Indemnification.

It is the responsibility of The Reserve Owners Association, Inc. to maintain and keep up the roads within said subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. By requesting the enforcement of traffic regulations within the subdivision, The Reserve Owners Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 07-1678, adopted 10/04/2007)

SEC. 13-019.11 Estates at the Reserve Subdivision

SEC. 13-019.11.1 Definitions

(1) Estates at the Reserve Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the

office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developer have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of Estates at the Reserve Subdivision and privately owned by The Reserve Owners Association, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.11.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within the Estates at the Reserve Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

The placement of speed limit signs, stop signs or yield signs at intersections, and other traffic control signage will be the responsibility of The Reserve Owners Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.11.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.11.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of the Estates at the Reserve Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated “No Parking” zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.11.5 Maintenance and Indemnification.

It is the responsibility of The Reserve Owners Association, Inc. to maintain and keep up the roads within said subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. By requesting the enforcement of traffic regulations within the subdivision, The Reserve Owners Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

SEC. 13-019.12 The Highland Subdivision

SEC. 13-019.12.1 Definitions

(1) The Highlands is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of The Highlands, have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developer of The Highlands and privately owned by the Highlands Homeowners’ Association of St. Tammany, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.12.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within The Highlands at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection may be indicated by stop signs or yield signs.

The placement of speed limit signs, stop signs or yield signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Highlands Homeowners' Association of St. Tammany, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection.

The driver or operator of a vehicle approaching a yield sign shall slow down to a speed reasonable for the existing conditions, or shall stop if necessary, before entering the cross walk on the near side of the intersection or, in the event there is no cross walk, at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. Having slowed or stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.12.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.12.4 Enforcement

Any Sheriff s Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of the Highlands subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop or yield sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator s License, or for any other violation of state and parish motor vehicle laws or ordinances and to issue citation therefor.

SEC. 13-019.12.5 Maintenance and Indemnification.

It is the responsibility of the Highlands Homeowners' Association of St. Tammany, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Highlands Homeowners' Association of St. Tammany, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 08-1843, adopted 06/05/2008)

SEC. 13-019.13 Fox Branch Estates

Ord. No. 09-2110, adopted 08/06/2009.

SEC. 13-019.13.1 Definitions

(1) Fox Branch Estates Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Fox Branch Estates have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developers of Fox Branch Estates and privately owned by the Fox Branch Homeowners' Association, Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.13.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Fox Branch Estates at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Fox Branch Homeowners' Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.13.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.13.4 Enforcement

Any Sheriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Fox Branch Estates Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

SEC. 13-019.13.5 Maintenance and Indemnification

It is the responsibility of the Fox Branch Homeowners' Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Fox Branch Homeowners' Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

SEC. 13-019.14 Brookstone Subdivision

(Ord. No. 10-2261, adopted 05/06/2010)

SEC. 13-019.14.1 Definitions

(1) Brookstone Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Brookstone have never been dedicated to the Parish and the Parish has

never maintained said streets. The streets were constructed at the expense of the developers of Brookstone and privately owned by the Brookstone Property Owners Association Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

SEC. 13-019.14.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Brookstone Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Brookstone Property Owners Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

SEC. 13-019.14.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 13-019.14.4 Enforcement

Any Sheriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Brookstone Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, or for the purpose of determining

whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

SEC. 13-019.14.5 Maintenance and Indemnification

It is the responsibility of the Brookstone Property Owners Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Brookstone Property Owners Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

SEC. 13-019.15 Arbor Walk Subdivision

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.15.1 Definitions

(1) Arbor Walk Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Arbor Walk have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developers of Arbor Walk and privately owned by the Arbor Walk Property Owners Association Inc.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.15.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Arbor Walk Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Arbor Walk Property Owners Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.15.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.15.4 Enforcement

Any Sherriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Arbor Walk Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.15.5 Maintenance and Indemnification

It is the responsibility of the Arbor Walk Property Owners Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Arbor Walk Property Owners Association , Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to

enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 11-2625, adopted 11/03/2011).

SEC. 13-019.16 Lakeshore Estates Subdivision

(Ord. No. 12-2818, adopted 09/10/2012)

SEC. 13-019.16.1 Definitions

(1) Lakeshore Estates Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Lakeshore Estates have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developers of Lakeshore Estates and privately owned by Tammany Holding Company, LLC.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, motorized bicycles, golf carts or any other vehicle when so propelled.

(Ord. No. 12-2818, adopted 09/10/2012)

SEC. 13-019.16.2 Speed Limits / Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Lakeshore Estates Subdivision at a rate of speed in excess of 25 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Lakeshore Estates Homeowner's Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver

and operator of a motorized vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

(Ord. No. 12-2818, adopted 09/10/2012)

SEC. 13-019.16.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$ 100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the Court.

(Ord. No. 12-2818, adopted 09/10/2012)

SEC. 13-019.16.4 Enforcement

Any Sheriff's Deputy or bona-fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Lakeshore Estates Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

(Ord. No. 12-2818, adopted 09/10/2012)

SEC. 13-019.16.5 Maintenance and Indemnification.

It is the responsibility of Tammany Holding Company, LLC. and the Lakeshore Estates Homeowner's Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. Tammany Holding Company, LLC. and the Lakeshore Estates Homeowner's Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 12-2818, adopted 09/10/2012)

SECTION 13-019.17 Natchez Trace Subdivision

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 13-019.17.1 Definitions

(1) Natchez Trace Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were constructed by the developers of Natchez Trace have never been dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developers of Natchez Trace and privately owned by the Natchez Trace Property Owners Association.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 13-019.17.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Natchez Trace Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by the Natchez Trace Property Owners Association, Inc.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally

crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 13-019.17.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$ 100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 10-019.17.4 Enforcement

Any Sheriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Natchez Trace Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 13-019.17.5 Maintenance and Indemnification

It is the responsibility of the Natchez Trace Property Owners Association, Inc. to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. The Natchez Trace Property Owners Association, Inc. agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 15-3344, adopted 06/04/2015)

SECTION 13-019.18 Coquille Subdivision

(Ord. No. 15-3381, adopted 09/03/2015)

SECTION 13-019.18.1 Definitions

(1) Coquille Subdivision is a residential subdivision located within an unincorporated area of St. Tammany Parish and for which final subdivision approval for two (2) certain

phases was granted by the governing body of St. Tammany Parish and as duly recorded in the office of the Clerk of Court for this Parish. The streets within said subdivision that were or will be constructed by the developers of Coquille Subdivision have never been dedicated nor will they be dedicated to the Parish and the Parish has never maintained said streets. The streets were constructed at the expense of the developers of Coquille Subdivision and privately owned by Forest Lake Estates LLC but at completion of all phases will be conveyed to an association of owners to be formed at a later date upon all phases being completed, accepted, and resolved.

(2) Street shall mean any roadway in said subdivision and designated and constructed for the use of vehicular traffic.

(3) Motorized vehicle shall include any and all conveyances having two (2) or more wheels, allowing for the transport of a person or persons which are propelled by gas, diesel or electric motors or engines; same shall include, but are not limited to, automobiles, motorcycles, go-carts, trail bikes, bicycles, golf carts or any other vehicle when so propelled.

(Ord. No. 15-3381, adopted 09/03/2015)

SECTION 13-019.18.2 Speed Limits/Traffic Controls

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within Coquille Subdivision at a rate of speed in excess of 20 miles per hour.

Preferential right of way at an intersection will be indicated by stop signs.

The placement of speed limit signs and stop signs at intersections will be as determined by the St. Tammany Parish Department of Public Works, with the cost for labor and materials for placement of said signs to be paid for by Forest Lake Estates LLC.

Except when directed to proceed by a police officer or traffic control signal, every driver and operator of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the cross walk on the near side at a clearly marked stop line; but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection. Having stopped in this manner, the driver shall yield the right-of-way to any pedestrian legally crossing the roadway on which he is driving, and to any vehicle in the intersection or approaching on another roadway so closely as to constitute an immediate hazard.

(Ord. No. 15-3381, adopted 09/03/2015)

SECTION 13-019.18.3 Violations

Whoever violates the provisions of this Ordinance shall be guilty of a misdemeanor and shall be fined not more than One Hundred Dollars (\$ 100.00) or imprisoned for not more than thirty (30) days, or both, in the discretion of the court.

(Ord. No. 15-3381, adopted 09/03/2015)

SECTION 13-019.18.4 Enforcement

Any Sheriff's Deputy or bona fide or deputized police officer is herewith authorized and empowered to halt any motorized vehicle operating on the private streets of Coquille Subdivision if the vehicle is exceeding the speed limit, has failed to obey a stop sign, has parked in a designated "No Parking" zone, or for the purpose of determining whether or not the operator thereof has in his or her possession a valid and current Louisiana Operator's License; or for any other violation of state and parish motor vehicle laws or ordinances, and to issue citation therefor.

(Ord. No. 15-3381, adopted 09/03/2015)

SECTION 13-019.18.5 Maintenance and Indemnification

It is the responsibility of the Forest Lake Estates LLC initially and ultimately the owner's association to maintain and keep up the roads within said Subdivision and to maintain and keep up the various stop signs, speed limit signs and other traffic signs within the subdivision. Forest Lake Estates LLC agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff from any and all damages that may occur from the placement of any such signs, and from authorizing the Sheriff to enforce the speed limit, stop signs and other traffic controls within said private development.

(Ord. No. 15-3381, adopted 09/03/2015)

DIVISION 3 VEHICULAR SIZE LIMITATIONS

NOTE: The numbering system was changed in May of 1991 to facilitate the inclusion of additional Ordinances. Section 13-020.00 was created for vehicular size limitations. Section 13-010.00 through 13-010.05 are renumbered 13-030.00 through 13-030.05 under the New Division 4 and reprinted herein for consistency.

SEC. 13-020.00 Limitation for Indian Mound Lane

EDITORIAL NOTE: New Section 13-020.00 created under the authority of Ordinance No. 90-1317, adopted 07/19/90 and Ordinance No. 90-1384, adopted 12/20/90.

(A) To provide for the health and safety of the residents of this Parish, more specifically those of Indian Mound Lane (8-P-008), Ward 8, District 13, it shall be unlawful for any person to operate any bus or truck having in excess of two (2) axles on Indian Mound Lane.

(1) ENFORCEMENT - shall be directed and empowered to the Sheriff s Department of St. Tammany Parish and any other authorized agent of St. Tammany Parish having jurisdiction.

(2) SIGNS - shall be the responsibility of the Department of Public Works to post and maintain the appropriate signs.

(Ord. No. 90-1317, adopted 07/19/90)

(B) It shall be unlawful for any commercial bus or similar multi-passenger commercial conveyance of 35 or more passenger capacity to have access to or traverse Indian Village Road or Indian Mound Lane in St. Tammany Parish.

EXEMPTIONS: Exempted from the provisions hereof are commercial taxicabs, limousines, police, law enforcement and emergency vehicles.

VIOLATIONS/PENALTIES - A violation of this Section shall constitute a misdemeanor punishable as is contained in Section 1-008.00 of the St. Tammany Parish Code of Ordinances. (Ord. No. 90-1384, adopted 12/20/90)

(Ord. No. 90-1317, adopted 07/19/90; amended by Ord. No. 90-1384, adopted 12/20/90)

SEC. 13-021.00 Load Limits and Permits

(a) There is hereby established as a maximum load limit on all hard-surfaced Parish Roads a gross weight of twelve (12) tons or eight (8) tons per axle unless posted otherwise. There is established as a maximum load limit on all Parish bridges a maximum gross weight of five (5) tons or eight (8) tons per axle unless posted otherwise.

(b) Overload operations exceeding these maximum load limits require a permit to exceed these limits for a specified number of trips or days as required by the Director of the Department of Public Works or Parish Engineer. Such a permit shall be issued only if good cause and need is justified. All permits shall stipulate the roads to be traveled.

(c) In order to obtain a permit it will be necessary to provide a bond in the form of a certified check or other surety satisfactory to the Department of Public Works to ensure that any damage caused by such overloading will be repaired by the parties responsible for overload operation.

(d) The amount of the bond will not exceed the actual estimated cost of repairing and/or resealing the bituminous surfaced roads to be used by overloaded vehicles or in the actual estimated cost of repairing the bridges to be used by the overloaded vehicles.

(e) The bonds will be returned at the end of the overload operations after an inspection by personnel from the Department of Public Works and after repairs, if any are required, have been completed to the satisfaction of the Director of Public Works.

(f) In the event the permit holder does not make the repairs, if any are required, within thirty (30) days after the expiration of the permit, the surety will be used to make the repairs by personnel employed by the Police Jury and any balance returned to the permit holder. (Ord. No. 524, Bk. 7, P. 85; Ord. No. 626, Bk. 7, P. 528; Ord. No. 740, adopted 07/28/77)

DIVISION 4 FOR-HIRE VEHICLES CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE (CPNC)

EDITORIAL NOTE: The numbering system was changed in May of 1991 to facilitate inclusion of additional ordinances. Section 13-030.00 was created by moving from 13-010.00. Division 4 was created at same time to encapsulate ordinances under new title of Taxicabs. This title was changed to For-Hire Vehicles for the 1994 update of the Code of Ordinances.

SEC. 13-030.00 Purpose

The purpose of this Article is to insure safe and reliable passenger transportation by licensing, controlling, and regulating each privately operated for-hire vehicle in the unincorporated areas of the parish. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.01 Definitions:

(A) For-hire vehicles: Any privately operated motor or power driven vehicle providing transportation service for which compensation is charged per capita, per mile, or per destination. As used in this Article, the following shall refer to forms of for-hire vehicles:

(1) Taxicabs: Any vehicle carrying six (6) passengers or less, including the driver or operator.

(2) Limousines: Any vehicle carrying from six (6) to nine (9) passengers.

(3) Vans/buses: Any vehicle carrying twelve (12) or less passengers.

(4) Vans/buses: Any vehicle carrying twelve (12) or more passengers.

(5) Dray: Any vehicle drawn by an animal.

(Ord. No. 93-1737, adopted 05/20/93; amended by Ord. No. 99-3075, adopted 5/20/99 removed all references to watercraft and waterways under this Division)

SEC. 13-030.02 Certificate Of Public Necessity And Convenience (CPNC) Required By Operators Of For-Hire Vehicles

Any person, corporation, partnership or association in the business of operating for-hire vehicles as a common or contract carrier of persons or property for compensation on roads in the unincorporated areas of St. Tammany Parish will be required to obtain a Certificate of Public Necessity and Convenience (CPNC) if the point of origin is in unincorporated St. Tammany Parish.

It shall be unlawful for any person to operate or permit any other person to operate a for-hire vehicle, or to transport or offer to transport passengers for hire in any vehicle from another parish, without having first applied for and received the appropriate CPNC in the manner provided herein, providing that the fare originates in unincorporated St. Tammany Parish.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.03 Application for CPNC

Each individual seeking to obtain a CPNC license for a for-hire vehicle as well as to operate a for-hire vehicle shall make written application to the Police Jury for same, shall meet the requirements as established by law, and shall certify that all requirements have been properly satisfied. No license shall be granted if the applicant fails to meet the requirements or if the applicant provides false, misleading or incomplete information. Licenses issued on the basis of false, misleading or incomplete information furnished by the applicant may be revoked by the Police Jury.

If the applicant is a corporation, association or partnership, all of the partners or the principal officers of the organization and the person(s) actually exercising the executive direction of the organization shall be listed on the applications. All of the provisions applicable to individuals shall apply to and be required of such principal partners or officers, and the failure of any of them to meet such requirements shall be grounds to deny the application of such corporation, association or partnership.

All changes of such partners or officers who have submitted applications shall be reported to the Police Jury within ten (10) working days of such change, and such new officers, partners or other executive managing personnel shall individually file applications within that time. The failure to certify within such time or to possess the qualifications required of individuals under this article shall be cause for the suspension of all permits held by such corporation, association or partnership.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.03.1 Requirements

(A) LPSC Authority - Any applicant for a CPNC on a bus, van or limousine must possess a current LPSC authority issued by the Louisiana Public Service Commission. (Ord. No. 93-1737, adopted 05/20/93)

(B) U.S. Coast Guard Inspection/License - Any motor driven watercraft carrying five (5) or more passengers must possess proper inspection issued by the U.S. Coast Guard and all operators of such for-hire motor driven watercraft must possess a proper Coast Guard license (copy of license to be retained on file by Parish).

(C) Age and Literacy - Applicants for CPNC's must be twenty-one (21) years of age and must be able to read and write English. In the case of a partnership or corporation, said provisions must be satisfied by the qualification of principal partner(s) or duly registered officer(s).

(D) Citizenship and Residency -

(1) Citizenship: An applicant for any CPNC license must be a citizen of the United States. Proof of citizenship shall be submitted by the applicant at the time the application is made.

(2) Residency: An applicant for a CPNC from a contiguous parish must have or designate an agent for service of process and provide same to the Police Jury.

(3) Organizations: If the applicant is a corporation or partnership, the above requirements for a CPNC shall be satisfied by the qualification of all duly registered officers of the corporation or principal partners of the partnership. Copies of Articles of Incorporation or Partnership Agreement must be furnished.

(E) Occupational License - Applicants for CPNCs must obtain a St. Tammany Parish occupational license in accordance with Chapter 12 (Sections 12-016.10 et seq.) of this Code of Ordinances, and the same must be prominently displayed in the vehicle at all times.

(F) Proof of Ownership and For-Hire Registration - Applicants for CPNCs must submit proper proof of ownership for all vehicles to be licensed (title, bill of sale, purchase agreement, or lease agreement for not less than 2 years), as well as a "For Hire Vehicle" registration certificate to be prominently displayed in the vehicle.

(G) Operator s License - All owners and operators of CPNC licensed road vehicles shall be required to possess a current Louisiana Chauffeurs Drivers License, CDL, or proper LPSC.

All owners/drivers of for-hire road vehicles shall provide the Police Jury with the names, addresses and driver s license numbers of all persons permitted to drive any such

vehicle. Likewise, the Police Jury must be notified in writing within five (5) working days after the employment of any new driver or the termination of any driver, with the actual employment or termination date being provided in said notice.

(H) Background Record Check - All CPNC applicants must submit to a police background check to be conducted by the St. Tammany Parish Sheriff's Department. One felony conviction or more than three (3) misdemeanor convictions over the past five (5) years will automatically disqualify the applicant from receiving a CPNC. Further, any conviction of driving while intoxicated, reckless operation of a motor vehicle, and/or hit-and-run driving within the past three (3) years will be considered automatic disqualification from obtaining a CPNC Operator License from the type of vehicle for which the offense occurred.

(I) Drug Testing - All CPNC applicants must submit to urinalysis screening for drug and/or alcohol abuse. Testing shall be done in such a manner as to ensure privacy and screening will be performed by an approved testing laboratory which adheres to N.I.D.A. guidelines. All test results and relevant information will be strictly confidential. The presence or detection of any of the following drugs, without valid prescription, will be considered automatic disqualification:

(1) Alcohol (ethyl)

(2) Amphetamines (e.g., speed)

(3) Barbiturates (e.g., Amobarbital, Butabarbital, Phenobarbital, Secobarbital)

(4) Cocaine

(5) Methaqualone (e.g., Quaalude)

(6) Opiates (e.g., Codeine, Heroin, Morphine, Hydromorphone, Hydrocodone)

(7) THC (Marijuana)

(8) Other illegal drugs, including use of prescription drugs not prescribed for the individual or used in excess of prescribed dosages

(J) Insurance Prerequisite - All CPNC vehicle applicants shall submit proof of insurance or ability to be insured by an admitted company licensed to do business in the State of Louisiana, or a surplus line company licensed in Louisiana with a rating in the A M Best Guide of at least A, IX.

Applicants must submit to the Parish a certificate of insurance or an actual policy of insurance providing for personal injury and property damage liability coverage for each vehicle to be licensed. Property damage must be separated from liability coverage. Combined single limits will not be accepted.

No for-hire vehicle shall be permitted to operate on streets and roads in the unincorporated areas of the Parish until the applicant has furnished sufficient proof of insurance coverage with the Parish of St. Tammany in the amounts of \$100,000.00, \$300,000.00 and \$500,000.00.

(Ord. No. 93-1737, adopted 05/20/93; amended by Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.04 Issuance of CPNCs

The Director of the Department of Permits shall investigate all applicants for a CPNC and the merits of each application. A written report of the findings and recommendations from the investigation shall be submitted to the Police Jury. The Police Jury shall determine whether or not any CPNC will be granted or denied. No application shall be denied without a hearing being held thereon, unless granting of a CPNC would cause the licensed motor vehicles in the parish to exceed the specified limit. Existing CPNC holders and other interested parties may appear as intervenors in such hearings.

(A) CPNC s generally - In determining whether a CPNC should be issued, the Director of the Department of Permits shall consider the following:

(1) Whether the requirements of the Certificate of Public Necessity and Convenience can be met and complied with only by the issuance of additional certificate(s) of public necessity and convenience;

(2) The resulting effect of an issuance upon the business of existing certificate holders and upon the existing agencies of mass transportation;

(3) The effect upon traffic congestion and safety of the public using the streets and said for-hire vehicles;

(4) The effect upon working conditions, wages or other compensation paid to drivers of taxicabs or other motor vehicles being operated under existing CPNC's;

(5) In the case of a new CPNC company, the applicant must establish the fact that the service to be provided is not and/or cannot be adequately provided by existing CPNC companies; or

(6) Any other facts which the Director may deem relevant.

(B) CPNC's for taxicabs - In determining whether a certificate of public necessity and convenience shall be granted to an applicant to operate a taxicab from a contiguous parish to pick up passengers or property in St. Tammany Parish, the Director of Permits shall take into consideration the number of vehicles licensed. No more than TWENTY (20) certificates of public necessity and convenience to operate a taxicab in St. Tammany Parish shall be issued by the Director of Permits.

(C) Limousines. In the case of new limousine companies, the applicant must have proof of title or leasing agreements for at least two (2), seven (7) or nine (9) passenger limousines and the limousines must not be more than five (5) years old. No more than TWENTY (20) certificates of public necessity and convenience to operate limousines in St. Tammany Parish shall be issued by the Director of Permits.

(D) Vans, Buses - All applicants for certificates of public necessity and convenience for vans or buses must provide proof of title, leasing agreement or proof of purchase and the required insurance coverage dependent upon passenger capacity.

(Ord. No. 93-1737, adopted 05/20/93; item (E) Watercraft was eliminated under authority of Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.05 Denial; Revocation; Suspension

The Police Jury shall have the sole authority to deny, revoke or suspend any Certificate of Public Necessity and Convenience.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.1 Permanent Disqualification For Certain Offenses

(A) Applicants for a driver s permit or CPNC shall never have been convicted anywhere under the laws of this state or any other state or of the United States of the offense or offenses equivalent thereto of homicide, negligent homicide, aggravated rape, aggravated battery, simple rape, aggravated kidnaping, aggravated burglary, armed robbery, attempted aggravated battery, attempted aggravated rape, attempted aggravated robbery, aggravated assault, or sale of narcotics.

(B) Applicants for a driver s permit or CPNC shall never have been convicted of multiple felony offenses or multiple traffic offenses involving injury or death.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.2 Prescription Of Certain Offenses

A) Applicants for a driver s permit or CPNC shall not have been convicted of any felony other than those listed in Section 13-030.05.1, or pandering, prostitution, soliciting for prostitution, or illegal possession or use of narcotics within five (5) years of the date of filing an application; nor shall the applicant have served any part of a sentence therefore within five (5) years before the date of filing such application.

(B) An applicant who is otherwise qualified to obtain a driver s permit or CPNC who has been convicted of a disqualifying offense under this Section [Division] may appeal to the Police Jury within ten (10) working days from the notice of disqualification by the Department of Permits, provided that the applicant has received a pardon for said

offense or committed said offense while a minor or where extenuating or mitigating circumstances are present.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.3 Specific Causes For Suspension Or Revocation

(A) The Police Jury, or its duly designated representative, is authorized to suspend, for a period not exceeding ninety (90) days, or revoke, pursuant to the applicable procedure, any driver's permit or CPNC for due cause whenever said party has to his discredit one of the following:

(1) Conviction in any court for violating any of the disqualifying provisions of this article [division];

(2) Finding, after administrative hearings as set out hereinafter, that the holder of the permit or CPNC has failed to comply with the provisions of this chapter [division];

(3) A combination of convictions in any court and/or suspensions totaling five (5) within one year;

(4) Operation of a vehicle regulated by the provisions of this article when the operator's permit is under suspension; or

(5) Investigation by the Director of the Department of Permits revealing that the permit holder falsified or concealed information which would have disqualified said applicant as a recipient of a permit under this chapter.

(B) A driver's permit for a road vehicle shall also be suspended or revoked for due cause whenever the party has to his discredit one of the following:

(1) Conviction in any court for drunken driving; or

(2) Five (5) or more moving violation convictions or three (3) or more convictions of moving violations period of twelve (12) months.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.4 No Addiction To Intoxicating Drugs

The applicant for a driver's permit or CPNC shall not be addicted to the use of intoxicating liquors and shall not use any narcotic drugs or any barbituric acid derivative, or central nervous system stimulant, as defined by the law of this state or this chapter [division], except under the supervision of a licensed physician for medical purposes. The physician shall have stated in writing that the applicant's ability to operate a vehicle will not be impaired by use of the drug. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.5 Narcotics Tests And Mandatory Revocation For Use Of Narcotics

(A) Each applicant shall furnish a written certificate or statement from the Coroner of St. Tammany Parish that he has been examined within ten (10) days of applying for such permit by the Coroner or by a competent person under his discretion or an approved testing laboratory and found not to use any narcotic drugs or barbituric acid derivatives or central nervous stimulant, as defined in this chapter [division].

(B) The Police Jury, Parish Manager, or Director of Permits may, pursuant to notice in writing, periodically require the holder of any CPNC or driver s permit issued under this article to take additional tests by the Coroner of St. Tammany Parish, or by an approved testing laboratory, acting under the direction of said officer, to determine if such holder uses any narcotic drugs or any barbituric acid or central nervous system stimulant as defined in this chapter. It shall be the right of the Police Jury or its designated representative to revoke, pursuant to the applicable administrative procedure, the CPNC or driver s permit should the Coroner or approved testing laboratory certify in writing at any time that an examination shows that such holder does use any of the narcotic drugs or any barbituric acid derivatives or central nervous system stimulant as defined herein.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.6 Police Record Check

All applicants for driver s permits or CPNCs shall submit to a police record check through the St. Tammany Sheriff s Department, and a copy of the report shall be attached to the application and kept on file by the Department of Permits. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.7 Provisions For Hearing/Appeal Of Denial/ Revocation Of Driver s Permit Or CPNC

(A) The Police Jury or its designated representative may deny or revoke the issuance of a driver s permit or a CPNC whenever, in the exercise of reasonable and sound discretion and after giving notice and affording the applicant or holder a hearing thereon, it has been determined that the applicant or holder is in violation of this chapter. The Police Jury shall conduct a hearing in accordance with the provisions of LSA R.S. 49:951 et seq. (Rules of Administrative Procedure).

(B) In the event the hearing results in the denial or revocation of a CPNC, the party involved may thereafter appeal to the Police Jury within ten (10) working days of such ruling to determine if said ruling is justified in the exercise of reasonable and sound discretion. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.8 Suspension Hearing

(A) The Director of the Department of Permits or a duly designated agent shall have the authority to suspend for not more than ninety (90) days the CPNC or driver s permit of a holder in violation of any section(s) of this article [division], provided that the party shall be first afforded notice of a hearing at which the holder will be permitted to present a defense, the convocation of such a hearing in the Police Jury Chambers, and the written reasons for the suspension by the Police Jury in the event of a decision of suspension.

(B) In the event that the hearing results in the suspension of a CPNC or driver s permit, the party involved may appeal to the 22nd Judicial District Court. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.05.9 One-Year Prohibition Against Application After Revocation

No person whose CPNC or permit has been revoked, pursuant to the procedure required by this article, shall be permitted to file an application for a new permit or CPNC within a period of twelve (12) months after such revocation. If after such period application is made, the applicant shall be required to meet all the requirements and qualifications provided in this chapter for original applicants. The Director of Permits has the discretion to issue a probationary license or permit at an established fee for a period of twelve (12) months. Such probationary license or permit shall be subject to administrative review and revocable by the Director of Permits in the exercise of sound discretion for any violation of the law. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.06 Corporate Officers Subject To Penal Provisions

Whenever a corporation, partnership or association shall violate any of the penal provisions of this article [division], such violation shall also be deemed to be that of the individual officers, directors, partners or agents of such corporation who had personally authorized, ordered or perpetuated such violation. Any such officer, director, partner or agent shall be punished in the same manner and to the same extent as herein provided for an individual. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.07 General Or Attempted Non-Compliance; Penal Provisions

The non-compliance with any mandatory or prohibitory provision of this article [division] shall constitute an offense and a violation hereof. Any person charged with a violation of this article and found guilty of an offense thereof shall be subject to punishment by a fine and/or imprisonment at the discretion of the 22nd Judicial District Court not to exceed the maximum penalty provisions as defined in Sec. 1-008.0 of this Code of Ordinances. Any person convicted of an attempt to violate the provisions of this article [division] shall be sentenced to not more than one-half the maximum fine and/or imprisonment as defined in Sec. 1-008.0 of this Code of Ordinances. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08 Liability Coverage For-Hire Vehicles

All applicants and/or individuals holding CPNC's are required to have in full force and effect separate policies of liability insurance coverage for personal injury and property damage. Proof of insurance must be furnished to [the] Parish. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08.1 Liability For Certificate Holders

Such persons to whom CPNC's have been issued in accordance with the provisions of this article [division] shall be liable and answerable in damages for all injuries or damages whatsoever caused directly or indirectly by the use or operation of the CPNC holder s for-hire vehicles, whether at the time of the injury or damages such for-hire passenger vehicles were being used or operated by owner, agent, servant or employee or other persons not agents, servants or employees of the holder, unless proof is shown that the vehicle was stolen. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13.030.09 Temporary CPNC For Special Events

The Director of the Department of Permits is hereby authorized to issue temporary CPNCs for special events and special needs subject to the following restrictions:

- (A) The temporary CPNC will be valid beginning at 12:00 noon on the day prior to the special event and will end at 12:00 noon the day following the special event.
 - (B) No certificate shall be issued to other than a holder of a current group tour and special sightseeing, limousine, or a per capita sightseeing CPNC.
 - (C) Certificates shall be only issued for vehicles which qualify for a CPNC by being properly licenses, registered and insured.
 - (D) Operators of such licensed vehicles shall themselves be licensed by the State of Louisiana to drive said vehicle; said license being a valid Louisiana Chauffeur Driver s License.
 - (E) All fees and charges for temporary certificates issued under this section [division] shall be as outlined in this Article [Division].
 - (F) There shall be compliance with all applicable provisions of the Code of Ordinances for St. Tammany Parish prior to the issuance of the temporary CPNC for special events.
- (Ord. No. 93-1737, adopted 05/20/93; item (G) Watercraft eliminated under authority of Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.08.2 Liability Coverage Required

No for-hire vehicle subject to the provisions of this chapter shall be permitted to operate on streets or roads in the unincorporated areas of St. Tammany Parish by any owner

and/or operator until such party shall have first provided personal injury and property damage liability coverage for each such vehicle in the manner and in the amount specified hereinafter. The Department of Permits shall maintain a continuous check of the liability coverage of each taxicab and for-hire vehicle specified in this article [division] and shall not permit any such vehicle to operate without the required coverage. (Ord. No. 93-1737, adopted 05/20/93; amended by Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.08.3 Coverage By Insurance Policy

No insurance policy to provide coverage shall be accepted unless the same shall be written by a public insurance company authorized to do business in the State of Louisiana; shall be issued to such person, persons, firm or corporation; shall be in the amounts specified and shall conform to all requirements of this article [division]; and shall stipulate that any person or persons, firm or corporation, who may sustain damage to their person or property resulting from such negligent operation of such vehicles, shall have their right of action on said policy as fully and to the same extent as if said policy were made and executed directly in favor of the claimant for such damages. No policy will be accepted for a shorter period than six (6) months. Such insurance written under this section may be in either an "admitted" company or a "surplus line" company certified to do business in this state, provided that if same be written in a surplus line company, such company shall have a minimum rating with A.M. Best Company of A, Class IX. However, if the insurance written under these provisions is for a non-motorized (i.e., animal drawn) vehicle and is written in a surplus line company, such company shall have a minimum rating with A.M. Best Company of B+, Class VII. It shall be incumbent on the CPNC holder to inform the Parish if and when insurance is no longer in effect. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08.4 Effectiveness Of Certificate

The certificate for any and all for-hire vehicles of an owner thereof shall be effective and operation shall be permitted thereunder only so long as the insurance requirements as to such vehicle shall remain in force as therein provided. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08.5 Enforcement

The provisions of this section [division] may be enforced by appropriate civil remedy in any court of competent jurisdiction by governmental authority or by any person having an interest affected, directly or indirectly, by any violation thereof. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08.6 Revocation Of For-Hire Vehicle License For Failure To Provide Liability Coverage

Unless the CPNC holder furnishes the Parish Department of Permits with satisfactory evidence of required legal liability coverage prior to the expiration of the first seven (7) days of the ten (10) days notice specified in this article [division], or upon the third notice of cancellation within a twelve month period, the CPNC shall be subject to revocation after a hearing held by the Police Jury as set forth herein. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.08.7 Required Liability Coverage For All For-Hire Vehicles

The liability coverage for all for-hire vehicles shall be represented by a policy of liability insurance issued by an insurance company for payment of a sum of not less than ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) to satisfy all claims for damages by reason of bodily injury to, or death of, any one person resulting from any one accident, and, subject to said limit for one person, for payment of a sum not less than THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) to satisfy all claims for damages by reason of bodily injury to, or death of, two (2) or more persons, resulting from any one accident; and for payment of a sum not less than FIFTY THOUSAND DOLLARS (\$50,000.00) to satisfy all claims for damage to property resulting from any one accident, by reason of the ownership, operation, maintenance or use of such vehicle upon any street or road the unincorporated areas of St. Tammany Parish. (Ord. No. 93-1737, adopted 05/20/93; amended by Ord. No. 99-3075, adopted 5/20/99)

SEC. 13.030.10 Bus And Limousine CPNC Applications

A CPNC shall be issued for buses or limousines only after a written application is filed with the Department of Permits, a public hearing is convened, due notice is given to applicant, as well as to all competing companies, stating they might appear as interveners, and finding is reached by the Director of Permits that public convenience and necessity require the issuance of a certificate to said applicant. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13.030.11 Regulation Of Vehicles

(A) Road vehicles must be in good mechanical condition and display a current Louisiana inspection certificate. Vehicles purchased for the express use of serving as taxicabs within the Parish shall be no older than five (5) years. Said vehicles may remain in service indefinitely as long as they comply with the safety standards of the State of Louisiana and the other provisions of this chapter [division].

(B) All CPNC vehicles must be registered in the owner s name with the Parish, giving the class, type, seating capacity, make, manufacturer, motor number and serial number, design and color scheme, and any lettering and marks to be used thereon. The owner is required to pay a fee of TWENTY-FIVE DOLLARS (\$25.00) for each registration. The registration certificate must be prominently displayed in the vehicle at all times.

(C) Change of ownership of or title to any CPNC vehicle for the operation of which a registration certificate has been issued shall automatically revoke such certificate unless the Parish is noticed [notified] of such a change and transfers the unexpired portion of said certificate to the new owner or to a substitute vehicle in case of destruction or replacement of vehicle for which the original permit was issued. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.12 Vehicle Inspections

No person shall operate a vehicle that does not have the appropriate vehicle inspection sticker required by state law or federal regulations. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.13 Operation Of For-Hire Vehicle

Every motor vehicle used in the business of transporting passengers for hire shall use the streets or roads in the unincorporated areas of St. Tammany Parish subject to all traffic rules and regulations that may from time to time be issued by the State Police, the Sheriff and/or the Police Jury, and shall at all times be operated in a manner consistent with public welfare and safety. (Ord. No. 93-1737, adopted 05/20/93; reference to "waterway" eliminated under authority of Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.13.1 Police To Regulate Operation, Parking

(A) Operators of CPNC vehicles must obey all parish ordinances regarding traffic, parking, vehicular safety requirements, and all other regulatory laws governing vehicle operation applicable in St. Tammany Parish.

(B) It shall be the duty of the Sheriff, the State Police, or duly authorized law enforcement officers, to regulate the operation and parking of every vehicle operated as a public taxi or vehicle for hire hereunder on the streets in the unincorporated areas of St. Tammany Parish; which parking shall be regulated in a manner which will prohibit the undue blocking of traffic or the undue use of particular sections of streets for parking purposes by taxicabs and vehicles for hire, and all operators of the same are forbidden from posting any sign, poster or placard which in any manner restricts parking privileges of the general public unless signs are specifically authorized by order of the Police Jury.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.14 Restricted Fares

(A) It shall be unlawful for any person operating a for-hire vehicle, who is not licensed in the Parish, to provide pickup service for seven (7) citizens in the unincorporated areas of the Parish.

(B) For-hire vehicle operators licensed in another parish are prohibited from accepting fares originating in the unincorporated areas of this Parish unless they possess a CPNC issued by the St. Tammany Parish Police Jury.

(C) Exempt herefrom are licensed for-hire vehicles, i.e., limousines and buses, which provide charter services or contract services for weddings and funerals. Operators of such vehicles will be required to furnish a "Round-Trip Contract" to perform such services.

(Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.15 CPNC Schedule Of Fees

The fee to be paid to the St. Tammany Parish Police Jury for issuance of a Certificate of Public Necessity and Convenience (CPNC) or operator s license for a CPNC vehicle is hereby fixed as follows:

TAXICAB/VEHICLES OF 6 OR LESS PASSENGERS \$ 25.00

LIMOUSINES/VEHICLES 6 TO 9 PASSENGERS \$ 25.00

VANS/BUSES/VEHICLES 12 OR LESS PASSENGERS \$ 25.00

GROUP TOURS/SPECIAL SIGHTSEEING \$ 25.00

PER CAPITA SIGHTSEEING \$ 25.00

SPECIAL EVENTS/CHARTER \$ 25.00

TEMPORARY LICENSE - PER DAY, PER VEHICLE \$ 10.00

(Ord. No. 93-1737, adopted 05/20/93; watercraft eliminated under authority of Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.15.1 Duration, Renewal

Every permit issued hereunder shall be for a period of five (5) years and may be revoked by the Police Jury at any time for any violation of the provisions of this article [division], and must be renewed by every operator of taxicabs or other vehicles for hire each and every year from date of the issuance of the original permit, it being the intention of this article [section] that no for-hire vehicle be operated for carrying passengers unless it be expressly authorized by the St. Tammany Parish Police Jury, after compliance with all regulations contained in this chapter [division]. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.15.2 Applicant To Pay All License Fees

Each applicant, upon issuance of a CPNC hereunder by the Police Jury to conduct the business provided for herein, shall pay promptly all license fees required by the laws of the state and by the ordinances of this parish, and shall at all times while operating the said business pay all licenses and fees promptly when due. (Ord. No. 93-1737, adopted 05/20/93)

SEC. 13-030.16 Exemptions; Exceptions

A) Exempt from requirements established herein are educational, religious and non-profit groups/organizations using for-hire vehicles in connection with field trips, scholastic or athletic events, church related activities, senior citizens activities, and charitable events.

B) Any person, corporation, or partnership in possession of a valid occupational license issued by a St. Tammany Parish municipality to operate a for-hire road vehicle shall be exempt from the provisions and requirements hereof, provided said license was issued prior to the enactment of this Ordinance.

(Ord. No. 93-1737, adopted 05/20/93; item (C) watercraft eliminated under authority of Ord. No. 99-3075, adopted 5/20/99)

SEC. 13-030.17 Violations; Penalties

Any violation of this article [division] shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances. (Ord. No. 93-1737, adopted 05/20/93)

CHAPTER 14 NUISANCES

ARTICLE I IN GENERAL

SEC. 14-001.00 Purpose and Definition

Note: Sections 14-001.00 through 14-009.00 repealed and replaced with Sections 14-001.00 through 14-011.00 per Ord. 04-0943, adopted 08/05/2004

The purpose of these Articles is to define and prohibit conduct that constitutes a “nuisance.” Conduct that is defined as a nuisance is expressly prohibited and shall constitute a misdemeanor punishable according to the penalties and provisions set forth in Section 14-009.00, which shall apply to all nuisances, unless a separate penalty is otherwise provided. In this regard, conduct that is a “nuisance” is hereby defined as any unlawful act or omission, or suffering or permitting any condition or thing to be or exist, which act, omission, condition or thing either:

(A) Injures or endangers the health, safety or well-being of others; or

(B) Essentially interferes with, obstructs or tends to obstruct or renders dangerous for passage any public or private street, highway, sidewalk, stream, ditch or drainage; or

(C) Injures, damages, threatens to damage or tends to depreciate the value of any public or private property; or

(D) Essentially interferes with the right of privacy within ones home or unreasonably interferes with the use of ones residential property, including sounds and noises as enumerated in Section 14-002.00(e); or

(E) Actually causes, or imminently threatens to cause, material and substantial disruption within the community or is an invasion of the rights of others, including sounds and noises as enumerated in Section 14-002.00(f).

SEC. 14-002.00 Illustrative Enumeration

The following acts and/or omissions and the maintaining, using, placing, depositing, leaving or permitting to be or remain on any public or private property of any of the following items, conditions or actions are hereby declared to be and constitute a nuisance; provided, however, these enumerations shall not be deemed nor construed to be conclusive, limiting or restrictive:

(A) Noxious weeds and other rank vegetation.

(B) Accumulation of rubbish, trash, refuse, junk discarded or abandoned major appliances, such as refrigerators, freezers, ranges, or other machinery, metal, tin and/or other discarded or abandoned materials, metals, lumber or other things, on any vacant lot, or any portion of any occupied lot, neutral ground, street, sidewalk, drainage way or any public or private right of way. (Amended by Ord. No. 05-1175, adopted 08/04/2005)

(C) Any condition which provides harborage for rats, mice, snakes and other vermin.

(D) Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.

(E) All noises and sounds, including animal noises, that are unreasonably loud and intrusive, raucous, jarring or disturbing and which essentially interfere with the right of privacy within ones home or unreasonably interfere with the use of ones residential property, which is defined to include single-family, duplex or multifamily dwellings, nursing homes, outpatient surgical facilities and similar facilities.

(F) All noises or sounds that are unreasonably loud and intrusive, raucous, jarring or disturbing and which actually cause, or imminently threaten to cause, material and

substantial disruption of the activities of such places as schools, courts, churches or businesses.

(G) All obnoxious and/or dangerous odors and stenches, as well as the conditions, substances or other causes which give rise to the emission or generation of such odors and stenches.

(H) The carcasses of animals or fowl not disposed of within a reasonable time after death.

(I) The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, dead animals, creamery, industrial wastes or other substances.

(J) Any building, structure or other place or location where any activity which is in violation of local, state or federal law is conducted, performed or maintained.

(K) Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.

(L) Dense smoke, noxious fumes, gas, soot or cinders, in unreasonable quantities.

(M) Contractor's rubble, defined for the purposes hereof as the residue from construction, building demolition or razing of parts or the whole of structures and the residue of "do it yourself" repairs or other like operations including excavation.

(N) Building debris which is defined for the purposes hereof as plaster, roofing, concrete, brickbats, sand, discarded electrical wiring, lumber, pipes and fixtures resulting from construction repair, renovation or remodeling of any building, structure or appurtenance thereto.

(O) Camps, buildings and structures determined to be unsafe or dangerous by the St. Tammany Parish Chief Building Official.

(P) The placing of fill material comprised in whole or in part of asphaltic and/or asbestos roofing shingles on any lot, place or area situated on Lake Pontchartrain or any waterway which has a current flow and is designated as a river or bayou on any official map of the State of Louisiana or any other body of water, depression or bed, whether or not there is a current flow present or water present within its bank, when such stream is identifiable on any official map of the State of Louisiana and the directional course of said stream indicates a discharge of water into Lake Pontchartrain, to deposit or place, or to permit the deposition or placement on such lot, place or area, or upon any river bank or seashore said lot, place or area any fill material comprised, either entirely or partly, of asphaltic and/or asbestos roofing shingles.

(Q) Tree cuttings and other associated debris in public or private drainage ways, drainage servitudes, ditches or natural or man-made canals.

(R) The placing, throwing, sweeping, depositing or blowing of grass clippings, pine needles, pine cones, shrubs, brush, cut timber, the trimmings or clippings from hedges, shrubs, and/or other landscaping plants or trees, or any other yard debris, onto a public road or into any natural or manmade drainage channel, canal, easement, or roadside ditch. Any individual and/or company that is engaged in the business or regular activity that is commonly referred to as a landscape maintenance or grass cutting business shall be responsible to collect and properly dispose of all clippings, trimmings and/or other yard debris, rather than causing it, or allowing it to become, deposited on the roadway or into the drainage channel, canal, easement or roadside ditch.

(Ord. 05-1175, adopted 08/04/2005)

SEC. 14-003.00 Fires For Yard Debris

(A) Except as provided in (D) herein below, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber shall not be a violation of this Chapter, provided that:

- (1) The fire area shall not be greater than eight (8) feet in diameter;
- (2) The height of burning materials shall not be greater than four (4) feet;
- (3) Burning shall only occur between sunrise and one hour before sunset;
- (4) The fire site shall not be unattended;
- (5) A functional water hose shall be located next to the fire site;
- (6) The fire site shall be located at least 10 feet from the nearest property line;
- (7) There shall be no more than one (1) fire site per homesite or parcel of land;
- (8) The fire site shall be located at least fifty (50) feet from any structure, if nearer than fifty (50) feet from a structure a container must be used;
- (9) The fire shall not emit dense smoke, noxious fumes, gas, soot or cinders in unreasonable quantities so as to violate Section 14-001.00 above.

A violation of any of the above restrictions may result in the fire site being considered a nuisance under this chapter.

(B) The above restrictions that are set forth in subparagraph one (1) through eight (8) shall not apply in the event that the controlled fire or open burning of leaves and yard debris, as stated herein, is located a distance of one thousand (1000) feet or more from the nearest dwelling. However, such controlled fire or open burning of leaves shall not present a fire hazard and, as provided in subparagraph nine (9) hereinabove, shall not

emit dense smoke, noxious fumes, gas, soot or cinders in unreasonable quantities so as to violate Section 14-001.00 above.

(Ord. No. 08-1826, adopted 06/05/2008)

(C) The provisions of this section are not intended nor shall they lessen the responsibility of all persons to abide by other ordinances of this Parish, and laws of this State governing the matters herein addressed.

(D) Prohibited:

1. Notwithstanding the provisions of paragraph (A) herein above, the provisions of Section 8-018.01 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber in the following areas is strictly prohibited to-wit:

(a) Those areas of Council District 4 that are located east of the Tchefuncte River. Accordingly, and for clarification, those areas of Council District 4 situated west of the Tchefuncte River, which areas are currently within the boundaries of voting precincts MD1 and 102, are not included within the prohibition.

(b) The area bounded on the north by Interstate 12, on the south by the north bank of Ponchitolawa Creek, on the west by the eastern bank of the Tchefuncte River and on the east by the western right of way of US Highway 190, which area was formerly within the boundaries of Council District 4 and comprises the area within the current boundaries of voting precinct 306.

2. Notwithstanding the provisions of paragraph (A) herein above, the provisions of Section 8-018.01 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber on any lot or parcel of land less than 12,600 square feet in size within any Parish approved subdivision is strictly prohibited.

(Amended by Ord. No. 05-1213, adopted 12/01/2005, amended by Ord. No. 09-2128, adopted 09/03/2009; amended by Ord. No. 11-2614, adopted 10/06/2011).

SEC. 14-004.00 Notice To Abate

Whenever a nuisance is found to exist within the Parish, the sheriff, enforcement officers of the Parish Department of Planning and Permits, the parish health officer and the Chief of the applicable Fire Protection District, or any of their duly designated representatives, shall have the authority to give written notice to abate the nuisance to the owner or occupant of the property upon which such nuisance exists or upon the person causing or maintaining the nuisance. Where the nature and circumstances of a

particular nuisance violation warrants immediate enforcement, the sheriff's office may arrest or issue a misdemeanor summons in lieu of the notice to abate. In addition, an enforcing official shall have the authority to summarily abate any nuisance which, by its nature, creates an immediate hazard to life and/or property.

SEC. 14-005.00 Contents of Notice

The notice to abate a nuisance issued under the provisions of this Article shall contain:

- (A) An order to abate the nuisance or to request a hearing within a stated time, which shall be reasonable under the circumstances.
- (B) The location of the nuisance, if the same is stationary.
- (C) A description of what constitutes the nuisance.
- (D) A statement of acts necessary to abate the nuisance.
- (E) A statement that if the nuisance is not abated as directed and no request for hearing is made within the prescribed time, the Parish will abate such nuisance and assess the cost thereof against such person.

SEC. 14-006.00 Service of Notice

The notice to abate a nuisance shall be served as any other legal process may be served pursuant to law.

SEC. 14-007.00 Abatement by Parish

Upon the failure of the person upon whom notice to abate a nuisance is served pursuant to the provisions of this Article to abate the same, the enforcement officer or other duly designated officer of the Parish shall proceed to abate such nuisance and shall prepare a statement of costs incurred in the abatement thereof.

SEC. 14-008.00 Costs of Parish Declared Lien

Any and all costs incurred by the Parish in the abatement of a nuisance under the provisions of this Article shall constitute a lien against the property upon which such nuisance existed, which lien shall be filed, proven and collected as provided for by law. Such lien shall be notice to all persons from the time of its recording, and shall bear interest at the legal rate thereafter until satisfied.

SEC. 14-009.00 Penalties

Any person who shall violate any of the provisions of this chapter; or who shall violate or fail to comply with any order made hereunder, within the time fixed therein, shall

severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor punishable by a fine of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) DOLLARS, or by imprisonment for not more than thirty (30) days, or both such fines and imprisonment. Unless specifically provided otherwise, each day that any violation of this chapter shall continue shall constitute a separate offense. The imposition of a penalty for any violation shall not excuse the violation nor shall the violation be permitted to continue. All such persons shall be required to correct or remedy such violations or defects within a reasonable time, and when not otherwise specified, the application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Amended by Ord. No. 05-1175, adopted 08/04/2005)

SEC. 14-010.00 Unhealthful Materials, Weeds, Grass, Debris

(A) It shall be unlawful for the owner of any lot, place or area within all subdivisions, within one hundred feet (100) of all homes, business places or establishments and within one hundred feet (100) of the exterior right of way limits of all State Highways and Parish roads or streets in the Parish of St. Tammany, or the agent of such owner, to permit on such lot, place or area, or upon any sidewalk abutting same, any weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, that may be growing, lying or located thereon.

(B) That the St. Tammany Parish Government, or its duly authorized representative, is hereby authorized and empowered to notify, in writing, the owner of any lot, place of area within the Parish of St. Tammany, or the agent of such owner, to cut, destroy and/or remove any such weeds, grass or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, found growing, lying or located on such owner's property, or upon the sidewalk abutting same; provided that such written notice shall be by Certified Mail, addressed to said owner or agent of said owner, at his last known address.

(C) That upon failure, neglect or refusal of any such owner, or agent of such owner to cut, destroy and/or remove such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, growing, lying or located upon such owner's property, or upon the sidewalk abutting same, within ten (10) days after receipt of the written notice provided for in the preceding section, or within ten (10) days after the date of such notice, in the event the same is returned to the St. Tammany Parish Government by the U.S. Post Office because of its inability to make delivery thereof, provided the same was properly addressed to the last known address of such owner, or agent, the St. Tammany Parish Government, or its duly authorized representative, is hereby authorized and empowered to order by Parish personnel or by contract to pay for the cutting, destroying and/or removal of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter.

(D) That, whenever the St. Tammany Parish Government, or its duly authorized representative, has paid for the cutting, destroying and/or removing of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, as set forth in the preceding section, the actual cost thereof, plus accrued interest at the rate of eight percent (8%) per annum from the date of the completion of said work, shall be charged to the owner of such property on the next regular tax bill forwarded to such owner by the Sheriff and Ex-Officio Tax Collector for the Parish of St. Tammany, if not paid by such owner prior thereto, which said charge shall be due and payable by said owner at the time of payment of such tax bill.

(E) That if the full amount due the Parish of St. Tammany is not paid by such owner within ten (10) days after the cutting, destroying and/or removal of such weeds, grass, or deleterious, unhealthful growths over fifteen inches (15") in height, trash, debris, refuse, discarded or noxious matter, as set forth in the two preceding sections; then, and in that case, the St. Tammany Parish Government, or its authorized representative, shall cause to be recorded in the Mortgage Office of the Parish of St. Tammany, a sworn statement showing the cost and expense incurred for the work and the date, place or property on which said work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property, and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made; said costs and expenses shall be collected in the manner fixed by law for the collection of taxes, and, further, shall be subject to a delinquent penalty of ten percent (10%) in the event same is not paid in full on or before the date the tax bill upon which said charge appears becomes delinquent, sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done, and shall be full notice to every person concerned that the amount of that statement, plus interest, constitutes a charge against the property designated or described in the statement and that the same is due and collectible as provided by law.

(F) In addition to the above remedies, violations of the provisions of this ordinance, or failure to comply with any of its requirements, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction therefore be fined not less than FIFTY DOLLARS (\$50.00) per day, and in addition, shall pay all cost and expenses involved in the case; however, the maximum aggregated fines are not to exceed FIVE HUNDRED DOLLARS (\$500.00). Each day such violation continues shall be considered as a separate offense all in accordance with Section 1-008.00 of the Parish Code of Ordinances.

(G) The Director of Permits and Inspections, the Director of Planning and all persons appointed as acting inspectors of the Parish of St. Tammany are empowered to serve a citation upon persons charged with violations of any provision contained in this section or to post a notice of violation at the place of violation.

(H) As used in this section, the term “citation” shall mean a written or printed notice served upon the person charged with a violation. Such citation shall include, but may not be limited to, the following information:

- 1) The name of the person creating the violation or the owner or person in charge of the premises at which the violation occurs,
- 2) The date and place of violation,
- 3) A short description of the violation followed by the number and section of the ordinance or Code article provision violated,
- 4) The date and place at which the person shall appear and a notice that if the person does not respond to the citation a warrant shall be issued for such person’s arrest,
- 5) A notice that the person charged may be represented by counsel, that he may plead guilty or not guilty, and that he has a right to a court hearing.

SEC. 14-011.00 Prohibited Tree Cuttings and Associated Debris

It shall be unlawful for any individual, tree trimming company, public utility company or other company, and its employees, engaged in tree trimming operations to leave or permit to remain on any public or private drainage ways, drainage servitudes, ditches or natural or man-made canals any tree cuttings and other associated debris. Except as otherwise provided herein, individuals, tree trimming companies and public utility or other companies shall be responsible to contemporaneously remove all such tree cuttings and other associated debris resulting from tree trimming operations.

(A) Emergencies: During times of emergencies, because of damage occasioned by such events as hurricanes, tornadoes, force majeure or other catastrophic events, when such tree trimming operations are necessary to restore such things as power, or other public utility services, tree cuttings and other associated debris shall be permitted to remain for a reasonable time under the circumstances. Clean-up of trees and limbs that are broken and blown over by forces such as wind and rain or structural failure shall not be the responsibility of said utility companies or their tree contractors. The responsibility for clean-up of trees and debris due to wind or rain or structural failure shall belong to each respective individual property owner. However, under no circumstances shall post storm tree trimming activities result in debris being placed in and left to remain in any drainage way, drainage servitude, ditch or natural or man-made canal.

(B) Contemporaneous removal: Except in cases of emergencies, which shall not include pre-storm activities, all tree cuttings and other associated debris shall be removed from the location where the activity is being conducted contemporaneously with the tree trimming activity of that particular day and no tree cuttings and associated debris shall be permitted to remain at the site.

(C) Notice: Whenever the public nuisance set forth in this Section exists within the parish, in violation of Section 14-002.00 of this Chapter, the enforcing agency shall order the company creating the nuisance to immediately remove all cuttings and other associated debris from the site. Such order shall:

(1) Be in writing;

(2) Specify the public nuisance and its location;

(3) Specify the corrective measures required and the enforcement measures that may be taken;

(4) Provide for compliance within ten (10) days from the service thereof; and

(5) Provide for an opportunity for a pre-enforcement hearing and extension of time by written request received by the enforcing agency within ten (10) days.

(6) The order or notice shall be served upon a domestic or foreign corporation by personal service upon the designated agent or by sending the notice by certified mail, return receipt requested, to the address of the designated agent as shown on the records of the secretary of state. If the corporation has failed to designate an agent, if there is no registered agent by reason of death, resignation or removal, or if the person attempting to make service certifies that he is unable, after due diligence, to serve the designated agent, service may be made by (i) service on any officer, or director, or any person named as such in the last report filed with the secretary of state, (ii) by personal service on any employee of suitable age and discretion at any place where the business of the corporation is regularly conducted, (iii) or by any other method of service authorized by law for service of lawsuits in civil cases.

(D) Within the ten-day period following service of notice, the company shall either remove all tree cuttings and associated debris or apply to the enforcing agency for a pre-enforcement hearing and request for extension of time, which shall set forth the reasons why such an extension should be granted. If the company fails to remove the cuttings and associated debris, within the ten-day period of notification, and fails to timely request a hearing and extension of time, the parish may have the cuttings and associated debris removed, at the expense of the company.

(E) Notice presumed from refused certified mail: For purposes of this Section, when service of notice by certified mail has been refused, the company is deemed to have received notice in accordance with the provisions of this section, and the ten-day period commences to run on the date of refusal.

(F) When immediate action is required: Nothing herein shall be construed to prevent the parish, without notice and opportunity for pre-enforcement hearing, from removing, or having removed, at the expense of the responsible company, any cuttings or associated

debris that is actually blocking drainage or ingress and egress, or which otherwise presents an imminent threat to public safety.

(G) Requirement of bond: Any company that has been determined to have violated the provisions of this Section, on at least two occasions, may be required to post bond, in the amount of FIVE THOUSAND (\$5,000.00) DOLLARS, which may be applied to satisfy the costs of any future violations of this Section.

(Sections 14-001.00 - 14-011.00 Ord. 04-0943, adopted 08/05/2004)

ARTICLE II ABANDONED OR INOPERATIVE VEHICLES ON PUBLIC OR PRIVATE PROPERTY

Sec. 14-016.00 Findings, declarations and authority

The regulations and provisions of this Article shall not preclude, supercede or repeal any enforcement measures taken, or procedures and regulations adopted, in accordance with the authority granted under La.R.S. 32:473.1 and St. Tammany Parish Code of Ordinances, Chapter 13, Division I, Section 13-002.00. The regulations contained within the Sections of this Article shall be considered as additional and/or supplemental regulations to those contained in Chapter 13, Division I, Section 13-002.00.

(A) Findings and Declarations: In addition to and in accordance with the determination made and the authority granted to remove abandoned, inoperative, dismantled, or wrecked vehicles as public nuisances, the St. Tammany Parish Council makes the following findings and declarations:

The prolonged presence of abandoned, inoperative, dismantled or wrecked vehicles on public and/or private property are found to present a significant and immediate threat to public health and safety as well as to the environment, necessitating their expedient removal from public and private property. These threats include posing a safety hazard to children who might use the abandoned, inoperative, dismantled or wrecked vehicles as playgrounds, rusting automobiles representing a health hazard to those who may come into contact with them, and the damage that such vehicles and debris are sure to cause to the underlying property through the leakage of hazardous fluids into the surrounding ground or water. The environmental and health hazards of these vehicles have been noted by the Louisiana Department of Environmental Quality (DEQ). DEQ, Hurricane Katrina Debris Management Plan (DEQ 2005). The hazards from automobiles include "gasoline and diesel fuel, refrigerants, lubricating oils, mercury ABS switches, mercury convenience switches, lead acid batteries, brake and transmission fluid, antifreeze, and tires."

The accumulation of abandoned, inoperative, dismantled or wrecked vehicles on public and/or private property are also found to create a condition tending to reduce the value of property, to promote blight and deterioration, to invite plundering, to create fire

hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, and to be injurious to the health, safety and general welfare.

Further, an abandoned, inoperative, dismantled or wrecked vehicle on public property, particularly on a street, shoulder, sidewalk, neutral ground or right of way constitutes a traffic hazard and imminent threat to public safety.

Therefore, the presence of such abandoned, inoperative, dismantled or wrecked vehicles on public or private property, except as may be expressly hereinafter permitted, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this Article.

(B) Authority: This ordinance is adopted pursuant to the authority set forth in La.R.S. 33:4876, La.R.S. 33:1236, La.R.S. 33:471, et seq., and all other applicable authority authorizing the governing authority of any parish to enact ordinances regulating or prohibiting abandoned motor vehicles on public property, left unattended for more than three (3) days, and regulating or prohibiting the storing or abandoning of junk, wrecked or used automobiles or motor vehicles, or any part or parts thereof, on any vacant lot, or any portion of any occupied lot within the parish, to provide for the removal and disposition thereof, to charge the vehicle owner or the property owner therefor, and to otherwise provide with respect thereto, and to provide enforcement and procedures with respect to damaged and inoperable motor vehicles on occupied private property.

SEC. 14-017.00 Definitions

As Used in this part:

(a) Abandoned motor vehicle on public property means a motor vehicle that is inoperable and is left unattended on public property for more than three (3) days, or is inoperable and left unattended on the shoulder, neutral ground or sidewalk of any public street, road or right of way for more than three (3) days.

(b) Abandoned junk, wrecked or used automobiles or motor vehicles on private property means a motor vehicle, situated upon any occupied or unoccupied private property, which is totally inoperable and is so damaged or dismantled as to be a total loss. The term "total loss" shall mean that the cost to repair a damaged or dismantled motor vehicle exceeds the value of such vehicle, as determined by any recognized national appraisal book. Lack of current and/or valid registration, inspection sticker, or license plate alone does not constitute abandoned, inoperative condition.

(c) Antique vehicle means any motor vehicle twenty-five (25) years or older, which is operable and substantially in its original condition. These vehicles must be registered as antiques and display antique license plates.

(d) Enforcing agency means the chief of police, sheriff, code enforcement office, or director of public works as well as their duly authorized agents.

(e) Motor Vehicle or vehicle shall mean every device by which persons or things may be transported upon a public highway or bridge, except devices moved by human power or used exclusively upon stationary rails or tracks, and includes a "motor vehicle", which is commonly referred to as a car, any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, motor home, motorcycle, trailer or semi-trailer propelled or drawn by mechanical power. A trailer or semitrailer shall be a separate vehicle.

(f) Owner of the motor vehicle means the last registered owner.

(g) Owner of the premises means the owner of the land on which the vehicle is located, as shown on the last equalized assessment roll.

(h) Secured motor vehicle means any abandoned junk, wrecked or used automobiles or motor vehicles on private property, which is completely enclosed within a building, garage, or under a carport, or is otherwise covered and placed at the rear of a residence or other primary structure that is located on the property in such a manner that the vehicle is not otherwise visible from the street or other public or private property.

(i) Unoccupied property means vacant land and property upon which there is a residential or commercial structure that would constitute "blighted property," a "derelict and dangerous structure," or be considered "vacant or not lawfully occupied," although "secured," as those terms are defined in Ordinance C.S. No. 05-1104, adopted May 5, 2005, and set forth in St. Tammany Parish Code of Ordinances, Chapter 14, Article III. (Ord. 06-1325, adopted 07/06/2006)

Sec. 14-018.00 Prohibition

(a) It shall constitute a public nuisance, in violation of this ordinance, for an abandoned motor vehicle to remain on public property for more than three (3) days. Such violation shall be a misdemeanor, punishable as set forth herein below.

(b) It shall constitute a public nuisance, in violation of this ordinance, to have one or more abandoned junk, wrecked or used automobiles or motor vehicles on occupied or unoccupied private property, as that phrase is defined in §14:017.00(b), unless such vehicle is a secured motor vehicle, as that term is defined in §14:017.00(h), or is a motor vehicle that is considered to be an exception to this Article. Such violation shall be a misdemeanor, punishable as set forth herein below.

SEC. 14-019.00 Exceptions

This part shall not apply to:

(a) A motor vehicle which is completely enclosed within a building, garage, or under a carport, or is otherwise covered and placed at the rear of a residence or other primary structure that is located on the property in such a manner that the vehicle is not otherwise visible from the street or other public or private property;

(b) Any motor vehicle in an appropriate storage place or depository maintained at a location where such business is authorized under the comprehensive zoning ordinance and other regulatory ordinances of the city-parish;

(c) Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately owned drag strips or raceways;

(d) Any antique vehicle retained by the owner for collection purposes, as defined herein, rather than for salvage or for transportation; and

(e) Any motor vehicle stored as the property of a member of the armed forces the United States who is on active duty assignment. (Ord. 06-1325, adopted 07/06/2006)

Sec. 14-020.00 Notice and Procedure for removal

(1) The following shall be contained within a notice that is posted on any abandoned motor vehicle on public property, and abandoned junk, wrecked or used automobiles or motor vehicles on private property:

(a) Description of the motor vehicle: Make, Model, Type, License Number and VIN number, if determinable;

(b) Location of vehicle, including municipal address where applicable;

(c) Date and time of posting;

(d) Name of enforcing officer, enforcing agency and telephone number;

(e) A statement that the identified motor vehicle will be removed from its location because of one of the following conditions:

-In the case of an abandoned motor vehicle on public property: Warning, this vehicle has been posted for being in violation of parish ordinance Section 14:018.00(a), an abandoned motor vehicle on public property, and must be removed, within seventy-two (72) hours following the date and time shown on this notice, or the vehicle will be removed and stored, at the owner's expense, and disposed of in accordance with law.

-In the case of abandoned junk, wrecked or used automobiles or motor vehicles on unoccupied private property: Warning, this vehicle has been posted for being in violation of parish ordinance Section 14:018.00(b), an abandoned junk, wrecked or used automobile or motor vehicle on unoccupied private property, and must be removed,

within fifteen (15) days following the date and time shown on this notice, or the vehicle will be removed and stored, at the owner's expense, and disposed of in accordance with law.

(2) In the case of abandoned junk, wrecked or used automobiles or motor vehicles on private property that is occupied, in lieu of posting a notice on the vehicle as provided in part one (1) of this section, the enforcing agency shall provide written notice to the owner of the premises, by registered or certified mail, return receipt requested, which shall provide the following:

(a) Description of the motor vehicle: Make, Model, Type, License Number and VIN number, if determinable;

(b) Location of vehicle, including municipal address where applicable;

(c) Name of enforcing officer, enforcing agency and telephone number;

(d) A statement that the vehicle is in violation of parish ordinance Section 14:018.00(b), an abandoned junk, wrecked or used automobile or motor vehicle on occupied private property, and that the vehicle must be removed or secured, within fifteen (15) days of the date of this notice, or a request for administrative hearing must be requested, in writing, within fifteen (15) days following the date of this notice. The vehicle may be secured, and the nuisance abated, by completely enclosing the vehicle within a building, garage, or under a carport, or by covering the vehicle and placing it at the rear of a residence or other primary structure that is located on the property in such a manner that the vehicle is not otherwise visible from the street or other public or private property. Warning, if the vehicle is not removed or secured, within fifteen (15) days of the date of this notice, or an administrative hearing requested, within fifteen (15) days of the date of this notice, and the Administrative Hearing Officer thereafter determines that you are in violation of the ordinance, the Administrative Hearing Officer may order the vehicle to be removed and stored, at the owner's expense, and disposed of in accordance with law.

Sec. 14-020.01 Notice presumed from refused certified mail

For purposes of this Article, when the owner of the premises, or owner of the vehicle, has been served notice by registered or certified mail, return receipt requested, as set forth in Section 14:020.00(2) or (3), and such registered or certified mail is refused, the owner is deemed to have received notice in accordance with the provisions of this Article, and the fifteen (15) day period commences to run on the date of refusal. (Ord. 06-1325, adopted 07/06/2006)

Sec. 14-021.00 Investigation and Enforcement

An officer of the enforcing agency is authorized to enter private property, without the consent of the owner of the premises, for the purpose of investigating and/or posting

any motor vehicle, when the enforcing officer reasonably believes that there is a violation of this ordinance.

Following the posting of any motor vehicle and/or service of written notice, an officer of the enforcing agency is authorized to enter private property, without the consent of the owner of the premises, for the purpose of removing any motor vehicle that is determined to be in violation of this ordinance and authorized to be removed.

The removal, storage and disposition of any motor vehicle, which is found to be in violation of this ordinance and subject to removal by the enforcing agency, shall be conducted in accordance with the provisions of this Article.

The Parish may employ its own personnel, equipment and facilities for the removal and/or the storage of any vehicle determined to be in violation of this ordinance or may employ such persons, equipment and facilities for the purpose of removing, storing and disposing of any such vehicles.

Sec. 14-022.00 Penalty for failing or refusing to comply

The failure or refusal to comply with the provisions of this Article shall constitute a misdemeanor, and the violator shall be subject to the issuance of a misdemeanor summons. The penalty shall be a fine up to five hundred dollars (\$500.00) or thirty (30) days imprisonment, or both such fine and imprisonment for each violation.

In the case of one or more abandoned junk, wrecked or used automobiles or motor vehicles on occupied or unoccupied private property, each vehicle found to be in violation of this ordinance shall constitute a separate offense. Each day that the nuisance remains, following expiration of the time to remove or secure the vehicle, or to apply for an administrative hearing, shall constitute a separate offense and a civil penalty of Fifty (\$50.00) Dollars per day shall be imposed.

In all cases where a vehicle has been determined to be in violation of this Article, and the vehicle is removed and stored by the enforcing agency as authorized, the owner shall be responsible for all costs and charges associated with the removal, storage and disposition of such vehicle. If a vehicle is removed and stored by the enforcing agency, and the vehicle is subsequently claimed by the owner or representative, the owner or representative, upon claiming the vehicle, shall be responsible for the payment of all costs and charges associated with the removal, storage and disposition of a said vehicle. The costs and charges associated with the removal and storage of a vehicle shall not exceed the amount of two hundred (\$200.00) dollars, for removal, and thirty (\$30.00) dollars per day storage.

In lieu of, or in addition to, the issuance of a misdemeanor summons, the failure or refusal to comply with the provisions of this chapter is enforceable by imposition of civil penalties, through the Bureau of Administrative Adjudication, and/or by civil action in District Court.

Sec. 14-023.00 Notice of Removal, Storage, Disposition and Associated Costs

Whenever any motor vehicle is found to be in violation of this ordinance, and the requirements to remove the motor vehicle have been satisfied, the vehicle may be removed from public or private property, in accordance with the following:

The motor vehicle shall be removed to, and stored at, a parish designated storage area, pending notice in accordance with the following:

(1) Notice: Within seventy-two(72) hours of removal, the owner of the vehicle, or the owner of the private property from which the vehicle was removed, shall be provided with notice of the removal and the intended disposition of the vehicle in the following manner:

(a) By registered or certified mail, return receipt requested, addressed to the last registered owner of the vehicle, or to the owner of the private property as shown on the last equalized assessment roll.

(b) The notice shall inform the owner of the specific location where the vehicle is being stored and shall provide a telephone number that the owner may call for more information and assistance.

(c) The notice shall include a copy of any posting notice that was placed on the vehicle.

(d) The notice shall inform the owner of the vehicle that unless the vehicle is claimed in person, by the owner or representative of the owner (the insurer, lien holder, mortgage holder, or agent with written authority of the owner), within three (3) months of the mailing of the notice, the vehicle shall be considered abandoned and, therefore, public property to be disposed of in accordance with the provisions set forth in subparagraph three (3) below.

(e) The notice shall inform the owner of the costs and charges that must be paid upon claiming the vehicle.

(f) For purposes of this Article, when the owner of the premises, or owner of the vehicle, has been sent notice by registered or certified mail, return receipt requested, and such certified mail is refused, the owner is deemed to have received notice in accordance with this provision, as of the date of the refusal.

(2) Disposition Following Second Notice: At the expiration of the three (3) month period in which to claim the vehicle that was removed and stored, any vehicle that has not been claimed by the owner, within three (3) months of the notice of removal and intended disposition, shall be deemed to be an abandoned vehicle and the enforcing agency may thereafter dispose of the vehicle in the following manner:

(a) In the case of any vehicle that was removed from public or private property and stored, as set forth herein above, and the owner has not claimed the vehicle within the three (3) month period allowed following notice of the removal and the intended disposition, the owner shall be sent a second notice, by registered or certified mail, return receipt requested, which shall be sent to the owner at his last known address. The notice shall inform the owner that the vehicle shall be sold to the highest bidder, unless said owner, on or before the date of sale, claims the vehicle and pays the costs and charges imposed, which amount shall be set forth in the notice. The costs and charges shall not exceed the amount of two hundred (\$200.00), for towing/removal, and thirty (\$30.00) dollars per day storage. In

any case where the owner or his representative does not claim the vehicle and pay the costs and charges, within the time allowed, the enforcing agency may proceed to dispose of the vehicle in accordance with the provisions hereof.

(b) Before the sale of any such vehicles, the enforcing agency shall have them appraised by a competent appraiser and shall publish a notice of the proposed sale of said vehicle or vehicles in the official journal of the parish not less than three times within a ten-day period prior to the date of said sale. The published notice shall contain a complete list of the vehicles to be sold, the date and place of said sale, and notification that said vehicles will be sold either individually or in globo to the highest bidder therefor, all in the discretion of the parish authority.

(c) All funds received from the sale of a motor vehicle under the provisions hereof shall be set aside and placed in a separate account established therefor by the parish. If, within one year following the date of the sale, the owner or lien holders of any of said vehicles shall present sufficient proof of his ownership or lien, the said owner or lien holder shall be entitled to the amount received for his individual vehicle less the costs and expenses of the sale, as well as all charges and costs due and owing for removal and storage of said vehicle. Any funds not claimed within one year following the date of sale shall be deposited to the general fund of the parish.

(Ord. 06-1325, adopted 07/06/2006)

SEC. 14-024.00 Right to enter upon private property

The enforcing agency or its duly authorized agents shall be authorized to enter upon private property or public property to investigate a vehicle, or parts thereof, alleged to be a nuisance pursuant to this chapter.

SEC. 14-025.00 Notice to owner or occupant to abate public nuisance on occupied or unoccupied premises.

1. Whenever any public nuisance, as provided for herein, exists on occupied or unoccupied premises within the parish in violation of Section 14-021.00, the enforcing agency shall order the owner of the vehicle, or the owner or the occupant of the premises whereon such public nuisance exists, to abate or remove the same. Such order shall:
 2. Be in writing;
 3. Specify the public nuisance and its location;
 4. Specify the corrective measures required and the enforcement measures that may be taken;
 5. Provide for compliance within fifteen (15) days from the service thereof; and
 6. Provide for an opportunity for a pre-enforcement hearing before the Parish Director of Planning by written request received by the enforcing agency within ten (10) days of receipt of notice.
7. The order shall be served upon the owner or occupant of the premises by serving him personally or by sending the order by certified mail, return receipt requested, to the address of the premises or of the owner if different from the premises, and the address shown by the Louisiana Department of Motor Vehicles for the vehicle in question.
8. Within the fifteen-day period after service of notice, the owner or occupant of the premises or the owner of the vehicle shall abate the nuisance by (1) removing the nuisance from the premises, or (2) enclosing the vehicle as provided in Section 14-023.00(a).
9. It shall be the responsibility of the owner or occupant of the property or owner of the vehicle to notify the enforcing agency as soon as the vehicle has been removed or enclosed. Upon notification, the enforcing agency will set up an appointment in order to verify that compliance has taken place.
10. If owner or occupant of the premises or the owner of the vehicle fails to abate the nuisance within the fifteen-day period of notification and fails to timely request a hearing, the enforcing agency may issue a misdemeanor summons to the owner or occupant of the premises or may seek to have the vehicle removed from the premises by means of injunctive relief and imposition of civil penalties.

SEC. 14-026.00 Notice presumed from refused certified mail

For purposes of this chapter, when the owner of the premises or owner of the vehicle has been served notice by certified mail as set forth in Section 14-025.00, and such certified mail is refused, the owner is deemed to have received notice in accordance with the provisions of this chapter, and the fifteen-day period commences to run on the date of refusal.

SEC. 14-027.00 Failure or refusal to comply

The failure or refusal to comply with the provisions of this chapter shall constitute a misdemeanor, and the violator shall be subject to the issuance of a misdemeanor summons. The penalty shall be a fine up to five hundred dollars (\$500.00) or six (6) months imprisonment or both for each violation.

In lieu of the issuance of a misdemeanor summons, or in addition thereto, the failure or refusal to comply with the provisions of this chapter may be enforced by imposition of civil penalties and injunctive relief. Each day that the nuisance remains, following expiration of the time to apply for a hearing as set forth in Section 14-025.00(a)(5), shall constitute a separate offense and a civil penalty of fifty dollars (\$50.00) per day shall be imposed.

SEC. 14-028.00 Removal from occupied premises when owner's whereabouts are unknown or notice is returned unclaimed

When there is an abandoned, inoperative, junked or wrecked vehicle on premises that are unoccupied and the identity or whereabouts of the owner of the premises is unknown or unascertainable after a diligent search has been made, or if notice sent to the last record owner of the property by certified mail has been returned as unclaimed, then the enforcing agency shall place an advertisement in the official journal of St. Tammany Parish for the whereabouts of the owner on two (2) occasions within a period of thirty (30) days. If no response is forthcoming after the thirty-day period, then the enforcing agency may take possession of the vehicle and remove it from the premises in accordance with the provisions of LSA R.S. 32:471 et seq. The enforcing agency may thereafter dispose of the vehicle in the same manner as provided in LSA R.S. 32:471 et seq.

SEC. 14-029.00 Removal of vehicles from private property

Private property owners, whether commercial or residential, have the power, as authorized by general law, to cause vehicles to be removed from their property illegally situated thereon. In any case where an owner requests any law enforcement agency having jurisdiction, to cause to be removed from his property a vehicle said by the property owner to be illegally situated on his property and has filed with such law enforcement agency an acceptable indemnification agreement, such law enforcement agency shall be authorized and empowered to cause the vehicle to be removed by wrecker service in accordance with established policies and procedures for obtaining of wrecker services by law enforcement agencies in the parish.

(Ord. No. 03-0793, adopted 11/06/2003)

ARTICLE III BLIGHTED PROPERTY, DERELICT AND DANGEROUS BUILDINGS AND OTHER DANGEROUS STRUCTURES PROHIBITED

Sec. 14-030.00 Findings and declarations

In addition to and in accordance with the determination made and the authority granted by La. R.S. 33:4754, to secure and remove any building or other structure which, by reason of its nature or condition, endangers the public welfare or safety, La. R.S. 33:1236(49), relating to the repair and condemnation of buildings, dwellings, and other structures that have become derelict and present a danger to the health and welfare of

residents of the parish, and La.R.S. 14:107.3, relating to criminal blighting of property, which means those commercial or residential premises, including lots, which have been declared vacant, uninhabitable, and hazardous by the administrative hearing officer, any such building or other structure which, by reason of its nature or condition, endangers the public welfare or safety, any such buildings, dwellings and other structures that have become derelict and present a danger to the health and welfare of residents of the parish, and any commercial or residential premises, including lots, which have been declared vacant, uninhabitable, and hazardous by the administrative hearing officer are hereby declared to constitute a public nuisance, which is expressly prohibited and which may be abated as such in accordance with the provisions of this part.

For purposes of this ordinance, any property defined as “blighted property,” “derelict and dangerous,” “otherwise dangerous to human life” or “vacant or not lawfully occupied” shall constitute a public nuisance. Any property that is determined to be a public nuisance, following due notice and a hearing conducted in accordance with the provisions set forth herein, shall be ordered by the hearing officer to be secured and repaired, or the violation corrected, or, depending upon the circumstances, shall declare the property condemned and order it to be demolished and removed. Additionally, the hearing officer shall have all such other authority as set forth herein after.

Sec. 14-030.01 Standards and Definitions

A. Blighted Property. For the purposes of, and in order to meet the provisions of, R.S. 14:107.3:

(1) "Blighted property" means those commercial or residential premises, including lots, which have been declared vacant, uninhabitable, and hazardous by an administrative hearing officer. Such premises may include premises which, because of their physical condition, are considered hazardous to persons or property, have been declared or certified blighted, and have been declared to be a public nuisance by an administrative hearing officer.

(2) "Housing violations" means only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety, and welfare or to the environment.

(3) "Public nuisance," for purposes of blighted property, means any garage, shed, barn, house, building, or structure, that by reason of the condition in which it is permitted to remain, may endanger the health, life, limb, or property of any person, or cause any hurt, harm, damages, injury, or loss to any person in any one or more of the following conditions:

(a) The property is dilapidated, decayed, unsafe, or unsanitary, is detrimental to health, morals, safety, public welfare, and the well-being of the community, endangers life or property, or is conducive to ill health, delinquency, and crime.

(b) The property is a fire hazard.

(c) The conditions present on the property and its surrounding grounds are not reasonably or adequately maintained, thereby causing deterioration and creating a blighting influence or condition on nearby properties and thereby depreciating the value, use, and enjoyment to such an extent that it is harmful to the public health, welfare, morals, safety, and the economic stability of the area, community, or neighborhood in which such public nuisance is located.

B. Derelict and Dangerous. R.S. 33:1236 (49)(a)(I)

(1) The phrase "derelict and present a danger to the health and welfare," as used herein, shall include, but not be limited to, buildings or structures which have any of the following characteristics:

(a) Those which are structurally unsafe, as follows:

(i). Those which have interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

(ii). Those which, exclusive of the foundation, show thirty-three (33) percent or more of damage or deterioration of the supporting member or members or fifty (50) percent of damage or deterioration of the non-supporting, enclosing or outside walls or covering.

(iii). Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded, or which have insufficient strength to be reasonably safe for the purpose used.

(iv). As a result of deterioration, inadequate maintenance, damage by fire, wind or other causes so to have become dangerous to life, safety, morals or the general health and welfare of the occupants or people of the parish.

(b) Those which are unhealthful, as follows:

(i). Those which are so dilapidated, decayed or unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation, or are likely to cause sickness or disease, so as to work injury to the health, morals, safety or general welfare of those occupying such building.

(ii). Reserved

(c) Those which constitute a fire hazard, as follows:

(i). Those buildings containing electrical wiring and appliances in dangerous and defective conditions likely to cause fire. Electrical wiring and appliances installed or in

use which are not in compliance with the provisions of any ordinance of the parish regarding such wiring or appliances and the installation thereof shall be deemed dangerous and defective.

(ii). Those buildings containing gas plumbing or appliances in dangerous or defective condition likely to cause fire. Gas plumbing or appliances installed or in use which are not in compliance with the provisions of any ordinances of this parish regulating such plumbing and appliances and the installation thereof shall be deemed dangerous and defective.

(iii). Those buildings which contain combustible or explosive matter or accumulation of rubbish, trash or unnecessary accumulation of waste paper, boxes, shavings or any highly flammable materials especially liable to fire, therein, or in close proximity thereto.

(iv). Those buildings containing numerous openings in the walls or other unstopped spaces throughout, attributable to vandalism or general disrepair, which increased the risk of conflagration in the area.

(v). Those buildings which are vacant and have windows, doors or other openings which remain unsecured permitting entry by unauthorized persons.

(vi). Those buildings which contain other fire hazards in violation of the National Fire Prevention Act, the state fire marshal act, the building code, and provisions of the Code or other ordinances of this parish if the violation is of such a nature that the building constitutes a danger to its occupants and/or others.

(d) Those which are otherwise dangerous to human life:

(i). Those, regardless of their structural condition, which have during times that they were not actually occupied by their owners, lessees or other invitees, been left unsecured from unauthorized entry to the extent that they may be entered and utilized by vagrants or other uninvited persons as a place of harborage or may be entered and utilized by children as a play area.

(ii). Those which have part thereof which are so attached that they may fall and injure members of the public or property.

(iii). Those which are not provided with adequate egress.

(iv). Those buildings existing in violation of any provisions of this Code, the building code, the fire code, or other ordinances of this parish if the violation is of such a nature that the building constitutes a danger to its occupants and/or others.

C. Vacant or Not Lawfully Occupied: "Vacant or not lawfully occupied" building or other structure shall include but not be limited to any premises which is not actually occupied by its owner, lessee, or other invitee, and has been left unsecured or inadequately

secured from unauthorized entry to the extent that the premises may be entered and utilized by vagrants or other invited persons as a place of harborage or any premises which by reason of dilapidation, deterioration, state of disrepair, or other such status is otherwise detrimental to or endangers public safety, health or welfare. The property does not have to have been declared blighted.

D. Secured: For the purposes of this Section, the term "secured" shall mean the closing of the building or structure by means of placing or attaching boards or other materials over doors, windows, and other means of entrance in order to prohibit persons from entering the building or structure and in order to maintain it in its present condition without further damage to such building or structure or danger to the public welfare and safety.

(1) A building that is boarded up, fenced or otherwise secured in any manner may, nevertheless, be deemed to be a dangerous building under the foregoing criteria if:

(a). The building constitutes a danger to the public even though secured from entry; or

(b). It is found that the means utilized to secure the building are not adequate to prevent unauthorized entry of the building.

Sec. 14-030.02. Hearing; notice and placarding of building or structure

Hearings before the administrative hearing officer shall be conducted in accordance with the provisions set forth in Chapter 1, Article 1, Sec. 1-012.12 Hearing Practice and Procedures.

(a) If a building or structure has, upon inspection, been found to be in violation of the provisions set forth herein above, the building shall be posted with a violation notice in accordance with Ch. 1, Art. 1 § 1-012.12(b) and written notice of the hearing shall be made in accordance with the provisions Ch. 1, Art. 1 § 1-012.12 of this Code.

(b) After completion of the presentation of testimony by all parties appearing at the scheduled hearing, the hearing officer shall make written findings of fact as to whether or not the building or structure constitutes "blighted property," "derelict and dangerous," "otherwise dangerous" or vacant or not lawfully occupied" according to the definitions and standards set forth in Sec. 14-021.01 herein above.

If the hearing officer finds that the building or structure is in violation of the standards and definitions set forth in Sec. 14-021.01 herein above, the hearing officer shall issue an order directing the owner, occupant and all other persons having an interest in said building as shown by the mortgage and conveyance records of the parish where the land is located:

(1) That the building shall be vacated if same is occupied and the hearing officer finds that the building is in such condition as to make it dangerous to the health, safety or welfare of its occupants;

(2) That the building shall be either repaired or demolished and removed (at the owner's option), if it can reasonably be brought into compliance by repair;

(3) That the building be demolished and removed if it cannot reasonably be repaired; and

(4) If the building is unoccupied and the condition of the building is such that it may be brought into compliance by securing it from unauthorized entry, then the order may provide that it be secured and be kept secured and may include or adopt written specifications that must be complied with in securing the building and the order may provide that the building be demolished and removed if it is not secured in compliance therewith.

If the hearing officer finds that the building or structure is in violation of the standards and definitions set forth in Sec. 14-021.01 herein above, the hearing officer shall order that the parish place a notice or notices in a conspicuous place on such building; such notice to read as follows:

This building has been found to be a dangerous building. Occupancy of this building is prohibited by law as such occupancy is dangerous to the health, safety and welfare of its occupants. This notice is posted (here the notice shall set forth the date and hour such notice is posted). All persons must vacate this building not later than forty-eight (48) hours after the time of posting and shall not re-enter the same until the parish finds that the building has been repaired so as to be in compliance with the ordinances of the Parish of St. Tammany with the requisite permits and inspections. This notice shall remain on this building until it is repaired or demolished.

If the hearing officer finds that the building is in such condition that repairs are allowed, the hearing officer shall order that the parish post a notice or notices in conspicuous place on such building, such notice(s) to read as follows:

This building has been found to be a dangerous building by the Parish of St. Tammany. No person shall enter this building except persons authorized by the owner who enter solely for the purpose of correcting the hazardous conditions therein with the requisite permits and inspections of St. Tammany Parish. This notice shall remain on this building until it is repaired or demolished.

The persons having an interest in the property shall be given a reasonable period of time in which to comply with the hearing officer's order, such period not to exceed thirty (30) days, unless, in the judgment and discretion of the hearing officer, it is determined that a greater period of time is necessary. The order shall state the date by which the action ordered must be completed, and state that the Parish agency or department

having enforcement responsibility shall cause the building to be vacated, repaired and/or demolished if the persons having an interest in the property do not comply with the order. The order of the hearing officer shall be served on all persons having an interest in the property as provided in Ch. 1, Art. 1 § 1-012.12(i) of this Code.

A copy of the order of the hearing officer shall also be filed in the mortgage and conveyance records of the parish in which the land lies.

(c) If the persons having an interest in the property fail to comply with the order of the hearing officer within the time specified in the order for compliance, the Parish agency or department having enforcement responsibility shall cause such building to be vacated, repaired and/or demolished pursuant to the order of the hearing officer.

(d) In any instance in which an order had been issued that a building be brought into compliance by securing the building and the owner complies with the order by securing the building, the hearing officer's case file shall, nevertheless, remain active for a period of three (3) years from the date of signature of the order. The Parish agency or department having enforcement responsibility may request that the hearing officer reconvene the hearing if he receives evidence that the building has not remained secured and is in contravention of this Article. Upon notice to the owner, lien holders, occupants and other persons having an interest in the property, the hearing officer shall reconvene the hearing. If the hearing officer finds that the building remains a dangerous building notwithstanding the owner's efforts to secure it, he may issue a revised order that the building be demolished.

Sec. 14-031.00 Emergencies

A. In cases where it reasonably appears that there is immediate danger to the health, life or safety of any person unless the building is immediately repaired, vacated, demolished or secured, the Parish agency or department having enforcement responsibility shall report such facts to the director of the department of inspection and code enforcement. If the director finds that there is in fact an immediate danger to the health, life or safety of any person unless the building is immediately repaired, vacated, demolished or secured, he shall cause the immediate repair, vacation, demolition or securing of such building, without any requirement for notice to the owner or interested parties in advance.

B. Whenever the director causes a building to be repaired, vacated, demolished or secured pursuant to this section, he shall cause a notice, as described in Ch. 1, Art. 1 § 1-012.12(b), to be posted on the building.

Further, whenever the director causes a building to be repaired, vacated, demolished or secured pursuant to this section, he shall also cause notice to be given to the owners and lien holders of the building, all persons having possession of any portion thereof, and all other persons who may have an interest in the building that a hearing will be held concerning the orders issued in connection therewith. The notice shall set forth the

specific conditions which render the building an immediate danger, within the standards set forth herein above, the date, time and place of such hearing, that all persons having an interest in the building may appear in person and/or be represented by an attorney, and may present testimony and may cross-examine all witnesses. The notice shall comply with the provisions set out in Ch. 1, Art. 1 § 1-012.12 of this Code, however, the hearing shall be held as soon as it is reasonably possible, but in no case later than ten (10) days after the director of the Parish agency or department having enforcement responsibility has caused the building to be repaired, vacated, demolished or secured, unless all persons having either an ownership interest or a possessory interest in the building request a continuance of the hearing. At such a hearing, the burden shall be upon the parish to show that there was an immediate danger to health, life or safety necessitating immediate action, and whether the building constitutes a dangerous building within the provisions of this article at the time of the hearing. After completion of the presentation of the testimony by all parties appearing, the hearing officer shall make written findings of fact as to whether or not the building was an immediate danger to health, life or safety necessitating the action taken by the director of the department of inspection and code enforcement, and whether the building was a dangerous building within the provisions of this article. If the hearing officer finds that there was an immediate danger to public health, life or safety that required the action that was taken, all administrative expenses and any cost of repair or demolition shall be calculated and assessed to the owners of the building, and shall constitute a lien and privilege on the land on which the building stands or stood, which shall bear legal interest at the rate provided by law. If the hearing officer finds that the building, at the time of the hearing, constitutes a dangerous building within the provisions of this article, he shall issue an order for its abatement as set out in Sec. 14-021.02 above. The provisions of Sec. 14-021.02, above, and Ch. 1, Art. 1 § 1-012.12 shall be applicable to any such order.

Sec. 14-031.01 Caused By Or Related To The Effects Of Natural Disasters

- A. When removal of debris and demolition of structures from private properties is necessitated by the effects of a natural disaster or other related causes, the Parish will adopt and incorporate, in full, a Plan for Demolition and Removal set out by Parish Council Resolution and/or by Emergency Executive Order of the Parish President, which will govern the demolition and removal of said structures and debris.
- B. With respect to the provisions of this Section, any and all requirements to assess or levy fees, costs, liens and the like may be waived by the Office of the Parish President.
- C. With respect to the provisions of this Section, any and all requirements for notice may be waived by the Office of the Parish President.
- D. Where there exists any conflict between an adopted Plan under this Section and the provisions of Article III, the Plan shall control.

E. Where there exists any conflict between an adopted Plan and an Emergency Executive Order, the Executive Order shall control. (Ord. No. 06-1271, adopted 03/02/2006)

Sec. 14-032.00 Civil Penalty

For any violation of the provisions of this Article, a civil penalty of not less than \$100.00 per day and no more than \$500.00 per day shall be imposed by order of the Hearing Officer. Each day that the violation exists shall constitute a separate violation. In addition to the imposition of the aforesaid penalty, the Hearing Officer shall order the violator to pay all costs and fees incurred by the parish for securing, demolition or removal, or both, of such structures, and for maintenance of property in a sanitary condition.

Sec. 14-032.01 Liens

Liens for removal and securing dangerous structures; maintenance of property; interest; assistance of national guard.

A. (1) Upon failure of the property owner to pay any fine levied by the hearing officer, or any costs incurred by the parish for securing, or demolition or removal, or both, of such structures, and for maintenance of property in a sanitary condition, the hearing officer or finance director of the parish may file a certified copy of the order levying a fine or fines or a copy of an invoice reflecting the amount of such costs and fees with the recorder of mortgages, and the same, when so filed and recorded, shall operate as a lien and privilege in favor of the parish against the property.

(2) Any fine, costs and interest on costs incurred by the parish shall be paid prior to cancellation of the lien. The rate of interest shall not exceed the rate of legal interest, as provided in Civil Code Article 2924, and shall be computed from the date of recordation of the lien until paid or enforced.

(3) The lien obtained by the parish shall not only include the costs provided for in Subsection A of this Section but shall include all attorneys' fees and all costs incurred in the locating of the owner, notification of the owner, and the enforcement and collection of the amount secured by the lien.

(4) In accordance with R.S. 33:4754, the parish's privilege and lien shall prime all other liens or privileges against the property filed after the notice to the owner is filed with the recorder of mortgages pursuant to this Section, regardless of the date on which the parish's lien and privilege is perfected, except that parish's lien and privilege will not prime other tax liens against the property.

B. (1)(a) After the parish has levied such fine or fines or incurred such costs as constitute the lien and privilege on the property, the director of finance or equivalent officer may add said amounts to the next ad valorem tax bill of the owner, and said

amount shall be subject to the same interest and penalties as delinquent ad valorem taxes.

(2) If within six months after the filing of the lien provided for in this Section, the property owner fails to pay such lien and any interest thereon, the director of finance or equivalent officer of the parish may offer for sale and subsequently sell or otherwise convey such property. The procedure for notice, advertisement, and sale of the property shall be governed by the law applicable to the sale of real property for delinquent municipal or parish taxes except that the property owner's right of redemption shall be limited to six months from the time the property is sold. Redemption by the original owner shall require reimbursement of any expenses incurred by the purchaser in the purchase and renovation of the property in addition to payment of liens placed on the property pursuant to this Section, interest thereon, and any amounts required by law applicable to the redemption of property sold for delinquent taxes.

(3) Alternatively, the privilege and lien may be enforced in the district court pursuant to the Code of Civil Procedure, and may be enforced either against the subject property or against the owner personally by ordinary process and subsequent seizure and sale or garnishment of other movable or immovable property of the owner pursuant to the Code of Civil Procedure.

(4) The amount of any parish lien operating against the property and any interest accruing thereon may be canceled in whole or in part by the governing authority of the parish in order to facilitate the sale or disposition of the property for the unpaid lien.

(5) The provisions of this Section shall not apply to any building or appurtenances on agricultural land when such land is used for agricultural purposes.

C. (1) The governing authority of the parish may request and the adjutant general may assign subject to the approval of the governor, national guard personnel and equipment to assist in the removal and demolition of condemned buildings, structures, or public nuisances. The provisions of this Subsection shall be applicable when the budget for the demolition and removal of condemned structures has been expended by the governing authority of the parish. However, the request must be accompanied by documentation that all procedural protections and substantive restraints have been adhered to by the parish.

(2) In the event all procedural protections and substantive restraints have been adhered to by the parish, the parish and its personnel and the national guard and its personnel shall not be liable to the owner of the building, structure, or public nuisance for any damages sustained resulting from the demolition of the building, structure, or public nuisance.

Sec. 14-033.00 Appeals

A. Any person or persons jointly or severally aggrieved by any decision of the St. Tammany Parish Hearing Officer shall have a right to appeal the decision in accordance with the provisions set forth in Chapter 1, Article 1, Section 1-012.18.

(Ord. No. 05-1104, adopted 05/05/05)

ARTICLE IV NOISE AND SOUND

SEC. 14-035.00 Investigating and Enforcing Noise Violations

It is hereby declared that at certain levels, sounds may be detrimental to the health, safety and well-being of the citizenry. Therefore, St. Tammany Parish prohibits sounds that constitute a nuisance, as defined in Section 14-001.00(d) and (e), and illustrated in Section 14-002.00(e) and (f). In the investigation and enforcement of the provisions relating to sound, consideration shall be given to the time, place and manner or nature of the sound complained of (i.e. - emergency work, impulsive sound or amplification). Additionally, to aid the enforcing agency in determining if the particular sound constitutes a nuisance as defined in Section 14-001.00(d) and (e), and illustrated in Section 14-002.00(e) and (f), the following definitions and decibel levels are established.

SEC. 14-136.00 Definitions

(A) Decibels: Decibel shall mean a unit of level when the base of the logarithm is the tenth root of ten and the quantities concerned are proportional to power.

(B) Emergency Work: Emergency work shall mean work made necessary to restore property to a safe condition following a public calamity or work required to protect persons or property from an imminent exposure to danger or work by private or public utilities when restoring utility service.

(C) Impulsive Sound: Impulsive sound shall mean a sound of short duration. Usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include but not limited to explosions, drop forge impacts, and the discharge of firearms.

(D) Sound: Sound shall mean an oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

(E) Sound Level: Sound level, in decibels (dB), is the sound measured with the (A) weighting and slow response by a sound level meter.

(F) Weekend: Weekend shall mean Friday, Saturday and Sunday, and include holidays as established by the Parish.

(G) Weekday: Weekday shall mean any day Monday through Thursday.

(Ord. 04-0943, adopted 08/05/2004)

SEC. 14-137.00 Readings of dB(A) by Zoning District

An increase of 10 dB(a) is allowed for impulsive sounds.

To determine the sound level, three readings will be taken at the complainant's dwelling or structure and the mean of these readings will determine the actual decibel count.

(A) E-1, E-2, E-3, E-4, A1, A-1A, A-2, A-3, A-4, A-4A, A-5, A-6, A-7, A-8, PUD, TND-1, TND-2, and all zoning districts with a Manufactured Housing Overlay.

Maximum dB(A)

Daytime

7 a.m. to 9 p.m. weekdays - 65

8 a.m. to 10 p.m. weekends - 65

Nighttime

9 p.m. to 7 a.m. weekdays - 60

10 p.m. to 8 a.m. weekends - 60

(B) HC-1, HC-2, HC-2A, HC-3, HC-4, HC-5, RBG, MD-1, MD-2, MD-3, MD-4, PF-1, PF-2, CB-1, ED-1, ED-2, AT-1, AT-2, PBC-1, PBC-2, and all zoning districts with a Regional Business Center Overlay.

Maximum dB(A)

Daytime

7 a.m. to 11 p.m. entire week - 70

Nighttime

11 p.m. to 7 a.m. entire week – 60

(C) I-1, I-2, I-3, I-4, SWM-1, SWM-2, and AML.

Maximum dB(A)

Daytime

7 a.m. to 11 p.m. entire week - 75

Nighttime

11 p.m. to 7 a.m. entire week – 65

(D) NC-1, NC-2, NC-3, NC-4, NC-5, NC-6, and all zoning districts with a Rural Overlay.

Maximum dB(A)

Daytime

7 a.m. to 11 p.m. entire week - 70

Nighttime

11 p.m. to 7 a.m. entire week - 60

(Ord. 04-0943, adopted 08/05/2004; amended by Ord. No. 15-3351, adopted 07/09/2015)

SEC. 14-138.00 Special Notes and General Statements

(A) Emergency Work or sounds from an emergency vehicle shall be exempt from this Sound Control Ordinance.

(B) Construction activity shall be exempt from daytime decibel restrictions but the maximum nighttime sound levels shall apply in all instances.

(Ord. No. 93-1841, adopted 10/21/93; amended by Ord. 04-0943, adopted 08/05/2004; amended by Ord. No. 15-3351, adopted 07/09/2015)

CHAPTER 15 OFFENSES - MISCELLANEOUS

ARTICLE I IN GENERAL

SEC. 15-001.00 Litter Prevention

This article shall be known and may be cited as the "St. Tammany Parish Litter Prevention Ordinance." For the purposes of this Article, the following definitions shall apply:(Ord. 01-0284, adopted 03/01/2001)

Definitions:

Court shall mean any Justice of the Peace Court in the Parish of St. Tammany and/or any Division of the 22nd Judicial District Court for the Parish of St. Tammany and/or Slidell City Court.

Dispose shall mean, in any way whatsoever, to throw, discard, place, deposit, discharge, burn, dump, drop, eject, or allow the escape of a substance.

Litter shall mean all waste material except as provided and defined in LA--R.S. 30:2173(2), including but not limited to disposable packages, containers, sand, gravel, rubbish, cans, bottles, refuse, garbage, trash, debris, dead animals, furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools and equipment, and building materials, or discarded materials of any kind and description. Litter shall not include agricultural products that are being transported from the harvest or collection site to a processing or market site if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicles. Litter also shall not include recyclable cardboard being transported in compressed bundles to processing facilities. "Agricultural product," as used in this definition, means all crops, livestock, poultry, and forestry; and all aquacultural, floricultural, horticultural, silvicultural, and viticultural products.

Local governing authority shall mean the St. Tammany Parish Council.

Parish shall mean the jurisdictional area where the offense was committed, including but not limited to the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Public or private property means the right-of-way of any road or highway, levee, any body of water or watercourse or the shores or beaches thereof, any park, playground, building, refuge, or conservation or recreation area, and residential or farm properties, timberlands, or forests.

Gender shall be the use of him, her, his, hers, its; such words are understood to be interchangeable.

Person shall mean any human being, municipality, or other governmental or political subdivision or other public agency, public or private corporation, partnership, firm, association, organization, receiver, trustee, assignee, agent or other legal

representative of any of the foregoing, or any other legal entity. (Amended by Ord. No. 04-0916, adopted 06/03/2004)

SEC. 15-001.01 Purpose and Scope

It is the purpose of this chapter and it is hereby declared to be the policy of the parish to implement a comprehensive plan to regulate litter and to eliminate litter as much as possible in a manner that will:

1. Protect the public health, safety and welfare;
2. Prevent land, water and air pollution;
3. Prevent the spread of disease and the creation of nuisances;
4. Conserve natural resources;
5. Enhance the beauty and quality of the environment.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.02 Responsibility

A. The owner, his agent and occupant of any property shall maintain the premises in a sanitary and litter-free condition.

B. No person shall place, deposit or allow to be placed or deposited on his premises or any other premises to include any public street, road or alley any refuse or other objectionable waste, except in a manner described in this chapter.

C. The owner, his agent and occupant of any premises, and other persons having responsibilities as described herein, shall be responsible for the proper storage, collection, transportation and final disposal of all refuse originating on the premises, by a method or methods described in this chapter.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.03 Intentional littering prohibited; criminal penalties

A. No person shall intentionally dispose or permit the disposal of litter upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the

disposal of such litter and such person is authorized to use such property for such purpose.

B. If the litter is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined in LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

C. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

1. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

2. a. Whoever violates the provisions of this Section shall, upon first conviction, be fined two hundred and fifty (\$250.00) dollars and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the Court.

b. Upon second conviction, an offender shall be fined five hundred (\$500.00) dollars and sentenced to serve sixteen (16) hours of community service in a litter abatement work program as approved by the Court.

c. Upon third or subsequent conviction, an offender shall be fined one thousand two hundred and fifty (\$1,250.00) dollars, have his motor vehicle driver s license suspended for one year, be imprisoned for not more than thirty (30) days, and be sentenced to serve eighty (80) hours of community service in a litter abatement work program as approved by the Court, or all or any combination of the aforementioned penalties provided by this Subparagraph.

d. The judge may require an individual convicted of a violation of this Section to remove litter from Parish highways, public rights-of-way, public playgrounds, public parks or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this Section.

(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)

D. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

E. For the purposes of this Section, each occurrence shall constitute a separate violation.

F. In addition to penalties otherwise provided, a person convicted under this Section shall:

1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.
2. Pay all reasonable investigative expenses and costs to investigative agency or agencies.
3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.04 Gross littering prohibited; criminal penalties

A. No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to, tires and engines, trailers, boats, and boating accessories, tools, and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the Parish, upon private property in the Parish not owned by him, upon property located in rural areas in the Parish not owned by him, or in or on the waters of the Parish, whether from a vehicle or otherwise, including but not limited to, any public highway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such litter and such person is authorized to use such property for such purpose.

B. If the litter herein as defined is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

C. When litter disposed in violation of this Ordinance is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this Section.

D. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

1. Whoever violates the provisions of this Section shall, upon first conviction, be fined not less than five hundred (\$500)dollars nor more than one thousand (\$1,000) dollars

and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court.

2. Upon second conviction an offender shall be fined not less than one thousand (1,000) dollars nor more than two thousand five hundred (\$2,500) dollars and sentenced to serve twenty-four (24) hours of community service in a litter abatement work program as approved by the court.

Upon third or subsequent conviction, an offender shall be fined not less than one thousand five hundred (\$1,500) dollars nor more than five thousand (\$5,000) dollars have his motor vehicle driver s license suspended for one year, be imprisoned for not more than thirty days, or sentenced to serve not less than forty-eight (48) and not more than one hundred (100) hours in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.

E. The Court may require an individual convicted of a violation of this Section to remove litter from state highways, public rights-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.

F. A person may be found guilty and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

G. For the purposes of this Section, each occurrence shall constitute a separate violation.

H. In addition to penalties otherwise provided, a person convicted under this Section shall:

1. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this Section.

2. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.

3. Pay all other reasonably related costs and expenses of any nature whatsoever incurred by the Parish, including but not limited to administrative expenses, attorney fees, and all costs.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.05 Commercial littering prohibited; civil penalties; special court costs

A. No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this Parish not owned by him, or in or on the waters of this Parish whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley; except, when such property is designated by the Parish or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

B. No person shall operate any truck or other vehicle in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.

C. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or school bus, all as defined by LA--R.S.32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.

D. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

E. A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this Section by any agent, officer, or director in the course and scope of his employment or duties.

F. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

G. Any person found liable under the provisions of this Section shall:

1. Pay a civil penalty of one hundred (\$100) dollars.
2. Repair or restore property damaged by or pay damages for any damaging arising out of the violation of this Section.
3. Pay all reasonable investigative expenses and costs to the investigative agency or agencies.
4. Pay for the cleanup of the litter unlawfully discarded by the defendant

H. Any person found liable under the provisions of this Section shall pay special court costs of fifty (\$50) dollars in lieu of other costs of court that shall be disbursed as follows:

1. Twenty dollars (\$20) shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.
2. Twenty dollars (\$20) shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.
3. Ten dollars (\$10) shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

I. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

J. For the purposes of this Section, each occurrence shall constitute a separate violation.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.06 Littering prohibited; civil penalties; special court costs

A. No person shall dispose or permit the disposal of litter upon any public place in this Parish, upon private property in this Parish not owned by him, upon property located in rural areas in this state not owned by him, or in or on the waters of this state whether from a vehicle or otherwise, including but not limited to any public highway public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley.

B. No person shall operate a motor vehicle on any highway or a boat on any waters in such a manner or condition that the contents can blow or fall out of such vehicle or boat.

C. No person shall dispose of litter in such a manner that the litter may be carried away or deposited by the elements upon any parts of said public or private property or waters.

D. If the litter disposed of is from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by LA--R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed or permitted the act of disposing.

E. When litter disposed in violation of this Section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings that

display the name of a person or in any other manner indicates that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this Section.

F. The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

G. Persons found liable under the provisions of this Section shall be assessed the following penalties:

1. For a first violation, such person shall be either fined seventy-five (\$75) dollars or be given the option to perform eight (8) hours of community service in a litter abatement work program in lieu of the assessed fine.

2. For a second violation and each subsequent violation, such person shall either be fined five hundred (\$500) dollars or be given the option to perform sixteen (16) hours of community service in a litter abatement work program in lieu of the assessed fine.

H. Persons found liable under the provisions of this Section shall pay special court costs of one hundred (\$100) dollars in lieu of other costs of court and the special court costs shall be disbursed as follows:

1. Twenty dollars (\$20) shall be paid to the judicial expense fund for that judicial district, or to the justice of the peace or the city court, as the case may be.

2. Twenty dollars (\$20) shall be paid to the office of the district attorney, or to the constable or to the municipal prosecuting attorney, as the case may be.

3. Ten dollars (\$10) shall be paid to the clerk of the district court, or to the justice of the peace or the city court, as the case may be.

4. Twenty-five (\$25) dollars shall be paid to the state treasury for credit to the Keep Louisiana Beautiful Fund.

5. Twenty-five (\$25) dollars shall be paid to the law enforcement agency that issued the citation.

I. A person may be held liable and fined under this Section although the commission of the offense did not occur in the presence of a law enforcement officer if the evidence presented to the court establishes that the defendant has committed the offense.

J. For the purposes of this Section, each occurrence shall constitute a separate violation.

(Ord. 01-0284, adopted 03/01/2001; amended by Ord. 08-1763, adopted 03/06/2008)

SEC. 15-001.07 Community service litter abatement work program and indemnification

A. A "court approved community service litter abatement program" may be created by the Office of the Parish President. Such program shall supervise persons ordered by state and local courts to perform community service work collecting or removing litter. If such program is not created, a fee schedule shall be established by the Court having jurisdiction over the matter.

B. If a community service program is established, a person who participates in a community service litter abatement work program shall have no cause of action for damages against the entity conducting the program or supervising his participation therein, nor against any employee or agent of such entity, for any injury or loss suffered by him during or arising out of his participation in the program, unless the injury or loss was caused by the intentional or grossly negligent act or omission of the entity or its employee or agent. The entity shall not be liable for any injury caused by the individual participating in the program unless the gross negligence or intentional act of the entity or its employee or agent was a substantial factor in causing the injury. No provision hereof shall negate the requirement to provide an offender with necessary medical treatment as statutorily required.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.08 Distribution of fines; Parish Beautification Fund and establishment of litter control

A. All fines, either civil or criminal, collected pursuant to this article or any applicable state law shall be deposited in a beautification fund administered by the Office of the Parish President for the purpose of encouraging, organizing, and coordinating volunteer local anti littering campaigns, to pay expenses for litter clean up, collection, enforcement, prosecution and prevention, and to purchase and operate equipment in connection thereof, all in accordance with LA--R.S. 33:1236.2 and LA--R.S. 33:1236 (54).

B. The Office of the Parish President may establish a litter control section within the Parish to enforce the provisions of this Section.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.09 Jurisdiction and procedure - Justice of the Peace; Constable

A. A Justice of the Peace shall have concurrent jurisdiction over the litter violations occurring in the Parish. In addition, a constable may issue summons and serve subpoenas anywhere in the Parish all in accordance with LA--R.S. 13:2586. Prosecution of litter violations and compensation in criminal cases of a justice of the

peace and constable shall be in accordance with LA--R.S. 13:2587.1 and LA--R.S. 13:2589.(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.10 Adopt-A-Road program

A. To fulfill the obligations and responsibilities assigned to it under LA--R.S. 30:2521, the Parish has developed a program to be known as "Adopt-A-Road" whereby an individual, business or private civic organization may adopt section of Parish roadway or parks for the sole purpose of controlling litter along that section of road. Included in the responsibilities of any business or private civic organization that chooses to participate in the program shall be the following:

1. Develop a functional plan to influence and encourage the public to improve the appearance of the road or park.
2. Conduct four (4) general cleanups annually for two years.

(Ord. 01-0284, adopted 03/01/2001)

SEC. 15-001.11 Reimbursements to Justice of the Peace Courts

A. All fines collected by the Justice of the Peace Courts for litter violations pursuant to La. R.S. 25:1101 et seq. shall be paid to St. Tammany Parish pursuant to La. R.S. 25:1112. St. Tammany Parish shall reimburse the Justice of the Peace Court which handles the litter violation(s) for the time spent and expenses incurred pursuant to La. R.S. 13:2589(B). This reimbursement shall consist of FIFTY PERCENT (50%) of the fines collected by St. Tammany Parish from the Justice of the Peace Courts.

(Ord. No. 89-1148, adopted 09/21/89; amended by Ord. No. 01-0284, adopted 03/01/2001)

CROSS REFERENCE: See Section 9-019.00 of the Code of Ordinances, and Division 3 entitled "Permit and Fee System for Solid Waste Disposal" of Chapter 9 beginning at Section 9-030.11 through Section 9-030.14 therein.

SEC. 15-001.12 Bottles/Glass Containers Prohibited

a) **Prohibited.** It shall be unlawful for any person to dump, throw or have in his possession any bottle, container or other item made of glass while on the premises of any public park, beach, playground, campground or other recreational facility in the unincorporated areas of this parish.

b) **Enforcement.** Enforcement of this Section is authorized, directed and empowered to the Sheriff s Department, State Police, Justices of the Peace, and duly authorized Parish Violation officials.

c) **Violation.** Any violation of this Section shall constitute a misdemeanor punishable as contained in Section 1-008.0 of this Code of Ordinance, and may be tried in the 22nd Judicial District Court or any appropriate Justice of the Peace Court in St. Tammany Parish in accordance with Acts 250 and 296 of the 1989 Legislature.

d) **Fines:** Any fines collected by the Justice of the Peace Courts for violations hereof shall be paid to St. Tammany Parish pursuant to La. R.S. 25:1101 et seq., and the Parish shall reimburse said Courts pursuant to La. R.S. 13:2589(B).

(Ord. No. 92-1622; Adopted 7/16/92)

STATE REFERENCE: LSA R.S. 25:1101 et seq.; Acts 250 and 296 of the 1989 Legislature.

SEC. 15-002.00 Obstruction Of Ditches Or Waterways

It shall be unlawful for any person to obstruct any ditch or waterway with any trees, logs, earth or other substance. (Ord. adopted 07/10/1900; Ord. adopted 11/17/15)

SEC. 15-002.01 Obstruction Of Waterways And Shoreline; Lake Road Boat Launch

1. It shall be unlawful for any person to obstruct the waterways and shoreline within one thousand (1,000) feet of the Lake Road Boat Launch by docking any vessel(s), the placement of any structure(s), permanent or temporary, or any other obstruction possibly impeding the access or safe use of the launch area.
2. Enforcement of this Section is authorized, directed and empowered to the Sheriff s Department and the Parish Department of Public Works.
3. Any person(s) found to be in violation of the provision of this Section shall be subject to the penalty provisions of Section 1-008.0 of the Code of Ordinances. (Ord. No. 84-294, adopted 12/20/84)

SEC. 15-002.02 Aircraft in Eden Isles Subdivision

It shall be unlawful for any pilot of any aircraft, airplane, seaplane to land, take off or taxi in or on any road or waterway or from any lot or tract of ground situated in Eden Isles Subdivision, Units 1, 2, 3 and 4, all as more fully shown in said subdivision plats which are filed in the Office of the Clerk of Court for St. Tammany Parish, Louisiana, except in a bonafide emergency.

(Ord. 81-298, adopted 11/24/81)

SEC. 15-003.00 Fortune-Tellers, Mind Readers, Etc., Prohibited

It shall be unlawful for fortune-tellers, mind readers, faith healers, palm readers, Indian advisors or others engaged in similar activities, to operate within the Parish. (Ord. No. 303, Bk. 5, P. 84)

SEC. 15-004.00 Killing Or Interference With Police Dogs

It shall be unlawful for any person to willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable, or kill any dog used by the Sheriff s Department in the performance of the functions or duties of such Department, or to interfere with or meddle with any such dog while being used by said Department or any officer or member thereof in the performance of any of the duties or functions of said Department or of such officer or member. (Ord. No. 314, Bk. 5, P. 165)

SEC. 15-005.00 Herbicides Prohibited

It shall be unlawful for any person, group, company, corporation or organization to apply, use, or incorporate the use of any herbicide, including but not limited to, those registered with and/or approved by the U. S. Environmental Protection Agency or the Louisiana Department of Agriculture and Forestry, for the management, control, eradication or maintenance of weeds, grass, trees, shrubs, foliage, vegetation or other natural growth in any parish right-of-way, ditch, servitude, drainage area, roadside, road shoulder, green area, buffer zone, waterway, neutral ground or median in the unincorporated areas of St. Tammany Parish. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1789, adopted 08/19/93)

CROSS REFERENCE: See also in Section 11-066.00, .01, .03 and 11-066.05; see also in Sections 20-002.20 through 20-002.23.

SEC. 15-005.01 Definitions

a) **Herbicide:** Any substance, chemical, toxic, element or composition thereof, commonly or professionally known, identified as, or used, for the purpose of destroying, eradicating, eliminating, killing, stunting or preventing weeds or the growth thereof. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

b) Parish rights-of-way, etc.:

1) **Right-of-way:** Any public way, street, road, alley, easement, servitude or access, which was dedicated to or acquired by the Parish to provide means of access to abutting properties; whether paved, improved or unimproved, including those areas dedicated for proposed or future uses.

2) **Ditch:** Natural or dedicated area which provides for the containment or flow of water from rain or adjacent drainage areas or waterways such as streams, creeks, ponds, lakes or rivers.

- 3) **Servitude:** A right-of-way through or across property belonging to another.
- 4) **Easement:** Designated right to use the property of another for a specific purpose, i.e., drainage, utility easement.
- 5) **Drainage Area:** Area maintained for the purpose of channeling or preventing accumulation of water from surrounding land.
- 6) **Roadside/Road Shoulder:** Natural or dedicated areas which are parallel, contiguous to, abut, adjoin, border, edge, connect or approach any public right-of-way, road, street or highway.
- 7) **Median/Neutral Ground:** The area dividing or separating a roadway and not used for right of passage.

(Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.03 Exemptions

Exempt herefrom are hand held manual pump sprayers up to a maximum three (3) gallon capacity. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.05 Violations; Penalties:

A violation of the provisions of this article [Division] shall constitute a misdemeanor and shall be punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

SEC. 15-005.06 Placement of Advertising Signs in Parish rights-of-way

This article shall be known and may be cited as the "St. Tammany Parish Advertising Signs on Rights-of-Way".

SEC. 15-005.07 Definitions:

Parish shall mean the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Political sign shall mean any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure.

Real Estate sign shall mean any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.

Right-of Way shall mean any portion of ground dedicated to the Parish for public use as a street or other use.

Sign shall mean a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes.

Sign owner shall mean that person who owns a sign and/or is responsible for a sign. In those cases in which an owner cannot be determined; the owner of the subject being advertised shall be deemed the owner of the sign.

Snipe sign shall mean a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, or to other like objects.

SEC. 15-005.08 General Prohibition:

The erection, installation, maintaining or otherwise placing or permitting to remain upon any Parish highway, right-of-way, including the shoulder, bank, and outer or far side thereof, street, roadway, emergency lane, median, of any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, is prohibited, except insofar as specifically excepted according to provisions made in this ordinance.

SEC. 15-005.09 Exemptions from General Prohibition:

The above prohibition shall not apply to the following:

1. Signs placed by the Parish Department of Public Works and Parish Department of Planning, or by order of the Parish President or Parish Council to direct, warn, caution or inform the traveling public for the convenience and safety thereof;
2. Signs placed by the Louisiana State Department of Transportation and Development or other state agency for the purpose of informing or warning the public of a regulation made pursuant to law by such agency in keeping with its purposes, the safety, convenience or welfare of the public;
3. Signs placed by the authorities of incorporated municipalities within their corporate limits, in those instances where a parish road crosses or enters a municipal corporation;
4. Signs placed by railroad companies at or near railroad crossings, where required or permitted by law.

SEC. 15-005.10 Permits - Temporary required:

The Parish Director of Planning, or his designee, may issue temporary permits, or certificates of authority, permitting the advance placement on private property, of

temporary signs with the purpose of directing guests, members of organizations or other persons to a spot or location where a permitted special event will be held. (amended by Ord. No. 03-0615, adopted 02/06/2003)

SEC. 15-005.11 Issuance; removal of signs:

Any such temporary permit shall be in writing and signed by the issuing officer, and it shall provide that after the permitted special event, all such signs shall be removed by the person to whom the temporary permit is issued; a sum estimated as sufficient to defray the expense of removing the signs if such permittee fails to do so, shall be collected at the time the temporary permit is issued. The security shall be returned when satisfactory evidence of the removal of such signs by permittee has been presented to the issuing official.

(amended by Ord. No. 03-0615, adopted 02/06/2003)

SEC. 15-005.12 Issuance under other ordinance or resolution:

If the Council, by resolution or ordinance, grants a special permit, either temporary or permanent, for the placement of any sign in the right-of-way of any road, such resolution or ordinance shall not be deemed a repeal of these procedures, but shall be deemed an exception, along with those exceptions listed above in Exemptions from General Provisions.

SEC. 15-005.13 Procedures for removal of structures, signs, obstacles, objects, deposits/things within right-of-way:

1. Apparent Value: When structures, signs, obstacles, etc., are of a permanent nature with significant value, the sign owner will be notified by certified mail to remove it within five (5) days. When items do not have significant value but do retain some apparent value, the owner shall be notified orally to remove it within five (5) days. All signs of significant or apparent value will be marked with a NOTICE OF VIOLATION at the time of owner notification. If the owner is unknown or cannot be found, a NOTICE OF VIOLATION shall be affixed to the object setting forth that it must be removed within five (5) days from the date specified. Failure to remove within the specified period of time serves as forfeiture of all rights thereto and the Parish Government may remove the object for its own use, and dispose of it in any way deemed necessary. The owner and any other person responsible therefore remains liable for any damages to the public property or expenditures of public funds resulting from the installation or removal of such items.

(amended by Ord. No. 03-0615, adopted 02/06/2003)

2. No Apparent Value: Structures, signs, obstacles, etc. that have no apparent value will be summarily removed and destroyed or disposed of in the most cost effective manner available. Items in this category are wooden stake signs, small cardboard signs, light

paper signs, signs nailed to utility poles, snipe signs, signs deemed to be a traffic hazard or obstacle to right-of-way maintenance.

3. Political, Real Estate, or Similar Type Signs: Political, real estate, or similar type signs shall not be located within the public right-of-way. Large signs (i.e. plywood with 2 by 4 supports, or signs that exceed 4 square feet in surface area) will be marked with a NOTICE OF VIOLATION and removed after five (5) days. The ultimate disposition of political, real estate, or similar type signs will be provided in paragraph two (2) above. (amended by Ord. No. 03-0615, adopted 02/06/2003)

4. Potential Traffic Hazard or Obstacle to Maintenance: Any structure, sign, headwall, obstacle, object, deposit, or thing which is potentially hazardous or interferes with road or structure maintenance because of its location or type of construction will be removed as provided for in paragraph two (2) above.

SEC. 15-005.14 Removal and Disposal:

Any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, or any other sign as defined in the foregoing sections, considered to be of no apparent value or potential traffic hazard or obstacle to maintenance is subject to immediate removal and disposal by the Department of Permits and Regulatory, Department of Planning, Code Enforcement/Violations officers, Department of Environmental Services, Litter Abatement, St. Tammany Parish Constables, as soon as possible after either of those departments and/or officials is made aware of the location of such signs on public property or within the right-of-way.

SEC. 15-005.15 Litter Violation:

Any violation of the aforementioned Sections shall be considered a violation of the Parish Code of Ordinances and is subject to the civil and criminal procedures provided therein.

(Ord. No. 02-0551, adopted 10/10/2002; amended by Ord. No. 03-0615, adopted 02/06/2003)

CROSS REFERENCE: See Section 20-014.00 in Chapter 20

ARTICLE II WATERCRAFT SPEED LIMITS

Sec. 15-006.00 Watercraft Speed Limits

Editorial Note: New Section 15-006.00 replaced Sections 15-006.00 through 15-66.031 under authority of Ord. No. 98-2881, adopted 6/18/98

A. Unlawful operation: It shall be unlawful to operate any vessel or watercraft on any waterway in St. Tammany Parish such that its speed exceeds a speed of “dead slow” within the following described “Dead Slow, No Wake” zones:

1. Tchefuncte River Area

a. A portion of the Tchefuncte River from a point 1.5 miles upstream from the river’s mouth at Lake Pontchartrain to a point 2.75 miles north of the river’s mouth at Lake Pontchartrain. This 1.25 mile stretch of river encompasses an area from roughly 700 yards south of the Highway 22 bridge south of the Marina Del Ray entrance to a point in the curve just upstream from the commercially developed portion of Highway 22 that backs up to the river.

b. A portion of the Tchefuncte River beginning at a line across the river at a point 200 feet north of an inlet off the river commonly known as “High Bridge Canal”, and extending to a line across the river at a point 100 feet south of the High Bridge Canal. (Ord. 01-0396, adopted 11/15/2001)

c. Within the “Tchefuncte Country Club Marina” and associated canals and slips, including the mouth of the marina at the Tchefuncte River, in their entirety.

d. Within the “Marina Beau Chene” and associated canals and slips in their entirety.

e. Pontchitolowa Creek from its mouth at the Tchefuncte River to a bridge at Highway 190.

f. “Lake Emfred” in its entirety.

g. Lazy River Estates Area - Those waterways commonly known as “Frances Bayou”, “Dorothy Bayou”, “Blanche Bayou”, and “Sally Bayou” in their entirety and “Bayou Monga” from the power line crossing upstream to Interstate 12.

h. A portion of the Tchefuncte River beginning at a line across the river at a point 300 feet north of the entrance to Marina Beau Chene, and extending to a line across the river at a point 300 feet south of the entrance to Marina Beau Chene. All costs incurred by St. Tammany Parish with the installation and maintenance of necessary and appropriate signage marking this “Dead Slow, No Wake” zone shall be reimbursed to the Parish by Marina Beau Chene. (Ord. No. 02-0433, adopted 02/07/2002)

2. Little Tchefuncte River Area

a. The Little Tchefuncte River from where it intersects the Bogue Falaya River just north of Interstate 12 upstream along the entire boundary of Ward 1 (Ord. 01-0368, adopted 09/06/2001)

b. Flowers Bayou - in its entirety

c. Horseshoe Bayou - in its entirety

3. **Bayou Castine** - in its entirety

4. **Cane Bayou** - from its mouth at Lake Pontchartrain upstream to the bridge at Highway 190

5. **Bayou Lacombe Area**

a. Lacombe Harbor Area - Those waterways known commonly as the “Lacombe Harbor Subdivision canals”, “Crutch Bay”, “Perch Bay”, “Finger Bay”, “Pine Bay”, “Cypress Bay”, and “Cypress Bayou” in their entirety.

b. Bayou Lacombe from Tammany Trace downstream to the “Patterson Canal”.

c. Bayou Lacombe from 300 feet upstream from “Powell Bayou” to a point in the curve immediately downstream from the “seaplane base”.

d. Bayou Lacombe from a point 300 upstream from “Love’s Canal” to a point in the next curve immediately downstream as noted on “Attachment A” associated with Ord. Cal Number 569, Police Jury Series Number 85-515.

e. “Powell Bayou” and the canals associated with Powell Heights Subdivision in their entirety.

f. Bayou Manor Subdivision - the entirety of the canal system associated with Bayou Lacombe Manor Subdivision.(Ord. No. 09-2145, adopted 10/01/2009)

6. **Bayou Liberty** - from a point 2.5 miles north of the Bayou Liberty bridge at Highway 433 upstream for a distance of 0.5 mile.

7. **Bayou Bonfouca** - from a point 300 feet north of the public boat launch off of Front Street downstream to one-half (½) mile downstream of Highway 433 drawbridge. (Ord. 01-0388, adopted 11/01/2001)

The entirety of all canals and slips within the **Coin DuLestin** residential development.

8. **Bayou LaSang** - From Bayou Bonfouca to Palm Lake

9. **Northshore Subdivision**- all of the canals within the Northshore Subdivision and along Carr Drive **and** specifically the unnamed waterway known as the “Carr Drive Canal” from Lake Pontchartrain to the bridge at Highway 11.

10. **Eden Isles and Oak Harbor Subdivisions** - all canals and slips associated with the Eden Isles and Oak Harbor Subdivisions as well as all canals and slips associated with the marina facilities of both developments. The entirety of all canals associated with

Moonraker (as well as Moonraker Lake itself) and Clipper Estates falls within this zone as well.

11. **“Pirates Harbor Canal”** - in its entirety from its mouth at Lake Pontchartrain north to its dead end.

12. **Salt Bayou** - from its mouth at Lake Pontchartrain to the Highway 433 bridge.

13. **Rigolets Estates/Treasure Isle Area** - Those canals and waterways within the Rigolets Estates and Treasure Isle subdivisions and the borrow lagoon between the two subdivisions in their entireties. Also specifically the canal that runs from Salt Bayou south to a dead end at the Treasure Isle drive in its entirety.

14. **“Geoghegan Canal”** - from its mouth at the Rigolets to a point 0.5 miles north of its mouth just above Snug Harbor Subdivision.

15. **Pearl River Basin Area**

a. **West Pearl River** - within 1/4 mile upstream and downstream of the bridge at Hwy 90.

b. **“Oxbow Lake”** - in its entirety leading to Maple Slough in the Honey Island Swamp area.

c. **“Devil’s Elbow”** - in its entirety from its mouth at the West Pearl River, west and north to Interstate 10 (Ord. No. 02-0589, adopted 12/05/2002)

d. **“Dawes and Oyster Factory Canals”** - A portion of Dawes Canal beginning at a line across the canal at a point 800 feet southeast of its intersection with Oyster Factory Canal and extending to a line across Oyster Factory Canal 500 feet southwest of its intersection with Dawes Canal. (Ord. No. 03-0715, adopted 07/10/2003)

16. **Abita River** - a portion of the Abita River beginning at its mouth and confluence with the Bogue Falaya River and extending generally northwest to Highway 190 (Ord. No. 03-0795, adopted 12/04/2003)

17. **Lakeshore Estates Subdivision** - the canals and waterways of Lakeshore Estates that are situated within the area bounded by Lake Pontchartrain to the south, Lakeshore Boulevard to the north, E. Howze Beach Road-West End Boulevard to the west, and East End Boulevard to the east; except that the following canals and/or waterways, identified as Area A and Area B immediately herein below, shall be excluded from the "No Wake, Dead Slow" zone:

Area A: The horseshoe-shaped waterway immediately south of Lakeshore Blvd. East, west of East End Blvd. and north of Marina Villa East (Road) and an imaginary line extending in a west-north-westerly direction from the dead-end of Marina Villa East

(Road) across the waterway to the bank of the peninsula on the opposite bank, all as depicted on the attached map, Exhibit 1.

Area B: The inverted triangular-shaped waterway bounded on the north and east by Lakeshore Blvd. East and on the west and south by East End Blvd.

(Ord. No. 08-1925, adopted 09/11/2008, amended by Ord. No. 09-2077, adopted 06/04/2009)

18. Pearl River Navigational Canal

a. A portion of the Canal beginning at a line across the Canal generally adjacent to the southern- most end of Hickory Fields Road and extending to a line across the Canal approximately 3,000 feet south from the point of beginning, and to encompass all of that portion of the Canal that narrows to a width of approximately 100 feet.

(Ord. No. 09-2095, adopted 07/02/2009)

19. Hwy. 11 Canal - in its entirety leading to the Schneider Canal pumping station.

(Ord. No. 13-2887, adopted 01/03/2013)

20. Morgan River

a. A portion of the Morgan River - commence from southeast corner of the Morgan River where it enters the West Pearl River, follow the southern bank of the Morgan River 570 feet to the point of the beginning of the "Dead Slow, No Wake" zone. From the point of beginning follow the southern bank of the Morgan River 1,500 feet to the end point of the "Dead Slow, No Wake" zone.

(Ord. No. 13-2887, adopted 01/03/2013)

21. Bogue Falaya River

a. A portion of the Bogue Falaya River running along Riverside Drive.

(Ord. No. 13-2887, adopted 01/03/2013)

22. Madisonville on the Lake Subdivision

a. The East Chenier Bay Canal and West Chenier Bay Canal waterways of Madisonville on the Lake Subdivision that lie within the boundaries of Madisonville on the Lake Subdivision.

(Ord. No. 13-3061, adopted 12/05/2013)

B. Special Speed Limits and “Dead Slow, No Wake” Zones

1. Special Speed Limits

a. Unless otherwise officially posted, it shall be unlawful to operate any watercraft in excess of forty-five (45) miles per hour anywhere on the Tchefuncte River between the Highway 22 bridge at Madisonville upstream to the Interstate 12 bridge near Covington.

b. Unless otherwise officially posted, it shall be unlawful to operate any watercraft in excess of forty-five miles per hour (45 MPH) anywhere on the Pearl River Navigation Canal between Hickory Field and Lock No. 2. This speed limit provides adequate velocity for slalom or barefoot skiing.

2. General “Dead Slow, No Wake” Zones

a. It shall be unlawful to operate any vessel or watercraft on any waterway in St. Tammany Parish such that its speed exceeds a speed of “Dead Slow” within 100 yards (300 feet) on either side of any public boat launch or commercial fuel dock.

C. Definitions:

1. “Dead Slow” or “Dead Slow, No Wake” - shall be the minimum possible speed that any vessel or watercraft can travel and still maintain safe steerage.

2. Watercraft - any vessel or craft powered by any means designed for transport across the surface of water. (Including boats, ships, personal watercraft, barges, seaplanes, hovercrafts...etc).

D. Enforcement: Enforcement of this section of the Code of Ordinances is authorized, directed and empowered to the following entities: agents of the St. Tammany Parish Sheriff’s Department, Louisiana State Police, agents of the Louisiana Department of Wildlife and Fisheries, and any other duly authorized peace officer of the State of Louisiana.

E. Signs: It shall be the duty and obligation of the Parish Department of Public Works or its designees to post and maintain appropriate and visible signs at strategic and appropriate places to notify watercraft operators of the “Dead Slow, No Wake” zones.

F. Exemptions: Exempt herefrom shall be any enforcement watercraft or any watercraft bound on a bona fide life-saving mission.

G. Violation; Penalties: Violation hereof by any operator of any watercraft, other than those exempt, shall be punishable as follows:

1st Offense – \$ 50.00 and a certificate showing the successful completion of a boating safety course as approved by the National Association of State Boating Law Administrators (NASBLA).

2nd Offense – \$100.00 and a certificate showing the successful completion of a boating safety course as approved by the National Association of State Boating Law Administrators (NASBLA).

3rd Offense and subsequent offenses – \$300.00 and/or imprisonment in the Parish Jail for up to (30) days

(Ord. No. 98-2881, adopted 6/18/98; Sec. 15-006.00 replaced Sec. 15-006.00 through 15-006.31; Sec. 15-006.00 item A - 7 amended to add Coin DuLestin in item 7-a by Ord. No. 99-3061, adopted 4/15/99; Sec. G - 1 and 2 amended by Ord. No. 99-3062, adopted 4/15/99; amended by Ord. No. 99-3203, adopted 11/18/99)

WATERWAY SAFETY COMMITTEE

SEC. 15-020.00 Creation and Purpose

The St. Tammany Parish Waterway Safety Committee was created for the purpose of reviewing and issuing recommendations to the parish governing authority on matters relative to traffic and general safety on the waterways of St. Tammany. (Reso. P.J.S. No. 98-8756, adopted 07/23/98)

SEC. 15-020.01 Members

Members of the Committee shall consist of representatives from the St. Tammany Parish Sheriff's Office, Louisiana Department of Wildlife and Fisheries, waterway user groups and waterfront homeowners groups.

SEC. 15-020.02 Board of Commissioners

The Board shall be comprised of seven (7) members that are residents of and domiciled within St. Tammany Parish. The Office of the Parish Sheriff shall nominate and exclusively appoint one (1) person domiciled within the parish. The Louisiana Department of Wildlife and Fisheries shall nominate and exclusively appoint one (1) person domiciled within the parish. The Parish Council shall have the authority to nominate and appoint four (4) members. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000, amended by Ord. No. 03-0694, adopted 06/05/2003)

ARTICLE III SWIMMING/FISHING/DIVING

SEC. 15-100.00 Swimming Prohibited - Main Street Boat Launch, Lacombe

EDITORIAL NOTE: New Section 15-100.00 added under the authority of Ordinance No. 90-1306, adopted 07/19/90.

To provide for the health, safety and well-being of the visitors and citizens of this Parish, swimming is prohibited at the Main Street Boat Launch in Lacombe, Louisiana.

(a) **Swimming prohibited:** It shall be unlawful for any individual to swim, bathe, dive or wade in the area of the Main Street Boat Launch in Lacombe, Louisiana.

(b) **Enforcement:** Enforcement of this Section is authorized, directed and empowered to the Sheriff s Department of St. Tammany Parish, the Louisiana State Police, and by duly commissioned agents and officers of Louisiana Wildlife and Fisheries.

(c) **Violation; Penalty:** Any person(s) found in violation of this Section shall be subject to the penalty provisions of Section 1-008.00 of the St. Tammany Parish Code of Ordinances. (Ord. No. 90-1306, adopted 07/19/90)

SEC. 15-101.00 Fishing/Diving Prohibited

EDITORIAL NOTE: New Section 15-101.00 added under the authority of Ordinance No. 91-1461, adopted 06/20/91.

(a) **Fishing/Diving prohibited.** All Parish bridges in Police Jury District 13, including the Middle Pearl Bridge over Doubloon Bayou, Voters Road Bridge over W-14 Canal, Carr Drive Bridge over Highway 11 Canal, and all other bridges in Police Jury District No. 13, whether abandoned or currently in use for vehicular or foot traffic. (Ord. No. 91-1483, adopted 08/22/91 to amend Ord. No. 91-1461, adopted 06/20/91)

(1) Eden Isles Subdivision - both bridges located on Eden Isles Boulevard (9-J-009) and bridge on Moonraker Drive (9-J-010).

(2) Bridge located on East Howze Beach Road (9-J-208).

(b) **Enforcement:** Enforcement of this Section is authorized, directed and empowered to the Sheriff s Department of St. Tammany Parish, the Louisiana State Police, and by duly commissioned agents and officers of Louisiana Wildlife and Fisheries.

(c) **Signs:** It shall be the duty and obligation of the Parish Department of Public works or its designees to post and maintain appropriate and visible signs to notify the general public.

(d) **Exemptions:** Exempt herefrom shall be any law enforcement agent or official on a bona fide life-saving mission.

(e) **Violation; Penalty:** A violation hereof by any one, other than those exempted, shall constitute a misdemeanor punishable as outlined in Section 1-008.00 of this Code [of Ordinances]. (Ord. No. 91-1461, adopted 06/20/91)

(Ord. No. 91-1461, adopted 06/20/91; amended by Ord. No. 91-1483, adopted 08/22/91)

ARTICLE IV FIREARMS

SEC. 15-207.00 Discharge Of Firearms Near Single/Multifamily Zoned Subdivision Developments

1. **Prohibited:** It shall be unlawful for any person to discharge a firearm within a one-thousand-foot perimeter zone of any single family residentially zoned subdivision or multifamily residentially zoned development measured as is hereinafter provided.

2. Definitions:

a. **Firearms:** Any handgun or rifle of any caliber, shotgun, machine gun or any other gun by which a bullet or projectile is launched by means of igniting gunpowder.

b. **Single-family Residentially Zoned Subdivisions:** Those portions or parcels of ground located in the unincorporated area of the Parish bearing the following zoning designations as identified on the Official Zoning Map of the Parish as follows:

1. A-1 Suburban
2. A-2 Suburban
3. A-3 Suburban
4. A-4 Single-Family Residential
5. A-1-A Residential Zoning District
6. A-2-A Residential Zoning District
7. A-3-A Residential Zoning District
8. A-4-A Residential Zoning District
9. A-5 Two-Family Residential District
10. A-6 Three and Four-Family Residential District
11. A-7 General Multiple-Family Residential District
12. A-8 Planned Multiple-Family Residential District
13. B-2 Planned Residential Districts
14. SA Suburban Agricultural
15. SI Suburban

c. **Perimeter Area:** That area surrounding the subdivisions as shall be measured in a straight line from each of the subdivisions four (4) boundaries (i.e.

front, rear and two (2) side lines) as shown on the subdivision plot thereof filed with the Parish and thence outward one thousand (1,000) feet.

3. **Exemption:** This Section exempts any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a firearm for the purpose of defending his life or property.

4. **Violation; penalty:** Any violation of this section shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of this Code of Ordinances. (Ord. No. 80-47, and 83-715 repealed and amended by Ord. No. 85-360, adopted 03/21/85)

SEC. 15-208.00 Discharge Of Firearms, South Of Highway 22; West Of W. Causeway Approach

1. **Prohibited.** It shall be unlawful for any person to discharge and/or hunt in the area south of La. Hwy. 22, and west of West Causeway Approach, to the western boundary of Bigner Road, south to the border of Lake Pontchartrain, Ward 4, St. Tammany Parish, Louisiana.
2. **Definition.** "Firearms" shall mean any handgun or rifle of any caliber , shotgun, machine gun or any other gun by which a bullet or projectile is launched by means of igniting gunpowder.
3. **Enforcement.** This Section shall be enforced by the Sheriff.
4. **Exemption:** This section exempts any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a firearm for the purpose of defending his life or property.
5. **Violation; penalty:** Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of this Code of Ordinances. (Ord. No. 85-527, adopted 11/21/85)

SEC 15-209.00 Discharge Of Firearms Near Highland Park Hospital and Bootlegger Road

1. It shall be unlawful for any person to discharge a firearm within two hundred (200) yards of any dwelling or occupied structure within the area bounded on the north by Highway 190, on the south by Interstate 12, on the west by Highway 1077 and on the east by Highway 21, hereinafter referred to as "defined area".
2. It shall be unlawful for any person within the remaining portions of the defined area to hunt other than still hunting only.
3. It shall be unlawful for any person within the defined area to have a vehicle other than on established roads without prior consent of the property owner whose property will be traversed thereby.
4. It shall be unlawful to hunt with dogs in the defined area.
5. For the purposes hereof, "firearm" is defined as any handgun or rifle of any caliber , shotgun, machine gun or any other gun by which a bullet or projectile is launched by means of igniting gunpowder.

6. Exempted from the provisions hereof is any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a firearm for the purpose of defending his life or property.
7. Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of this Code of Ordinances. (Ord. No. 83-609, adopted 07/21/83)

SEC. 15-209.02 Discharge Of Firearms Within Drainage District No. 2

1. **Prohibited:** It shall be unlawful for any person to discharge a firearm within the boundaries of Drainage District No. 2 as defined in Section 7-061.00 of the Code of Ordinances.

EDITORIAL NOTE: The above reference notation to Section 7-061.00 is no longer valid for the boundaries of Drainage District No. 2 were changed in 1989. The property description below is that published in Ord. No. 84-137 as adopted 06/21/84.

2. Drainage District No. 2: Commencing at the intersection of the shoreline of Lake Pontchartrain with the center line of the right-of-way of the New Orleans and Northeastern Railroad, thence in a northeasterly direction along said center line 12,450 feet more or less to a point 1040.7 feet northeast of mile-post No. 170; thence south 80 degrees 18 minutes east 772.5 feet; thence south 76 degrees 54 minutes east 2456 feet; thence south 11 degrees 37 minutes east 415.9 feet; thence south 78 degrees 03 minutes 15 seconds east 582.8 feet; thence north 87 degrees 54 minutes 45 seconds east 3190.1 feet; thence south 60 degrees 34 minutes east 1286.9 feet; thence south 47 degrees 20 minutes east 3975.8 feet; thence north 71 degrees 33 minutes east 4116.7 feet to the northeast corner of the southeast quarter of the northeast quarter of section 26 in Township 9 south, Range 14 east; thence south 85 degrees 45 minutes east 1050 feet more or less to the center line of the New Orleans-Mississippi Highway; thence along said center line in a southerly direction 16675 feet more or less to its intersection with the north bank of Salt Bayou; thence westerly along said Bayou to Lake Pontchartrain; thence along the shore of Lake Pontchartrain to place of beginning, containing 6130 acres, more or less.
3. Firearm: Any handgun or rifle of any caliber, shotgun, machine guns or any other guns by which a bullet or projectile is launched by means of igniting gunpowder.
4. **Enforcement.** This Section shall be enforced by the St. Tammany Parish Sheriff's Office.
5. **Exemption:** This section exempts any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a firearm for the purpose of defending his life or property.
6. **Violation:** Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of this Code of Ordinances. (Ord. No. 84-137, adopted 06/21/84)

SEC. 15-209.03 Discharge Of Firearms In Brookter Cemetery

1. **Prohibited:** It shall be unlawful for any person to discharge a firearm within a 400-foot area of Brookter Cemetery located at the end of McManus Road (8-W-015), Ward 8, District 14.
2. **Definitions:**
 1. Firearm: Any handgun or rifle of any caliber, shotguns, machine guns or any other guns by which a bullet or projectile is launched by means of igniting gunpowder.
 2. Description: A 400-foot area of Brookter Cemetery located at the end of McManus road (8-W-015), Ward 8, District 14.
3. **Enforcement:** This Section shall be enforced by the St. Tammany Parish Sheriff's Office.
4. **Exemption:** This section exempts any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a firearm for the purpose of defending his life or property.
5. **Violation:** Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.0 of this Code of Ordinances. (Ord. No. 87-884, adopted 11/19/87)

SEC. 15-209.04 Discharge Of Firearms In Helenbirg Subdivision

(a) **Prohibited:** It shall be unlawful for any person to hunt and/or discharge a firearm within the area of Helenbirg Subdivision described as the "defined area" as follows:

Commencing at the intersection of Interstate 12 and Louisiana Highway 59, also the Point of Beginning; thence go west along Interstate 12 to U. S. Highway 190; thence go north along U. S. Highway 190 to its intersection with a westward extension of Helenbirg Road; thence go east and northeast along Helenbirg Road to its intersection with 6th Avenue; thence go southeast along 6th Avenue to its intersection with Soell Avenue; thence go northeast and east along Soell Avenue to its intersection with Louisiana Highway 59; thence go south along Louisiana Highway 59 to its intersection with Interstate 12 and the Point of Beginning. Described in accordance with a map on file with the Secretary of the Police Jury.

(b) **Definitions:**

(1) Firearm: Any handgun or rifle of any caliber, shotguns, machine guns or any other guns by which a bullet or projectile is launched by means of igniting gunpowder.

(2) Defined Area: As described in subsection (a) herein or on the map on file in the Administrative Offices of the St. Tammany Police Jury as attached to Ord. No. 88-1020.

(c) **Exemptions:** Exempted from the provisions hereof is any law enforcement officer engaged in the pursuit of his duties, or any citizen discharging a firearm for the purpose of lawfully defending his life or property.

(d) **Violation:** Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.00 of the Code of Ordinances of St. Tammany Parish Louisiana. (Ord. No. 88-1020, adopted 12/15/88)

SEC. 15-209.05 Discharge Of Firearms in Police Jury District No. 9

a) **Prohibited:** It shall be unlawful for any person to discharge a gun, rifle, or any other weapon which launches any projectile by means of compressed air or gas, within a 400 foot perimeter zone of any single or multi-family residential development within Police Jury District No. 9.

b) **Definition:** Firearm: Gun/weapon, any handgun, pistol, revolver, rifle, musket, or other mechanism which launches a pellet, B-B, or other type of projectile by means of compressed air or gas.

c) **Perimeter:** That area surrounding any single or multi-family residence measured in a straight line from the front, rear and two side lines of the residence outward for a distance of 400 feet.

d) **Exemption:** Exempt herefrom are the following:

1) Any law enforcement officer engaged in the pursuit of his duties, or any citizen lawfully discharging a weapon for the purpose of defending his life or property.

2) The registered owner or lessee in possession of or discharging any weapon described in subsection (a) above on his/her own parcel of property, provided it is not within 200 feet of another residence.

e) **Violation; penalty:** Any violation of this Section of shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances.

(Ord. No. 92-1584, adopted 04/23/92)

SEC. 15-209.06 Discharge Of Firearms At Or Near Northshore Beach

EDITORIAL NOTE: New Section 15-209.06 added under the authority of Ordinance No. 91-1533, adopted 11/21/91.

a) **Prohibited:** It shall be unlawful for any person to discharge a firearm at or within a one-thousand-foot (1000) perimeter of Northshore Beach, the description of which is as follows:

A public beach area within North Shore Beach Subdivision, situated in the west half of Section 31, Township 9 South, Range 14 East, and having a frontage of 1015 feet, more or less, on Lake Pontchartrain and containing 8 acres of land, more or less.

b) **Definitions: Firearms:** Any handgun, rifle of any caliber, shotgun, air rifle, B-B gun, automatic or semi-automatic weapon, or any other gun by which a bullet or projectile of any nature is launched.

c) **Enforcement:** Enforcement of this Section shall be by the St. Tammany Parish Sheriff's Office.

d) **Exemption:** Exempt herefrom are any law enforcement agency on a bona fide mission or any law enforcement officer engaged in the pursuit of his official duties.

e) **Violation; penalty:** Any violation hereof shall constitute a misdemeanor punishable as contained in Section 1-008.00 of this Code of Ordinances.

(Ord. No. 91-1533, adopted 11/21/91)

SEC. 15-209.07 Discharge of firearms/hunting prohibited; Fontainebleau State Park

a) **Prohibited:** It shall be prohibited for any person to discharge firearms and/or hunt with firearms or bow and arrow in the area of Fontainebleau State Park - from Cane Bayou on the east to Bayou Castine, and on the west, and south of U.S. Highway 190 to the shores of Lake Pontchartrain.

b) **Enforcement:** Enforcement hereof shall be the duty of officers and agents of the St. Tammany Parish Sheriff's Department and the Louisiana Department of Wildlife and Fisheries.

c) **Exemption:** Exempt herefrom are law enforcement officers engaged in the pursuit of duties, or any citizen lawfully discharging a firearm for the purpose of defending his or her life or property.

(Ord. No. 98-2804, adopted 2/18/98)

ARTICLE V NONCONTROLLED SUBSTANCES

SEC. 15-310.00 Non-controlled Substances

1. It shall be unlawful for any person to knowingly deliver, distribute, sell, or exchange a non-controlled substance as defined in subsection (b) hereof upon either;
 1. The express representation that the substance is a narcotic or controlled substance; or,
 2. The express representation that the substance is of such nature, quality or appearance that the recipient of said delivery will be able to distribute said substance as a controlled substance; or
 3. Circumstances under which a reasonable person would be led to believe that the substance is a controlled substance. For the purpose of this

Section, it shall be prima facie evidence of such circumstances if any two (2) of the following factors are established:

a. The non-controlled substance was packaged in a manner normally used for the illegal delivery of controlled substances.

b. The delivery or attempted delivery included an exchange of or demand for money or other valuable property as consideration for delivery of the substance, and the amount of such consideration or money was substantially in excess of the reasonable value of the non-controlled substance.

c. The physical appearance of the finished product containing the substance is substantially identical to a specified controlled substance.

2. Non-controlled substance as used in this Section is hereby defined as any substance which is not listed or scheduled as a controlled substance or narcotic under the general law of the State of Louisiana.
3. In any prosecution for a violation of subsection (a) above, it shall not be a defense that the accused believed the non-controlled substance to actually be a controlled substance.
4. A violation of any of the provisions of this Section shall be a misdemeanor and upon conviction, the violator shall be punished under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. (Ord. No. 81-230, adopted 07/09/81)

ARTICLE VI TRAINS GENERALLY

SEC. 15-411.00 Speed Limit Of Trains - At Carr Drive Crossing

1. **Maximum Speed:** A speed limit is herewith imposed and provided on all rail traffic operating in an unincorporated area of the Parish one and one-quarter (1 1/4) miles on either side of Carr Drive crossing, a total distance of two and one-half (2 1/2) miles, at a maximum of twenty-five (25) Miles Per Hour.
2. **Violation; Penalty:** Whoever shall violate said speed limit shall be guilty of a Misdemeanor punishable as is provided in Section 1-800.00 of the Code of Ordinances.
3. **Enforcement:** The Sheriff s Department is charged with the enforcement of this Section. Should a violation occur, the Sheriff or any Sheriff s Deputy shall have the right and power to stop the locomotive(s) propelling the train; additionally, the Sheriff or any Sheriff s Deputy shall have the right and power to remove the engineer(s) therefrom and to impound the train until proper bond is posted; alternatively, the Sheriff or his Deputy may cite the Railroad or Railway by recording the serial number(s) on the locomotive(s), together with the time, date, place, and recorded speed thereof. (Ord. No. 82-412, adopted 07/15/82)

SEC. 15-411.01 Same - From North Shore Of Lake Pontchartrain To Highway 41

1. **Maximum Speed.** A speed limit of thirty-five (35) miles per hour is herewith imposed and provided on all rail traffic operating in an unincorporated area of the Parish from the North Shore of Lake Pontchartrain to Louisiana Highway 41.
2. **Violation; Penalty.** Whoever shall violate said speed limit shall be guilty of a Misdemeanor punishable as is provided in Section 1-008.00 of the Code of Ordinances.
3. **Enforcement.** The Sheriff s Department is charged with the enforcement of this Section. Should a violation occur, the Sheriff or any Sheriff s Deputy shall have the right and power to stop the locomotive and issue a citation to the engineer(s) of the locomotive(s) propelling the train; additionally, the Sheriff or any Sheriff s Deputy shall have the right and power to remove the engineer(s) therefrom and to impound the train until proper bond is posted; alternatively, the Sheriff or his Deputy may cite the Railroad or Railway by recording the serial number(s) on the locomotive(s), together with the time, date, place, and recorded speed thereof. (Ord. No. 85-330, adopted 01/17/85)

SEC. 15-411.02 Same - Southern Railroad Tracks, Slidell Area

1. **Maximum Speed:**
 1. It shall be unlawful for any person having immediate control of any freight railroad train to permit said train to be operated within the unincorporated limits of the Parish from Brown Switch Road north for a distance of four-tenths (0.4) mile at a speed in excess of thirty-five (35) Miles Per Hour.
 2. It shall further be unlawful for any person having immediate control of any Passenger Railroad Train to permit said train to be operated within the unincorporated limits of the Parish from Brown Switch Road north for a distance of four-tenths (0.4) mile at a speed in excess of forty-five (45) Miles Per Hour.
2. **Violation; penalty:** Whosoever shall violate said speed limit shall be guilty of a Misdemeanor punishable as is provided in Section 1-008.00 of this Code of Ordinances.
3. **Enforcement:** The Sheriff s Department is charged with the enforcement of this Section. Should a violation occur, the Sheriff or any Sheriff s Deputy shall have the right and power to stop the locomotive and issue a citation to the engineer(s) of the locomotive(s) propelling the train; additionally, the Sheriff or any Sheriff s Deputy shall have the right and power to remove the engineer(s) therefrom and to impound the train until proper bond is posted; alternatively, the Sheriff or his Deputy may cite the Railroad or Railway by recording the serial number(s) on the locomotive(s), together with the time, date, place, and recorded speed thereof. (Ord. No. 85-427, adopted 06/20/85)

ARTICLE VII MINORS, CURFEW AND CONTROL

SEC. 15-512.00 Curfew For Minors - Definitions

For the purpose of this Section the following words shall mean:

Custodian. Person having legal responsibility for the care or custody of a minor as the word "parent" is defined in Louisiana Code of Juvenile Procedure, Article 13(11).

Minor. Any unmarried natural person under Seventeen (17) years of age who is not fully emancipated pursuant to [the] Louisiana Civil Code, Art. 385; "he", as used herein, also includes females under said age.

Permit. To knowingly fail to prevent, or failure to prevent due to lack of reasonable efforts or concern, to supervise and control.

Remain. To unnecessarily tarry, stay, loiter or be idle.

Reasonable Errand. A minor's presence in public pursuant to his custodian's direction in order to accomplish a legitimate family function in a normal and customary fashion considering the time of day. Reasonable errand is also presumed to exist when a juvenile remains in public pursuant to his custodian's direction for purposes of the juvenile's employment in compliance with Louisiana Child Labor Laws.

Sheriff's Department. The Department of the Sheriff of St. Tammany Parish situated in the Parish Courthouse, Covington, Louisiana, or as from time to time changed by said Sheriff. (Ord. No. 83-540, adopted 03/17/83)

SEC. 15-513.00 Same - Established

Unless accompanied by his custodian, it shall be unlawful for any minor, whether on foot or in a vehicle, to wander or to travel, loiter, stroll, play, traverse or remain in or upon any public street, road, highway, avenue, alley, park or other public place situated in the unincorporated areas of the Parish between 11:00 P.M. and 5:00 A.M. beginning Sunday through Thursday nights lasting into the next morning and between 12:01 A.M. and 5:00 A.M. Saturday and Sunday mornings or on mornings of legal holidays except as to New Year's Eve and New Year's Day on which days this restriction commences at 1:00 A.M. until 5:00 A.M. This restriction shall not apply to any minor who is engaged in an emergency mission, nor shall it apply to any minor who is in the performance of a reasonable errand. Nor shall the provisions of Sections 15-012.00 through 15-015.00 apply to any minor when said minor is in attendance or enroute to and from any officially sponsored church, school or civic event. (Ord. No. 83-540, adopted 03/17/83)

SEC. 15-514.00 Same - Enforcement Procedures

If a Police Officer reasonably believes that a minor is violating Section 15-013.00 hereof, the Officer shall warn the minor that he is in violation of the curfew and shall request the minor to give his complete name and address, and how to contact his custodian. The Officer shall then direct the minor to proceed immediately to his home or place of abode.

If the minor fails to obey these directions, or refuses to furnish the Officer with the requested identification information, or has been subjected to a prior curfew warning during that same night, the Officer shall take such minor to the Sheriff s Department in Covington, Louisiana, or the nearest Sheriff s substation or nearest municipal (or town) Police Department headquarters, whichever is the closest to contact the minor s custodian and release said minor to his custodian. (Ord. No. 83-540, adopted 03/17/83)

SEC. 15-515.00 Same - Violations; Penalties

Any minor violating the provisions of Sections 15-013.00 or 15-014.00 shall be found to be "in need of supervision" as defined in the Louisiana Code of Juvenile Procedure Article 13(13).

Any custodian violating the provisions of Sections 15-013.00 or 15-014.00 shall be fined not less than Fifty Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00) for each offense. (Ord. No. 83-540, adopted 03/17/83)

ARTICLE VIII FIREWORKS

SEC. 15-617.00 Regulation Of Fireworks

A) Definitions:

- 1) Retailer - Any person engaged in the business of making sales of fireworks at retail to persons other than a distributor or a jobber;
- 2) Sale - The sale, barter, exchange or gift or offer thereof, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee;
- 3) Fireworks - All incendiary, explosive devices and pyrotechnical explosive devices commonly referred to as fireworks or firecrackers.

B) Regulations:

- 1) It shall be unlawful to sell any items of fireworks as a retailer without first obtaining a license to be issued by the Director of Planning and Development, Parish of St. Tammany.
- 2) An applicant, to engage in the sale of fireworks as a retailer, must complete an application on a form provided by the Parish, setting forth such facts and information as the Parish may determine necessary and proper.
- 3) All applications shall be accompanied by a copy of the previous year's sales tax return or retail license. All licenses issued by the Parish shall be transferable.

4) Effective May 1, 1992, there is established a moratorium on all fireworks stands and retail outlets in Council District 5, Precinct 306, the area comprising the east and west side of Highway 190 north of I-12, specifically the service road in Council District 5, Precinct 306, which leads to Wal-Mart, Sears, the Cinema, Kings Forest and Helenbirg areas.

No application for licenses within Council District 5, Precinct 306, for possession, sale, offering for sale and use of fireworks shall be received unless the applicant has been issued a permit on or before December 31, 1991.

C) Prohibitions:

1) The sale of fireworks within unincorporated areas of Ward 4 is prohibited. Unincorporated Ward 4 area encompasses that portion of the Parish as described in Section 2-017.00 of this Code, less and except areas contained within the boundaries of any municipality or areas contained within the boundaries of Council District 7.

2) The sale of fireworks within the unincorporated area of Ward 8, less and except the portion in Council District 6, St. Tammany Parish, Louisiana, is hereby prohibited.

D) Enforcement: It shall be the duty of the Sheriff of St. Tammany Parish to enforce the provision of this Section.

E) Violations and Penalties: Any person found to be in violation of any provision of this Section by a court of appropriate jurisdiction shall be subject to the penalty provisions of Section 1-008.00 of this Code.

(Ord. No. 85-378, adopted 04/18/85; amended by Ord. No. 90-1240; adopted 03/15/90 adding provision C(2); amended by Ord. No. 92-1548, adopted 01/16/92; amended by Ord. No. 92-1587, adopted 04/23/92; amended by Ord. No. 14-3240, adopted 11/06/2014)

EDITORIAL NOTE: See also Section 8-014.00 and 14-002.02

ARTICLE IX TRESPASSING

EDITORIAL NOTE: New Article VIII entitled Trespassing added to accommodate Ordinances 91-1471 and 92-1594.

SEC. 15-700.00 Trespassing

(a) **Movable Property:** It shall be unlawful for any person to enter, be upon or use any structure, watercraft or movable belonging to another within the Parish of St. Tammany without the written permission or approval of the owner, lessee, or other person lawfully in charge of the structure, watercraft or movable where the offender knew or reasonably should have known that the entry, use or occupancy is unauthorized.

(b) **Immovable Property:** It shall be unlawful for any person to intentionally enter, be upon or use any enclosed land belonging to another within the Parish of St. Tammany, without the written permission or approval of the owner, lessee, or other person lawfully in charge of said land where the offender knew or reasonably should have known that the entry is unauthorized.

For purposes of this Section, an enclosed plot of land means any plot of land that is enclosed or surrounded by artificial boundaries, such as public roads, wire fences, walls or flagged or painted lines, if such flagging or paint is used not less than once every twenty (20) yards, or any combination of the above, or by natural boundaries such as running streams and rivers, or that which is enclosed partially by artificial boundaries and partially by natural boundaries.

(c) **Enforcement:** Enforcement of this Section is authorized, directed and empowered to the Sheriff s Department of St. Tammany Parish, the Louisiana State Police, and duly commissioned agents and officers of the Louisiana Wildlife and Fisheries.

(d) **Exemption:** Exempt herefrom are: law enforcement officers, officials of State and Federal agencies, medical, fire and emergency personnel acting in an official capacity in the performance of their lawful duties; agents and employees of utility companies entering property in the course and scope of their employment; and all others exempt by Federal and State Statutes.

(e) **Violation; penalty:** Whoever violates the provisions of this Section shall be fined not more than FIVE HUNDRED DOLLARS (\$500.00) or imprisoned not more than ninety-one (91) days, or both.

Upon a second or subsequent conviction, regardless of whether second offense occurred before or after first conviction, the offender shall be imprisoned for not more than six (6) months, or shall be fined not more than FIVE HUNDRED DOLLARS (\$500.00), or both, provided that any offense under this Section committed more than five (5) years prior to the commission of the crime for which the offender is being tried shall not be considered in the assessment of penalties hereunder.

(Ord. No. 92-1594, adopted 04/23/92)

SEC. 15-700.01 Exclusion Of Provisions For Police Jury District 6

A) The provisions of Ord. No. 92-1594 as adopted 04/23/92 are excluded from Police Jury District 6 as established therein.

B) The provisions of said ordinance are more stringent than state law and hereby deemed to be unenforceable in said Police Jury District 6 due to the geographical nature of the District and the many areas utilized by the public.

C) Only state trespass laws will be recognized and enforced in the geographical area of said Police Jury District 6.

(Ord. No. 92-1594, adopted 04/23/92; amended by Ord. No. 92-1665, adopted 11/19/92)

SEC. 15-702.00 Trespassing - Parish Prison

No person shall remain on the grounds of the St. Tammany Parish Prison, and shall be deemed as trespassing, after being instructed to leave said property by any law enforcement officer or any other official prison personnel.

This section shall not apply to any law enforcement officer nor to any individual who is transacting lawful prison, or judicial system, business.

Any person found to be in violation of this section shall be subject to a fine of not more than one hundred dollars (\$100.00) and/or imprisonment for a period of not more than ten (10) days.

Ord. No. 02-0573, adopted 11/07/2002)

SEC. 15-718.00 Trespassing Prohibited On Levees Within Drainage District No. 4.

a) **Prohibited:** It shall be unlawful for any person, whether on foot, bicycle, or in a vehicle of any type, to travel, loiter, walk, play, jog, traverse or encroach upon any levee within the boundaries of Drainage District No. 4.

b) **Exemptions:** Exempt herefrom are any law enforcement official(s) engaged in the pursuit of his duties, or individuals contracted by or representing Drainage District No. 4 in connection with the maintenance or preservation of such levees.

c) **Violation:** Any violation hereof shall constitute a misdemeanor punishable as is contained in Section 1-008.00 of this Code of Ordinances.

Drainage District No. 4 is directed to purchase, post and maintain appropriate and visible signs to be located at strategic places on its levees to notify individuals of the prohibitions outlined hereinabove. (Ord. No. 91-1471, adopted 07/18/91)

CROSS REFERENCE: See Ordinance No. 91-1471 located in Section 13-001.1 of this Code of Ordinances.

ARTICLE X DISORDERLY CONDUCT

SEC. 15-800.00 Disorderly Conduct

EDITORIAL NOTE: New Section 15-800.00 created under the authority of Ordinance No. 91-1535, adopted 12/19/91.

No person holding a retail dealer s permit, and no servant, agent, or employee of the permittee, shall participate in or allow any nude or partially nude dancer, host, hostess, waiter or waitress on the premises, whether in the capacity as an employee, entertainer, guest, invitee, patron, or otherwise.

Definitions:

"Nude" or "Partially Nude" is defined as less than completely or opaquely covered and exposing:

- a) Human genitals, pubic region;
- b) All of the buttocks area;
- c) Female breast area below a point immediately above the top of the areola.

Any violation hereof shall constitute a misdemeanor punishable under the General Provisions in Chapter 1 of the Code of Ordinances, St. Tammany Parish, Louisiana.

This Ordinance shall become effective and be deemed enacted immediately upon [the] Police Jury President s signature.

(Ord. No. 91-1535, adopted 12/19/91)

CROSS REFERENCE: See also Section 3-139.01 and Section 3-176.01.

ARTICLE XI LOITERING and ILLEGAL DRUG ACTIVITY, PROHIBITED

SEC. 15-850.00 Definitions

As used herein, words and terms shall have the following meanings:

- (1) Conviction - an adjudication of guilt pursuant to C.C.R.P. Article 934, or the equivalent provisions of any federal statute, state statute, or ordinance of any political subdivision of this state, and includes a verdict of guilty, a finding of guilty and an acceptance of a plea of guilty.
- (2) Drug paraphernalia - as the same is defined in LSA R.S. 40:1031A.
- (3) Illegal drug activity - unlawful conduct contrary to any provision of LSA R.S. 40:966 through 40:971.1, or the equivalent federal statute, state statute(s), or ordinance(s) of any political subdivision of this state.

(4) Known drug trafficker - a person who has, within the knowledge of the arresting officer, been convicted within the last two (2) years in any court of any illegal drug activity.

(5) Public place - any area generally visible to public view, including, but not limited to, streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, transit stations, shelters and tunnels, automobiles (whether moving or not), and buildings, including those which serve food or drink, or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing same. (Ord. 93-1725, adopted 04/15/93)

SEC. 15-850.01 Drug Traffic Loitering

A person is guilty of drug-traffic loitering if he or she remains in a public place and intentionally solicits, induces, entices, or procures another to engage in unlawful conduct contrary to LSA R.S. 40:966 through 40:971.1. (Ord. 93-1725, adopted 04/15/93)

SEC. 15-850.02 Prohibited Conduct

Among the circumstances which may be considered in determining whether the person intends such prohibited conduct are that he or she:

- (1) Is seen by the officer to be in possession of drug paraphernalia; or
- (2) Is a known drug trafficker; or
- (3) Repeatedly beckons to, stops or attempts to stop passers by, or engages passers by in conversation; or
- (4) Repeatedly stops or attempts to stop motor vehicle operators by hailing, waiving of arms or any other bodily gesture; or
- (5) Circles an area in a motor vehicle and repeatedly beckons to, contacts, or attempts to stop pedestrians; or
- (6) Is the subject of any court order, which directs the person to stay out of any specified area as a condition of release from custody, a condition of probation or parole or other supervision or any court order, in a criminal or civil case involving illegal drug activity; or
- (7) Has been evicted as the result of his or her illegal drug activity and ordered to stay out of a specified area affected by drug-related activity.

A person is not guilty of drug-traffic loitering if he or she merely remains in a public place without also intentionally soliciting, inducing, enticing, or procuring another to

engage in unlawful conduct contrary to LSA R.S. 40:966 through 40:971.1. (Ord. 93-1725, adopted 04/15/93)

SEC. 15-850.03 Violation; Penalty

A violation of any of the provisions of this Article shall constitute a misdemeanor punishable under Sec. 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature. (Ord. 93-1725, adopted 04/15/93)

SEC. 15-850.04 Enforcement

The enforcement responsibility of the provisions herein is authorized, directed and empowered to the St. Tammany Parish Sheriff, the Louisiana State Police, and any bona fide or deputized police officer of a municipal law enforcement agency in St. Tammany Parish. (Ord. 93-1725, adopted 04/15/93)

ARTICLE XII DOMESTIC VIOLENCE/DISTURBANCE - POLICY AND PROCEDURE

EDITORIAL NOTE: Article XII was created by the authority of Ord. No.95-2177, adopted 03/16/95)

SEC. 15-900.00 Statutory Authorization

In accordance with La. R.S. 46:2140 through 2142, the following is established as the Parish's policy and procedure for handling of domestic violence incidents. Law enforcement officers shall abide by the following investigating ALL complaints of domestic violence and domestic disturbances. (Ord. No. 95-2177, adopted 03/16/95)

STATE REFERENCE: LSA R.S. 46:2140 through 2142 provides for authority of law enforcement officers in domestic violence situations.

SEC. 15-900.01 Purpose

The purpose of this procedure is to ensure that in situations where violent crimes have occurred and there is reason to believe that a family or household member has been abused, a law enforcement officer shall immediately use all reasonable means to prevent further abuse. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.02 Policy

A. Officers investigating incidents of domestic violence where probable cause exists that a violent crime has occurred, shall exercise their legal authority to make physical arrests.

B. Recognizing that victims may fear reprisals, officers investigating such incidents shall exercise their authority to make a physical arrest where probable cause exists that a violent crime has been committed even though the victim refuses to pursue criminal charges. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.03 Definitions

Domestic Relationships: A Relationship in which parties are adults who have shared an intimate relationship or are spouses (legal, common law, divorced, separated), relatives, close friends, or companions or other groupings of individuals who are interpersonally related, who share or formerly shared a common household, also to include couples who are dating or have dated, or who are or have been engaged.

Domestic Violence Crimes: Aggravated Battery; Second Degree Battery; the commission or attempted commission of felonies against the person of another of any type; or the unlawful restraint of any type where the victim and perpetrator are domestically related.

Domestic Disturbance Crimes: The commission of Aggravated or Simple Assault (attempt to commit a batter); Simple Battery with or without physical evidence of injuries; Simple or Aggravated Criminal Damage to Property; Criminal Trespass; Criminal Mischief; or any like Criminal Disturbance specifically involving a threat of physical abuse, where victim and perpetrator are domestically related.

Officer: Any duly authorized sheriff, police chief, commissioned law enforcement agent, deputy or peace officer, justice of the peace or constable authorized and empowered to enforce and uphold the laws of the United States, the State of Louisiana, and the Parish of St. Tammany. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.04 Responsibilities of Officer Investigating Complaints

A. An officer will not use the relationship or gender of the parties involved as a factor for determining if an arrest or successful prosecution can be made. The officer will not attempt to dissuade any party from filing criminal charges if there exists enough probable cause for a charge.

B. An officer will fully explain the victim's right to pursue charges, as well as refer the victim to seek legal advice concerning civil matters and protective orders (La. R.S. 46:2136). An officer shall fully explain the legal process and procedure involved in the filing of charges, arrest, detention, and subsequent trial. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.05 Evidence Collection/Statement

A. Where possible, obtain photographs of the victim's injuries, if any, however slight.

B. Describe fully any and all injuries to any party.

C. If appropriate, obtain photographs of the scene of a violent assault or attack or damaged property.

D. Obtain written statement(s) from victim(s).

E. Obtain statements from witnesses.

F. File copies of any medical related evidence (physician's report, etc.) with initial police report and with consent of the victim. Prepare a supplemental investigative report where needed.

G. Note on the initial report any prior arrests or convictions for similar offenses.

(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.06 Arrest Decisions

A. Mandatory Physical Arrest in Domestic Violence Cases

Officers SHALL make a physical arrest where probable cause exists that any of the crimes enumerated in the definition of DOMESTIC VIOLENCE were committed, whether or not the offense was committed in the officer's presence. An officer SHALL make a physical arrest even though the victim may not wish to prefer or refuses to prefer charges in cases of DOMESTIC VIOLENCE.

B. Arrest Decision in Domestic Disturbance Cases

Officers MAY make a physical arrest where probable cause exists that any of the crimes enumerated in the definition of DOMESTIC DISTURBANCE were committed, using the following:

1. An Officer SHALL make a physical arrest where he reasonably believes that there is impending danger to the physical safety of the abused person in the officer's absence.

2. If there is no cause to believe there is impending danger, the officer may, at his/her discretion, issue a Summons in lieu of physical arrest. (Any pattern of continued or repeated threats between the two parties shall be taken into consideration when deciding whether to arrest or issue a summons.) (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.07 Minimal Reporting Requirements

An officer should clearly identify this incident as "domestic" in the narrative portion of the report. The officers will provide a detailed report on any incident of domestic or family violence, providing the relationship of the parties; a detailed description of injuries;

persons interviewed and statement obtained; evidence observed or collected; a detailed description of the conversation between the complainant/victim and the Communications Section (copy of audio tape may be ordered); and any other pertinent facts (intoxication, apparent mental problems, etc...) in the narrative portion of the offense report. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.08 Mandatory Report Requirements in Non-Arrest Situations

In accordance with the statute, when legal cause for an arrest does not exist, officers shall still document any domestic violence or domestic disturbance incident by:

- A. Making a detailed offense report, including a written statement of an assault victim.
- B. Provide the victim(s) with a complaint/item number slip.
- C. Refer the victim to private legal counsel or the Justice of the Peace, Civil Court, or other agency if further assistance is needed.

(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.09 Follow-Up Investigation/Warrants Required

Where further investigation is necessary, the investigating officer will notify an on-duty supervisor of such fact. If warranted, the officer shall obtain a warrant for arrest; execute the warrant if possible; or put the warrant into the local crime computer system if not executed. Members shall complete all required follow-up tasks as soon as possible. (Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.10 Refusal of Victim to Pursue Charges; Charges on Behalf of Parish/State

In cases of DOMESTIC VIOLENCE where the victim refuses to pursue or to cooperate, the officer making the arrest shall file his report with his respective agency for consideration.

- A. The assaulted person shall be listed as the victim.
- B. The officer, in his official capacity, shall be listed as a witness. (Example: "Deputy John Jones, St. Tammany Parish Sheriff's Department, 510 East Boston Street, Covington, La. 70433".)
- C. The Arrest Report/Booking Sheet shall reflect that the charges are related to Domestic Violence. (Example: "Violation of Police Jury Ordinance P.J.S. Domestic Violence.")

(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.11 Victim Assistance

A. Officers shall provide victims with a Public Information Notice of Domestic Violence Assistance Programs. Copies of the notice shall be kept on stock by the various law enforcement agencies in St. Tammany Parish.

B. If necessary, ensure that victims receive prompt, medical attention or are transported to a medical facility.

C. Provide assistance in securing transportation from the scene to an alternate residence or shelter as indicated.(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.12 Juveniles Protection Procedure

Officers conducting an investigation of Domestic Violence of Domestic Disturbances where children are present, will be cognizant of statutes providing for the removal of the child in the case of neglect, abuse, or where the safety of the child is in danger.

A. Officers who have reasons to believe such is the case in a Domestic Violence or Domestic Disturbance instance shall immediately notify their supervisor. A Juvenile Detective will be summoned where there is a need for immediate removal of the child from the family home.

(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.13 Booking/Bond Procedures

A. The Jailer shall notify the appropriate Magistrate or Judicial authority of all arrests involving Domestic Violence.

B. Bonds for incidents involving Domestic Violence shall be set by the appropriate Magistrate of Judicial authority.

C. If a prisoner arrested for Domestic Violence offenses requires medical attention, he shall be physically booked at the Jail upon release from the medical facility unless authorized otherwise by an immediate supervisor or higher authority only.

(Ord. No. 95-2177, adopted 03/16/95)

SEC. 15-900.14 Ordinance Made Available

All law enforcement agencies, justices of the peace, and constables should be provided with copies of this Ordinance and same be made available to all commissioned law enforcement agents, deputies and peace officers. (Ord. No. 95-2177, adopted 03/16/95)

ARTICLE XIII SECURITY SYSTEMS - FALSE ALARMS

Editorial Note: This Article originally created by Ord. No. 94-2039, adopted 08/18/94, was repealed and reenacted per Ord. No. 06-1310, adopted 06/01/2006.

SEC. 15-925.00 Purpose

(a) The purpose of this chapter is to encourage alarm system users and alarm businesses to assume increased responsibility for maintaining the mechanical reliability and the proper use of alarm systems, to reduce unnecessary police emergency response to false alarms, and thereby to protect the emergency response capability of the sheriff's office from misuse.

(b) This chapter governs burglary and/or robbery alarm systems, provides for fines for excessive false alarms, provides for discontinuation of the sheriff's office response to excessive false alarms, provides for punishment of violations and establishes a system of administration.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-926.00 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings respectively ascribed to them, unless the context clearly indicates a different meaning:

Activation means making the alarm system operational for purposes other than testing, that may result in a law enforcement agency response to that site.

Alarm administrator means a person or persons designated by the Sheriff to administer, control and review alarm dispatch requests; and coordinate false alarm notification letters, enforcement, and fines.

Alarm appeals board means a board established to hear an appeal timely requested on a decision rendered by the alarm administrator.

Alarm business means the business by an individual, partnership, corporation, or other entity of selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed any alarm system in or on any building, structure or facility.

Alarm system means any assembly of equipment, devices, mechanical or electrical, arranged or used for the detection of a hazardous condition or an unauthorized entry or attempted entry into a building, structure or facility, or for alerting persons of a hazardous condition or the commission of an unlawful act within or upon a building, structure or facility, and which emits a sound, or transmits a signal or message when activated, to which annunciation the sheriff's department or other law enforcement

agency may be summoned to respond. For purposes of this chapter, an alarm system shall not include:

- (1) An alarm installed on motor vehicles, boats, or other movables not connected/attached to a fixed protected property site.
- (2) An alarm installed upon the premises occupied by the United States government, by the State of Louisiana, or by the Parish of St. Tammany.
- (3) Any device or system designed solely to give notice or alert of a medical emergency.

Alarm Systems in apartment complexes:

- (1) Contracted for by an individual tenant means that if an alarm system is installed or maintained by an individual tenant within an apartment complex, then the tenant is responsible for false alarm dispatches emitted from the alarm system in the tenant's unit and the payment of fines.
- (2) Furnished by the apartment complex as an amenity means that if the owner or property manager of an apartment complex provides and maintains alarm systems in each unit as an amenity, then the owner or property manager of the apartment complex is responsible for false alarm dispatches emitted from these alarm systems in all of these units collectively and the payments of any fines.

Alarm system monitoring company means any individual, partnership, corporation, or other entity that engages in the business of monitoring property, burglary, robbery, or panic alarms, and of reporting any activation of such alarms to the sheriff's office. Such a company must have a "monitoring station," which is the use of a system or a group of systems in which the operation of circuits and devices at a protected property are signaled to, recorded in, and supervised from a central monitoring station having trained operators who, upon receipt of a signal, take such action as required by the nature of the signal received.

Alarm system user or user means the person, firm, partnership, association, corporation, company or other entity which owns, leases, controls or occupies any building, structure or facility wherein an alarm system is maintained.

Audible alarm system means an alarm system that emits an audible sound or message which can be heard off premises. Such an audible local area alarm may or may not be monitored by an alarm system monitoring company, and such audible sound is intended to alert neighbors or other residents of the local area to summon the sheriff's office. (See "local alarm.")

Automatic dialing device means a device which is interconnected to a communications system and is programmed to select a predetermined delivery number and transmit by voice message, code signal, or otherwise an emergency message indicating a need for

emergency response. Such a device is part of an alarm system which automatically sends over a communications system, by direct connection or otherwise, a prerecorded message or coded signal to report an emergency.

Conversion/takeover means the transaction or process by which an alarm system user, alarm business or alarm system monitoring company takes over control of an existing alarm system which was previously controlled by another alarm system user, alarm business or alarm system monitoring company.

Dispatch means to direct sheriff's office units to a location where there has been a report made, by whatever means, that sheriff's office assistance or investigation is needed.

False alarm means an alarm signal, eliciting a response by the sheriff's office when a situation requiring such response does not exist, including but not limited to, the activation or transmission of any alarm signal caused by human error, mechanical or electronic malfunction, negligence of the alarm system user or user's agent or employee, whether or not the exact cause of the alarm activation is determined, or any other activation or transmission of any alarm signal where no actual emergency exists. Severe weather, power outages, transmission line malfunctions, acts of God, malicious acts of persons not under the direction or control of the alarm system user, acts of terrorism, or any other cause clearly beyond the control of the alarm system user may be considered in determining if an alarm activation was false and whether any occurrence, fine, warning, or other action will be taken against the alarm system user as provided for by this section.

Grace period means a specified length of time from the date of installation, or system conversion/takeover during which no occurrence, fine, or penalty is assessed for false alarms.

Holdup alarm system means any system, device, or mechanism, activated by human action as a result of or in response to robbery or attempted robbery at the alarm site. (See "panic alarm.")

Local alarm means an alarm system which when activated causes an audible or visual signaling device to be activated only on the premises upon which the system is installed and which is intended to be heard or seen by others outside of the protected premises.

No response means sheriff's deputies will not be dispatched to investigate a report of an alarm signal.

Notice means written notice given by service upon the alarm system user or given through first class U.S. mail, postage prepaid, to the alarm system user's last known mailing address.

Panic alarm means any system, device, or mechanism, activated by an individual on or near the premises, to alert others that a robbery or other crime is in progress, or that the user is in need of immediate assistance or aid in order to avoid injury or bodily harm. A panic alarm includes the manual entry of any combination of numbers into a keypad intended for emergency summons of the sheriff's office.

Response means the arrival of a law enforcement officer or officers at the premises where an alarm system has been activated, indicating an emergency at those premises.

Site means each location requiring an individual alarm system. An alarm system site is determined by each separate and distinct physical address.

Suspension means the temporary cessation of sheriff's office response to the site of an alarm system.

Verification means any attempt, by the alarm business, or alarm system monitoring company to verify the need for a sheriff's office dispatch by contacting the alarm system site by telephone, electronically, via a communications system, or by visual means, whether or not an actual contact with a person is made, before requesting a sheriff's office dispatch.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-927.00 Alarm system installation and equipment requirements

(a) Audible alert required. All burglary alarm systems installed on or after the effective date of this section shall be equipped with a pre-alert on all the designated exit/entry doors of the protected premises.

(b) Backup battery power required. All burglary alarm systems installed on or after the effective date of this section shall be equipped with standby batteries to operate for not less than four hours if power is interrupted. Backup batteries must also prevent false alarms during power outages.

(c) Holdup alarm devices. Alarm businesses shall not install a single-action non-recessed button as a device for activating a holdup alarm. With respect to systems in existence prior to the effective date of this section, the alarm system user shall have 180 days from the effective date of this section to effect the necessary modifications to comply with this requirement.

(d) Noise limits. All bells, sirens, or other noise sources that sound and are intended to be heard outside of the protected premises in the event of an alarm must be set to stop automatically within 5 minutes after the alarm has been activated.

(e) Automatic dialing devices prohibited. No alarm system user shall install automatic dialing devices that terminate on sheriff's office telephones. Any alarm system user

presently using such a device must remove, alter, modify, reprogram or change such devices to bring them into compliance with this section. Commencing on the effective date of this ordinance, no automatic dialing devices shall be installed in St. Tammany Parish.

(f) Failure to comply. Failure of an alarm system user and/or alarm business to comply with any of the aforementioned equipment requirements shall be a violation of this section, subject to prosecution in district court, and the user and/or alarm business shall be fined, upon conviction, not less than \$100.00 nor more than \$250.00 within any 30-day period for each violation or shall perform community service, or both, and such conviction may result in "nonresponse" to the alarm system user's alarm.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-928.00 Alarm system monitoring companies; verification process

(a) Monitoring company requirements. Every alarm system monitoring company engaging in business activities in St. Tammany Parish shall annually register with the alarm administrator. A \$25.00 fee for this registration is required, and the alarm administrator shall provide this registration form not later than 30 days prior to the end of the calendar year. This registration shall include information regarding the following:

- (1) The proper business or trade name, address and telephone number.
- (2) All other names, addresses and phone numbers under which the company or corporation conducts business.
- (3) If an unincorporated association, the name of the owner and responsible associates.
- (4) If a corporation, the names and positions of officers in the corporation.
- (5) If a corporation, the name and address of the registered agent.

(b) Verification process required. The alarm system monitoring company shall maintain a verification process that makes every reasonable effort to verify the cause of the alarm condition to prevent false alarms from resulting in unnecessary sheriff's office dispatches. A verification process is an independent method of determining that a signal from an automatic alarm system reflects the real need for immediate sheriff's office assistance or investigation. This verification process must be effected prior to reporting an alarm sounding to the sheriff's office. A copy of any alarm verification process policy shall be maintained by the alarm system monitoring company and the central monitoring station and, upon request and reasonable notice, shall be produced to the alarm administrator for inspection and copying. All certificated "Underwriters Laboratory" alarm systems shall be exempt from such verification process requirements.

(c) Record keeping. Alarm system monitoring companies must maintain, for a period of at least one year following request for sheriff's office dispatch to an alarm site, records relating to such request. Records must include the name, address and phone number of the alarm system user, the alarm system zone(s) or point(s) activated, the date and time of request for sheriff's office dispatch, and evidence that an attempt to verify was made prior to request for sheriff's office dispatch. The alarm administrator may request and is entitled to receive from the alarm system monitoring company copies of such records for individually named alarm systems users.

(d) Reporting alarms to the sheriff's office. An alarm system monitoring company shall report alarm signals to the sheriff's office by using telephone numbers designated by the alarm administrator. The state license code assigned to the registered alarm business by the state fire marshal's office shall be used to prove the validity of the alarm company for reporting purposes. The failure to provide the state license code number to the sheriff's office at the time of reporting shall cause the alarm administrator to forward a written warning notice to the alarm user, the alarm business, and the alarm monitoring company that any future alarm signals from that location without the submission of the state license code number will not be dispatched, and the sheriff's office will not respond without independent on-scene verification of need.

(e) Reporting cancellations. The sheriff's office will accept cancellations for dispatch at any time prior to the arrival of sheriff's deputies at the alarm site. The alarm system monitoring company shall communicate verified cancellations of alarm dispatch requests to the sheriff's office in a manner and form prescribed by the alarm administrator. For false alarm enforcement purposes, any dispatch request canceled prior to the arrival of sheriff's deputies on a burglar alarm site will not be counted as a false alarm. In order for the sheriff's office to verify the identity of the alarm system monitoring company through the telephone or communications system, alarm system monitoring companies are prohibited from utilizing "caller identification blocking" or any similar program or system that would prohibit the department from determining the identity of the cancellation caller through an "automatic number identification" system. For calls by "out of area" alarm system monitoring companies wherein caller verification by the sheriff's office communications center is not available, such cancellation calls for alarms will be accepted only by their reporting of the state license code assigned by the fire marshal's office as a means of determining identity. Cancellation of calls for alarms by alarm system users directly to the sheriff's office for those systems that utilize an alarm system monitoring company will not be accepted, unless confirmed to the sheriff's office by the alarm system monitoring company.

(f) Cooperation with sheriff's office. When the alarm administrator reports that there has been a false alarm at an alarm system user's premises, the alarm system monitoring company shall work cooperatively with the alarm system user and the alarm administrator to determine the cause thereof and to prevent reoccurrences. If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation or such system is not suppressing false alarms, the alarm administrator may require one or more conferences with an alarm system user and the

alarm business, and/or alarm system monitoring company responsible for the repair of the alarm system to review the circumstances of any false alarm,.

(g) Penalties for noncompliance. The failure of an alarm system monitoring company to comply with any of the above requirements shall be a violation of this section, subject to prosecution in district court and such alarm system monitoring company shall be fined, upon conviction, not less than \$100.00 nor more than \$250.00 within any 30-day period for each violation.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-929.00 Alarm business requirements

(a) Licensing requirements. All alarm businesses engaged in business in the parish shall be required to possess a state license under the "Alarm Industry Licensing Act," R.S. 40:1662.1 through 40:1662.17.

(b) License copy to be maintained by the sheriff's office. All alarm businesses engaged in business in the parish shall file a copy of such valid state certificate attached to the alarm company registration form with the alarm administrator.

(c) Alarm business registration with the sheriff's office. All alarm businesses engaged in business in the parish shall annually register with the alarm administrator. A \$25.00 fee for this registration is required, and the alarm administrator shall provide this registration form no later than 30 days prior to the end of the calendar year. All changes to this information shall be reported to the alarm administrator. This registration shall include information regarding the following:

(1) The proper business or trade name, address and telephone number of the alarm business.

(2) All other names, addresses and phone numbers under which the company or corporation conducts business.

(3) If an unincorporated association, the name of the owner and responsible associates.

(4) If a corporation, the names and positions of officers in the corporation.

(5) If a corporation, the name and address of the registered agent.

(6) A statement that the alarm business will maintain a 24-hour emergency service, seven days a week, including holidays.

(7) Names of certified/licensed technicians.

(d) Exemptions. The provisions of this section do not apply to persons engaged solely in the manufacture or sale of alarm systems or their components from a fixed location who do not install, maintain, service, or plan an alarm system for any location. The provisions of this section further do not apply to persons engaged in the repair of alarm systems or their components from a fixed location, and who do not, either personally or through another, visit the structure in which or on which the alarm system is installed.

(e) Penalties for no license. No person or company shall engage in an alarm business in the parish without holding a current and valid license issued by the state fire marshall as provided by state law. The individual limits of the class of the license as to the skill level and type of work that may be performed by the company, are applicable in the parish. Prosecution for any violation of applicable state law shall be furthered by the sheriff's office.

(f) Cooperation with sheriff's office. When the alarm administrator reports a false alarm at an alarm system user s premises, the alarm business should work cooperatively with the alarm system user and the alarm administrator to determine the cause thereof and to prevent reoccurrences. If there is reason to believe that an alarm system is not being used or maintained in a manner that ensures proper operation or if such system is not suppressing false alarms, the alarm administrator may require one or more conferences with an alarm system user, and/or the alarm business, and/or alarm system monitoring company responsible for the repair of the alarm system to review the circumstances of each false alarm.

(g) Instructions and training to be provided. Every alarm business leasing or furnishing to any alarm system user an alarm system which is installed on the premises on or after the effective date of this section shall furnish the alarm system user with written instructions to enable the user to properly operate the alarm system at any time.

(h) Compliance with installation and equipment requirements. Every alarm business leasing or installing an alarm system which is installed on the premises on or after the effective date of this section shall comply with the alarm system installation and equipment requirements as specified under section 15-127.00 of this chapter.

(i) Alarm registration and user identification letter requirements. The alarm business is responsible for the completion and submission of the registration of any new installation and/or conversion-takeover of any existing system. The alarm business shall forward to the sheriff's office a completed alarm user identification letter including certification of the date of installation, conversion, or takeover of the alarm system. This form shall be submitted within ten days of the install, conversion, or takeover of the alarm system.

(j) Penalties for noncompliance. The failure of an alarm business that engages in business activities in the parish to comply with any of the above requirements shall be a violation of this section, subject to prosecution in district court and such alarm business shall be fined, upon conviction, not less than \$100.00 nor more than \$250.00 within any 30-day period for each violation.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-930.00 Alarm system operation and maintenance

An alarm system user shall:

- (1) Maintain the premises containing an alarm system in a manner that ensures proper operation of the alarm system.
- (2) Maintain the premises and the alarm system in a manner that will minimize or eliminate false alarm dispatches.
- (3) Make every reasonable effort to respond or cause a contact person(s) to respond to the alarm system's location within a reasonable period of time when notified by the alarm administrator or the sheriff's office to deactivate a malfunctioning alarm system, to provide access to the premises, or to provide security for the premises.
- (4) Not manually activate an alarm for any reason other than the occurrence of an event for which the alarm system was intended to be activated.
- (5) Instruct all personnel who are authorized to place the system or device into operation of the appropriate method of its operation.

(Ord. No. 06-1319, adopted 06/01/2006)

Sec. 15-931.00 Sheriff's office response to alarm notifications

- (a) Deputy on the alarm scene. Whenever an alarm is activated, thereby requiring an emergency response to the location by the sheriff's office, a sheriff's deputy on the scene of the activated alarm system shall inspect the area protected by the system and determine whether the alarm was false or was caused by a criminal offense or attempted criminal offense. The deputy shall affix to the main premises entrance at that location a notification indicating the date, time, and responding deputy unit number.
- (b) Notification and tracking. The deputy responding to the alarm scene will verify the address location and communicate to the sheriff's office dispatcher the disposition of the call which will be recorded into the sheriff's office computer aided dispatch system. In the event of a false alarm, any weather conditions or other possible contributing factors which could have led to the false alarm shall be recorded in the dispatcher's computer record.

Sec. 15-932.00 Penalty for false alarms

- (a) Sending of false alarms. The sending of an alarm signal eliciting a response by the sheriff's office when a situation requiring a response by the sheriff's office does not in fact exist, including but not limited to the activation or transmission of any alarm signal

caused by human error, mechanical or electronic malfunction, negligence of the alarm system user or alarm system user's agent or employee, or any other activation or transmission of any alarm signal where no emergency exists, whether the exact cause of the alarm activation is determined, is prohibited. Severe weather, power outages, transmission line malfunctions, acts of God, malicious acts of persons not under the control of the alarm system user, acts of terrorism, or any other cause clearly beyond the control of the alarm system user may be considered in determining if an alarm activation was false and whether any occurrence, fine, warning or other action will be taken against the alarm system user as provided for by this section.

(b) Unlawful activation of a holdup or panic alarm. No person shall activate any robbery, holdup, or panic alarm for the purpose of summoning police except in the event of an unauthorized entry, robbery or other crime being committed or attempted on the premises or in the event the person needs immediate assistance in order to avoid injury, property loss, or bodily harm. The unnecessary dispatching of the sheriff's office for robbery, holdup, or panic alarms will be counted against the alarm site as a false alarm.

(c) Grace period. Beginning with the date of alarm activation or alarm conversion/takeover, there shall be a 30-day grace period. During the 30-day grace period, false alarms will not be counted as an occurrence toward the total for the calendar year, nor will the alarm system user be subject to any fine, warning, or other action as provided for in this section.

(d) Penalties for sending of false alarms. The sending of a false alarm constitutes a violation of this section. It shall be the responsibility of the alarm system user to provide the necessary documentation in order to verify the alarm system's date of purchase, conversion/takeover date, or installation to authenticate the grace period and administrative warnings, fines, and/or suspension of a sheriff's office response may be assessed/imposed upon an alarm system user by the alarm administrator for excessive false alarms during a calendar year as follows:

False Alarms Penalty

1 to 3 No fine assessed. Alarm user identification letter issued for 2nd & 3rd false alarm

4 to 5 \$25.00 fine per false alarm to alarm system user.

6 to 7 \$50.00 fine per false alarm to alarm system user.

8 to 9 \$75.00 fine per false alarm to alarm system user.

10 & above Notice of suspension issued. ("Nonresponse by police")

All funds derived from the fines contained in this chapter, except those fines imposed and collected by the district court, shall be allocated to the operating budget of the sheriff's office. Except for the fines collected by the district court, it shall be the

responsibility of the sheriff's office or a designated collection agency or agencies to collect such fines.

(Ord. No. 06-1310, adopted 06/01/2006)

SUSPENSION REQUIREMENTS FULFILLED-REINSTATEMENT-\$100.00 fine.

(e) Training waiver. Once per calendar year, an alarm system user shall have a false alarm fine, with the exception of the reinstatement fine, waived upon payment of all prior fines imposed through this section and submission of written documentation of the alarm system user having attended training recognized by the alarm industry to reduce false alarms.

(f) False alarm annual count. At the end of the calendar year, the false alarm count will revert to zero, provided all charges, fees, and fines have been paid. Multiple alarms from the same site on a single calendar day may be counted as only one false alarm for the purposes of penalty assessment.

(g) Alarm user identification letter. Upon receipt of the second and third false alarm report, the alarm administrator shall send an alarm user identification letter by regular mail to the occupant of the alarm site. The alarm system user shall be accountable for accurately completing the requested identification information and returning same to the police department alarm administrator. The letter shall include:

(1) The name, birth date, driver's license number, social security number, address, and telephone numbers of the person who is the alarm system user and who is responsible for the proper maintenance and operation of the alarm system. In the case of a firm, corporation, partnership, association, company or organization, an individual shall be designated and identified as the corporate officer, partner, associate, or company representative who will be held accountable as the responsible person for the alarm site.

(2) The classification of the alarm site as either residential, commercial, or apartment.

(3) The name, address, and phone number of the alarm business performing the alarm system installation, activation, conversion/takeover and business responsible for providing repair service to the alarm system.

(4) The name, address, and phone number of the alarm system monitoring company, if different from the installing alarm business, and if applicable.

(h) Failure to return alarm user identification letter. Failure to return the alarm user identification letter within ten days after the third false alarm report notification shall cause the alarm administrator to send a suspension notification letter by certified mail, return receipt requested, to the occupant of the alarm site, notifying the occupant that the sheriff's office will not respond to any future alarms at the alarm site. Continued

reporting of alarms to the sheriff's office under suspension status shall subject the alarm system user to prosecution in district court and a fine of not less than \$150.00 and not more than \$250.00 for each violation. The alarm administrator may reinstate the alarm system user for failure to submit the alarm user identification letter after the alarm system user applies in writing for reinstatement. An alarm user, suspended for failure to respond to the alarm user identification letter, may reapply for reinstatement in writing. The alarm administrator may reinstate sheriff's office response privileges to the alarm user after the user provides the information requested in the alarm user identification letter and after payment of a \$100.00 fine. However, any false alarms which occur after reinstatement shall be added to the existing number of false alarms attributable to the alarm user in that calendar year for purposes of determining the appropriate penalty provided in section 15-132.00, entitled "Penalty for false alarms".

(i) Warning notification letter. The alarm administrator shall send a "notification of false alarm and fine" by regular mail to notify the alarm system user and the alarm business and/or alarm system monitoring company of each false alarm when a fine is applicable, and the consequences of the failure to pay the fine. The alarm administrator shall also inform alarm system users of their right to appeal the finding of any false alarm to the sheriff via the alarm administrator or his/her designee.

(j) Failure to pay fine. If an assessed fine has not been paid within 30 days of the day the notice of fine was mailed by the alarm administrator and there is no appeal pending on the finding of the false alarm, the alarm administrator shall send a second notice of false alarm and fine by certified mail, return receipt requested, along with a notice of late fee of \$25.00. If payment is not received within ten days of the day such notice was received, the alarm system user shall be in violation of this section, subject to prosecution in district court and shall be fined, upon conviction, not less than \$100.00 nor more than \$250.00 within any 30-day period, or shall perform community service, or both, and may result in "nonresponse" to the alarm system user's alarm. A "notice of suspension of sheriff's office response" shall be sent by the alarm administrator to the alarm system user, alarm business, and/or alarm system monitoring company by certified mail, return receipt requested.

(k) Suspension warning-"no response" to excessive alarms. After the 8th false alarm, the alarm administrator shall send notification to the alarm system user by certified mail, return receipt requested, and a copy by regular mail to the alarm business and/or alarm system monitoring company, which shall contain the following information:

(1) That the 8th false alarm has occurred.

(2) That if two more false alarms occur within the calendar year, sheriff's deputies will not respond to any subsequent alarms without the approval of the sheriff through the alarm administrator.

(3) That such approval may only be obtained by applying in writing for reinstatement. The alarm administrator may reinstate the alarm system user only upon finding that

reasonable effort has been made to correct the cause of the false alarms. Examples of such reasonable effort may include written documentation of:

- a. A service inspection by the alarm business for repair of any mechanical failures;
- b. Modifications or improvements made to the alarm system and/or the alarm system user having completed training recognized by the alarm industry to reduce false alarms.

(4) That the alarm system user has the right to contest the finding of a false alarm by the alarm administrator through a "false alarm validity hearing" held by the alarm appeals board. The request for such a hearing must be in writing and filed with the alarm administrator within 15 days of receipt of the notice of false alarm.

(5) The assessment of the \$75.00 fine.

(l) Application of suspension. After the 10th false alarm within a calendar year or if an alarm system user has failed to submit the alarm user identification letter within ten days of receipt of the 3rd false alarm report notification, there may be no police response to subsequent alarms without the approval of the sheriff through the alarm administrator. The alarm administrator shall send a "notice of suspension of police response" to:

(1) The sheriff's office communications division so that the computer aided dispatch address file history can be recorded.

(2) The alarm system user by certified mail, return receipt requested.

(3) The alarm business and/or alarm system monitoring company by certified mail, return receipt requested. The suspension of sheriff's office response to an alarm location shall begin ten days after the date of receipt of the notice of suspension of sheriff's office response to the alarm system user unless a written appeal of the suspension has been made to the sheriff through the alarm administrator.

(m) Sheriff's Office authority to suspend alarm response. Nothing herein is intended to affect the inherent authority of the Sheriff of St. Tammany Parish to exercise discretion in the operation and administration of his office. The sheriff's office is further authorized by this section to use discretion in deciding whether to direct police units to an alarm location where a suspension of police response has been implemented and there has been a report made that police assistance or investigation is needed. All dispatch decisions are made subject to competing priorities and available police response resources and at the discretion of the sheriff.

(n) Appeal through the alarm administrator. An alarm system user who wants to appeal a false alarm determination by the alarm administrator, fines, suspension of sheriff's office response, or an alarm system user's request for reinstatement, may file same with the sheriff through the alarm administrator for hearing. The request must be in writing and must be made within 15 days of the alarm system user having received the

notification of action. Failure to appeal the determination in the required time period results in a conclusive presumption of the validity of the alarm administrator's determination. If a hearing is requested, written notice of the time and place of the hearing shall be served on the alarm system user by the alarm administrator by certified mail, return receipt requested, which date shall not be more than 21 nor less than ten days after the filing of the request for hearing. The alarm system user shall have the right to present to the alarm administrator written and/or oral evidence. The alarm administrator shall consider the evidence offered and issue written findings waiving, expunging or entering penalties provided by this chapter on an alarm system user's record as appropriate. Confirmation submitted by an alarm system user that an alarm business has been notified and summoned for an alarm system repair or service call, may be considered sufficient evidence to not continue accruing any further false alarms at this site until that alarm business has completed such documented service and/or repair within a reasonable period of time. If false alarm designations are entered on the alarm user's record, the alarm administrator may pursue fine collection accordingly.

(o) Suspension requirements fulfilled-reinstatement. The alarm system user may request an appeal hearing before the alarm administrator as specified above. At this hearing, the alarm system user must present evidence to the alarm administrator that the alarm system user has taken corrective action to repair, modify, or install alarm equipment that will serve to prevent future false alarms at that site. Written documentation provided by an alarm business shall be required. Such correction may also include mandatory user false alarm reduction training through a recognized class. Upon receipt of this documentation and payment of the \$100.00 fine, the alarm administrator shall reinstate the sheriff's office response status. The false alarm count will return to zero for that calendar year upon installation of a new alarm system or upon correction or modification of an existing alarm system.

(p) Reinstatement denied. If the alarm administrator determines that the action taken will not substantially reduce the likelihood of false alarms, the request for reinstatement shall be denied. The alarm administrator shall give notice by certified mail, return receipt requested, to the alarm system user that police response will be suspended and notify the alarm system user as to what is necessary in order to have the response status reinstated. If the alarm system user's request for reinstatement has been denied by the alarm administrator, the alarm system user may, within 15 days of receipt of a notice of suspension, appeal this decision by filing a written request for review by the alarm appeals board.

(q) Continued reporting of alarms while under suspension. It shall be a violation of this section for an alarm system user to cause or allow notification to the sheriff's office from an alarm site which has a suspended police response status. A user must disconnect and prevent the signal, audible and electronic, of a suspended alarm system to cause notification to the sheriff's office by an alarm system monitoring company from the audible noises emitted from a local alarm system. An alarm system user who violates this provision is subject to prosecution in district court and a fine of not less than \$150.00 and not more than \$250.00 for each violation.

(Ord. No. 06-1310, adopted 06/01/2006)

Sec. 15-933.00 Alarm appeals board

(a) Composition of the board. The sheriff's office shall convene an alarm appeals board to address unresolved disputes pertaining to the findings of false alarms by the alarm administrator, fines, suspension, or requests for reinstatement of sheriff's office response, or any other issues of a common interest to the sheriff's office, alarm industry and/or alarm system users. The alarm appeals board shall be comprised of 5 members: two sheriff's office representatives designated by the sheriff, two alarm industry representatives designated by the local chapter of the Louisiana Burglar and Fire Alarm Association, and one representative selected from alarm system users. The terms of board members are as follows: The terms of the two sheriff's office representatives shall be determined by the sheriff; the terms of the other board members shall be one year, running from January 1 to December 31. Board members may succeed themselves. No member of this board shall be liable for any civil action for any act performed in good faith in the execution of his or her duties as a board member.

The alarm industry, including alarm businesses and alarm system monitoring companies shall not be responsible for the collection of any fines levied against alarm system users for violating the requirements of this chapter.

(b) Appeal from fines. The alarm appeals board shall conduct a hearing in those matters requested for appeal that have been ruled on by the alarm administrator. The alarm appeals board shall consider evidence offered by any interested person(s). The board shall make its decision on the basis of a preponderance of evidence presented at the hearing including, but not limited to, evidence that a false alarm dispatch was caused by a defective part that has been repaired or replaced or that an alarm dispatch request was caused by a criminal offense. The board must render a decision within 30 days after the request for an appeal is filed. If decision is not rendered within 30 days, the alarm administrator's ruling stands. The board shall affirm, reverse, or modify the action of the alarm administrator. The decision of the board is final as to administrative remedies with the parish.

(c) Appeal from denial or suspension. The alarm appeals board shall conduct a hearing and consider evidence offered by any interested person(s). The board shall make its decision on the basis of a preponderance of the evidence presented at the hearing including, but not limited to, certification that alarm system users have been retrained, that a defective part has been repaired or replaced, or that the cause of the false alarm has been otherwise corrected. The board must render a written decision within 30 days after the request for an appeal is filed. If decision is not rendered within 30 days, the alarm administrator's ruling stands. The board may affirm, reverse, or modify the action of the alarm administrator. The decision of the board is final as the administrative remedies.

(d) District court proceedings. The alarm appeals board shall have no standing with respect to the adjudication of proceedings within district court relative to false alarms.

(Ord. No. 06-1310, adopted 06/01/2006)

SEC. 15-934.00 No liability of the Parish

The parish assumes no liability for any defects in the operation of any alarm system or transmission of signals, for any failure or neglect of any person associated with the installation, operation or maintenance of an alarm system, for any failure or neglect of any alarm system user, for the transmission or receipt of alarm signals or any failure or neglect to respond upon receipt of an alarm from any source. In the event that the sheriff finds it necessary to suspend police response or to otherwise provide for the disconnection of any alarm system, the parish shall have no liability for such action. No special duty other than that owed to the general public shall be created by virtue of this section or as a result of the transmission to or receipt of alarm signals by the sheriff's office.

(Ord. No. 06-1310, adopted 06/01/2006)

ARTICLE XIV AIRBOATS

SEC. 15-950.00 Unauthorized Airboats Prohibited

EDITORIAL NOTE: This Article previously established by Ord. 94-1941, adopted 03/17/94, was rescinded and replaced per the following in accordance with Ord. 06-1449 adopted 12/07/2006.

It is recognized that the use of Airboats on real property without the express written permission of land owners poses eminent hazards within the Parish of St. Tammany; therefore, it shall be unlawful for any commercial or recreational Airboat to commit a trespass on private or public real property.

SEC. 15-951.00 Airboat Definition

1. "Airboat" shall be defined as any water craft propelled by means of an air propeller powered by an engine of at least twenty five (25) horsepower.
2. "Idle" speed and "No Wake Zone" shall mean bare steerage speed, the slowest speed the vessel can travel while allowing the operator to maintain directional control of the vessel to produce the minimum water surface turbulence.
3. "Sign" means any 'No Trespass' or 'Posted' sign or signs placed on immovable real property in such place or places where the sign(s) may reasonably be expected to be seen. A sign forbidding entry on the property shall be conspicuously posted or exhibited at the entrances of said property regulated by this section.

SEC. 15-952.00 Operation of Airboats

A. It shall be unlawful to operate an Airboat at more than idle speed within three hundred (300) feet of a public boat launch, a public docking facility adjacent to a public boat launch or any residence within the boundaries of unincorporated St. Tammany Parish.

B. Airboats shall at all times be operated in compliance with all parish, state and federal laws and regulations, and any restrictions placed on the use of the Airboats in a letter of no objection or other use-specific written permission issued by any affected property owner(s).

C. No person shall go upon or remain in or upon or attempt to go into or upon any immovable real property which belongs to another, for the purpose of operating or using an Airboat, after having been forbidden to do so, either orally or in writing, including by means of any sign placed in conformity with this Article, by any owner, lessee, or custodian of the property or by any other person authorized by any such persons.

SEC. 15-953.00 Enforcement

Enforcement of this Article is authorized , directed, and empowered to state and local law enforcement agencies, and duly commissioned officers with state or federal wildlife and fisheries agencies.

No person shall be convicted of violating trespass provision of this Ordinance if a sign was not in place at the time of the alleged violation. It shall be unlawful for any person to remove, without the permission of the landowner, any properly posted "No Trespass" sign posted or exhibited at the entrances of any property in accordance with this Ordinance.

SEC. 15-954.00 Exemptions

This Article shall not apply to any emergency, police, fire, ambulance, or other government vessels, Airboats or other water craft when same is being operated in an official capacity. In addition, no person shall be found in violation of this Article by reason of being upon property without authorization when the reason for such is a maritime or other emergency.

SEC. 15-955.00 Penalty

Any person who violates any of the provisions of this Article; or who violates or fail to comply with any order made hereunder, within the time fixed therein, shall severally for each and every violation and noncompliance, respectively, be guilty of a misdemeanor punishable by a fine of not less than ONE HUNDRED (\$100.00) DOLLARS nor more than FIVE HUNDRED (\$500.00) DOLLARS, or by imprisonment for not more than thirty

(30) days, or both such fines and imprisonment. Each day that any violation of this Article continues shall constitute a separate offense.

(Ord. 06-1449, adopted 12/07/2006)

ARTICLE XV VEHICLES DURING FLOOD STAGE

EDITORIAL NOTE: Article XV was created by the authority of Ord. No. 95-2251 and 95-2252, both adopted on 07/20/95)

SEC. 15-975.00 Operation of Vehicles/Watercraft Upon Flooded Streets

Whenever facts and circumstances exist which result in the full or partial flooding of a street, a person shall not operate or permit the operation of a vehicle or watercraft upon such affected street in a manner which endangers or may likely endanger a person (s) or property thereon or in proximity thereto. For the Purposes of this paragraph, which is or may be damaged by the intentional or negligent operation of the vehicle or watercraft.

. Any law enforcement officer duly authorized to enforce the ordinances of the governing authority of St. Tammany Parish, shall be authorized to enforce the provisions of this ordinance.

. Any person who observes a violation of this ordinance is authorized to notify the appropriate law enforcement authority of such violation within twenty-four (24) hours of the violation. Said person by affidavit shall provide the authority with the description of the offender and/or the offending vehicle or watercraft and, if known, the license or registration number of the offending vehicle or watercraft.

. Said authority may issue a citation to the offender and/or the owner of the vehicle or watercraft involved or, in the case of a leased vehicle, the lessee of the vehicle involved, on the bases of the information provided by the person as set forth in the aforementioned paragraph.

. Any person convicted of violating this ordinance shall be subject to the penalty provision which is set forth in Section 1-008.00 of the Code of Ordinances for the Parish of St. Tammany.

(Ord. No. 95-2251, adopted 07/20/95)

SEC. 15-976.00 Use of Local Waterways During Flood Stage

Upon the declaration by the Director of Emergency Preparedness of a State of Emergency for all or a portion of a waterway in St. Tammany Parish, a person shall not operate or permit the operation of a watercraft on a waterway in St. Tammany Parish in a manner which endangers or may likely endanger a person (s) or property thereon or in proximity thereto. Such operator shall proceed only at a speed that is reasonable and

prudent under the conditions and potential hazards existing and shall have due regard for the marine traffic and property thereon or nearby and other relevant atmospheric, waterway, lighting, and geographical conditions. For the purpose of this paragraph, property, and corporeal and incorporeal property, any of which is or may be damaged by the intentional or negligent operation of the water craft.

. Any law enforcement officer duly authorized to enforce the ordinances of the governing authority of St. Tammany Parish shall be authorized to enforce the provisions of this ordinance.

. Any person who observes a violation of this ordinance is authorized to notify the appropriate law enforcement authority of such violation within twenty-four (24) hours of the violation. Said person by affidavit shall provide the authority with the description of the offender and/or the offending water craft and, if known, the registration number of the offending water craft.

. Any person convicted of violating this ordinance shall be subject to the penalty provision set forth in Section 1-008.00 of this Code of Ordinances for the Parish of St. Tammany.

(Ord. No. 95-2252, adopted 07/20/95)

ARTICLE XVI MUNICIPAL ADDRESSING

EDITORIAL NOTE: Article XVI was created by the authority of Ord. No. 99-3033, adopted 3/18/99)

SEC. 15-980.00 Required

It is hereby required that each and every property holder identify the physical location of any and all residential, commercial and industrial structures by obtaining a municipal address for each such structure from the Parish governing authority. Thereafter, it is the responsibility of each property holder to purchase and affix numbers in a visible location on every residential, commercial or industrial building belonging to him/her.

SEC. 15-981.00 Numbering

Municipal numbers shall be composed of individual Arabic digits, not less than a minimum height of four inches (4") each, to be posted on the building or structure in such a manner as to be read from the street, road or public right-of- way. If the building is not visible from the roadway, the mailbox or other means for visible posting must be numbered. With respect to apartments, all apartment complexes must have approved numbers, plus numbers or letters on each individual door of the complex.

SEC. 15-982.00 New Construction/Building Permit

With regard to new construction, expansion or renovation, no building permit shall be granted until a municipal address has been assigned to the property and numbers must be posted prior to issuance of a final inspection approval.

SEC. 15-983.00 Prohibited

The installation and/or placement of municipal addresses within parish rights-of-way is hereby prohibited.

SEC. 15-984.00 Violation

Violation of this Article shall constitute a misdemeanor and be punishable in accordance with Sec. 1-008.00 of this Code.

(Sec. 15-980.00 through 15-984.00 created authority of Ord. No. 99-3033, adopted 3/18/99)

ARTICLE XVII REGISTRATION OF SEX OFFENDERS; VERIFICATION PROCEDURES

EDITORIAL NOTE: Article XVII created by the authority of Ord. No. 06-1252, adopted 03/02/2006)

SEC. 15-985.00 Findings; Purpose

The legislature has found that sex offenders, sexually violent predators, and child predators often pose a high risk of engaging in sex offenses, and crimes against victims who are minors even after being released from incarceration or commitment and that protection of the public from sex offenders, sexually violent predators, and child predators is of paramount governmental interest. The legislature has also found that local law enforcement officers efforts to protect their communities, conduct investigations, and quickly apprehend offenders who commit sex offenses and crimes against victims who are minors, are impaired by the lack of information available to law enforcement agencies about convicted sex offenders, sexually violent predators, and child predators who live within the agency s jurisdiction, and the penal and mental health components of our justice system are largely hidden from public view and that lack of information from either may result in failure of both systems to meet this paramount concern of public safety. Restrictive confidentiality and liability laws governing the release of information about sex offenders, sexually violent predators, and child predators have reduced willingness to release information that could be appropriately released under the public disclosure laws, and have increased risks to public safety. Persons found to have committed a sex offense or a crime against a victim who is a minor have a reduced expectation of privacy because of the public s interest in public safety and in the effective operation of government. Release of information about sex offenders, sexually violent predators, and child predators to public agencies, and under limited circumstances to the general public, will further the

governmental interests of public safety and public scrutiny of the criminal and mental health systems so long as the information released is rationally related to the furtherance of those goals.

It is the express policy of this state to assist local law enforcement agencies efforts to protect their communities by requiring sex offenders, sexually violent predators, and child predators to register with state and local law enforcement agencies, to require the exchange of relevant information about sex offenders, sexually violent predators, and child predators among state, local, and federal public agencies and officials, and to authorize the release of necessary and relevant information about sex offenders, sexually violent predators, and child predators to members of the general public as provided in Chapter 3-B of Title 15.

In order for St. Tammany Parish to further assist local law enforcement officers efforts to protect this community, conduct investigations, and quickly apprehend offenders who commit sex offenses and crimes against victims who are minors, it is necessary that the sheriff's office have an effective means of continuing verification of the information and notifications that sex offenders are required to provide.

SEC. 15-985.01 Definitions

Where necessary for clarification or interpretation of this ordinance, reference to the definitions and provisions of La. Rev. Stat. Ann. § 15:540 La. Rev. Stat. Ann. § 15:541, La. Rev. Stat. Ann. § 15:542, La. Rev. Stat. Ann. § 15:542.1, La. Rev. Stat. Ann. § 15:544, and any relevant provisions cited therein, is permissible.

SEC. 15-985.02 Procedure for Verification

Any person who currently resides in St. Tammany Parish, or who moves into St. Tammany Parish, and is required by the provisions of La. Rev. Stat. Ann. § 15:542.1H(2) or (3) to register for life with the sheriff of the parish of his/her residence and/or with the chief of police, shall be required to continuously have on his/her person, commencing upon registration with the St. Tammany Parish Sheriff, a location tracking electronic monitoring device for the purpose of providing an ongoing verification of the registrant's stated residence within this parish, the location of enrollment or worker status at an institution of post secondary education, the location where the registrant provides recreational instruction, and in order to insure that all required information is accurate and that all required notifications are current and are being provided within the designated areas.

SEC. 15-985.03 Fee for monitoring

The Sheriff of St. Tammany Parish is hereby authorized to charge a fee for the cost of the electronic device and the costs associated with the monitoring thereof.

SEC. 15-985.04 Penalties

(A) Any person who fails or refuses to wear a location tracking electronic monitoring device, when required to do so under the provisions of this ordinance, shall be guilty of a misdemeanor punishable by a fine of not less than five hundred dollars and imprisonment of not less than thirty days in the parish jail.

(B) Any person who tampers with a location tracking electronic monitoring device shall be guilty of a misdemeanor punishable by a fine of not less than five hundred dollars and imprisonment of not less than thirty days in the parish jail.

(C) When a person is required to comply with the provisions of this ordinance, it shall be unlawful for any person to assist that person in avoiding or circumventing any of the requirements of this ordinance. Any person who is found guilty of assisting a person in avoiding or circumventing the requirements of this ordinance shall be guilty of a misdemeanor punishable by a fine of not less than five hundred dollars and imprisonment of not less than thirty days in the parish jail.

(Ord. No. 06-1252, adopted 03/02/2006)

CHAPTER 16 PARKS, RECREATION AND SCENIC NEIGHBORHOODS

ARTICLE I IN GENERAL

SEC. 16-001.00 North Shore Beach Park

A. RULES AND REGULATIONS:

For the health, benefit and enjoyment of beach patrons and the neighborhood surrounding North Shore Beach on Debbie Drive in Slidell, Louisiana, the following rules and regulations shall apply to both the beach and the adjacent park property:

- (1) Hours of operation: Daylight to Dark.
- (2) No glass containers allowed.
- (3) No littering or dumping allowed.
- (4) No smoking allowed.
- (5) No open fires, firearms or fireworks allowed (This shall not apply to the display of fireworks with express parish authority, nor to duly authorized law enforcement agents on bonafide assignments).
- (6) Dogs, horses, or other pets are not allowed, except guide dogs accompanying visually impaired persons or hearing ear dogs accompanying hearing impaired persons.

- (7) No audio or playing of electronic, amplified music before 9:00 a.m.
- (8) Nuisance noises and sounds that are unreasonably loud and intrusive, so as to be disruptive within the park or surrounding community are prohibited (See also Code Chapter 14).
- (9) No overnight camping.
- (10) Motorized or electric vehicles are not allowed.
- (11) Swimming and other similar water activities will be at patrons' own risk. St. Tammany Parish provides no lifeguards.
- (12) Motorized boats and personal watercraft are not allowed on the shoreline of Lake Pontchartrain adjacent to Northshore Beach Park.

B. PENALTY AND ENFORCEMENT:

Except where state law or parish ordinance supercedes and provides for more stringent penalties, any person violating the provisions of this section shall be subject to a fine of not more than One Hundred Dollars (\$100.00) or imprisonment in the parish jail for not more than ten (10) days, or both, in the discretion of the court.

Enforcement of this section shall be by the Parish Sheriff's Office.

(Ord. No. 1158, adopted 05/22/80; amended by Ord. No. 81-212, adopted 06/04/81; amended by Ord. No. 12-2771, adopted 07/12/2012)

SEC. 16-002.00 Campgrounds, Amusement Parks - Definitions

1. **Amusement parks** as used herein shall be places of amusement as defined in Section 12-030.00, Subsection (1) of this Code of Ordinances (formally Sec. 12-121(1) of the St. Tammany Parish Code published by the Municipal Code, Corp. 1979-1987)
2. **Campground** as used herein shall mean any privately owned land or area offered for use and/or occupancy to the public as a recreational or playground facility where spaces are rented on a temporary or short term basis to campers or other persons who utilize the facilities overnight or on a temporary basis, or a mobile home or trailer park offered for use and/or occupancy to transients for hire for less than seven (7) consecutive days, any or all of the foregoing operated as a commercial venture and for profit potential and for which a Parish Occupational License is required. As so used, same shall include private parks open to the public for a fee and recreational facilities whether or not overnight camping is permitted.
3. **Manager** as used herein shall be the person(s) designated by the owner to operate or supervise the daily operations of the campground or amusement park.

The word "manager" shall also mean "operator" and the words are used interchangeably.

4. **Owner** as used herein shall be the title owner(s) thereof.

(Ord. No. 82-423, adopted 08/19/82)

SEC. 16-003.00 Same - Applicability

This Article shall apply only in the unincorporated areas of St. Tammany Parish, Louisiana. (Ord. No. 82-423, adopted 08/1982)

SEC. 16-004.00 Same - Written Warnings And Signs Required; Contents

1. The owner and/or manager of any campground or amusement park as defined herein is required to issue a written warning to all such campers or users thereof advising them that all property surrounding such campground or facility is under private ownership and that all legal property rights vest with the owner thereof and that the general trespass laws of the State of Louisiana apply uniformly to St. Tammany Parish, and that the trespass law will be enforced and that violators thereof are subject to prosecution.
2. The written warning can be on the reverse side of a receipt, on a separate document or paper or in lieu, thereof, a copy of this article can be issued to each person or camper. The warning must be given upon arrival of the camper at the campground and if a copy of the article is not provided, the warning shall contain the following language or words:

"WARNING All property outside this campground or amusement park that is not owned by the owners of this facility is private property under private ownership. Louisiana trespass laws apply to private property in compliance therewith. Violations of trespass laws shall be strictly enforced and can subject violators thereof to criminal prosecution."

3. It is further required of each campground and amusement park owner and/or operator to place a sign at his own expense at the campground or amusement park property line but on campground or amusement property, where it can easily be read by each person traveling said street or road exiting the campground or amusement park, said sign required to measure a minimum of four (4) feet by four (4) feet whereupon the following message or words shall be placed:
4. The word "warning" shall be at least three (3) inches in height. All other lettering shall be a minimum of two (2) inches in height. (Ord. No. 82-432, adopted 08/19/82)

SEC 16-005.00 Same - Failure To Issue Written Warnings And Post Signs

It shall be unlawful and a misdemeanor punishable as is contained in Section 1-008.00 of this Code of Ordinances for any owner and/or manager to fail to issue the written warning and post and maintain the warning sign(s) required hereunder. (Ord. No. 82-423, adopted 08/19/82)

SECS. 16-006.00 Authority to Regulate Conduct at Recreational District Facilities

The Boards of Commissioners of Parish Recreational Districts are authorized to promulgate guidelines, rules and regulations governing the conduct of participants and spectators of events at recreational district facilities, to provide for the consequences in the event of a violation thereof, and shall adopt procedures for the enforcement of same. In exercising the authority granted hereby, the Board of Commissioners has authority to gather evidence, hold quasi-judicial proceedings, and provide for the punishment of any violations, which may include prohibiting the violator from entering the recreational district property under their control.

(Ord. No. 03-0803, adopted 12/04/2003)

ARTICLE II RECREATION DISTRICT NO. 1

SEC. 16-016.00 Created; Boundaries

Recreation District No. 1 of the Parish shall comprise and embrace all of that territory contained within the boundaries presently existing, including the Town of Mandeville, Louisiana; and the boundaries of said district shall be the same as the boundaries of Ward Four of St. Tammany Parish, said boundaries being described as follows:

Ward Four: Commencing at the mouth of the Tchefuncte River, proceed northeast along the center line of the mainstream of said River to its confluence with Ponchitolawa Creek; thence continue northeast along the center line of the main stream of said creek to the line dividing Ranges 11 and 12 East; thence north on said range line to the northwest corner of Section 7, Township 7 South, Range 12 East; thence east along the north line of Sections 7, 8, 9 and 10, Township 7 South, Range 12 East to the northwest corner of Section 10, Township 7 South, Range 12 East; thence south along the east line of Sections 10, 15, 22, 27 and 34 of Township 7 South, Range 12 East, and Sections 3, 10, 15, 22, 27 and 34 of Township 8 South, Range 12 East, and Sections 3, 10 and 15 of township 9 South, Range 12 East to the north shore of Lake Pontchartrain; thence northwest along the natural shoreline of Lake Pontchartrain to the mouth of the Tchefuncte River, the point of beginning.

(Ord. No. 623, Bk. 7, P. 507; Ord. No. 644, Bk. 7, P. 579; Ord. No. 87-888, adopted 12/17/87)

CROSS REFERENCE: See Section 2-017.00, entitled "Wards" of this Code of Ordinances.

SEC.16-016.01 Amended Boundaries

In compliance with the provisions of Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, it is the intention of the Parish Council to amend the boundaries of Recreation District No. 1 to include the subdivision known as River Oaks, to-wit:

Commencing at the intersection of Bayou Monga and the Tchefuncte River, thence go upstream along the meanderings of Bayou Monga to I-12, thence go east on I-12 to US Hwy 190, thence go south on US Hwy 190 to Ponchitolawa Creek, thence follow the meanderings of Ponchitolawa Creek downstream to the Tchefuncte River, thence follow the meanderings of the Tchefuncte River upstream to Bayou Monga and the point of beginning.

(Ord. No. 00-0211, adopted 10/05/2000)

AND:

In addition thereto, and in accordance with the authority conferred by Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the boundaries of Recreation District No. 1 shall include within its jurisdictional limits an area comprising the boundaries of Parish Voting Precinct 307 as established by Ord. No. 01-0393 more fully described as follows:

Commence at the intersection of Hwy. 190 and Ponchitalawa Creek, also the point of beginning; thence follow Ponchitalawa Creek east, northeast, east, northwest, northeast, east, northwest, northeast, southeast, and northeast to its intersection with Hwy. 59; thence follow Hwy. 59 north to its intersection with Parker Road; thence follow Parker Road northwest to its intersection with Soell Drive; thence follow Soell Drive northeast to its intersection with 11th Avenue; thence follow 11th Avenue northwest to its intersection with North Street; thence follow North Street southwest to its intersection with Lincoln Street; thence follow Lincoln Street west to its intersection with 11th Street; thence follow 11th Street south to its intersection with Madison Avenue; thence follow Madison Avenue west to its intersection with 7th Street; thence follow 7th Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue west to its intersection with K Street; thence follow K Street south to its intersection with 9th Avenue; thence follow 9th Avenue west to its intersection with Hwy. 190; thence follow Hwy. 190 southwest, south, and southeast to its intersection with Ponchitalawa Creek, also the point of beginning.

(Ord. 06-1289, adopted 05/04/2006)

AND:

In compliance with the provisions of Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, it

is the intention of the Parish Council to amend the boundaries of Recreation District No. 1 to add within it's jurisdictional limits an area comprising the boundaries of a portion of Parish Voting Precinct 310 as established by Ordinance C.S. No. 01-0393, and as more fully described:

Section 15 ,16, 9, 10 and 48, T 7S, R 11E

Commencing at the intersection of Hwy 190 and Three Rivers Rd. also the point of beginning.

From the intersection of Hwy 190 and Three Rivers Rd. follow Hwy 190 southward for a distance of 8,930 feet (+/-) to Interstate 12 interchange, following said interchange westbound 10,400 feet (+/-) to overpass of Three Rivers Rd. Following Three Rivers Rd. meandering northeast 13,200 feet (+/-) to the intersection of Hwy 190 and the point of beginning.

(Ord. No. 12-2793, adopted 08/02/2012)

SEC. 16-017.00 Name, Status And Powers

The recreation district herein created shall be known and is hereby designated as "Recreation District No. 1 of the Parish of St. Tammany, State of Louisiana," and as thus created, shall constitute a public corporation and political subdivision of the state and as such, shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the state, including the authority to incur debt, to issue bonds and to levy taxes. (Ord. No. 623, Bk. 7, P. 507)

STATE REFERENCE: LSA R.S. 33:4562(B)

SEC. 16-017.01 Board of Commissioners

The Board of Commissioners shall be composed of seven (7) members. There shall be six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-018.00 Domicile

The domicile of the recreation district created herein is hereby designated as the Town of Mandeville.

STATE REFERENCE: LSA R.S. 33:4562(C)

ARTICLE III RECREATION DISTRICT NO. 2

SEC. 16-031.00 Created; Boundaries

A recreation district is hereby created within the Parish which shall comprise and embrace all of that territory within Ward 5 of St. Tammany Parish, subject to the provisions in Section 16-034.00 below:

(Ord. No. 676, Bk. 8, P. 201; amended by Ord. No. 13-2920, adopted 03/07/2013)

SEC. 16-032.00 Name, Status And Powers

The recreation district herein created shall be known and is hereby designated as "Recreation District No. 2 of the Parish of St. Tammany, State of Louisiana," and as thus created, shall constitute a public corporation and political subdivision of the state, and as such, shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the state, including the authority to incur debt, to issue bonds and to levy taxes. (Ord. No. 676, Bk. 8, P. 201)

SEC. 16-032.01 Board of Commissioners

The Board of Commissioners shall be comprised of seven (7) members. There shall be six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 13-2920, adopted 03/07/2013)

SEC. 16-033.00 Domicile

The domicile of the recreation district created herein is hereby designated as the Recreation Center, Bush, Louisiana, which domicile is within the boundaries of said recreation district. (Ord. No. 676, Bk. 8, P. 201)

SEC. 16-034.00 Boundary Consolidation and Other Matters

The boundaries of Recreation District No. 2 shall include the corporate limits of the Village of Sun subject to adoption of a resolution by its governing authority approving the Village's inclusion within the boundaries of the recreation district.

In the event the Village of Sun elects to be included within the boundaries of the recreation district, it shall have the exclusive right to nominate and appoint two (2) members to the Board of Commissioners and the Parish Council shall have four (4) appointments and the Parish President shall have one (1) appointment.

In the event the Village of Sun elects not to be included within the boundaries of St. Tammany Recreation District No. 2, then the boundaries of the recreation district shall exclude all of the incorporated Village of Sun as it exists on March 07, 2013, the date of expansion of the recreation district boundaries into the incorporated areas of the Parish north of the Bogue Chitto River, and to encompass all of the area within unincorporated Ward 5.

(Ord. No. 676, Bk. 8, P. 201; amended by Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 13-2920, adopted 03/07/2013)

ARTICLE IV RECREATION DISTRICT NO. 3

Editor's Note: Recreation District No. 3 was merged and consolidated with Recreation District No. 16 pursuant to Ord. No. 09-2055, adopted 05/07/2009.

SEC. 16-041.00 Created; Boundaries

Editor's Note: Recreation District No. 3 was merged and consolidated with Recreation District No. 16 pursuant to Ord. No. 09-2055, adopted 05/07/2009.

There is hereby created a recreation district within the Parish which shall comprise and embrace all of that territory within the following described boundaries:

All of the territory included within the boundaries of the Eighth and Ninth Wards of the Parish, except that territory described as follows:

Beginning at the 1/4 corner common to Section 13, Township 8 South, Range 14 East and Section 37, Township 8 South, Range 15 East, go east across the center of Sections 13, 14, 15, 16, 17, and 18 Township 8 South, Range 15 East, to the west bank of the East Pearl River. Thence, north along the west bank of the East Pearl River to the south boundary of Ward Six. Thence, west along the south boundary of the said Sixth Ward to the G. M. & O. Railroad. Thence, south along the G. M. & O. Railroad to its intersection of the 1/4 corner common to Sections 16 and 17, Township 8 South, Range 14 East. Thence, east to the point of beginning.

(Ord. No. 698, adopted 03/24/77; Ord. No. 81-268, adopted 09/17/81)

SEC. 16-042.00 Name, Status And Powers

Editor's Note: Recreation District No. 3 was merged and consolidated with Recreation District No. 16 pursuant to Ord. No. 09-2055, adopted 05/07/2009.

The recreation district created herein shall be known and designated as "Recreation District No. 3 of the Parish of St. Tammany, State of Louisiana," and as thus designated, shall constitute a political subdivision of the state, and shall have all the powers granted to such districts under the Constitution and laws of the State. (Ord. No. 698, adopted 03/24/77)

SEC. 16-042.01 Board of Commissioners

Editor's Note: Recreation District No. 3 was merged and consolidated with Recreation District No. 16 pursuant to Ord. No. 09-2055, adopted 05/07/2009.

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-043.00 Domicile

Editor's Note: Recreation District No. 3 was merged and consolidated with Recreation District No. 16 pursuant to Ord. No. 09-2055, adopted 05/07/2009.

The domicile of the recreation district created herein shall be the City of Slidell, Louisiana. (Ord. No. 698, adopted 03/24/77)

ARTICLE V RECREATION DISTRICT NO. 4

SEC. 16-051.00 Created; Boundaries; Governing Board

There is hereby created St. Tammany Parish Recreation District No. 4, the boundaries of which shall be the entire Seventh Ward of the Parish as it existed on May 5, 1977, excluding that portion included in the boundaries of Council District 11 as they existed on August 6, 2015.

(Ord. No. 81-238, adopted 07/23/81; amended by Ord. No. 15-3396, adopted 09/03/2015)

SEC. 16-052.00 Board Of Commissioners - Qualifications Of Members

The Board of Commissioners shall be comprised of seven (7) members. There shall be six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. Appointees thereto must be registered voters and residents of the Seventh Ward of this Parish as a condition precedent to their appointments and to maintain membership thereon. (Ord. No. 81-238, adopted 07/23/81; Ord. No. 00-0157, adopted 06/01/2000)

EDITORIAL NOTATION: Ord. No. 81-238, adopted July 23, 1981, repealed former sections of this Article which said sections were derived from Ord. No. 712, adopted May 5, 1977; Ord. No. 721, adopted May 31, 1977; and Ord. No. 792, adopted February 16, 1978.

SEC. 16-053.00 Same - Terms Of Members; Filling Of Vacancies

Members of the Board of Commissioners shall serve terms to expire December 31, 2003.

(Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-054.00 Powers, Duties, Functions

The St. Tammany Parish Recreation District No. 4 is vested with all powers, duties and functions vested in it pursuant to provisions of Louisiana Revised Statutes 33:4562 through 33:4566 as now adopted or as may from time to time hereinafter be amended. (Ord. No. 81-238, adopted 07/23/81)

SEC. 16-055.00 Domicile

The domicile of the district created herein shall be the Bayou Lacombe Junior High School. (Ord. No. 81-238, adopted 07/23/81)

SEC. 16-056.00 John Davis Park, Henry Keller Field, Main Street Boat Launch Rules & Regulations

Hours of Operation:

1. All parks and recreational facilities shall be open only during the following hours:
 1. between 5:00 a.m. and 8:00 p.m. during the months of March through October;
 2. between 5:00 a.m. and 6:00 p.m. during the months of November through February.
2. Any person may apply to Recreation District No. 4 for a permit authorizing usage of a park or recreational facility for certain specified hours during the periods the facilities are otherwise closed.
3. Hours of closure shall not apply to parish or district-sponsored events in progress at closing time, and shall be delayed until such time as the event is complete.
4. The Parish and Recreation District No. 4 are authorized to close any park or recreational facility for repairs, renovations, construction or other good cause at any time.

Glass Beverage Containers and Alcoholic Beverages:

1. It shall be unlawful for any person to possess any type of glass beverage container or to discard a glass container in any park or recreational facility.
2. With the exception of beer and wine coolers, no alcoholic beverages shall be permitted in any park or recreational facility at any time. It shall be unlawful for any person to remain in a park or recreational facility while in an intoxicated condition.
3. The parish and Recreation District No. 4 may further permit or restrict the possession and use of alcoholic beverages at specific locations, or for specific events, as they deem necessary.
4. The sale of alcoholic beverages is allowed only by authorized permit issued by the parish or Recreation District No. 4. When so authorized, such sale shall comply with all other applicable laws and ordinances including, but not limited to, Chapter 3 of this Code and applicable state laws.

Dogs To Be Leashed; Stray Animals In General:

It shall be unlawful for any person to permit any dog to pass over or stray into any park or recreational facility unless tied to a leash not exceeding six (6) feet in length and under the control of a responsible person, or to permit any other animal to pass over or stray into any park or recreational facility.

Firearms, Weapons, and Explosives:

No person shall bring, or have in his possession, any firearm, weapon, or explosives into any park or recreational facility, except when specifically permitted. This section shall not apply to the display of fireworks under parish or district authority, nor to duly authorized law enforcement agents on bonafide assignments.

Traffic Control and Parking:

No person shall cause or permit the obstruction of traffic, by vehicle or otherwise, in any park, or any park street, or public street adjacent to any park or recreational facility.

Parking shall be in designated areas only. It shall be unlawful for any person to drive or propel any bicycle, motorcycle, automobile, go-cart, or other vehicle in any park or recreational facility except on regular roads designated for such use.

Unlawful Assemblies:

Persons shall not collect in parks or recreational facilities in bodies or crowds for unlawful purposes or in a manner annoying or disturbing to others.

Penalty and Enforcement:

Except where state law or parish ordinance supersedes and provides for more stringent penalties, any person violating the provisions of this section shall be subject to a fine of not more than One Hundred Dollars (\$100.00) or imprisonment in the parish jail for not more than ten (10) days, or both, in the discretion of the court.

Enforcement of this section shall be by the Parish Sheriff's Office and employees of Recreation District No. 4.

(Ord. 00-0189, adopted 08/03/2000)

ARTICLE VI RECREATION DISTRICT NO. 5

SEC. 16-061.00 Created

There is hereby created St. Tammany Parish Recreation District No. 5. (Ord. No. 80-40, adopted 09/11/80)

SEC. 16-062.00 Boundaries

The boundaries of the district created herein shall be as follows:

Beginning at the 1/4 corner common to Section 13, Township 8 South, Range 14 East and Section 37, Township 8 South, Range 15 East, go east across the center of Sections 13, 14, 15, 16, 17 and 18, Township 8 South, Range 15 East, to the west bank of the East Pearl River. Thence, north along the west bank of the East Pearl River to the south boundary of Ward Six. Thence, west along the south boundary of the said Sixth Ward to the G. M. & O. Railroad. Thence, south along the G. M. & O. Railroad to its intersection of the 1/4 corner common to Sections 16 and 17, Township 8 South, Range 14 East. Thence, east to the point of beginning.

The above described recreation district boundaries were amended in accordance with the 1990 Census and reapportionment to remove Police Jury Districts 9 and 14 therefrom. Henceforth, the boundaries shall be comprised solely of Police Jury District 6 and the entire Town of Pearl River. (Ord. No. 80-40, adopted 09/11/80; Ord. No. 81-267, adopted 09/17/81; amended by Ord. No. 92-1668, adopted 11/19/92)

SEC. 16-062.01 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be one (1) member nominated and appointed by the Town of Pearl River. The Parish is authorized to appoint four (4) members. There shall be three (3) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-063.00 Domicile

The domicile of the district herein created shall be the Town of Pearl River. (Ord. No. 80-40, adopted 09/11/80)

ARTICLE VII RECREATION DISTRICT NO. 6

SEC. 16-071.00 Created; Boundaries

There is hereby created the St. Tammany Parish Recreation District No. 6, the boundaries of which are hereby amended to coincide with the boundaries of Fire Protection District No. 6 of the Parish of St. Tammany. (Ord. No. 88-946, adopted 05/19/88; amended Ord. No. 88-974, adopted 07/21/88; amended by Ord. No. 92-1561, adopted 01/16/92; amended Ord. No. 00-0190, adopted 08/03/2000; amended by Ord. No. 03-0799, adopted 12/04/2003)

The boundaries of Recreation District No. 6 shall conform to the boundaries of Fire Protection District No. 6 as follows:

Beginning at the intersection of the boundary line between Washington and St. Tammany Parishes and the section line between Sections 19 and 20, Township 4 South, Range 11 East, St. Tammany Parish, Louisiana, measure southeasterly along the said boundary line between Washington and St. Tammany Parishes to the line dividing Wards 2 and 5 of St. Tammany Parish in Section 2, Township 4 South, Range 11 East; thence follow southeasterly the meanderings of the Second Ward Line to its intersection with the line dividing Wards 2 and 10 in Section 31, Township 5 South, Range 11 East; thence west along the dividing line between Wards 2 and 10 and continue west along the dividing line between Wards 2 and 3 to the Bogue Falaya River in Section 36, Township 5 South, Range 10 East; thence north along the meanderings of the Bogue Falaya River to Simalousa Creek, thence north along the meanderings of Simalousa Creek to Bill's Creek, thence follow the meanderings of Bill's Creek north to Pigeon Roost Creek, thence follow the meanderings of Pigeon Roost Creek north to the section line between Sections 5 and 6, Township 4 South, Range 10 East; thence, north along the section line dividing Sections 31 and 32, 29 and 30, and 19 and 20, Township 4 South, Range 11 East, to the point of beginning.

(Ord. No. 03-0799, adopted 12/04/2003)

CROSS REFERENCE: See Chapter 8, Section 8-041.00 for description boundaries for Fire Protection District No. 6.

SEC. 16-072.00 Board of Commissioners

The Board of Commissioners shall be comprised of seven (7) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one member nominated and appointed by the Parish President. The Village of Folsom shall submit two (2) appointees to serve as members and have the authority to recommend to the Parish Council their successor appointees. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-073.00 Domicile

The domicile of said Recreation District No. 6 shall be within the boundaries of Ward 2 as determined by the Board of Commissioners. (Ord. No. 88-946, adopted 05/19/88; amended Ord. No. 88-974, adopted 07/21/88)

ARTICLE VIII RECREATION DISTRICT NO. 7

SEC. 16-074.00 Created

There is hereby created the St. Tammany Parish Recreation District No. 7. (Ord. No. 85-426, adopted 06/20/85)

SEC. 16-075.00 Boundaries

The boundaries of the district created in this Article shall be all of Ward 6, as described in Section 2-017.00 of this Code of Ordinances. (Ord. No. 85-426, adopted 06/20/85)

SEC. 16-075.01 Board of Commissioners

The Board of Commissioners shall be comprised of seven (7) members. There shall six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-076.00 Domicile

The domicile of the district created in this Article shall be the Hickory Maintenance Barn, Highway 41, Pearl River, Louisiana. (Ord. No. 85-426, adopted 06/20/85)

SEC. 16-077.00 Appointment Of Commissioners

Rescinded by Ord. No. 00-0157, adopted 06/01/00)

ARTICLE IX RECREATION DISTRICT NO. 8

SEC. 16-088.00 - 16.091.00 Abolished

(Ord. No. 86-579, adopted 03/20/86 created district; Ord. No. 90-1311, adopted 07/19/90 abolished Recreation District No. 8 and Special Recreation District No. 8.)

ARTICLE X RECREATION DISTRICT NO. 9

SEC. 16-102.00 Created; Boundaries

Under and by virtue of the authority conferred by Sections 4562 to 4566, both inclusive, of Title 33 of the Louisiana Revised Statutes of 1950 (R.S. 33:4562 - 33:4566), and other constitutional and statutory authority supplemental thereto, a recreation district is hereby created within the Parish, which recreation district shall comprise and embrace certain territory contained within the boundaries of Ward 9 of the Parish:

Commencing at the intersection of the center line of Facianes Canal and the shore of Lake Pontchartrain in Section 26, Township 9 South, Range 13 East, the point of beginning; thence follow the meanderings of Facianes Canal northeast, southeast, northeast, east and southeast to its intersection with the western boundary of the Southern Railroad; thence continue south 45 degrees 51 minutes 27 seconds east to the center line of U.S. 11; thence follow the center line of U.S. 11 in a northeasterly direction to its intersection with the Schneider Canal; thence follow the meanderings of Schneider Canal in a southeasterly direction to its intersection with the center line of

Howze Beach Road; thence go northeasterly along the center line of Howze Beach Road to its intersection with La. 433 (Salt Bayou road); thence follow the center line of La. 433 in a southeasterly direction to its intersection with the northern boundary of Pirates Harbor Subdivision, also the northern right-of-way line of Captain Morgan Street (not constructed); thence southwest along the northern right-of-way of Captain Morgan Street to the center line of East Diversion Canal; thence south and southwest along the center line of said canal to its intersection with Salt Bayou; thence follow the meanderings of Salt Bayou in a southwesterly direction to the shore of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain in a northwesterly direction to the point of beginning.

(Ord. No. 86-638, adopted 06/19/86)

LESS AND EXCEPT:

A CERTAIN TRACT OF LAND situated in the State of Louisiana, Parish of St. Tammany, in a portion of Sections 25 and 26, Township 9 South, Range 13 East, and in a portion of Sections 29, 30, 31, and 32, Township 9 South, Range 14 East, Ward 9, and more fully described as follows:

Commencing at the intersection of U.S. Highway 11 and the northern shore of Lake Pontchartrain, thence follow the northern shore of Lake Pontchartrain westerly to its intersection with the Faciane Canal, thence follow the center of the Faciane Canal easterly to its intersection with the Southern Railroad, thence follow the Southern Railroad south to its intersection with Carr Drive; thence follow Carr Drive east to its intersection with U.S. Highway 11, thence follow U.S. Highway 11 south to its intersection with the northern shore of Lake Pontchartrain and the point of beginning.

(Ord.No.14-3079, adopted 02/06/2014)

SEC. 16-103.00 Title; Rights

The recreation district created by this Article shall be and is hereby designated as "Recreation District No. 9 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a body corporate and political subdivision of the state, and as such, shall have all the rights, powers and privileges granted and conferred by the state constitution and statutes, including the authority to incur debt, issue bonds and levy taxes. (Ord. No. 86-638, adopted 06/19/86)

SEC. 16-104.00 Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President.(Ord. No. 00-0157; adopted 06/01/2000)

SEC. 16-105.00 Domicile; Meetings

The domicile of said recreation district shall be North Shore Fire Station, Debbie Drive, Slidell, Louisiana, which domicile is within the corporate limits of the recreation district; and the Board of Commissioners appointed shall meet at domicile on Friday, August 1, 1986, at 7:30 P.M., and proceed to organize and elect their officers, all in the manner and form provided for by law. (Ord. No. 86-638, adopted 06/19/86)

ARTICLE XI RECREATION DISTRICT NO. 10

SEC. 16-111.00 Created; Boundaries

Under the authority conferred by Article VI, Section 19 of the Constitution of the State of Louisiana of 1974, Sections 4562 to 4566, both inclusive, of Title 33 of the Louisiana Revised Statutes of 1950 (LSA R.S. 33:4562 - 33:4566), and other constitutional and statutory authority supplemental thereto, the boundaries of St. Tammany Recreation District No. 10, State of Louisiana, shall be and the same are expanded to comprise and embrace all of that territory within Ward 3 of St. Tammany Parish, as described in Section 2-170.00 of the Code of Ordinances, St. Tammany Parish, Louisiana including all that area of said Ward within the boundaries of the City of Covington, State of Louisiana. (Covington City Council resolution of January 8, 1991) (Ord. No. 90-1274, adopted 05/17/90; amended by Ord. No. 91-1408, adopted 02/21/91)

SEC. 16-111.01 Amended Boundaries

The Parish Council hereby amends the boundaries of Recreation District No. 10 to exclude the subdivision known as River Oaks, to-wit:

Commencing at the intersection of Bayou Monga and the Tchefuncte River, thence go upstream along the meanderings of Bayou Monga to I-12, thence go east on I-12 to US Hwy 190, thence go south on US Hwy 190 to Ponchitolawa Creek, thence follow the meanderings of Ponchitolawa Creek downstream to the Tchefuncte River, thence follow the meanderings of the Tchefuncte River upstream to Bayou Monga and the point of beginning.

(Ord. No. 00-0211, adopted 10/05/2000)

AND:

In accordance with the authority conferred by Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the boundaries of Recreation District No. 10 are hereby further amended to remove from its jurisdictional limits an area comprising the boundaries of Parish Voting Precinct 307 as established by Ord. No. 01-0393, more fully described as follows, to-wit:

Commence at the intersection of Hwy. 190 and Ponchitalawa Creek, also the point of beginning; thence follow Ponchitalawa Creek east, northeast, east, northwest, northeast, east, northwest, northeast, southeast, and northeast to its intersection with Hwy. 59; thence follow Hwy. 59 north to its intersection with Parker Road; thence follow Parker Road northwest to its intersection with Soell Drive; thence follow Soell Drive northeast to its intersection with 11th Avenue; thence follow 11th Avenue northwest to its intersection with North Street; thence follow North Street southwest to its intersection with Lincoln Street; thence follow Lincoln Street west to its intersection with 11th Street; thence follow 11th Street south to its intersection with Madison Avenue; thence follow Madison Avenue west to its intersection with 7th Street; thence follow 7th Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue west to its intersection with K Street; thence follow K Street south to its intersection with 9th Avenue; thence follow 9th Avenue west to its intersection with Hwy. 190; thence follow Hwy. 190 southwest, south, and southeast to its intersection with Ponchitalawa Creek, also the point of beginning.

(Ord. 06-1289, adopted 05/04/2006)

AND:

In accordance with the authority conferred by Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the boundaries of Recreation District No. 10 are hereby further amended to remove from its jurisdictional limits an area comprising the boundaries of Parish Voting Precincts 305, 308, 309, 311, A04 and a portion of Precinct A02, less and except any properties within the municipal boundaries of the City of Covington, as established by Ord. 01-0415, adopted 12/20/2001, more fully described as follows, to-wit:

Commence at the intersection of Hwy. 190 and 9th Avenue, also the point of beginning; thence follow Hwy. 190 north to its intersection with Hwy. 21 (a/k/a Military Road); thence follow Hwy. 21 north and northeast to its intersection with Hwy. 36; thence follow Hwy. 36 east, southeast and south to its intersection with Level Street; thence follow Level Street west to its intersection with Hwy. 59; thence follow Hwy. 59 south to its intersection with Parker Drive; thence follow Parker Drive northwest to its intersection with Soell Drive; thence follow Soell Drive northeast to its intersection with 11th Avenue; thence follow 11th Avenue northwest to its intersection with North Street; thence follow North Street southwest to its intersection with Lincoln Street; thence follow Lincoln Street west to its intersection with 11th Street; thence follow 11th Street south to its intersection with Madison Avenue; thence follow Madison Avenue west to its intersection with 7th Street; thence follow 7th Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue west to its intersection with K Street; thence follow K Street south to its intersection with 9th Avenue; thence follow 9th Avenue west to its intersection with Hwy.190, also the point of beginning.

(Ord. 06-1321, adopted 06/01/2006)

AND:

Under and by virtue of the authority conferred by Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, it is the intention of the Parish Council to amend the boundaries of Recreation District No. 10 to remove from it's jurisdictional limits an area comprising the boundaries of a portion of Parish Voting Precinct 310 as established by Ordinance C.S. No. 01-0393, and as more fully described:

Section 15 ,16, 9, 10 and 48, T 7S, R 11E

Commencing at the intersection of Hwy 190 and Three Rivers Rd. also the point of beginning.

From the intersection of Hwy 190 and Three Rivers Rd. follow Hwy 190 southward for a distance of 8,930 feet (+/-) to Interstate 12 interchange, following said interchange westbound 10,400 feet (+/-) to overpass of Three Rivers Rd. Following Three Rivers Rd. meandering northeast 13,200 feet (+/-) to the intersection of Hwy 190 and the point of beginning.

(Ord. No 12-2793, adopted 08/02/2012)

SEC. 16-112.00 Title; Rights

EDITORIAL NOTE: New Section 16-112.00 created under the authority of Ordinance No. 90-1274, adopted 05/17/90.

The recreation district created by this Article shall be and is hereby designated as "Recreation District No. 10 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a body corporate and political subdivision of the State, and as such, shall have all the rights powers and privileges granted and conferred by the State Constitution and Statutes, including the authority to incur debt, issue bonds and levy taxes. (Ord. No. 90-1274, adopted 05/17/90)

SEC. 16-113.00 Commissioners

Note: Ord. No. 90-1274, adopted 05/17/90 and Ord. No. 91-1408, adopted 02/21/91, rescinded by Ord. No. 00-0157, adopted 06/01/2000.

The Board of Commissioners shall be comprised of seven (7) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. There shall be two (2) appointed by the City of Covington with at least one of which shall be a qualified voter and resident of the City of Covington.

(Ord.No.91-1408, adopted 02/21/91, amended by Ord. No. 00-0157, adopted 06/01/2000, amended by Ord. No. 03-0659, adopted 04/03/2003)

SEC. 16-114.00 Domicile

EDITORIAL NOTE: New Section 16-113.00 created under the authority of Ordinance No. 90-1274, adopted 05/17/90.

The domicile of the district created herein created is the St. Tammany Parish Police Jury Office, 428 East Boston Street, Covington, Louisiana 70433. (Ord. No. 90-1274, adopted 05/17/90)

ARTICLE XII RECREATION DISTRICT NO. 11

SEC. 16-116.00 Created; Boundaries

EDITORIAL NOTE: New Section 16-116.00 created under the authority of Ordinance No. 92-1570, adopted 02/20/92.

There is hereby created St. Tammany Parish Recreation District No. 11, and as thus created, said District constitutes a public corporation and political subdivision of the State of Louisiana, with all rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana. (Ord. No. 92-1570, adopted 02/20/92)

SEC. 16-117.00 Boundaries

EDITORIAL NOTE: New Section 16-117.00 created under the authority of Ordinance No. 92-1570, adopted 02/20/92.

The boundaries of the District created herein encompasses all of Ward 10 of St. Tammany Parish, as described in Section 2-017.00 of the Code of Ordinances, St. Tammany Parish, Louisiana, INCLUDING all that area within the boundaries of the Town of Abita Springs, Louisiana. (Ord. No. 92-1570, adopted 02/20/92)

SEC. 16-117.01 Amended Boundaries

In accordance with the authority conferred by Chapter 11, Title 33 of the Louisiana Revised Statutes of 1950 and other constitutional and statutory authority supplemental thereto, the boundaries of Recreation District No. 11 are hereby amended to add within its jurisdictional limits an area comprising the boundaries of Parish Voting Precincts 305, 308, 309, 311, A04, and a portion of Precinct A02, less and except any properties within the municipal boundaries of the City of Covington, as established by Ordinance C.S. No. 01-0415, adopted December 20, 2001, and as more fully described as follows, to-wit:

Commence at the intersection of Hwy. 190 and 9th Avenue, also the point of beginning; thence follow Hwy. 190 north to its intersection with Hwy. 21 (a/k/a Military Road); thence follow Hwy. 21 north and northeast to its intersection with Hwy. 36; thence follow

Hwy. 36 east, southeast and south to its intersection with Level Street; thence follow Level Street west to its intersection with Hwy. 59; thence follow Hwy. 59 south to its intersection with Parker Drive; thence follow Parker Drive northwest to its intersection with Soell Drive; thence follow Soell Drive northeast to its intersection with 11th Avenue; thence follow 11th Avenue northwest to its intersection with North Street; thence follow North Street southwest to its intersection with Lincoln Street; thence follow Lincoln Street west to its intersection with 11th Street; thence follow 11th Street south to its intersection with Madison Avenue; thence follow Madison Avenue west to its intersection with 7th Street; thence follow 7th Street north to its intersection with Quincy Avenue; thence follow Quincy Avenue west to its intersection with K Street; thence follow K Street south to its intersection with 9th Avenue; thence follow 9th Avenue west to its intersection with Hwy. 190, also the point of beginning.

(Ord. 06-1321, adopted 06/01/2006)

SEC. 16-118.00 Commissioners

EDITORIAL NOTE: New Section 16-118.00 created under the authority of Ordinance No. 92-1570, adopted 02/20/92; amended by Ord. No. 92-1576, adopted 03/19/92; said ordinance rescinded with the adoption of Ord. No. 00-0157 on June 1, 2000 in accordance with the Home Rule Charter.

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 16-119.00 Domicile

EDITORIAL NOTE: New Section 16-119.00 created under the authority of Ordinance No. 92-1570, adopted 02/20/92.

The domicile of the District created herein is 22161 Level Street, (P.O. Box 461), Abita Springs, Louisiana 70420. (Ord. No. 92-1570, adopted 02/20/92; amended by Ord. No. 92-1576, adopted 03/19/92)

ARTICLE XIII RECREATION DISTRICT NO. 12

SEC. 16-126.00 Created; Boundaries

There is hereby created St. Tammany Parish Recreation District No. 12, the boundaries of which are hereby amended to coincide with the boundaries of Fire Protection District No. 5 of the Parish of St. Tammany. (Ord. No. 03-0799, adopted 12/04/2003)

The boundaries of Recreation District No. 12 shall be as follows:

Beginning at the northwest corner of St. Tammany Parish, being the corner common to St. Tammany, Washington and Tangipahoa Parishes, measure southeasterly along the boundary line between Washington and St. Tammany Parishes to the line between Sections 19 and 20, Township 4 South, Range 11 East, St. Tammany Parish; thence measure southerly along the Section line between Sections 19 and 20, Sections 29 and 30, and Sections 31 and 32, Township 4 South, Range 11 East; and continue southerly along the section line between Sections 5 and 6, Township 5 South, Range 11 East, to its intersection with Pigeon Roost Creek, thence following the meanderings of Pigeon Roost Creek south to Bills' Creek, thence south along the meanderings of Bill's Creek to Simolousa Creek, thence follow the meanderings of Simalousa Creek south to the Bogue Falaya River, thence follow the meanderings of the Bogue Falaya River south to the intersection with the south line of Section 36, Township 5 South, Range 10 East and the Ward line between Wards 2 and 3, thence measure westerly along the Ward line common to Wards 2 and 3 to the Tchefuncte River; thence measure northerly along the meandering of the center of the Tchefuncte River to the point of beginning.

(Ord. No. 03-0799, adopted 12/04/2003)

CROSS REFERENCE: See Chapter 8, Section 8-040.00 for description boundaries for Fire Protection District No. 5.

SEC. 16-127.00 Commissioners

EDITORIAL NOTE: New Section 16-127.00 created under the authority of Ordinance No. 92-1596, adopted 05/21/92, then rescinded by Ord. No. 00-0157, adopted 06/01/2000 in accordance with Home Rule Charter.

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 16-128.00 Domicile

EDITORIAL NOTE: New Section 16-128.00 created under the authority of Ordinance No. 92-1596, adopted 05/21/92.

The domicile of the District created herein is the Folsom Town Hall, 82341 Railroad Avenue, Folsom, Louisiana 70437. (Ord. No. 92-1596, adopted 05/21/92)

ARTICLE XIV RECREATION DISTRICT NO. 13

Note: Recreation District No. 13 was abolished per Ord. No. 97-2633, adopted 04/17/97)

SEC. 16-129.00 Recreation District No. 13 - Abolished

Recreation District No. 13 be and is hereby abolished. (Originally created by Ord. No. 93-1695, adopted 01/21/93, abolished by Ord. No. 97-2633, adopted 04/17/97)

ARTICLE XV RECREATION DISTRICT NO. 14

SEC. 16-130.00 Created

There is hereby created St. Tammany Parish Recreation District No. 14, and as thus created, said District constitutes a public corporation and political subdivision of the State of Louisiana, with all rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana. (Ord. No. 99-3017, adopted 02/25/99)

SEC. 16-130.01 Boundaries

The boundaries of the District created herein shall encompass the property contained within the boundaries of Ward 1 of Police Jury District 1 of St. Tammany Parish, more particularly described in Section 2-017.00 of this Code. (Ord. No. 99-3017, adopted 02/25/99)

SEC. 16-130.02 Commissioners

The Board of Commissioners shall be comprised of seven (7) members. There shall be six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000).

SEC. 16-130.03 Domicile

The domicile of the District created herein shall be Madisonville, Louisiana.

(Ord. No. 99-3017, adopted 02/25/99)

ARTICLE XVI TAMMANY TRACE

EDITORIAL NOTE: The St. Tammany Police Jury acquired a 31+ mile section of the abandoned Illinois Gulf Railroad corridor in 1992 through a Federal Grant Purchase. The area has been dedicated to the public for recreational use and is identified and known as "Tammany Trace". It is Louisiana's first Rails to Trails Conversion, and follows the 31+ mile section of the old Illinois Gulf Rail Corridor, connecting Covington, Abita Springs, Mandeville, Lacombe and Slidell. Out of concern for the safety and well-being of the general public and to insure that the area is maintained for the purpose intended, it is necessary to establish rules and regulations governing the use of Tammany Trace.

SEC. 16-131.00 Restrictions for Tammany Trace

Prohibited. It shall be unlawful for any person, group, or organization to be on or to use any portion of Tammany Trace that has not been officially opened to the public, unless express written permission has been obtained from the Parish. Violators will be subject to prosecution under state trespass laws and subject to all fines and/or imprisonment coincidental therewith.

As areas are officially opened for public use, same will be posted accordingly.

Exceptions. Exempt herefrom are law enforcement officials, parish employees, agents, servants and representatives, and those individuals contracted with by the parish for professional services in connection with development and/or improvements to Tammany Trace. (Ord. No. 93-1706, adopted 03/18/93; amended by Ord. No. 94-2024, adopted 07/21/94)

SEC. 16-131.01 Tammany Trace Defined

Tammany Trace is a 31 mile long by approximate 200 feet wide linear park located between Covington and Slidell, Louisiana, connecting Abita Springs, Mandeville, and Lacombe to the end points. Tammany Trace is composed of a main trail, a horse trail, and various other recreational and support facilities. (Ord. No. 94-2024, adopted 07/21/94)

SEC. 16-131.02 Rules and Regulations

The following are the approved rules and regulations established in connection with the Tammany Trace:

General Rules:

Hours of Operation: Daily from 7:00 a.m. to dark.

Please stay on the appropriately marked trails. Pedestrians should stay on the west shoulder or to the right along each side of the trail. Slower traffic should stay to the right in each direction. Passing traffic should notify slower traffic that they are passing either by voice, horn, or bell.

Obey all federal, state, and local traffic laws. Laws will be strictly enforced in accordance with fines associated with violations.

Park only in designated areas. Unauthorized parking is subject to being towed and/or ticketed.

No trespassing on private property.

THE FOLLOWING IS PROHIBITED ON THE TAMMANY TRACE OR ITS FACILITIES:

- Camping
- Fires
- Carrying or discharging of firearms or fireworks
- Use of glass containers
- Hunting
- Littering
- Pets on main trail
- Racing
- Unauthorized solicitation
- Swimming, wading or diving
- Unauthorized structures
- Alcoholic beverages are prohibited on the Tammany Trace and/or its facilities except during special events. A special event organizer/sponsor must obtain a temporary alcohol permit and conform to state law in accordance with La. Administrative Code title 55, part 7, section 323 and any other applicable state law, and St. Tammany Parish Ordinance Section 3-157.00(C).

Only authorized motorized vehicles are allowed on Tammany Trace.

Do not disturb plant vegetation. Tammany Trace traverses an environmentally sensitive area of St. Tammany Parish.

Handling of wildlife found on Tammany Trace is prohibited. Please contact Tammany Trace Ranger or appropriate parish authorities if there is a problem.

Specific Trail Rules:

Horses stay in assigned areas.

A Coggins test is required for horses using Tammany Trace.

Do not exceed 15 MPH speed limit.

Horses must be kept at a walk in the area designated for horses on the main trail.

Helmets, knee pads, elbow and wrist guards are required for roller bladers.

Helmets are required for off-road biking (when such area has been constructed).

Obey all traffic signs along the trail.

Stay in designated areas only. Stay out of drainage ditches and other such structures not constructed for recreational purposes.

When you see hazard signs and reflective markings on the main trail, these signs denote possible danger areas. Move as close to the center of the trail as traffic will allow.

BRIDGE ETIQUETTE: ROLLER BLADERS YIELD TO CYCLISTS; CYCLISTS YIELD TO JOGGERS; JOGGERS YIELD TO WALKERS; WALKERS YIELD TO HORSES

Helmets for cyclists and horsemen are strongly recommended and encouraged. Ride at your own risk if no helmet is worn. St. Tammany Parish is not responsible for injuries resulting from lack of proper equipment, improperly maintained equipment, improperly used equipment, or improper or unsafe use of Tammany Trace facilities.

CONSTRUCTION:

Absolutely no one shall use areas designated either as "Under Construction" or signed as "No Trespassing". These areas are unsafe and are not open to the general public. Further only authorized personnel are allowed to enter these areas.

Tammany Trace is ADA accessible, and St. Tammany Parish encourages use of the Trail by all, regardless of race, creed, sex, ethnic origin or physical impairment.

Commissioned St. Tammany Parish Trace RANGERS ARE EMPOWERED TO PATROL THE TRACE, AND WRITE AND ISSUE CITATIONS TO OFFENDERS.

(Ord. No. 94-2024, adopted 07/21/94; amended by Ord. No. 14-3257, adopted 12/04/2014; amended by Ord. No. 15-3403, adopted 10/1/2015)

SEC. 16-131.03 Requirements for Tammany Trace Right of Way Access

A. Definitions:

1. Access, for the purposes hereof, shall mean any intrusion or use of the right-of-way;
2. Alternative, for the purposes hereof, shall mean any method of achieving a similar result of the project goal;

3. Facility, for the purposes hereof, shall mean any roadway, driveway, highway, structure, or utility;
4. Driveway, for the purposes hereof, shall mean a private roadway providing access to one single family residential structure;
5. Landlocked, for the purposes hereof, shall mean the inability to access a public road or other servitude of ingress or egress; and
6. St. Tammany Parish Planning Commission is an extension and creation of the St. Tammany Parish Police Jury. The said commission shall review the access request application, and may grant or deny said access request application.

B. Presumption of best use:

The Tammany Trace corridor was acquired for its best and most necessary use and benefit as a transportation corridor and to preserve that corridor intact for future transportation uses. Therefore, those requesting access to/or within the Tammany Trace corridor shall bear the burden of proof relative to the need for such access. The Tammany Trace corridor presently is in interim use by the St. Tammany Parish Police Jury as a multiple use transportation and recreation linear corridor.

C. Incompatibility:

The St. Tammany Parish Police Jury shall deny any requests for access which, in its sole discretion, would adversely affect, or is incompatible to, the Tammany Trace corridor.

D. Minimum Requirements for Access:

In general, access to/or within the Tammany Trace corridor will not be granted. Access may only be granted in special circumstances where all of the following minimum requirements are met:

1. It is proven that there is an absolute need for the facility and/or access;
2. It is established and proven that there is no other alternative to the access of the Tammany Trace for such facility and/or access;
3. It is proven that the facility does not interfere with the present or future use of the Tammany Trace corridor; and
4. It is proven that all possible planning has been carried out to minimize adverse and harmful effects to the Tammany Trace corridor which would result from such facility or access thereto.

E. Additional Requirements for Roadways:

In addition to the above minimum requirements, requests for roadway crossings or intrusions may only be granted where all of the following additional requirements are met:

1. It is proven that the construction of a service road is not possible to avoid a roadway crossing or intrusion; and
2. The proposed roadway crossing or intrusion shall be a separated grade crossing allowing the Tammany Trace to remain at grade.

F. Exceptions:

There shall be no exceptions to the minimum requirements for access. However, the following circumstances may be considered exceptions to the additional requirements for roadways:

1. Individual private driveways or farm crossings that access one single family residential structure.
2. A temporary at-grade crossing to allow access until a separated grade structure can be constructed. the granting of a temporary at-grade crossing shall be for a period not to exceed one year.

G. Request for Access:

The access request application may be considered only after the requesting party completes and submits an application providing information which would allow the St. Tammany Parish Department of Development to determine the extent and impact of the access requested. The St. Tammany Parish Police Jury shall establish and may amend, from time to time, any standards, criteria, guidelines, procedures or forms for receiving, reviewing and acting on applications for access to/or within the Tammany Trace corridor.

The access request application shall include the following information:

1. Name and address of the applicant and responsible party;
2. A plat indicating the precise location of the requested access and the surrounding area;
3. A statement indicating the nature, purpose and need for the requested access;

4. A statement and plat indicating all other possible ingress and egress including, but not limited to, all roads and servitudes which allow, or may allow, alternatives to the access requested;
5. Approved and completed plans and specifications of the requested access; and
6. An acknowledgment and agreement holding harmless and indemnifying the governing authority, its agencies, servants and employees from any and all liability, of whatever nature or kind, which may arise in connection with the said requested access.

The aforementioned application requirements shall be presented to the Planning Commission for its review and consideration. The Planning Commission shall make a formal recommendation to the Police Jury at the earliest practicable date regarding the application request. Should the Planning Commission recommend that application be granted, same shall be transmitted to the Secretary of the Police Jury to initiate the review thereof by the Police Jury. Should the Planning Commission deny the application, the same procedure shall apply. However, a vote of two-thirds shall be required to override the recommendation from said Planning Commission.

H. Public Notice:

Public notice of access request applications shall conform to the public notice requirements in place for all matters considered by the Planning Commission.

I. Granted Access Requirement:

In the event that the requested access is favorably recommended by the Planning Commission and approved by the Police Jury, the applicant shall then, prior to effecting access, enter into a written agreement which shall contain, but not be limited to, the following terms:

1. That the governing authority, its agencies, servants and employees shall be held harmless and indemnified as set forth above. If deemed necessary, the governing authority, at its option, may require a policy of insurance insuring the governing authority against such liability;
2. That the access shall be constructed in conformity with the plans and specifications submitted with the access request application;
3. That the applicant shall provide a warranty letter of credit, or other completion bond, satisfactory to the governing authority, assuring the timely and proper completion of any work or construction done to effect the said access;
4. That the applicant acknowledges that its access is granted subject to any and all rights, titles, interests, servitudes and/or easements which are held, or may be held, by any other entity, person, firm or corporation including, but not limited to, the United

States Department of Transportation, the Louisiana Department of Transportation or the Federal Highway Administration. And further, that the applicant specifically waives any and all warranty of title and relieves and releases the governing authority, its agencies, servants and employees from any and all liability, of whatever nature or kind which may arise, or has arisen, in connection therewith;

5. That the applicant shall be responsible for and required to provide maintenance to the land and/or any structure or improvement, appertaining to the access, during the term of the said access;

6. That the applicant acknowledges and agrees that the governing authority shall not, in any fashion, be prohibited from establishing, conducting, operating or maintaining any activity, as may be deemed necessary by the governing authority, to be conducted within the Tammany Trace corridor including, but not limited to, usage beneath, over or across said granted access;

7. That the applicant shall not alter the granted access in any fashion without the prior written approval of the governing authority which may or may not be granted at the sole discretion of the said governing authority; and

8. That upon termination or expiration of the term of the access agreement, the applicant, at the sole option and discretion of the governing authority, may be required to remove any infrastructure or improvement appertaining to the access and further may be required, at the sole option and discretion of the governing authority, to return the site of the access to its original condition as it existed immediately prior to the granting of the said access.

(Ord. No. 97-2728, adopted 09/25/97)

SEC. 16-131.04 Use of Tammany Trace Facilities - Rates

A) MOBILE STAGE TRAILER

The Map 24 Mobile Stage Trailer ("Stage"), is available to rent at a rate of Five Hundred (\$500.00) Dollars per event. Additional terms and conditions, including insurance requirements, will be set forth in a User Agreement which must be completed prior to the event. Proof of the required insurance must be produced prior to any use of the Stage.

B) THE TRACE

If the entire length of the Trace is being used for an event, the rate shall be Four Hundred Fifty (\$450.00) Dollars per day. If the event will not use the full length of the Trace, the rate shall be Two Hundred (\$200.00) Dollars per day. Additional terms and conditions, including specific portion of the Trace to be used and insurance requirements, are to be set forth in a User Agreement which must be completed prior to

the event. Proof of the required insurance must be produced prior to any use of the Trace.

C) KOOP DRIVE AREA

The deck areas behind the caboose are available to rent at the rate of Seventy-Five (\$75.00) Dollars for a two hour period. Covered areas 1 & 2, across from the playground are available to rent at the rate of Fifty (\$50.00) Dollars for a two hour period. The Kid's Town Pavilion is available to rent at the rate of Seventy-five (\$75.00) Dollars per hour, with a two hour minimum. Additional terms and conditions, including insurance requirements, will be set forth in a User Agreement which must be completed prior to the event. Proof of the required insurance must be produced prior to any use of the Koop Drive Area Facilities.

(Established by Ord. No. 11-2535, adopted 06/02/2011)

SEC. 16-132.00 Tammany Trace Economic District

Pursuant to the authority granted by LSA R.S. 47:4311 et seq., that the St. Tammany Parish Police Jury desires to designate the 31+ linear miles recreational trail between Covington and Slidell as TAMMANY TRACE ECONOMIC DEVELOPMENT DISTRICT in order to encourage preservation, expansion, restoration, improvement, and development of existing structures along Tammany Trace.

The TAMMANY TRACE ECONOMIC DEVELOPMENT DISTRICT shall be comprised of the 31+ linear miles of property situated between Milepost 38.25 near Slidell and Milepost 67.39 near Covington, being the former Illinois Gulf Railroad Corridor, more fully delineated on the sketch designated as Exhibit "A", on file at the St. Tammany Parish Police Jury Office located in Covington, Louisiana.

St. Tammany Parish Police Jury requests that the Louisiana Department of Economic Development, Office of Commerce and Industry, and the Governor for the State of Louisiana approve the creation and establishment of the Tammany Trace Economic Development District. (Ord. No. 94-2129, adopted 12/15/94)

ARTICLE XVII RECREATION DISTRICT NO. 15

SEC. 16-136.00 Created

There is hereby created St. Tammany Parish Recreation District No. 15, and as thus created, said District constitutes a public corporation and political subdivision of the State of Louisiana, with all rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana.

SEC. 16-036.01 Boundaries

The boundaries of the District created herein encompasses certain property contained within Council District 13 of St. Tammany Parish, more particularly described as:

Recreation District 15

Commencing at the intersection of US Highway 11 and the northern shore of Lake Pontchartrain, thence follow the northern shore of Lake Pontchartrain westerly to its intersection with the Faciane Canal, thence follow the center of the Faciane Canal easterly to its intersection with the Southern Railroad, thence follow the Southern Railroad south to its intersection with Carr Drive; thence follow Carr Drive east to its intersection with US Highway 11, thence follow US Highway 11 south to its intersection with the northern shore of Lake Pontchartrain and the point of beginning.

SEC. 16-036.02 Domicile

The domicile of the District herein created is 21490 Koop Drive, Mandeville, Louisiana.

SEC. 16-036.03 Commissioners

The Board of Commissioners for Recreation District No. 15 shall be composed of seven (7) members, six (6) of whom shall be appointed by the Parish Council and one to be appointed by the Parish President. Members shall be qualified voters and residents of the area covered by the District in accordance with La. R.S. 33:4564, and shall serve (initial) terms expiring on December 31, 2007.

(Ord. 01-0279, adopted 03/01/2001, amended by Ord. 04-0846, adopted 03/04/2004)

ARTICLE XVIII SCENIC NEIGHBORHOODS

SEC. 16-138.00 Purpose

A. Within the Parish of St. Tammany, there are many unique and distinctive residential neighborhoods which contribute significantly to the overall character and scenic beauty of the Parish. They are worthy of recognition because of natural, historical, architectural or cultural features which enhance the quality of life for parish residents. As a matter of public policy, Parish Government aims to recognize and promote the value of these residential neighborhoods by the designation of these areas as "Scenic Neighborhoods".

B. The purposes of a Scenic Neighborhood designation in residential neighborhoods are as follows:

1. To recognize and encourage desirable and unique physical features, design characteristics, historical or cultural charm;
2. To inspire, cultivate, and preserve scenic features which enhance quality of life for residents;

3. To foster new compatible growth; and
4. To provide residents and property owners with a tool for encouraging and strengthening civic pride.

SEC. 16-138.01 Designation Criteria

To be designated as a Scenic Neighborhood, the area must meet the following criteria:

- A. Possess distinctive natural, historical, architectural or cultural features that create a cohesive identifiable setting unique within the Parish; or
- B. Possess special scenic characteristics such as creek beds, parks, greenbelts, gardens, street landscaping, nature trails, or water features; or
- C. Abuts or links designated historical, architectural or cultural landmarks; or
- D. Abuts or links designated nature preserves or scenic rivers; and
- E. Has an organized homeowner or neighborhood association which actively works to preserve the neighborhood's scenic characteristics.

SEC. 16-138.02 Designation Procedures

The creation of a Scenic Neighborhood shall be considered upon one of the following:

- A. A petition to the Parish Council for designation as a Scenic Neighborhood by at least 51% of the property owners within the proposed scenic area; or
- B. The Parish Council, on its own initiative or at the request of Parish Administration, may consider the creation of a Scenic Neighborhood.

SEC. 16-138.03 Signs

Following the designation of a scenic neighborhood by Ordinance of the Parish Council, it shall be the sole obligation and expense of the homeowners residing therein to obtain and place appropriate signs indicating that said area is a "St. Tammany Parish Scenic Neighborhood". Permission is herewith granted to place said signs on parish roads or rights-of-way, provided written approval therefor is first had and obtained from the Department of Public Works.

SEC. 16-138.04 Scenic Neighborhoods Created

The following areas are hereby designated as St. Tammany Parish Scenic Neighborhoods:

“Bogue Rivers Nature Preserve” - consisting of Bogue Glen Subdivision and Magnolia Gardens Subdivision.

(Ord. C.S. No. 03-0752, adopted 09/04/2003)

ARTICLE XIX RECREATION DISTRICT NO. 16

(Ord. No. 09-2055, adopted 05/07/2009)

SEC. 16 - 140.00 Created, Boundaries

There is hereby created a recreation district within the parish which shall comprise and embrace all of that area within the following described boundaries:

All of the territory included within the boundaries of the Eighth and Ninth Wards of the Parish, less and except the areas described as follows:

a. The entire boundaries of St. Tammany Parish Recreation District No. 5; described as follows:

Beginning at the 1/4 corner common to Section 13, Township 8 South, Range 14 East and Section 37, Township 8 South, Range 15 East, go east across the center of Sections 13, 14, 15, 16, 17 and 18, Township 8 South, Range 15 East, to the west bank of the East Pearl River. Thence, north along the west bank of the East Pearl River to the south boundary of Ward Six. Thence, west along the south boundary of the said Sixth Ward to the G. M. & O. Railroad. Thence, south along the G. M. & O. Railroad to its intersection of the 1/4 corner common to Sections 16 and 17, Township 8 South, Range 14 East. Thence, east to the point of beginning.

b. The entire boundaries of St. Tammany Parish Recreation District No. 9; described as follows:

Commencing at the intersection of the center line of Faciane Canal and the shore of Lake Pontchartrain in Section 26, Township 9 South, Range 13 East, the point of beginning; thence follow the meanderings of Faciane Canal northeast, southeast, northeast, east and southeast to its intersection with the western boundary of the Southern Railroad; thence continue south 45 degrees 51 minutes 27 seconds east to the center line of U.S. 11; thence follow the center line of U.S. 11 in a northeasterly direction to its intersection with the Schneider Canal; thence follow the meanderings of Schneider Canal in a southeasterly direction to its intersection with the center line of Howze Beach Road; thence go northeasterly along the center line of Howze Beach Road to its intersection with La. 433 (Salt Bayou road); thence follow the center line of La. 433 in a southeasterly direction to its intersection with the northern boundary of Pirate's Harbor Subdivision, also the northern right-of-way line of Captain Morgan Street (not constructed); thence southwest along the northern right-of-way of Captain Morgan Street to the center line of East Diversion Canal; thence south and southwest along the

center line of said canal to its intersection with Salt Bayou; thence follow the meanderings of Salt Bayou in a southwesterly direction to the shore of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain in a northwesterly direction to the point of beginning.

c. The entire boundaries of St. Tammany Parish Recreation District No. 15; described as follows:

Commencing at the intersection of US Highway 11 and the northern shore of Lake Pontchartrain, thence follow the northern shore of Lake Pontchartrain westerly to its intersection with the Faciane Canal, thence follow the center of the Faciane Canal easterly to its intersection with the Southern Railroad, thence follow the Southern Railroad south to its intersection with Carr Drive; thence follow Carr Drive east to its intersection with US Highway 11, thence follow US Highway 11 south to its intersection with the northern shore of Lake Pontchartrain and the point of beginning.

(Ord. No. 09-2055, adopted 05/07/2009)

SEC. 16-141.00 Name, Status and Powers

The recreation district created herein shall be known and designated as "St. Tammany Parish Recreation District No. 16, State of Louisiana," and as designated as such, shall constitute a political subdivision of the state, and shall have all the powers granted to such districts under the Constitution and laws of the state.

(Ord. No. 09-2055, adopted 05/07/2009)

SEC. 16-142.00 Board of Commissioners

The Board of Commissioners shall comprise of seven (7) members, all residing within the boundaries of the district. There shall be six (6) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. Members of the Board shall serve four year terms concurrent with the term of office of the appointing authority.

(Ord. No. 09-2055, adopted 05/07/2009)

SEC. 16-143.00 Domicile

The domicile and regular meeting place of the recreation district shall be that of the Parish Governing Authority; however, the Board of Commissioners may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

(Ord. No. 09-2055, adopted 05/07/2009)

SEC. 16-144.00 Consolidation and Other Matters

The Parish Code of Ordinances, Chapter 16, Article IV, is amended in its entirety to merge and consolidate St. Tammany Parish Recreation District No. 3 and all of its current boundaries as of September 6, 2007, and within the boundaries of Wards 8 and 9 less and except those areas comprising St. Tammany Parish Recreation Districts No. 5, 9 and 15, into new St. Tammany Parish Recreation District No. 16 .

Any and all assets and obligations which may be held by Recreation District No. 3 are hereby transferred to Recreation District No. 16 immediately upon this merger and consolidation.

The boundaries of St. Tammany Parish Recreation District No. 16 shall include the corporate limits of the City of Slidell subject to adoption of a resolution by its governing authority approving the city's inclusion within the boundaries of the recreation district within ninety (90) days of adoption of this ordinance.

In the event the City of Slidell elects to be included within the boundaries of the recreation district, it shall have the exclusive right to nominate and appoint two (2) members to the Board of Commissioners and the Parish Council shall have four (4) appointments and the Parish President shall have one (1) appointment.

In the event the City of Slidell elects not to be included within the boundaries of St. Tammany Parish Recreation District No. 16, then the boundaries of the recreation district shall also exclude all of the incorporated City of Slidell as it exists on May 07, 2009, the date of creation of the recreation district.

(Ord. No. 09-2055, adopted 05/07/2009)

ARTICLE XX CAMP SALMEN NATURE PARK

Established by Ordinance C.S. No. 11-2443, adopted 01/06/2011.

SEC. 16-150.00 Camp Salmen Nature Park Defined

Camp Salmen Nature Park is located at 35122 Camp Salmen Road Slidell, LA 70460 and is a unique ecological treasure. The Camp Salmen Nature Park is intended to be a living museum housing both historic properties and a full collection of plants and animals which can flourish in a natural habitat. The goal of the Camp Salmen Nature Park is for it to be utilized for recreation, education, and at the same time honor the location for its history. In order to ensure the health, safety, and welfare of the citizens of St. Tammany Parish and the patrons of the Camp Salmen Nature Park, it is necessary to enact park rules and regulations. (Ord. C.S. No. 11-2443, adopted 01/06/2011)

SEC. 16-151.00 Rules and Regulations

A. PARK RULES AND REGULATIONS:

1. No pets or horses allowed, except service animals.
2. No glass containers allowed.
3. No hunting or fishing allowed.
4. Respect wildlife and the surrounding area and keep noise to a minimum.
5. No open fires, firearms or fireworks allowed.
6. No business solicitation.
7. Motorized or electric vehicles allowed only on roads not on designated park trails.
8. Do not trespass on Private Property.
9. No swimming, wading, or diving in the Bayou or any other body of water.
10. Removal of plants is prohibited.
11. No littering or dumping allowed. Garbage receptacles and recycling bins are provided throughout the Park.
12. Do not feed, disturb or collect wildlife.
13. Marked trails are provided for your safety; Please remain on marked designated trails.
14. Remain out of drainage ditches and all other areas not for recreational use.
15. ADA compliant boardwalks and ramps are provided on certain of our trails.
16. Public use of the Park will be at patrons' own risk. St. Tammany Parish provides no protection from the wildlife and/or plants.
17. Alcoholic beverages will not be allowed except for special events. A special event organizer/sponsor must obtain a temporary alcohol permit and conform to state law in accordance with La. Administrative Code title 55, part 7, section 323 and any other applicable state law, and St. Tammany Parish Ordinance Section 3-157.00(C).

B. PARK HOURS:

Wednesday through Sunday 9:00 a.m. to dusk. Hours of operation may be adjusted seasonally. Any adjustments to the operation hours shall be posted at the park entrance, throughout the Park grounds and advertised through various media.

C. PAVILION RENTAL:

The pavilion located at Camp Salmen Nature Park is available to rent at a rate of Seventy-Five (\$75.00) Dollars an hour. A minimum rental period of two (2) hours is required. Additional Terms and Conditions are to be set forth in a User Agreement which must be completed prior to the event. St. Tammany Parish will determine appropriate limits of insurance for the specific use of the pavilion, all to be determined the Parish Risk Manager. Proof of the required insurance must be produced prior to any event utilizing the pavilion.

(Ord. C.S. No. 11-2443, adopted 01/06/2011; amended by Ord. No. 15-3403, adopted 10/1/2015)

ARTICLE XXI ST. TAMMANY PARISH FISHING PIER

(Created by Ord. No. 11-2653, adopted 12/01/2011).

SEC. 16-160.00 St. Tammany Parish Fishing Pier Defined

St. Tammany Parish Fishing Pier consists of approximately two thousand feet of both spans of the abandoned I-10 Bridge closest to the north shore of Lake Pontchartrain which has been converted into a pedestrian fishing pier (hereafter "Fishing Pier"). The primary goal is to provide pedestrian access to Lake Pontchartrain's most productive fishing grounds and to establish this area as a multi-faceted nature recreational district. Its proximity to Slidell, New Orleans, and the nearby Rigolets where Lake Pontchartrain meets the waters of the outer basin make this a prime location for a project of this type. The goal of the St. Tammany Parish Fishing Pier is for it to be utilized for recreation, education, and at the same time honor the location for its history. In order to ensure the health, safety, and welfare of the citizens of St. Tammany Parish and the patrons of the St. Tammany Parish Fishing Pier, it is necessary to enact pier rules and regulations.

(Ord. No. 11-2653, adopted 12/01/2011).

SEC. 16-160.01 St. Tammany Parish Fishing Pier Rules and Regulations

A. PIER RULES AND REGULATIONS:

1. Pier entrance fees shall be five dollars (\$5.00) for individuals twelve (12) and over for fishing from the Pier; visitors twelve (12) and over who do not fish from the Pier will be charged one dollar (\$1.00); and Children under twelve (12) can enter for free. Thereafter, changes to the entrance fees can be changed by policy issued by the Parish President.
2. Visitors under the age of sixteen (16) must be accompanied by adult.
3. All fishermen shall dispose of fishing line properly so as to not harm or kill wildlife.
4. Feeding of birds is prohibited.
5. Each fisherman shall be properly licensed.
6. Pets are not permitted.
7. Diving from the Pier or from any Parish structure or property is prohibited.
8. Swimming in any portion of Lake Pontchartrain in and around the Pier, Parish Property or structure is prohibited, and at each persons' own risk.
9. No fires, fireworks or cooking allowed on the Pier, Parish property or structure.

10. No glass containers allowed on Pier property or structure.
11. No cast nets or crab traps allowed on the Pier, Parish property or structure.
12. No sitting or climbing on rails.
13. No smoking allowed on wooden structure.
14. All trash must be disposed of properly. Do not litter or throw anything in the water.
15. No bicycles, skateboards or other wheeled conveyances except those used by handicapped persons.
16. Respect wildlife and the surrounding area and keep noise to a minimum.
17. No business solicitation allowed on the Pier, Parish property or structure.
18. Public use of the Pier will be at patrons' own risk. St. Tammany Parish provides no protection from the wildlife and/or other risks of harm.
19. The only alcoholic beverage regularly allowed on the Pier is beer, if contained in a plastic or aluminum container.
20. Other alcoholic beverages will be allowed on the Pier only during special events. A special event organizer/sponsor must obtain a temporary alcohol permit and conform to state law in accordance with La. Administrative Code title 55, part 7, section 323 and any other applicable state law, and St. Tammany Parish Ordinance Section 3-157.00(C).

B. PIER HOURS:

The hours of operation will be established by policy issued by the Parish President and may be adjusted seasonally. Any adjustments to the operation hours shall be posted at the Pier entrance, throughout the Pier grounds and advertised through various media.

(Ord. No. 11-2653, adopted 12/01/2011; amended by Ord. No. 12-2679, adopted 02/02/2012; amended by Ord. No. 15-3403, adopted 10/1/2015)

CHAPTER 17 PEDDLERS

ARTICLE I IN GENERAL

SEC. 17-001.00 Definition

The word "peddler" as used in this Chapter shall mean any individual, whether a resident of this Parish or not, traveling by foot, wagon, automobile, motor truck or any other type of conveyance, from place to place, from house to house, or from street to street, for the sale of, as well as the selling, offering for sale or taking or attempting to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or not or whether he is collecting advance payments on such sales or not; provided that such definition shall include any person who, for himself, or for another person, hires, leases, uses or occupies any building, structure, tent, railroad boxcar, boat, hotel room, lodging house, apartment, shop or any other place within this Parish for the sole purpose of exhibiting samples and taking orders for future delivery, or soliciting funds or promoting political and/or religious ideologies. (Amended by Ord. No. 90-1224; adopted 01/18/90)

SEC. 17-002.00 Exceptions To Chapter

The provisions of this Chapter shall not apply to the following:

1. Sales made to dealers or permanent merchants by commercial travelers selling in the usual course of business;
2. Sheriffs, constables, bona fide assignees, receivers or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law;
3. Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state, owned or controlled by such vendor;
4. Non-profit organizations as defined by Chapter 2, Louisiana Revised Statute 12, shall be exempt from the provisions of this Chapter upon obtaining a fee free Parish permit by producing a copy of their certificate of incorporation as described by Louisiana Revised Statute 12:205 and signing the appropriate Parish form attesting to their non-profit nature and having said form duly notarized by a licensed] notary. Said Parish permits or a copy thereof must be carried on the person(s) at all times while engaged in any activity regulated by this Chapter and must be produced on demand when so requested by an official or citizen of the Parish. St. Tammany fee free permits issued under the provisions of this Section shall be valid only from 8:00 a.m. until 9:00 p.m. in the area of the Parish zoned residential and shall not be valid for solicitors upon any property posted with "No Soliciting" signs. (Amended by Ord. No. 90-1224; adopted 01/18/90)

SEC. 17-003.00 Entrance To Premises Restricted

It shall be unlawful for any peddler to enter upon any private premises when such premises are posted with a sign stating "No Peddlers Allowed" or "No Solicitations Allowed" or other words to such effect.

SEC. 17-004.00 Refusing To Leave

Any peddler who enters upon premises owned, leased or rented by another and refuses to leave such premises after having been notified by the owner or occupant of such premises, or his agent, to leave the same and not return to such premises, shall be deemed guilty of a Misdemeanor.

SEC. 17-005.00 Misrepresentation

It shall be unlawful for any peddler to make false or fraudulent statements concerning the quality of his goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

SEC. 17-006.00 Hours Of Operation

It shall be unlawful for any peddler to engage in the business of peddling within the Parish between the hours of one-half hour before sunset and 9:00 A.M. the following morning, or at any time on Sundays, except by specific appointment with or invitation from the prospective customer.

ARTICLE II PERMIT

SEC. 17-018.00 Required

It shall be unlawful for any person to engage in business as a peddler within this Parish without first obtaining a permit to do so.

SEC. 17-019.00 Application

Applicants for a permit under this Article shall file with the Secretary of the Police Jury a sworn application in writing, in duplicate, on a form to be furnished by the said Secretary, which shall give the following information:

1. The name and a description of the applicant;
2. The permanent home address and full local address of the applicant;
3. A brief description of the nature of the business and the goods to be sold;
4. If employed, the name and address of the employer, together with credentials establishing the exact relationship;
5. The length of time for which the right to do business is desired;
6. The place where the goods or property proposed to be sold, or orders taken for the sale thereof, are manufactured or produced, where such goods or products are located at the time the application is filed and the proposed method of delivery.
7. A photograph of the applicant, taken within sixty (60) days immediately prior to the date of filing of the application, which picture shall be two (2) inches by two

- (2) inches showing the head and shoulders of the applicant in a clear and distinguishing manner;
8. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal or Parish or County ordinance, the nature of the offense and the punishment or penalty assessed therefor;
 9. Whether the applicant, upon any sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery;
 10. The last five (5) municipalities, counties or parishes wherein the applicant has worked before coming to this Parish; and
 11. Such other relevant information as may be required by the investigation of the applicant.

SEC. 17-020.00 Occupational License A Prerequisite

No permit shall be issued under the provisions of this Article unless the applicant shall have first obtained both the State and Parish Occupational License required for the activity such applicant wishes to engage in.

CROSS REFERENCE: See Chapter 12, Article II, Sections 12-016.10 through 12-016.38, specifically Section 12-016.32.5(C), subsections (1) through (4), entitled "Peddlers and Itinerant Vendors".

SEC. 17-021.00 Driver s License

At the time of filing his application for a permit required by this Article, the applicant shall present his driver s license, if he has one, to the Secretary of the Police Jury.

SEC. 17-022.00 Application Fee

At the time of filing the application, each applicant shall pay the following:

1. The Louisiana State Police (cashier s check or money order only)
2. The St. Tammany Parish Police Jury 15.00
3. Sheriff of St. Tammany Parish 5.00

to cover the cost of issuance thereof. (Ord. No. 85-510, adopted 10/17/85)

SEC. 17-023.00 False Information

It shall be unlawful for any person to give any false or misleading information in connection with his application for a permit required by this Article.

SEC. 17-024.00 Fingerprints

At the time of making application for a permit required by this Article, the applicant shall submit to fingerprinting by the Sheriff.

SEC. 17-025.00 Bond

1. Every applicant, not a resident of the Parish, or who is a resident of the Parish and represents a firm whose principal place of business is located outside the state, shall file with the Secretary of the Police Jury a Surety Bond running to the Parish in the amount of TWO THOUSAND DOLLARS (\$2,000.00), with Surety acceptable to and approved by the President of the Police Jury, conditioned that the applicant shall comply fully with all the applicable provisions of this Code, the Ordinances of the Parish and State Law regulating and concerning the business of peddling and guaranteeing to any citizen of the Parish that all money paid as a down payment will be accounted for and applied according to the representations of the peddler, and further guaranteeing to any citizen of the Parish doing business with such peddler that the property purchased will be delivered according to the representations of such peddler. Action on such bond may be brought in the name of the Parish to the use or benefit of the aggrieved person.
2. If the applicant is an agent, employee, canvasser or solicitor of a corporation authorized to do business in this State or registered under the Fictitious Name Act of the State, such corporation or fictitious name business may furnish one bond in the amount of TWO THOUSAND DOLLARS (\$2,000.00) for any and all of its agents, employees, canvassers or solicitors.

SEC. 17-026.00 Service Of Process

Before any permit shall issue under this Article, there shall also be filed with the Secretary of the Police Jury an instrument in writing, signed by the applicant under oath, nominating and appointing the Secretary of the Police Jury his true and lawful agent, with full power and authority to acknowledge service of notice of process for and on the behalf of such applicant; and service of summons in any action brought upon the applicant's bond shall be deemed made when served on the Secretary of the Police Jury.

SEC. 17-027.00 Investigation

Upon receipt of an application for a permit required by this Article, the original shall be referred to the Sheriff, who shall cause such investigation of the applicant's business and moral character to be made as he deems necessary for the protection of the public good. The Sheriff shall complete his investigation within one week of receiving the application.

SEC. 17-028.00 Denial

If, as a result of investigation, the applicant's character or business responsibility is found to be unsatisfactory, the Sheriff shall endorse on the application his disapproval

and his reasons for the same, and return the application to the Secretary of the Police Jury, who shall notify the applicant that his application is disapproved and that no permit shall be issued.

SEC. 17-029.00 Issuance

If, as a result of investigation, the character and business responsibility of the applicant are found to be satisfactory, the Sheriff shall endorse on the application his approval, execute a permit addressed to the applicant for the carrying on of the business applied for and return the permit along with the application to the Secretary of the Police Jury, who shall, upon payment of any required fee, deliver the permit to the applicant.

SEC. 17-030.00 Contents

Each permit issued under this Article shall contain the signature and seal of the issuing officer and shall show the name, address and photograph of the permittee, the class of permit issued and the kind of goods to be sold thereunder, the amount of fee paid, the date of issuance and the length of time the same shall be operative, as well as the permit number and other identifying description of any vehicle used in such business.

SEC. 17-031.00 Record

The Secretary of the Police Jury shall keep a permanent record of all permits issued under this Article.

SEC. 17-032.00 Display

Every peddler having a permit issued under the provisions of this Article and doing business within the Parish shall display his permit upon the request of any person, and failure to do so shall be deemed a Misdemeanor.

SEC. 17-033.00 Duration

Every permit issued under the provisions of this Article shall be valid for the period of time stated therein, but in no event shall any such permit be issued for a period of time in excess of twelve (12) months.

SEC. 17-034.00 Revocation

Any permit issued under the provisions of this Article may be revoked by the Police Jury for the violation by the permittee of any applicable provision of this Code, State Law or Parish Ordinance, Rule or Regulation.

CHAPTER 18 PLANNING AND DEVELOPMENT

ARTICLE I IN GENERAL

ARTICLE II REGIONAL PLANNING COMMISSION FOR PARISHES OF JEFFERSON, ORLEANS, ST. BERNARD AND ST. TAMMANY

EDITORIAL NOTE: Sections 18-016.00 - 18-026.00 have been amended by the authority of Ord. No. 96-2491, adopted 09/11/96, in order to re-establish the Regional Planning Commission to include the Parish of Plaquemines. The sections mentioned herein are thereby changed in title and content by the effect of this Ordinance.

SEC. 18-016.00 Regional Planning Area

The regional planning area hereby established is to be comprised of the total area of Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Tammany Parish, Plaquemines Parish and Tangipahoa Parish.

(Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96; amended by Ord. No. 13-2974, adopted 07/11/2013)

CROSS REFERENCE: See Zoning Regulations for the Parish of St. Tammany being Appendix C of this Code of Ordinances; Subdivision Regulations for the Parish of St. Tammany being Appendix B of this Code of Ordinances; Airport Zoning for the Parish of St. Tammany being Chapter 3, Article I of this Code of Ordinances; Building Codes for the Parish of St. Tammany being Chapter 5, Article I, Divisions 1 through 6 of this Code of Ordinances; Marinas for the Parish of St. Tammany being Chapter 3, Article III of this Code of Ordinances; Moratoriums for the Parish of St. Tammany being Chapter 3, Article IV of this Code of Ordinances; and Flood Hazard Areas for the Parish of St. Tammany being Chapter 7, Article II of this Code of Ordinances.

STATE REFERENCE: See Regional Planning generally in LSA R.S. 33:131 et seq.

There is hereby established a Regional Planning Commission in accordance with the Provisions of Act 239 of the Louisiana Legislature of 1956, as now amended by Acts No. 114 of the Louisiana Legislature of 1966, Nos. 267 Sec. 1 and 288 Sec. 2 of the Louisiana Legislature of 1968, No., 329 Sec. 1 of the Louisiana Legislature of 1970, No. 607 Sec. 1 of the Louisiana Legislature of 1972, No. 112 Sec. 1 of the Louisiana Legislature of 1973, No. 249 Sec. 1 of the Louisiana Legislature of 1974, No. 132 Sec. 1 of the Louisiana Legislature of 1979, No. 377 Sec. 2 of the Louisiana Legislature of 1984 and No. 533 Sec. 1 of the Louisiana Legislature of 1985, for the following purposes:

A. To prepare and from time to time revise, amend, extend or add to a plan or plans for the development of the regional planning area, which plan or plans collectively shall be known as the Regional Development Plan. Such plan shall be based on studies of physical, social, economic, and governmental conditions and trends and shall aim at the coordinated development of the regional planning area in order to promote the general welfare and prosperity of its people. In preparing the Regional Development Plan, the Planning Commission shall take account of and shall seek to harmonize the planning

activities of Federal, State, Parish, Municipal or other local agencies within the area. In preparing such plan, or any part thereof, and in preparing, from time to time, revisions, amendments, extensions or additions, the Regional Planning Commission may seek the cooperation and advice of the state, Louisiana State Planning Office, and of other appropriate departments, agencies and instrumentalities of Federal, State and local government, of other regional planning commissions, educational institutions and research organizations, and of civic groups and private persons and organizations. The Regional Development Plan shall embody the policy recommendations of the Regional Planning Commission in regard to the physical development of the regional planning area and shall contain:

1. A statement of the objectives, standards and principles sought to be expressed in the Regional Development Plan;
2. Recommendations for the most desirable pattern of land use within the regional planning area, in the light of the best available information concerning topography, climate, soil and underground conditions, watercourses and bodies of water, and other natural or environmental factors, as well as in the light of the best available information concerning the present and prospective economic bases of the regional planning area, trends of industrial, population or other developments, the habits and standards of life of the people of the regional planning area, and the relocation of land use in adjoining areas. Such recommendations shall, insofar as appropriate, indicate areas for residential uses and maximum recommended densities therein; areas for farming and forestry, mining and other extractive industries; areas for manufacturing and industrial uses, with classification of such areas in accordance with their compatibility with land use in adjoining areas; areas for the concentration of wholesale, retail, business and other commercial uses, areas for recreational uses, and for open spaces and areas for mixed uses;
3. The circulation pattern recommended for the regional planning area, including routes and terminals of transit, transportation and communication facilities, whether used for movement within the regional planning area or for movement from adjoining areas;
4. Recommendations concerning the need for and the proposed location of public and private works and facilities, such as utilities, flood control works, reservoirs, and pollution control facilities, military or defense installations which works or facilities, by reason of their function, size, extent or for any other causes are of regional or metropolitan as distinguished from purely local concern, or which for any other cause are appropriate subjects for inclusion in the regional development plan;
5. Such other recommendations of the Regional Planning Commission concerning current and impending problems as may effect the regional planning areas as a whole;

B. To make or assist in studies and investigations, insofar as may be relevant to regional or, metropolitan planning, or the resources of the regional planning area and of existing and emerging problems of agriculture, industry, commerce, transportation,

population, housing, public service, local government and of allied matters affecting the development of the regional planning area, and in making such studies to seek the cooperation and collaboration of the state Louisiana State Planning Office and of appropriate departments, agencies and instrumentalities of Federal, State and local government, educational institutions and research organizations, whether public or private, and of civic groups and private persons and organizations;

C. To prepare and from time to time revise inventory listings of the region s or metropolitan area s natural resources, and of major public and private works and facilities of all kinds which are deemed of importance to the development of the regional planning area as a whole;

D. To cooperate with, and provide planning assistance, including but not limited to surveys, land use studies, urban renewal plans, technical services and other planning work, to Parish, Municipal or other local government, instrumentalities or planning agencies; coordinate its planning activities with the planning activities of the State, and of the parishes, municipalities or other local units within its regional planning area, and cooperate with and assist departments and other agencies or instrumentalities of Federal, State and local government as well as other regional planning commissions in the execution of their planning functions with a view to harmonizing their planning activities with the Regional Development Plan. The Commission shall also cooperate and confer with, and upon request supply information to, federal agencies, and to local or regional agencies created pursuant to the federal program or which receive federal support, and shall cooperate and confer, as far as possible, with planning agencies of other states or of regional groups of states adjoining its area. Whenever cooperation or assistance under this subdivision includes the rendering of technical services such services may be rendered free or in accordance with an agreement for reimbursement;

E. To advise and supply information, as far as available, to civic groups and private persons and organizations who may request such information or advice, and who study or otherwise concern themselves with the region's problems and development in the fields of agriculture, business and industry, labor, natural resources, urban growth, housing and public service activities such as public health and education, insofar as such problems and development may be relevant to regional or metropolitan planning;

F. To provide information to officials of departments, agencies, and instrumentalities of state and local government and to the public at large, in order to foster public awareness and understanding of the objectives of the Regional Development Plan and of the functions of regional or metropolitan and local planning, and in order to stimulate public interest and participation in the orderly, integrated development of the region or metropolitan area;

G. To accept and receive, in furtherance of its functions, funds, grants and services from the Federal government or its agencies, from departments, agencies and instrumentalities of State, Parish, Municipal or local government, or from private and civic sources;

H. To hold public or private hearings and sponsor public forums in any part of its area whenever it deems it necessary or useful in the execution of its other functions;

I. To cooperate, in the exercise of its planning functions, with Federal and State agencies in planning for civil defense;

J. Have the power to borrow money from private lenders in order to stabilize its cash flow necessary for the staff's day to day operations, provided that such debt is secured by Commission receivables or other collateral;

K. Any two or more of the Regional Planning Commissions are authorized to form an association for purpose of coordinating comprehensive planning/development programs for the resolution of economic, social, physical, and governmental problems of the state and its citizens;

L. The association may exercise any and all powers necessary or appropriate to effectuate this purpose, including but not limited to the following powers:

- 1) To enter into agreements or other transactions with any federal, state, or local governmental agency and with private sector organizations.
- 2) To apply for and receive state and other funds for distribution to the regional planning commissions belonging to the association based upon allocation formulas developed by these commissions.
- 3) To exercise all or any part or combination of powers granted and to do and perform all acts and things necessary or convenient to carry out the general powers expressly granted to the regional planning commissions when authorized by the several regional planning commissions belonging to the association.

M. To exercise all other powers necessary and proper for the discharge of its duties.
(Ord. No. 519, Bk. 7, P. 21)

STATE REFERENCE: See Regional Planning generally in LSA R.S. 33:131 et seq. See LSA R.S. 33:135 for similar provisions.

(Ord. No. 519, Bk. 7, P. 21; Ord. No. 80-48, adopted 09/11/80; Ord. No. 85-361, adopted 03/21/85; amended by Ord. No. 96-2491, adopted 09/11/96)

SEC. 18-017.00 Commission Generally

A. In order to carry out the purposes contained in Section 18-016.00 of this Article, there is hereby established a Regional Planning Commission which shall consist of thirty-one (31) members, five (5) each being legal residents of Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Tammany Parish, Plaquemines Parish, Tangipahoa Parish, and the Director of the Louisiana Department of Transportation and Development.

B. The members of such commission shall serve without compensation.

C. The membership of such commission shall be composed of a simple majority of appointed or elected public officials holding office in the following municipalities and/or parishes, namely Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Tammany Parish, Plaquemines Parish, and Tangipahoa Parish.

D. The five (5) members from the Parish of Jefferson shall include the Parish President, the Council Chairman, and a third member selected by the Parish Council and approved by the Parish President from among the Mayors of the Municipalities located within the Parish of Jefferson, which member shall represent the municipalities therein located, and two (2) members who must not otherwise hold elected or appointed office in Jefferson Parish, to be appointed by the Council and approved by the Parish President.

E. The five (5) members from Orleans Parish shall include the Mayor, the two (2) Councilmen elected from the Parish at large and the remaining two (2) members must not otherwise hold elected or appointed office, and shall be appointed by the Mayor, with the approval by the Council.

F. The five (5) members from the Parish of St. Bernard shall include the following:

1. The Parish President;
2. Two (2) Council members in the Parish of St. Bernard, provided same is not otherwise prohibited by law, to be appointed by the Parish Council;
3. Two (2) members who must not otherwise hold elected or appointed office in the Parish of St. Bernard, to be appointed by the Parish Council.

G. The five (5) members from the Parish of St. Tammany shall include the following:

(1) The Parish President; or the Parish President shall appoint or designate any other Parish Councilperson in his stead to serve on, attend, or otherwise participate in his stead. The appointment or designation by the Parish President of a Councilperson may be made without the need of parish ordinance or resolution. In the event the Councilperson does not desire to attend or participate, then the Parish President may appoint or designate any person other than a Parish Councilperson in his stead to serve, attend or participate without further approval or ratification by the Parish Council; (Ord. No. 00-0109, adopted 02/17/2000);

(2) Two (2) members who must otherwise hold elected or appointed office in the Parish, provided same is not otherwise prohibited by law, to be appointed by the Parish Council;

(3) Two (2) members who must not otherwise hold elected or appointed office in the Parish, to be appointed by the Parish Council;

H. The five members from the Parish of Plaquemines shall include the following:

(1) The President of the Parish Council;

(2) The Chairman of the Plaquemines Parish Council;

(3) One (1) member who otherwise holds elected or appointed office in the Parish of Plaquemines, provided same is not otherwise prohibited by law, to be appointed by the Parish Council;

(4) Two (2) members who must not otherwise hold elected or appointed office in the Parish of Plaquemines, to be appointed by the Parish Council.

I. The five members from the Parish of Tangipahoa shall include the following: (1.) The Parish President; (2.) The Chairman of the Tangipahoa Parish Council; (3) the Mayors of the Cities of Hammond and Ponchatoula shall serve on an annual rotating basis; (4.) Two (2) members who must not otherwise hold elected or appointed office in the Parish of Tangipahoa, provided same is not otherwise prohibited by law, to be appointed annually by the Parish President.

J. The governing bodies of Jefferson Parish, St. Bernard Parish, St. Tammany Parish, Plaquemines Parish, or Tangipahoa Parish may remove their respectively appointed members of the Commission, after public hearing, for inefficiency, neglect of duty or malfeasance in office. The chief executive of Orleans Parish may remove any of the members, appointed by him, of the Commission, after public hearing, for inefficiency, neglect of duty or malfeasance in office.

K. The Secretary of the Louisiana Department of Transportation and Development shall serve as a member of the Regional Planning Commission.

L. Of the members hereof first appointed, those not holding any other elected or appointed public offices shall hold office as follows: One shall hold office for one year, one for a term of two (2) years, one for a term of three (3) years, one for a term of four (4) years, one for a term of five (5) years, and the sixth member shall hold office for a term of six (6) years.

M. Members of the Regional Planning Commission who may hold other public offices, appointed or elected, including the Secretary of the Louisiana Department of Transportation and Development (or his designee) shall serve terms co-extensive with their terms of other public office.

N. The successors of the Regional Planning Commission Members first appointed who do not hold any other appointed or elected public office shall be appointed for a term of five (5) years from and after the expiration of the terms of their predecessors in office.

O. If a vacancy occurs otherwise than by expiration of term, same shall be filled by appointment of the unexpired term. Such appointment shall be made by the original appointing authority.

(Ord. No. 519, Bk. 7, P. 21; Ord. No. 80-48, adopted 09/11/80; Ord. No. 85-361, adopted 03/21/85; amended by Ord. No. 96-2491, adopted 09/11/96; amended by Ord. No. 13-2974, adopted July 11, 2013)

SEC. 18-018.00 Organization, Meetings, And Rule Of Commission

The Regional Planning Commission so established shall elect a Chairman from its membership and create and fill such other of its offices as it may determine. The term of Chairman shall be one year, with eligibility for re-election. The Commission shall hold at least one regular meeting in each month. It shall adopt rules for transaction of business and shall keep records of its resolutions, transactions, findings and determinations, and which records shall be public. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No 96-2491, adopted 09/11/96)

SEC. 18-019.00 Staff And Finances

In order to carry out its functions and responsibilities the Regional Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same general provisions governing other corresponding civil employees of the Parishes and Municipality cooperating to engage in regional planning. The Commission may also contract with planning experts, engineers, architects, and other consultants for such services as it may require. The expenditures of a Commission, exclusive of those made from funds received by gift, grants of Federal, State and other such agencies, shall be within the amounts appropriated for the purpose by the cooperating local legislative bodies, which shall provide the funds, equipment and accommodations necessary for the Commission s work. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96)

SEC. 18-020.00 Regional Development Plan; Filing; Distribution

Upon the preparation of the Regional Development Plan or of any phase or functional part thereof, or upon the preparation of any extension of or addition to the plan, the Regional Planning Commission shall file such plan, part of plan, amendment, revision, extension or addition in the office of the state director of Public Works, and shall transmit copies of the same to the chief administrative officers, the legislative bodies and to the planning agencies of the parishes and municipalities or other local governments within its area, as well as to the Regional Planning Commissions established for adjoining areas. The Regional Planning Commission shall make copies of the Regional Development Plan or part of a plan available for general distribution or sale. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. 96-2491, adopted 09/11/96)

SEC. 18-021.00 Relationship Of Commission To Municipal And Parish Planning Commissions

A. The Regional Planning Commission created herein shall not be authorized to exercise the functions of any Municipal Planning Commission or Parish Planning Commission, where such are established within a regional planning area, except as hereinafter provided.

B. In a Municipality or Parish located in the regional planning area as hereinabove defined, the legislative body of the Municipality or Parish may designate the Regional Planning Commission as the Municipal Planning Commission or the Parish Planning Commission, provided all requirements, if any, of the local home rule charters are met. Upon such designation, the Regional Planning Commission shall have all the powers and functions relating to making, adopting, amending and adding to the Master Plan of the Municipality or Parish part thereof, or relating to the planning of the Municipality or Parish as provided or granted by Revised Statutes 33:101 through 119 inclusive or by other laws to the Planning Commission of the Municipality or Parish; and the Master Plan, its parts, amendments and additions made and adopted by the designated Commission for the Municipality or Parish shall have the same force and effect in the Municipality or Parish as though made and adopted by the Municipal Planning Commission appointed by the Municipality or a Parish Planning Commission appointed by the Parish. In acting as the planning commission of the Municipality, or the Parish, the designated Regional Planning Commission shall follow the procedure specified by the provisions of Revised Statutes 33:101 through 119 inclusive, and other laws relating to Municipal or Parish Planning Commissions. Any Municipality or Parish so designating a Regional Planning Commission as its planning commission shall pay to the designated commission that portion of the expenses of the designated commission which is properly chargeable to the planning service rendered to the Municipality or Parish Plan.

C. In cases where a Municipality or a Parish has a Municipal or a Parish Planning Commission functioning within a regional planning area, then the Regional Planning Commission shall recommend measures for the coordination of plans, and if appropriate, recommend plans for adoption by the said Municipal or Parish Planning Commission. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96)

STATE REFERENCE: See Regional Planning generally in LSA R.S. 33:131 et seq. See LSA R.S. 33:137 for similar provisions.

SEC. 18-022.00 Local Governments & Planning Agencies; Plans and Reports; Proposals

To facilitate effective and harmonious planning of the region or metropolitan area, all Parish and Municipal legislative bodies, and all Parish, Municipal or other local planning agencies shall file with the Regional Planning Commission, for its information, all Parish or Municipal Plans, Zoning Ordinances, Official Maps, Building Codes, Subdivision Regulations, or amendments or revisions of any of them, as well as copies of their regular and special reports dealing with planning matters.

Parish or Municipal legislative bodies, or Parish, Municipal or other local planning agencies may also submit proposals for such Plans, Ordinances, Maps, Codes, Regulations, amendments or revisions prior to their adoption, in order to afford an opportunity to the Regional Planning Commission and/or its staff to study such proposals and to render advice thereon. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96)

SEC. 18-023.00 Federal, State And Local Aid To Commission

The Regional Planning Commission may request and accept grants of funds or services from the Federal government or any of its agencies, from the State government or any of its agencies or from Parish, Municipal or other local governments within their planning area, or from private sources. The parishes and municipalities are hereby authorized to appropriate funds for the purposes of the Regional Planning Commission established for all or part of their area. The books and accounts of the Regional Planning Commission shall be public records open for public inspection, and shall show the amounts and sources of all receipts and the amount of all disbursements. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96)

STATE REFERENCE: See Regional Planning generally LSA R.S. 33:131 et seq. See LSA R.S. 33:139 for similar provisions.

SEC. 18-024.00 Miscellaneous Powers And Duties Of Commission

Members of the Commission created herein, when duly authorized by the Commission, may attend planning conferences or meetings or planning institutes or hearings upon pending planning legislation, and the Commission may, by Resolution, pay the reasonable traveling expenses incident to such attendance. When so directed and authorized by the Regional Planning Commission, members thereof who hold no other elected or appointed office may be paid a per diem of fifty dollars (\$50.00) each for attendance at regular or specifically called meetings of full Commission or the executive committee thereof in no event to exceed two such meetings per month, i.e. in no event is payment of a total per diem per such member to exceed one hundred dollars (\$100.00) per month, payable out of the funds of the Regional Planning Commission.

All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, its members, officers and employees, in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the Commission shall have such powers as may be necessary to enable it to fulfill its functions, promote planning and in all respects carry out the purposes of this Article. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 96-2491, adopted 09/11/96)

STATE REFERENCE: See Regional Planning generally LSA R.S. 33:131 et seq. See LSA R.S. 33:140 for similar provisions.

SEC. 18-025.00 Boundaries

The boundaries of the regional planning area hereby established is to be comprised of the total area of Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Tammany Parish, Plaquemines Parish and Tangipahoa Parish. (Ord. No. 96-2491, adopted 09/11/96; amended by Ord. No. 13-2974, adopted 07/11/2013)

SEC. 18-026.00 Effective Date

The effect of this Article shall be suspended until such time as the Parishes of Jefferson, Orleans and St. Bernard and Plaquemines adopt identical Ordinances to the one upon which this Article is based. (Ord. No. 519, Bk. 7, P. 21; amended by Ord. No. 13-2974, adopted 07/11/2013)

ARTICLE III ST. TAMMANY PARISH PLANNING COMMISSION

EDITORIAL NOTE: Sections 18-036.00 through 18-036.12 repealed and replaced by Section 18-036.00 through 18-036.16 under the authority of Ord. No.04-0880, adopted 05/06/2004.

SEC. 18-036.00 Planning Commission Membership

- a. The membership shall be composed of eleven (11) members.
- b. The Parish President shall have the unilateral and exclusive right to appoint two (2) members. These exclusive appointments by the Parish President do not require action by resolution or ordinance.
- c. The Parish Council, by resolution, shall have the unilateral and exclusive right to appoint nine (9) members.
- d. Any member who fails to appear at two (2) consecutive Planning Commission meetings may be removed by his/her appointing authority. Members may also be removed at any time with or without cause by the appointing authority. A majority vote of the Parish Council membership is required to remove members appointed by the Parish Council.
- e. Any vacancy as specifically to the nine (9) Parish Council appointments shall be unilaterally and exclusively filled by Council resolution within 75 days of notice of the vacancy.
- f. Any vacancy as specifically to the two (2) Parish President appointments shall be filled unilaterally and exclusively by the Parish President within 75 days of notice of the vacancy.

g. Terms of all Planning Commission members shall be concurrent with the terms of office of the Parish President and Parish Council.

h. Planning Commission members shall receive a per diem of FIFTY DOLLARS (\$50.00) for each meeting of the commission attended, for a maximum of twenty-four (24) meetings per year.

i. No member shall seek, qualify for, or hold an elected public office while seated as a Planning Commissioner.

j. A person newly appointed and serving on the Planning and/or Zoning Commission(s) shall receive at least four (4) hours of training prior to or within one (1) year of appointment. Each year, all Commissioners shall attend a mandatory four hours (4) of continuing education training provided by the St. Tammany Parish Department of Development. Should a Commissioner be unable to attend the mandatory training session(s), that Commissioner will not take part in Commission functions until the 4-hour training requirement has been met. Should the Parish sponsored training session not be available, an alternative training session approved by the Director of Development may be substituted. Commissioners newly appointed, and those continuing to serve, on both the Planning Commission and the Zoning Commission are required to obtain a combined total of four hours (4) of training and annual continuing education, respectively.

Sec. 18-036.01 Chairman and Vice-chairman

a. At the first regular meeting of each calendar year, the members of the Commission shall elect one of their number as Chairman and one of their number as Vice-Chairman, and the terms shall commence at that meeting.

b. In the absence of the Chairman, the Vice Chairman shall act as Chair and shall have all the powers of the Chairman.

c. In the absence of both the Chairman and the Vice Chairman, a quorum may select a member to preside over the meeting.

d. The Chairman may appoint committees, comprised of no more than five (5) members of the Commission, as well as other persons, to serve the Commission as deemed necessary.

e. The Chairman may engage in discussion and must vote in the same manner as any other member of the Commission.

f. The Chairman may suggest motions but may neither make nor second motions.

Sec. 18-036.02 Secretary

- a. The Director of the Department of Development, or his designated representative, shall serve as the Secretary to the Commission.
- b. The Secretary shall keep the minutes of the proceedings of the Commission, and maintain all records of the Commission meeting, hearings and proceedings. The minutes shall show the vote of each member upon each question, or if absent or failing to vote, indicating that fact. A copy of the minutes and actions of the Commission shall be filed with the Parish Council.
- c. The Secretary shall provide notices of hearings and meetings as may be required by law, and shall prepare all agendas.
- d. The Secretary shall receive, determine the completeness of, and review all applications.
- e. The Secretary shall serve as the point of contact for all applicants, and shall collect and compile information and report recommendations to the Commission. Said recommendation shall be considered and ruled upon by the Commission following the required public hearing.

Sec. 18-036.03 Planning Staff

The staff of the Departments of Development, Engineering, and Environmental Services shall serve as the support staff of the Commission and may be requested to provide assistance in the performance of the duties of the Commission by the Chairman on behalf of the entire Commission. Staff members shall also be designated as needed from the Department of Engineering and the Department of Environmental Services.

Sec. 18-036.04 Powers and Duties

The Planning Commission shall have the following powers and duties:

- a. To hear, review and propose amendments to the adopted St. Tammany Parish Subdivision Regulatory Ordinance No. 499, as amended;
- b. To hear, review and approve or disapprove all plats of subdivision, as required in the St. Tammany Parish Subdivision Regulatory Ordinance No. 499, as amended. No plat of a subdivision of land within St. Tammany Parish, or a part thereof, requiring Commission approval shall be filed or recorded until it has been stamped by a licensed land surveyor, approved by the Planning Commission, all regulatory requirements have been completed, and the approval entered in writing on the plat bearing the signatures of the Planning Commission Chairman, Secretary and Director of Engineering. For purposes of expediency and for the convenience of applicants, facsimile (by stamp or machine) or electronic signature of the Planning Commission Chairman, Secretary, and the Director of Engineering, in blue ink only, may be utilized on approved plats upon their respective approvals.

The Planning Commission shall approve or disapprove a final subdivision plat by the third consecutive monthly meeting of the Commission wherein the final subdivision plat has appeared on its agenda; otherwise said plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Commission upon request.

An applicant may request the Planning Commission to postpone its final subdivision plat review, upon written notice, no later than forty-eight (48) hours before the meeting date. If the Commission grants the applicant a postponement at the meeting, the time constraints for the Commission to approve or disapprove the final subdivision plat shall begin again and follow the same procedures as set forth above;

c. To adopt a master or comprehensive plan or elements thereof, including graphics, narrative description and policies to guide and accomplish the coordinated, adjusted and harmonious development of St. Tammany Parish;

d. To make careful and comprehensive surveys and studies of present and future growth of St. Tammany Parish and to make periodic reviews and updates to the master plan or comprehensive plan or portions thereof;

e. To review and report on any matter referred to it by the Parish President or the Parish Council (i.e. Transportation Improvement Plan, Capital Improvement Program);

f. To make its special knowledge and expertise as a Commission available, upon reasonable written request to any official, department or board;

g. To exercise all of the powers and duties conferred by Louisiana Revised Statutes 33:102 through 33:119 inclusive, where applicable, and as may be amended by the La. State Legislature.

Sec. 18-036.05 Parish Council as Final Authority on Appeal

A. Any person claiming to be aggrieved by a decision of the Parish Planning Commission, except an approval in final subdivision review, may appeal to the Parish Council, through the Parish Department of Development, in written form within ten (10) days following the Commission's hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten-day appeal period. The Parish Council shall have the exclusive right to overturn any Planning Commission decision by a majority vote of the membership of the Parish Council, with the exception of overturning a Planning Commission denial in subdivision review which shall require a 2/3 vote of the membership of the Parish Council.

B. Any person or persons jointly or severally aggrieved by any decision of the Parish Council relative to a Planning Commission appeal may file a petition to the Twenty-Second Judicial District Court in and for the Parish of St. Tammany for the issuance of a writ of certiorari or for other appropriate legal proceedings. The petition shall be filed within thirty days after the decision of the Council becomes final, which shall commence on the day following the effective date of the Council's resolution or, when the adoption of an ordinance is required, the day following the effective date of the ordinance. The actions of the Parish Council shall be subject to review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of powers granted to the Council, or the denial of the right to due process. However, the right to petition for of judicial review shall not be limited to the foregoing grounds.

Sec. 18-036.06 Quorum and Necessary Vote

- a. No business shall be conducted by the Commission without a quorum being present. Unless otherwise herein specified, a quorum shall consist of eight (8) members (2/3 majority).
- b. To constitute final action on any matter before it, at minimum, a majority vote of the membership of the Commission is required, unless a larger vote is required by law.

Sec. 18-036.07 Meetings, Hearings, and Procedures

- a. The regular Planning Commission Meeting shall be held at 6:00 P.M. on the second Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.
- b. Special Meetings may be called by the Chairman, or at the request in writing of any six (6) members of the Commission, subject to proper legal notice.
- c. All meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- d. The Commission shall sit only as a Planning Commission for all Planning applications authorized by St. Tammany Parish Subdivision Regulatory Ordinance No. 499.
- e. If necessary, the Planning Commission and the Zoning Commission may meet on the same day. Separate agendas must be maintained for each Commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.
- f. The Agenda for hearings and meetings of the Commission shall be prepared by the Secretary with the approval of the Chair.
- g. Applications for amendments to the Subdivision Regulatory Ordinance No. 499 or developmental reviews under these rules shall not be considered by the Commission

unless properly and completely filed for placement on the Agenda with the Secretary, in accordance with the applicable filing procedures of the Department of Development and provisions for public notice and the filing deadlines established therein.

h. Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate Commission meeting agenda by the Chairman provided that the request is made to the Secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.

i. The agenda shall constitute the fixed order of business for the particular public hearing or meeting.

j. The Chair, without objection from the Commission, may arrange individual items on the particular Agenda if necessary for the expeditious conduct of business.

k. Other items of business (discussion items) not requiring action by the Commission may be presented at a meeting and placed on the Agenda under "New Business" by the Chair with a unanimous vote of the Commission members present.

l. Any person wishing to introduce written materials at the public hearing or meeting shall hand the materials to the Secretary for proper recording and distribution to the Chair and Commission. In order for this information to be introduced and recorded there must be at a minimum twelve (12) copies of each document to be introduced.

The Commission shall review the draft minutes of their meetings as prepared by the Secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When Commission meetings are audio and/or video recorded, said recordings shall become a part of the meeting minutes reflecting Commission action.

Sec. 18-036.08 Parliamentary Rules

a. The latest edition of Robert's Rules of Order is hereby designated as the official Manual of the Commission. If the Manual is in conflict with these Rules of Policy and Procedure, these Rules shall govern.

b. A Parliamentarian shall be appointed by the Chair.

c. The Chair shall be familiar with the contents of the manual and may consult with the Parliamentarian of the Commission and to answer parliamentary inquiries directed to the Chair.

Sec. 18-036.09 Voting

a. In the event of a conflict of interest which does not require a resignation in accordance with the State of Louisiana Code of Government Ethics, Louisiana Revised

Statutes Title 42, Chapter 15, as amended, the involved Commissioner shall announce the conflict and shall recuse himself from voting on and participating in the discussion of the matter giving rise to the conflict.

b. Voting by Proxy will not be allowed.

Sec. 18-036.10 General Rules of Public Participation

a. Each person who appears at the public hearing or who submits written materials shall provide their name, address, and, if applicable, the name of the organization which they represent.

b. Prior to the introduction of agenda items, the Chair shall inform the assembly of the order of business at hand and the order of the presentation in consideration of agenda items, and shall instruct the assembly on the appropriate procedures for addressing the Commission.

c. The following order of presentation will normally be observed at public hearings after the introduction of an agenda item by the Chair.

1. Presentation of staff report and recommendations
2. Comments by applicant and proponents (Ten minutes)
3. Comments by opponents and interested citizens (Ten minutes)
4. Additional comments by applicant and proponents (Five minutes)
5. Additional comments by opponents (Five minutes)
6. Hearing closed
7. Commission questions, discussion, consideration and action, if necessary.

d. The Commission may extend the public hearing, by majority vote, to accommodate larger crowds or complex cases. Notwithstanding the expiration of time, any person who desires to be heard and who has not previously been recognized, may be accorded the opportunity to be heard once for a period of no more than two minutes at the discretion of the Chair.

e. Written comments, documents, photographs, plans, drawings, reports, petitions, letters and written argument and questions are encouraged to be submitted to the Commission at or prior to the hearing by delivery to the Secretary.

f. Members of the audience at public hearings and meetings shall observe the following rules of conduct and decorum while the meeting is in progress:

1. Refrain from talking to other members of the audience in a loud or otherwise disruptive manner.
2. Refrain from initiating private conversations with Commission members, staff or legal counsel.
3. Refrain from approaching the podium unless invited to do so by the Chair.
4. Refrain from engaging in any behavior which is not in keeping with proper and courteous conduct.
5. Refrain from cheers, jeers, applause, or any expressions of approval or disapproval of comments made by any speakers or any actions taken by the Commission.
6. Refrain from discussing matters not on the published agenda, unless the proper procedures have been followed in adding the item to the agenda.
7. Refrain from bringing any objects into the building and auditorium where the planning meeting is to take place in a manner disruptive to the meeting.

The Chair shall take whatever action is necessary to insure that these rules are observed and the meeting proceeds in an orderly fashion.

Sec. 18-036.11 Seminars and Retreats

- a. From time to time the Commission may schedule informal study/work sessions designated as seminars or retreats.
- b. Sessions shall be open to the public and the rules of proper notice of commission meetings shall apply.
- c. The only order of business at a session shall be the presentation, familiarization and discussion of the particular agenda study topics.
- d. The Planning staff and/or guest presenters shall moderate the discussions and observe the following order of presentation:
 1. Presentation of study item
 2. Discussion interaction between the Commission members
 3. Public input (if scheduled as part of the seminar)
 4. Concluding remarks

e. No official action shall be taken by the Commission on items presented at the seminar or retreat.

f. Public comment at the seminar, if scheduled, shall be limited based upon the topic and agenda. Interested parties are welcome to listen and learn from the presentation and discussion with no participation in the discussion unless scheduled as an agenda item.

Sec. 18-036.12 Committees

a. In fulfilling its various charges, the Commission may utilize committees at its discretion.

b. The Commission may appoint committees, comprised of no more than five (5) Commission members and may include other persons as deemed necessary.

c. Staff personnel will be made available upon reasonable request to provide any assistance required by the committee.

d. Committees shall not take any action, which may be construed as an official act of the Commission, but instead may make recommendations for action by the Commission. Committees shall not publically advocate or promote committee recommendations as an official position of the Commission, unless the Commission has first acted on the matter.

e. Committees shall conduct business by an agenda and keep minutes of all proceedings as a matter of public record.

f. All Committee meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.

g. Following the first hearing on a matter before the Commission, a "community meeting" may be called by the Chair and have up to five (5) commissioners in attendance. Community meetings are intended for dissemination of information and for promoting dialogue among applicants and persons interested in matters being brought before the Commission only, and shall not be considered a committee of the Commission.

Sec. 18-036.13 Executive Session

From time to time, the Commission may find it necessary to discuss matters of personnel or litigation pertaining to the business of the Commission and shall enter Executive Session to do so.

Sec. 18-036.14 Rules of Conduct for Commissioners

- a. Each member of the Commission shall abide by the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended. Each member shall certify in writing that they have read and understand the “Louisiana Code of Governmental Ethics” located on the Louisiana Board of Governmental Ethics (LBGE) website at <http://ethics.la.gov> , prior to being seated as a Planning Commissioner. Each member is responsible to register and participate in at least one (1) hour of ethics training annually through the LBGE website at <http://ethics.la.gov/SeminarRegistration/> . Should a Commissioner not complete the ethics training in any calendar year that Commissioner will not take part in Commission functions until the ethics training requirement has been met.
- b. A Commission member shall not meet or communicate in any fashion with any applicant, proponent, opponent or other interested party, excepting members of the Parish Administration, Parish Council and/or the Commission staff, to discuss any matter before the Commission prior to a legal public hearing on that matter. When more than six (6) months have elapsed since the last public hearing on a matter, no commissioner shall meet or communicate in any fashion with any applicant, proponent, opponent or other interested party until a new legal hearing is again held on that matter. Violation of this section may be cause for dismissal of the offending Commission member.
- c. Each member may visit the site in question, but may not have discussions concerning the site or project with any interested party prior to the legal hearing, except as outlined in Section 18-036.014b .
- d. Following the initial required public hearing, the Commission may form a Committee for the expressed purpose of attempting to better understand the issues raised in the review of the Application, in accordance with Section 18-036.012 of these Rules.
- e. Commission members shall not in any way pledge himself or herself to any party on a matter before the Commission, prior to the legal public hearing.
- f. Any Commission member who has knowledge of the fact that he/she will not be able to attend one or more a scheduled meeting(s) or hearing(s), shall notify the Secretary at the earliest possible opportunity, and in any event before 4:00 P.M. on the day of the first missed meeting.
- g. Once a meeting is called to order by the Chair, the Commission members shall take special care to conduct themselves in a professional and courteous manner and remain attentive to the members of the public testifying before the Commission.
- h. Commission members requesting information or clarification relative to an application or business item that is before them for consideration may directly contact the Secretary for assistance.

i. The Commission may request information or specific actions from the Secretary and such request will be reflected in the minutes.

j. Each Commissioner will sign an acknowledgment of having received and fully read the rules of conduct prior to serving as member of the commission.

Sec. 18-036.15 Representation

a. The Chair shall serve as the official spokesman and representative of the Commission in all matters that have been acted upon by the Commission. The Chair may appoint a member of the Commission to serve as spokesperson or representative. Any member who officially represents or speaks for the Commission shall report to the Commission on any statements made or actions taken while serving in that capacity at its next regularly scheduled meeting.

b. In the absence of an official spokesman as described above, the Secretary shall act on behalf of the Commission before the Parish Council and shall inform the Council of all final decisions and recommendations, along with supporting records and documentation, rendered by the Commission.

c. Commission members shall refrain from making statements or taking action which may be identified as or construed to be an official act or position of the Commission.

d. Commission members shall not publically advocate or promote individual positions or opinions unless the Commission has first acted on the matter.

Sec. 18-036.16 Violation of Rules

Any violation of these rules may be deemed as cause for removal of the offending member by the appointing authority.

Sec. 18-036.017 Rules of Policy and Procedure Amendments

All Commission Rules of Policy and Procedure are established by ordinance and may only be amended by the Parish Council according to the following applicable procedures:

a. Proposed amendments may be initiated by any member of the Commission who shall file a written copy of the proposal with the Secretary.

b. The Secretary shall place the proposed amendment on the Commission agenda for the next available public meeting.

c. The Commission shall review the proposed amendment, comments from the public, and recommendations from the Secretary and Legal Counsel prior to taking a vote. A two-thirds (2/3) vote of the Commission as a whole (8 votes) is required to recommend an amendment to these rules.

d. If approved, the Secretary shall forward the amendment to the Parish Council for consideration of an amending ordinance.

(Ord. No. 04-0880, adopted 05/06/2004; amended by Ord. 15-3399, adopted 10/1/2015)

ARTICLE IV ST. TAMMANY PARISH ZONING COMMISSION

EDITORIAL NOTE: Sections 18-051.00 through 18-057.00 repealed and replaced by Section 18-051.00 through 18-051.16 under the authority of Ord. No.04-0881, adopted 05/06/2004.

SEC. 18-051.00 Zoning Commission Membership

a. The membership shall be composed of eleven (11) members.

b. The Parish President shall have the unilateral and exclusive right to appoint two (2) members. These exclusive appointments by the Parish President do not require action by resolution or ordinance.

c. The Parish Council, by resolution, shall have the unilateral and exclusive right to appoint nine (9) members.

d. Any member who fails to appear at two (2) consecutive Zoning Commission meetings may be removed by his/her appointing authority. Members may also be removed at any time, with or without cause, by the appointing authority. A majority vote of the Parish Council membership is required to remove members appointed by the Parish Council.

e. Any vacancy as specifically to the nine (9) Parish Council appointments shall be unilaterally and exclusively filled by Council resolution within 75 days of notice of the vacancy.

f. Any vacancy as specifically to the two (2) Parish President appointments shall be filled unilaterally and exclusively by the Parish President within 75 days of notice of the vacancy.

g. Terms of all Zoning Commission members shall be concurrent with the terms of office of the Parish President and Parish Council.

h. Zoning Commission members shall receive a per diem of FIFTY DOLLARS (\$50.00) for each meeting of the commission attended, for a maximum of twenty-four (24) meetings per year.

i. No member shall seek, qualify for, or hold an elected public office while seated as a Zoning Commissioner.

j. A person newly appointed and serving on the Zoning and/or Planning Commission(s) shall receive at least four (4) hours of training prior to or within one (1) year of appointment. Each year, all Commissioners shall attend a mandatory four hours (4) of continuing education training provided by the St. Tammany Parish Department of Development. Should a Commissioner be unable to attend the mandatory training session(s), that Commissioner will not take part in Commission functions until the 4-hour training requirement has been met. Should the Parish sponsored training session not be available, an alternative training session approved by the Director of Development may be substituted. Commissioners newly appointed, and those continuing to serve, on both the Planning Commission and the Zoning Commission are required to obtain a combined total of four hours (4) of training and annual continuing education, respectively.

SEC. 18-051.01 Chairman and Vice-chairman

a. At the first regular meeting of each calendar year, the members of the Commission shall elect one of their number as Chairman and one of their number as Vice-Chairman, and the terms shall commence at that meeting.

b. In the absence of the Chairman, the Vice Chairman shall act as Chair and shall have all the powers of the Chairman.

c. In the absence of both the Chairman and the Vice Chairman, a quorum of the Commission may select a member to preside over the meeting.

d. The Chairman may appoint committees, comprised of no more than five (5) members of the Commission, as well as other persons, to serve the Commission as deemed necessary.

e. The Chairman may engage in discussion and must vote in the same manner as any other member of the Commission.

f. The Chairman may suggest motions but may neither make nor second motions.

SEC. 18-051.02 Secretary

a. The Director of the Department of Development, or his designated representative, shall serve as the Secretary to the Commission.

b. The Secretary shall keep the minutes of the proceedings of the Commission, and maintain all records of the Commission meeting, hearings and proceedings. The minutes shall show the vote of each member upon each question, or if absent or failing to vote, indicating that fact. A copy of the minutes and actions of the Commission shall be filed with the Parish Council.

c. The Secretary shall provide notices of hearings and meetings as may be required by law, and shall prepare all agendas.

d. The Secretary shall receive, determine the completeness of, and review all applications.

e. The Secretary shall serve as the point of contact for all applicants, and shall collect and compile information and report recommendations to the Commission. Said recommendation shall be considered and ruled upon by the Commission following the required public hearing.

SEC. 18-051.03 Zoning Staff

The staff of the Departments of Development, Engineering and Environmental Services shall serve as the support staff of the Commission and may be requested to provide assistance in the performance of the duties of the Commission by the Chairman on behalf of the entire Commission.

SEC. 18-051.04 Powers and Duties

The Zoning Commission shall have the following powers and duties:

a. To hear, review and propose amendments to the adopted St. Tammany Parish Unified Development Code, as amended;

b. To adopt a comprehensive plan designed to promote health and the general welfare, and to encourage the most appropriate use of land throughout the Parish;

c. To make careful and comprehensive surveys and studies of present and future land use in St. Tammany Parish and to make recommendations, periodic reviews and updates to the Parish Zoning Map, or portions thereof;

d. To review and report on any matter referred to it by the Parish President or the Parish Council. A report shall be issued no later than the second zoning commission meeting after the first publication of the agenda containing said matter provided that any required legal notification to the affected property owner has occurred (Ord. C.S. No. 15-3316, adopted 05/07/2015);

e. To make its special knowledge and expertise as a Commission available, upon reasonable written request to any official, department or board.

f. To exercise all of the powers and duties conferred by Louisiana Revised Statutes Title 33, Chapter 14, where applicable, and as may be amended by the La. State Legislature.

SEC. 18-051.05 Review of Zoning Decisions

a. Any person claiming to be aggrieved by a decision of the Parish Zoning Commission may appeal to the Parish Council, through the Parish Department of Development, in written form within ten (10) days following the Commission's hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten-day appeal period. The Parish Council shall have the exclusive right to overturn any Zoning Commission decision by a majority vote of the membership of the Parish Council.

b. Any person or persons jointly or severally aggrieved by any decision of the Parish Council relative to a request for amendment, supplement, or change to the regulations, restrictions, zoning district, land use category, or boundaries may file a petition to the Twenty-Second Judicial District Court in and for the Parish of St. Tammany for the issuance of a writ of certiorari or for other appropriate legal proceedings. The petition shall be filed within thirty (30) days after the decision of the Council becomes final, which shall commence on the day following the effective date of the Council's resolution or, when the adoption of an ordinance is required, the day following the effective date of the ordinance. The actions of the Parish Council shall be subject to review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of powers granted to the Council, or the denial of the right of due process. However, the right to petition for judicial review shall not be limited to the foregoing grounds.

(Ord. No. 08-1761, adopted 03/06/2008; amended by Ord. No. 15-3399, adopted 10/1/2015)

SEC. 18-051.06 Quorum and Necessary Vote

a. No business shall be conducted by the Commission without a quorum being present. Unless otherwise herein specified, a quorum shall consist of eight (8) members (2/3 majority).

b. To constitute final action on any matter before it, at minimum, a majority vote of the membership of the Commission is required, unless a larger vote is required by law.

SEC. 18-051.07 Meetings, Hearings, and Procedures

a. The regular Zoning Commission Meeting shall be held at 6:00 P.M. on the first Tuesday of each month at the St. Tammany Parish Administrative Complex, except where holidays or other conflicts shall require rescheduling.

b. Special Meetings may be called by the Chairman, or at the request in writing of any six (6) members of the Commission, subject to proper legal notice.

- c. All meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.
- d. The Commission shall sit only as the Zoning Commission for all Zoning applications authorized by the St. Tammany Parish Unified Development Code.
- e. If necessary, the Zoning Commission and the Planning Commission may meet on the same day. Separate agendas must be maintained for each Commission. If both meetings are held on the same day, one meeting must adjourn before the second is commenced.
- f. The Agenda for hearings and meetings of the Commission shall be prepared by the Secretary with the approval of the Chair.
- g. Applications for amendments to the Unified Development Code under these rules shall not be considered by the Commission unless properly and completely filed for placement on the Agenda with the Secretary, in accordance with the applicable filing procedures of the Department of Development and provisions for public notice and the filing deadlines established therein.
- h. Matters that have arisen subsequent to the established filing deadline may be placed on the next appropriate Commission meeting agenda by the Chairman provided that the request is made to the Secretary prior to the deadline for final legal notice of the meeting and that all other requirements for legal notification have been met.
- i. The agenda shall constitute the fixed order of business for the particular public hearing or meeting.
- j. The Chair, without objection from the Commission, may arrange individual items on the particular Agenda if necessary for the expeditious conduct of business.
- k. Other items of business (discussion items) not requiring action by the Commission may be presented at a meeting and placed on the Agenda under "New Business" by the Chair with a unanimous vote of the Commission members present.
- l. Any person wishing to introduce written materials at the public hearing or meeting shall hand the materials to the Secretary for proper recording and distribution to the Chair and Commission. In order for this information to be introduced and recorded there must be at a minimum twelve (12) copies of each document to be introduced.
- m. The Commission shall review the draft minutes of their meetings as prepared by the Secretary and approve or amend said minutes as is necessary to accurately reflect the actions described. Upon adoption, these minutes become part of the public record. When Commission meetings are audio and/or video recorded, said recordings shall become a part of the minutes reflecting Commission action.

SEC. 18-051.08 Parliamentary Rules

a. The latest edition of Robert's Rules of Order is hereby designated as the official Manual of the Commission. If the Manual is in conflict with these Rules of Policy and Procedure, these Rules shall govern.

b. A Parliamentarian shall be appointed by the Chair.

c. The Chair shall be familiar with the contents of the manual and may consult with the Parliamentarian of the Commission and to answer parliamentary inquiries directed to the Chair.

SEC. 18-051.09 Voting

a. In the event of a conflict of interest which does not require a resignation in accordance with the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended, the involved Commissioner shall announce the conflict and shall recuse himself from voting on and participating in the discussion of the matter giving rise to the conflict.

b. Voting by Proxy will not be allowed.

SEC. 18-051.10 General Rules of Public Participation

a. Each person who appears at the public hearing or who submits written materials shall provide their name, address, and, if applicable, the name of the organization which they represent.

b. Prior to the introduction of agenda items, the Chair shall inform the assembly of the order of business at hand and the order of the presentation in consideration of agenda items, and shall instruct the assembly on the appropriate procedures for addressing the Commission.

c. The following order of presentation will normally be observed at public hearings after the introduction of an agenda item by the Chair.

1. Presentation of staff report and recommendations
2. Comments by applicant and proponents (Ten minutes)
3. Comments by opponents and interested citizens (Ten minutes)
4. Additional comments by applicant and proponents (Five minutes)
5. Additional comments by opponents (Five minutes)

6. Hearing closed

7. Commission questions, discussion, consideration and action, if necessary.

The Commission may extend the public hearing, by majority vote, to accommodate larger crowds or complex cases. Notwithstanding the expiration of time, any person who desires to be heard and who has not previously been recognized, may be accorded the opportunity to be heard once for a period of no more than two minutes at the discretion of the Chair.

d. Written comments, documents, photographs, plans, drawings, reports, petitions, letters and written argument and questions are encouraged to be submitted to the Commission at or prior to the hearing by delivery to the Secretary.

e. Members of the audience at public hearings and meetings shall observe the following rules of conduct and decorum while the meeting is in progress:

1. Refrain from talking to other members of the audience in a loud or otherwise disruptive manner.

2. Refrain from initiating private conversations with Commission members, staff or legal counsel.

3. Refrain from approaching the podium unless invited to do so by the Chair.

4. Refrain from engaging in any behavior which is not in keeping with proper and courteous conduct.

5. Refrain from cheers, jeers, applause, or any expressions of approval or disapproval of comments made by any speakers or any actions taken by the Commission.

6. Refrain from discussing matters not on the published agenda, unless the proper procedures have been followed in adding the item to the agenda.

7. Refrain from bringing any objects into the building and auditorium where the zoning meeting is to take place in a manner disruptive to the meeting.

The Chair shall take whatever action is necessary to insure that these rules are observed and the meeting proceeds in an orderly fashion.

Sec. 18-051.11 Seminars and Retreats

a. From time to time the Commission may schedule informal study/work sessions designated as seminars or retreats.

b. Sessions shall be open to the public and the rules of proper notice of Commission meetings shall apply.

c. The only order of business at a session shall be the presentation, familiarization and discussion of the particular agenda study topic.

d. The Zoning staff and/or guest presenters shall moderate the discussions and observe the following order of presentation:

1. Presentation of study item

2. Discussion interaction between the Commission members

3. Public input (if scheduled as part of the seminar)

4. Concluding remarks

e. No official action shall be taken by the Commission on items presented at the seminar or retreat.

f. Public comment at the seminar, if scheduled, shall be limited based upon the topic and agenda. Interested parties are welcome to listen and learn from the presentation and discussion with no participation in the discussion unless scheduled as an agenda item.

SEC. 18-051.12 Committees

a. In fulfilling its various charges, the Commission may utilize committees at its discretion.

b. The Commission may appoint committees, comprised of no more than five (5) Commission members and may include other persons as deemed necessary.

c. Staff personnel will be made available upon reasonable request to provide any assistance required by the committee.

d. Committees shall not take any action, which may be construed as an official act of the Commission, but instead may make recommendations for action by the Commission. Committees shall not publically advocate or promote committee recommendations as an official position of the Commission, unless the Commission has first acted on the matter.

e. Committees shall conduct business by an agenda and keep minutes of all proceedings as a matter of public record.

f. All Committee meetings shall be open to the public and shall be conducted in accordance with State Open Meetings Laws and these Rules of Policy and Procedure.

g. Following the first hearing on a matter before the Commission, a “community meeting” may be called by the Chair and have up to five (5) commissioners in attendance. Community meetings are intended for dissemination of information and for promoting dialogue among applicants and persons interested in matters being brought before the Commission only, and shall not be considered a committee of the Commission.

SEC. 18-051.13 Executive Session

From time to time, the Commission may find it necessary to discuss matters of personnel or litigation pertaining to the business of the Commission and shall enter Executive Session to do so.

SEC. 18-051.14 Rules of Conduct for Commissioners

a. Each member of the Commission shall abide by the State of Louisiana Code of Government Ethics, Louisiana Revised Statutes Title 42, Chapter 15, as amended. Each member shall certify in writing that they have read and understand the “Louisiana Code of Governmental Ethics” located on the Louisiana Board of Governmental Ethics (LBGE) website at <http://ethics.la.gov>, prior to being seated as a Zoning Commissioner. Each member is responsible to register and participate in at least one (1) hour of ethics training annually through the LBGE website at <http://ethics.la.gov/SeminarRegistration/>. Should a Commissioner not complete the ethics training in any calendar year, that Commissioner will not take part in Commission functions until the ethics training requirement has been met.

b. A Commission member shall not meet or communicate in any fashion with any applicant, proponent, opponent or other interested party, excepting members of the Parish Administration, Parish Council and/or the Commission staff, to discuss any matter before the Commission prior to a legal public hearing on that matter. When more than six (6) months have elapsed since the last public hearing on a matter, no commissioner shall meet or communicate in any fashion with any applicant, proponent, opponent or other interested party until a new legal hearing is again held on that matter. Violation of this section may be cause for dismissal of the offending Commission member.

c. Each member may visit the site in question, but may not have discussions concerning the site or project with any interested party prior to the legal hearing, except as outlined in Section 18-051.14b.

d. Following the initial required public hearing, the Commission may form a Committee for the expressed purpose of attempting to better understand the issues raised in the review of the Application, in accordance with Section 18-051.12 of these Rules.

e. Commission members shall not in any way pledge himself or herself to any party on a matter before the Commission, prior to the legal public hearing.

f. Any Commission member who has knowledge of the fact that he/she will not be able to attend a scheduled meeting or hearing, shall notify the Secretary at the earliest possible opportunity, and in any event before 4:00 P.M. on the day of the meeting.

g. Once a meeting is called to order by the Chair, the Commission members shall take special care to conduct themselves in a professional and courteous manner and remain attentive to the members of the public testifying before the Commission.

h. Commission members requesting information or clarification relative to an application or business item that is before them for consideration may directly contact the Secretary for assistance.

i. The Commission may request information or specific actions from the Secretary and such requests will be reflected in the minutes.

j. Each Commissioner will sign an acknowledgment of having received and fully read the rules of conduct prior to serving as member of the commission.

SEC. 18-051.15 Representation

a. The Chair shall serve as the official spokesman and representative of the Commission in all matters that have been acted upon by the Commission. The Chair may appoint a member of the Commission to serve as spokesperson or representative. Any member who officially represents or speaks for the Commission shall report to the Commission on any statements made or actions taken while serving in that capacity at its next regularly scheduled meeting.

b. In the absence of an official spokesman as described above, the Secretary shall act on behalf of the Commission before the Parish Council and shall inform the Council of all final decisions and recommendations, along with supporting records and documentation, rendered by the Commission.

c. Commission members shall refrain from making statements or taking action which may be identified as or construed to be an official act or position of the Commission.

d. Commission members shall not publically advocate or promote individual positions or opinions unless the Commission has first acted on the matter.

SEC. 18-051.16 Violation Of Rules

Any violation of these rules may be deemed as cause for removal of the offending member by the appointing authority.

Section 18-051.017 Rules of Policy and Procedure Amendments

All Commission Rules of Policy and Procedure are established by ordinance and may only be amended by the Parish Council according to the following applicable procedures:

- a. Proposed amendments may be initiated by any member of the Commission who shall file a written copy of the proposal with the Secretary.
- b. The Secretary shall place the proposed amendment on the Commission agenda for the next available public meeting.
- c. The Commission shall review the proposed amendment, comments from the public, and recommendations from the Secretary and Legal Counsel prior to taking a vote. A two-thirds (2/3) vote of the Commission as a whole (8 votes) is required to recommend an amendment to these rules.
- d. If approved, the Secretary shall forward the amendment to the Parish Council for consideration of an amending ordinance.

(Ord. No. 04-0881, adopted 05/06/2004; amended by Ord. No. 15-3399, adopted 10/1/2015)

ARTICLE V INDUSTRIAL DISTRICT NO. 1

SEC. 18-065.00 Created; Boundaries

Under the authority of Article XIV, Section 14, Paragraph b.2 of the Constitution of the State of Louisiana for the year 1921, there is hereby created an Industrial District within the Parish, which shall comprise all of the territory within the boundaries of Wards 8 and 9 of the Parish as they exist on March 16, 1967. (Ord. No. 403, Bk. 6, P. 125)

SEC. 18-066.00 Name, Status And Powers

The industrial district herein created shall be known and is hereby designated as "Industrial District No. 1 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a political and legal subdivision of the State, with full power to sue and be sued in its corporate name, to incur debt and to contract obligations, and to do and perform all acts in its corporate capacity and in its corporate name necessary and proper to carry out its purposes, including the issuance of said bonds, as set forth in Article XIV, Section 14, Paragraph b.2 of the Constitution of the State of Louisiana for the year 1921. (Ord. No. 403, Bk. 6, P. 125)

SEC. 18-067.00 Seal

The official seal of the Police Jury of the Parish is hereby designated and adopted as the official seal of the district created herein. (Ord. No. 403, Bk. 6, P. 125)

Editorial Note: Industrial District No. 1 has been inactive, but not formally abolished.

ARTICLE VI ST. TAMMANY PORT COMMISSION

SEC. 18-075.00 Creation

There is hereby created a St. Tammany Port Commission to be comprised of seven (7) members with appointments parish wide. There shall be four (4) members nominated and appointed by the Parish Council. There shall be three (3) members nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

ARTICLE VII COMMUNITY DEVELOPMENT DISTRICTS

State Reference LSA R.S. 33:9039.14

SEC. 18-080.00 Rescinded and repealed

Sections 18-080.00 through 18-084.04 previously created five (5) separate Community Development Districts, i.e., Lakeshore Estates Community Development District No. 1, Lakeshore Estates Community Development District No. 2, Lakeshore Estates Community Development District No. 3, Lakeshore Village Community Development and Lakeshore Marina Community Development District. Said Districts were combined to create one (1) "Lakeshore Villages Master Community Development District" as set out in Section 18-085.00 et seq.

(Ord. 07-1540, adopted 04/05/2007)

SEC. 18-085.00 Lakeshore Villages Master Community Development District

SEC. 18-085.01 Authority

By virtue of R.S. 33:9039.14 et seq and other constitutional and statutory authority, the Parish Council is authorized to create Community Development Districts in unincorporated areas of St. Tammany Parish.

SEC. 18-085.02 Created

The community development district hereby created shall be known and designated as "Lakeshore Villages Master Community Development District" and as such shall have all of the rights, powers and privileges granted and conferred by the Act and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees and to acquire or construct infrastructure and provide services.

SEC. 18-085.03 Boundaries

The boundaries of the Lakeshore Villages Master Community Development District are described as follows:

General Description of Property: The property is located east of I-10 Exit 261 and north of Lakeshore Boulevard East and south of North Diversion Canal and west of the East Diversion Canal, including the access roadway of Lakeshore Boulevard East and roadway from I-10 Service road, both to the property of about 1,250.5 acres within the existing levees. (More fully described as “Outside Toe of New Levee” 1,235.68 acres, “Lakeshore Boulevard East” 9.6992 acres, “90 Access Roadway” 5.134 acres. Complete legal descriptions are attached to referenced Ordinance C.S. No. 07-1497 on file in the official records of the St. Tammany Parish Council office)

(Ord. 07-1497, adopted 01/04/2007)

SEC. 18-085.04 Commissioners

The governing body of the Lakeshore Villages Master Community Development District shall be a five member board of supervisors and the initial members being the following: Robert L. Torres, Jr., Bobbie Scaglione, Ricky Martin, Dave Kerr, and Patricia Leary.

(Ord. No. 07-1497, adopted 01/04/2007)

SEC. 18-086.00 Colonial Pinnacle Community Development District

DISSOLVED BY THE PARISH COUNCIL THROUGH ORD. NO. 10-2376, ADOPTED 11/04/2010.

Formally established by Ord. 07-1508, adopted 02/01/2007; amended by Ord. 07-1613, adopted 07/05/2007; amended by Ord. 07-1700, adopted 11/01/2007.

ARTICLE VIII PARISH/MUNICIPAL INFRASTRUCTURE INTERFACE

SEC. 18-090.00 Growth Management/Annexation Agreements

In accordance with the “Joint Projects and Other Cooperative Endeavors” clause of the Growth Management and Annexation Agreements of 2003 between St. Tammany Parish Government and various municipalities within the boundaries of the Parish, St. Tammany Parish Government will coordinate infrastructure improvements so that both Parish and Municipal standards will be considered for all new development within the Annexation Agreement Areas and the more restrictive set of standards, whether they be standards established by the Parish or Municipal governing body, will be applied to the project.

SEC. 18-090.01 Restrictive Standards

For the purposes of this Section, the most restrictive standard shall be applied to the following types of infrastructure:

1. drainage design standards
2. road design standards
3. potable water standards, and
4. sewer standards.

SEC. 18-090.02 Effective Date

This Section shall be considered in affect upon:

1. Notice, by certified copy to the Parish President, that a municipality located within St. Tammany Parish has adopted similar legislation, and
2. The adoption of a resolution by the Parish Council recognizing said municipal legislation.

(Ord. No. 03-0802, adopted 12/04/2003)

SEC. 18-091.00 Operating Agreements between Parish and Municipalities

Enabling legislation: Act No. 159 of the First Extraordinary Session of the 2002 Louisiana Legislature amended and reenacted R.S. 33:172 and provided relative to municipal annexation procedures and the use of operating agreements between certain municipalities and certain parishes. Pursuant to said Act, on March 26, 2003 the Parish Council adopted ordinances authorizing Operating Agreements with each of the following municipalities:

1. City of Covington Ordinance C.S. No. 03-0639
2. City of Mandeville Ordinance C.S. No. 03-0640
3. Town of Abita Springs Ordinance C.S. No. 03-0641
4. Town of Madisonville Ordinance C.S. No. 03-0642
5. Town of Pearl River Ordinance C.S. No. 03-0643
6. Village of Folsom Ordinance C.S. No. 03-0644
7. Village of Sun Ordinance C.S. No. 03-0645

(Clerk's Note: A copy of each Operating Agreement is attached to the referenced ordinance as Exhibit A and on file in the Parish Council Office as part of the official record)

STATE REFERENCE: LSA R.S. 33:172

ARTICLE IX ECONOMIC DEVELOPMENT DISTRICTS

State Reference LSA R.S. 33:9038.31through 33:9038.42

SEC. 18-095.00 Rooms To Go St. Tammany Economic Development District

SEC. 18-095.01 Authority

By virtue of R.S. 33:9038.31, et seq., and other Constitutional and statutory authority, the Parish Council is authorized to create Economic Development Districts in unincorporated areas of St. Tammany Parish.

SEC. 18-095.02 Created

The economic development district hereby created shall be known and designated as the "Rooms To Go St. Tammany Economic Development District". As provided by the Act, the governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties, rights, powers and privileges granted and conferred pursuant to the Act.

SEC. 18-095.03 Boundaries

The boundaries of the Rooms To Go St. Tammany Economic Development District are described as follows:

A certain parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana, and more fully described as follows:

From the quarter section corner common between Sections 13 & 24, Township 8 South, Range 14 East; thence go north 89 degrees, 02 minutes, 36 seconds East 643.17 feet to a 1/2 inch iron and the Point of Beginning.

Thence go North 03 degrees, 47 minutes, 48 seconds west 1873.41 feet to a 1/2 inch iron rod. Thence North 67 degrees, 05 minutes, 11 seconds East 920.00 feet to a 1/2 inch iron rod on the westerly right of way line of Old Military Road. Thence South 23 degrees, 10 minutes 54 seconds East 1810.00 feet along said right of way line of Old Military Road to a 1/2 inch iron rod at the intersection with the western right of way line of Interstate Highway I-15. Thence South 09 degrees, 54 minutes, 44 seconds East 554.65 feet along said right of way line of I-59 to a 1/2 inch iron rod and a point of departure from I-59. Thence South 89 degrees, 02 minutes, 36 seconds West 1530.00 feet to the Point of Beginning.

Containing 60.238 acres of land, more or less, a certain parcel of land, lying and situated in Section 13, Township 8 South, Range 14 East, St. Tammany Parish, Louisiana, in accordance with J.V. Burkes & Associates Survey #20071022, dated April 24, 2007.

(Ord. 07-1589, adopted 06/07/2007)

SEC. 18-095.04 Rooms To Go St. Tammany Economic Development District Trust Fund

In accordance with LSA R.S. 33:9038.34, there is hereby created a special trust fund to be named the "Rooms To Go St. Tammany Economic Development District Trust Fund", the purpose of which will be to fund economic development projects selected by the District.

(Ord. 07-1589, adopted 06/07/2007)

In accordance with LSA R.S. 33:9038.39, there is levied in the District a new additional sales tax of three quarters of one cent (0.0075%) upon sale at retail, use, lease or rental, consumption, and storage for use or consumption, of tangible personal property, upon the lease or rental of tangible personal property and on sales of services in the District.

(Ord. 07-1590, adopted 06/07/2007, as amended by Ord. 07-1694, adopted 11/01/2007)

The Uniform Local Sales tax Code, as enacted by Act No. 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the District Tax, the provisions of which Uniform Local Sales Tax Code are hereby incorporated by reference.

The entire amount of the District tax is pledged and designated as the local sales tax increment, which is to be deposited in this special trust fund, together with a like amount of State sales tax, to the extent approved by the State, for the furtherance of economic development projects through reimbursement of costs of economic development projects, on a cash basis.

Notwithstanding anything to the contrary contained herein, sales tax increments within the District, if any, shall be used only for projects that meet the definition of "economic development project" as that term is defined in La. R.S. 33:9038.34(M).

(Ord. 07-1590, adopted 06/07/2007)

Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the District Tax levied by this section, each dealer shall be allowed one and one-tenth percent (1.10%) of the amount of District Tax due and accounted for and remitted to the Tax collector in the form of a deduction in submitting his report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

Exclusions or Exemptions. This governing authority adopts none of the optional exclusions or exemptions allowed by state sales tax law, nor does this governing authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29(D)(1) of the Constitution of the State of Louisiana of 1974 that are not allowed as an exclusion or exemption from state sales tax. Included within the tax base of the District tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana.

Tax Collector. The District Tax is authorized to be collected by a "Collector" which term shall mean the Sales Tax Department of the St. Tammany Parish Sheriff s Office. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

With regard to the collection of the District Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license tax, this governing authority, acting through the Collector, on behalf of the District, is authorized to enter into an agreement with the Vehicle Commissioner, Department of Public Safety and Corrections, as provided by R.S.47:303(B).

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this section relating to the District Tax shall be promptly deposited by the Collector for the account of the District in the Trust Fund, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

Penalty, Interest and Attorneys Fees. If the amount of District Tax due by the dealer is not paid on time, penalties, interest and attorneys fees shall be imposed as provided by law.

No Qualified Electors. The St. Tammany Parish Registrar of Voters has issued and executed a certificate certifying the absence of any qualified electors in the District, therefore, pursuant to La. R.S. 33:9038.39, no election shall be required to authorize the levy of the District Tax.

Designation of Baseline Collection Rate. The District Tax levied is a new sales tax and the full amount thereof is hereby designated by the Parish Council to be used in determining the local sales tax increment pursuant to the Act. The initial annual baseline collection rate for the District, which is the amount of the District Tax collected in the District in the most recent completed fiscal year prior to the establishment of the District,

is hereby designated to be zero (\$0.00) (the "Initial Baseline Collection Rate"), as the District Tax was not levied during the most recently completed fiscal year of this governing authority prior to the establishment of the District. The monthly baseline collection rate, which is the initial annual baseline collection rate divided by twelve (12), is hereby designated to be zero (\$0.00) (the "Monthly Baseline Collection Rate").

CFO Certification. The Chief Financial Officer of the Parish has issued and executed a certificate certifying as to the accuracy of the Initial Annual Baseline Collection Rate and Monthly Baseline Collection Rate, which was previously published one time in the St. Tammany Farmer, the official journal of the Parish.

Designation of Sales Tax Increment. The Parish Council hereby designates the entire amount of the District Tax as the local sales tax increment, which is to be deposited in the special trust fund created herein for the furtherance of economic development projects and hereby pledges and dedicates to such purpose the local sales tax increment and a like amount of State sales tax increment, to the extent approved by the State.

Use of Sales Tax Increments. Notwithstanding anything to the contrary contained herein, sales tax increments within the District, if any, shall be used only for Projects that meet the definition of "economic development project" as that term is defined in La. R.S. 33:9038.34(M).

Authorization of Officers. The Parish President and his staff are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this section.

(Ord. 07-1694, adopted 11/01/2007)

SEC. 18-096.00 Colonial Pinnacle Nord du Lac Economic Development District

SEC. 18-096.01 Authority

By virtue of R.S. 33:9038.31, et seq., and other Constitutional and statutory authority, the Parish Council is authorized to create Economic Development Districts in unincorporated areas of St. Tammany Parish.

SEC. 18-096.02 Created

The economic development district hereby created shall be known and designated as the "Colonial Pinnacle Nord du Lac Economic Development District". As provided by the Act, the governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties, rights, powers and privileges granted and conferred pursuant to the Act.

SEC. 18-096.03 Boundaries

The boundaries of the Colonial Pinnacle Nord du Lac Economic Development District are described as follows:

A certain piece or portion of land situated in Section 47, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana being more fully described as follows:

TRACT "A"

A CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84 TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 28 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 37.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE LEAVING SAID SOUTH RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21 AND RUNNING ALONG SAID SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY SOUTH 56 DEGREES 08 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 135.18 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 280.00 FEET AND AN ARC LENGTH OF 129.81 FEET TO A POINT; THENCE RUN SOUTH 29 DEGREES 34 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 77.97 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 440.00 FEET AND AN ARC LENGTH OF 88.65 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 51 DEGREES 51 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 221.63 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12; THENCE RUN ALONG SAID RIGHT-OF-WAY NORTH 48 DEGREES 43 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 326.61 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND CONTAINS 2.25 ACRES OR 98,068.70 SQ. FT. MORE OR LESS.

TRACT "B"

A CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84 TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 28 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 127.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY AND RUNNING ALONG SAID SOUTH RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21 NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 131.04 FEET TO A POINT; THENCE RUN NORTH 12 DEGREES 58 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 31.42 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 55 DEGREES 34 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 200.00 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 50 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 200.16 FEET TO A POINT; THENCE RUN SOUTH 56 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 133.27 FEET TO A POINT; THENCE RUN SOUTH 34 DEGREES 02 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 393.82 FEET TO A POINT; THENCE RUN SOUTH 29 DEGREES 34 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 68.51 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 350.00 FEET AND AN ARC LENGTH OF 37.83 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 15 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 2228.41 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 24 SECONDS WEST FOR A DISTANCE OF 288.34 FEET TO A POINT; THENCE RUN SOUTH 24 DEGREES 03 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 129.53 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 58 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 2372.21 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 675.48 FEET TO A POINT; THENCE RUN NORTH 68 DEGREES 58 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 446.91 FEET

TO A POINT; THENCE RUN SOUTH 21 DEGREES 01 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 221.43 FEET TO A POINT; THENCE RUN SOUTH 60 DEGREES 15 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 361.74 FEET TO A POINT; THENCE RUN SOUTH 30 DEGREES 33 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 177.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY INTERSTATE 12;

THENCE RUN ALONG SAID NORTH RIGHT-OF-WAY THE FOLLOWING:

NORTH 68 DEGREES 55 MINUTES 27 SECONDS WEST FOR A DISTANCE OF 214.25 FEET TO A POINT; SOUTH 67 DEGREES 31 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 415.14 FEET TO A POINT; NORTH 68 DEGREES 56 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 2148.28 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 23,068.31 FEET AND AN ARC LENGTH OF 252.24 FEET TO A POINT; NORTH 64 DEGREES 20 MINUTES 14 SECONDS WEST FOR A DISTANCE OF 101.17 FEET TO A POINT; NORTH 69 DEGREES 53 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 704.32 FEET TO A POINT; NORTH 55 DEGREES 10 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 315.57 FEET TO A POINT; NORTH 36 DEGREES 18 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 272.27 FEET TO A POINT; NORTH 10 DEGREES 45 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 298.56 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN NORTH 51 DEGREES 51 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 401.51 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 65 DEGREES 54 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 33.00 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN NORTH 37 DEGREES 47 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 82.35 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY;

THENCE RUN ALONG SAID RIGHT-OF-WAY THE FOLLOWING:

NORTH 65 DEGREES 54 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 91.00 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET AND AN ARC LENGTH OF 228.33 FEET TO A POINT; NORTH 29 DEGREES 34 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 77.97 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET AND AN ARC LENGTH OF 48.58 FEET TO A POINT; NORTH 29 DEGREES 52 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 50.74 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & NON-TANGENT); ALONG SAID CURVE WITH A RADIUS OF 370.00 FEET WITH AN ARC LENGTH OF 71.14 FEET, A CHORD BEARING OF NORTH 50 DEGREES 37 MINUTES 49 SECONDS WEST AND A CHORD LENGTH OF 71.03 FEET TO A POINT; NORTH 56 DEGREES 08 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 135.18 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 137.41 ACRES OR 5,985,593.63 SQ. FT. MORE OR LESS.

(Ord. 07-1591, adopted 06/07/2007; amended by Ord. 07-1717, adopted 12/06/2007)

SEC. 18-096.04 Colonial Pinnacle Nord du Lac Economic Development District Trust Fund

In accordance with LSA R.S. 33:9038.34, there is hereby created a special trust fund to be named the "Colonial Pinnacle Nord du Lac Economic Development District Trust Fund", the purpose of which will be to fund economic development projects selected by the District.

(Ord. 07-1591, adopted 06/07/2007)

In accordance with LSA R.S. 33:9038.39, there is levied in the District a new additional sales tax of three quarters of one cent (0.0075%) upon sale at retail, use, lease or rental, consumption, and storage for use or consumption, of tangible personal property, upon the lease or rental of tangible personal property and on sales of services in the District.

(Ord. 07-1592, adopted 06/07/2007)

The additional local sales levied pursuant to this section is desired to be levied and used solely from the area described herein.

(Ord. 07-1692, adopted 11/01/07)

The Uniform Local Sales tax Code, as enacted by Act No. 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the District Tax, the provisions of which Uniform Local Sales Tax Code are hereby incorporated by reference.

The entire amount of the District tax is pledged and designated as the local sales tax increment, which is to be deposited in this special trust fund, together with a like amount of State sales tax, to the extent approved by the State, for the furtherance of economic development projects through reimbursement of costs of economic development projects, on a cash basis.

Notwithstanding anything to the contrary contained herein, sales tax increments within the District, if any, shall be used only for projects that meet the definition of "economic development project" as that term is defined in La. R.S. 33:9038.34(M).

(Ord. 07-1592, adopted 06/07/2007)

Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the District Tax levied by this section, each dealer shall be allowed one and one-tenth percent (1.10%) of the amount of District Tax due and accounted for and remitted to the Tax collector in the form of a deduction in submitting his report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

Exclusions or Exemptions. This governing authority adopts none of the optional exclusions or exemptions allowed by state Sales tax law, nor does this governing authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29(D)(1) of the Constitution of the State of Louisiana of 1974 that are not allowed as an exclusion or exemption from state Sales tax. Included within the tax base of the District tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana.

Tax Collector. The District Tax is authorized to be collected by a "Collector" which term shall mean the Sales Tax Department of the St. Tammany Parish Sheriff's Office. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

With regard to the collection of the District Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license tax, this governing authority, acting through the Collector, on behalf of the District, is authorized to enter into an agreement with the Vehicle Commissioner, Department of Public Safety and Corrections, as provided by R.S.47:303(B).

All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the District Tax shall be promptly deposited by the Collector for the account of the District in the Trust Fund, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

Penalty, Interest and Attorney's Fees. If the amount of District Tax due by the dealer is not paid on time, penalties, interest and attorney's fees shall be imposed as provided by law.

No Qualified Electors. The St. Tammany Parish Registrar of Voters has issued and executed a certificate certifying the absence of any qualified electors in the District, therefore, pursuant to La. R.S. 33:9038.39, no election shall be required to authorize the levy of the District Tax.

Designation of Baseline Collection Rate. The District Tax levied is a new Sales tax and the full amount thereof is hereby designated by the Parish Council to be used in determining the local Sales tax increment pursuant to the Act. The initial annual baseline collection rate for the District, which is the amount of the District Tax collected in the District in the most recent completed fiscal year prior to the establishment of the District, is hereby designated to be zero (\$0.00) (the "Initial Baseline Collection Rate"), as the District Tax was not levied during the most recently completed fiscal year of this governing authority prior to the establishment of the District. The monthly baseline collection rate, which is the initial annual baseline collection rate divided by twelve (12), is hereby designated to be zero (\$0.00) (the "Monthly Baseline Collection Rate").

CFO Certification. The Chief Financial Officer of the Parish has issued and executed a certificate certifying as to the accuracy of the Initial Annual Baseline Collection Rate and Monthly Baseline Collection Rate, which was previously published one time in the St. Tammany Farmer, the official journal of the Parish.

Designation of Sales Tax Increment. The Parish Council hereby designates the entire amount of the District Tax as the local Sales tax increment, which is to be deposited in the special trust fund created herein for the furtherance of economic development projects and hereby pledges and dedicates to such purpose the local Sales tax increment.

Authorization of Officers. The Parish President and his staff are hereby authorized, empowered and directed to do any and all things necessary and incidental to carry out the provisions of this section.

(Ord. 07-1692, adopted 11/01/2007)

SEC. 18-097.00 Airport Road Economic Development District

Section 18-097.01 Created

An economic development district is hereby created within the Parish, to be named the "Airport Road Economic Development District". The governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided by law.

Section 18-097.02 Boundaries

All that certain piece or parcel of land, commencing at a point located at the Section corner common to Sections 1 and 12, Township 8 South, Range 13 East and Sections 6 and 7, Township 9 South, Range 14 East, said point being the Point of Beginning; From the Point of Beginning proceed North 89 degrees 41 minutes 16.0 seconds East, 7956.402 feet;
thence proceed South 0 degrees 0 minutes 0.0 seconds West, 5307.216 feet;
thence proceed North 89 degrees 54 minutes 21.0 seconds East, 2733.419 feet;
thence proceed North 89 degrees 53 minutes 58.0 seconds East, 2852.633 feet;
thence proceed South 0 degrees 10 minutes 23.0 seconds East, 6503.294 feet;
thence proceed South 89 degrees 33 minutes 42.0 seconds East, 1125.316 feet;
thence proceed South 1 degrees 10 minutes 19.0 seconds East, 1364.517 feet;
thence proceed South 89 degrees 51 minutes 50.0 seconds West, 8230.285 feet;
thence proceed North 1 degrees 0 minutes 21.6 seconds West, 7109.55 feet;
thence proceed North 7 degrees 40 minutes 16.4 seconds East, 806.858 feet;
thence proceed South 88 degrees 54 minutes 55.1 seconds West, 1749.784 feet;
thence proceed South 10 degrees 1 minutes 24.4 seconds East, 805.226 feet;
thence proceed South 1 degrees 14 minutes 7.3 seconds East, 1782.815 feet;
thence proceed North 88 degrees 45 minutes 52.8 seconds East, 101.656 feet;
thence proceed South 1 degrees 14 minutes 7.3 seconds East, 1385.608 feet;
thence proceed North 78 degrees 30 minutes 4.4 seconds West, 516.837 feet;
thence proceed North 0 degrees 16 minutes 43.0 seconds West, 1206.578 feet;
thence proceed North 89 degrees 53 minutes 16.0 seconds West, 4349.587 feet;
thence proceed North 1 degrees 23 minutes 5.2 seconds West, 2642.089 feet;
thence proceed North 1 degrees 6 minutes 53.9 seconds West, 5275.049 feet to the Point of Beginning.

(Ord. No. 14-3082, adopted 02/06/2014)

Section 18-098.00 Hwy 59 Economic Development District.

Section 18-098.01 Created

An economic development district is hereby created within the Parish, to be named the "Hwy 59 Economic Development District". The governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided by law.

Section 18-098.02 Boundaries

All that certain piece or parcel of land, commencing at a point located at the Section corner common to Sections 17, 18, 19, & 20, Township 7 South, Range 12 East and proceed South 87 degrees 54 minutes 20 seconds, West a distance of 1297.67 feet to a point, said point being the Point of Beginning;

From the Point of Beginning proceed South 0 degrees 2 minutes 56 seconds West, 1293.298 feet;
thence proceed North 88 degrees 30 minutes 47 seconds East, 260.143 feet;
thence proceed South 66 degrees 8 minutes 4 seconds East, 193.391 feet;
thence proceed South 37 degrees 8 minutes 57 seconds East, 210.61 feet;
thence proceed South 26 degrees 53 minutes 0 seconds East, 83.667 feet;
thence proceed South 6 degrees 31 minutes 11 seconds East, 145.599 feet;
thence proceed South 28 degrees 58 minutes 4 seconds West, 264.548 feet;
thence proceed South 88 degrees 46 minutes 12 seconds West, 1873.652 feet;
thence proceed South 3 degrees 2 minutes 51 seconds East, 620.072 feet;
thence proceed South 88 degrees 48 minutes 49 seconds West, 1334.882 feet;
thence proceed South 0 degrees 0 minutes 40 seconds East, 1973.447 feet;
thence proceed North 89 degrees 59 minutes 53 seconds West, 410.498 feet;
thence proceed South 2 degrees 10 minutes 55 seconds West, 249.973 feet;
thence proceed South 89 degrees 35 minutes 26 seconds West, 658.171 feet;
thence proceed South 0 degrees 26 minutes 23 seconds East, 681.555 feet to a point on the northern right of way of Commercial Boulevard;
thence proceed South 89 degrees 0 minutes 18 seconds West along said right of way, 200.995 feet to a point on the eastern right of way of Hwy 59;
thence proceed South 0 degrees 25 minutes 3 seconds West along said right of way, 1300.387 feet;
thence leaving the eastern right of way of Hwy 59 proceed North 56 degrees 32 minutes 20 seconds East, 133.2 feet;
thence proceed South 72 degrees 37 minutes 31 seconds East, 399.9 feet;
thence proceed South 23 degrees 58 minutes 7 seconds West, 717.58 feet;
thence proceed South 63 degrees 18 minutes 40 seconds East, 980.644 feet;
thence proceed North 28 degrees 56 minutes 17 seconds East, 650.365 feet to a point on the southern right of way of I-12;
thence proceed South 57 degrees 50 minutes 28 seconds East along said right of way, 4705.709 feet;
thence leaving the southern right of way of I-12 proceed South 0 degrees 11 minutes 3 seconds East, 276.475 feet;
thence proceed North 62 degrees 54 minutes 18 seconds West, 4345.626 feet;
thence proceed South 0 degrees 21 minutes 39 seconds East, 1792.253 feet;
thence proceed South 89 degrees 48 minutes 11 seconds West, 1506.362 feet;
thence proceed South 0 degrees 29 minutes 36 seconds West, 353.251 feet;
thence proceed North 89 degrees 46 minutes 41 seconds West, 356.569 feet to a point on the western right of way of Hwy 59;
thence proceed North 4 degrees 5 minutes 48 seconds East along said right of way, 571.568 feet;
thence leaving said right of way proceed North 88 degrees 56 minutes 31 seconds West, 628.697 feet;
thence proceed North 1 degrees 8 minutes 39 seconds West, 443.898 feet;
thence proceed North 89 degrees 50 minutes 25 seconds West, 1122.855 feet;
thence proceed North 10 degrees 48 minutes 13 seconds East, 1352.356 feet;

thence proceed North 89 degrees 53 minutes 24 seconds West, 2145.671 feet;
thence proceed North 1 degrees 32 minutes 4 seconds West, 1384.266 feet;
thence proceed North 90 degrees 0 minutes 0 seconds East, 510.677 feet;
thence proceed North 0 degrees 14 minutes 42 seconds West, 1313.632 feet;
thence proceed North 89 degrees 47 minutes 48 seconds East, 1370.784 feet;
thence proceed North 40 degrees 11 minutes 2 seconds East, 428.383 feet;
thence proceed North 63 degrees 8 minutes 59 seconds West, 643.5 feet;
thence proceed North 57 degrees 49 minutes 3 seconds West, 1346.904 feet;
thence proceed North 58 degrees 19 minutes 48 seconds West, 773.65 feet;
thence proceed North 0 degrees 15 minutes 43 seconds West, 2225.527 feet;
thence proceed South 89 degrees 59 minutes 25 seconds East, 3458.367 feet to the centerline of the Tammany Trace;
thence proceed North 10 degrees 31 minutes 48 seconds East along the centerline of the Tammany Trace, 2415.268 feet;
thence leaving the centerline of the Tammany Trace proceed North 90 degrees 0 minutes 0 seconds East, 232.416 feet;
thence proceed North 0 degrees 40 minutes 41 seconds West, 246.466 feet;
thence proceed North 88 degrees 40 minutes 37 seconds East, 2898.188 feet;
thence proceed South 14 degrees 4 minutes 18 seconds East, 279.369 feet;
thence proceed South 0 degrees 3 minutes 33 seconds West, 533.507 feet;
thence proceed South 23 degrees 40 minutes 2 seconds East, 586.403 feet;
thence proceed North 87 degrees 54 minutes 20 seconds East, 865.542 feet to the Point of Beginning.

(Ord. No. 14-3083, adopted 02/06/2014)

Section 18-099.00 Hwy 1077 Economic Development District.

Section 18-099.01 Created

An economic development district is hereby created within the Parish, to be named the "Hwy 1077 Economic Development District". The governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided by law.

Section 18-099.02 Boundaries

All that certain piece or parcel of land, commencing at a point located at the section corner common to Sections 33 & 34, Township 6 South, Range 10 East and Sections 4 & 5, Township 7 South, Range 10 East to a point, said point being the Point of Beginning;

From the Point or Beginning proceed North 89 degree 55 minutes 19 seconds East along the section line common to Section 34, Township 6 South, Range 10 East and

Section 3, Township 7 South, Range 10 East 2278.655 feet to a point on the centerline of Hwy 1077;
thence following said centerline proceed South 24 degrees 18 minutes 53 seconds East, 2973.642 feet to a point on the centerline of Hwy 1085;
thence following said centerline proceed North 88 degrees 45 minutes 36 seconds East, 921.075 feet;
thence leaving said centerline proceed South 4 degrees 43 minutes 21 seconds East, 947.543 feet;
thence proceed South 4 degrees 54 minutes 7 seconds East, 368.2 feet;
thence proceed South 27 degrees 23 minutes 4 seconds East, 306.76 feet;
thence proceed North 89 degrees 8 minutes 17 seconds East, 732.408 feet;
thence proceed South 1 degree 0 minutes 42 seconds East, 1046.415 feet;
thence proceed North 89 degrees 28 minutes 36 seconds East, 1663.848 feet;
thence proceed North 89 degrees 33 minutes 1 second East, 0.264 feet;
thence proceed North 89 degrees 37 minutes 26 seconds East, 989.242 feet;
thence proceed South 0 degrees 56 minutes 33 seconds East, 1295.128 feet;
thence proceed North 89 degrees 58 minutes 28 seconds East, 2679.55 feet;
thence proceed South 1 degree 7 minutes 11 seconds East, 1217.593 feet to a point on the northern right of way of 1-12;
thence following said right of way proceed North 72 degrees 1 minute 57 seconds West, 2832.609 feet;
thence leaving said right of way proceed South 1 degree 2 minutes 1 second East, 1670.928 feet;
thence proceed South 89 degrees 50 minutes 55 seconds West, 2650.9 feet;
thence proceed North 0 degrees 33 minutes 2 seconds West, 671.971 feet;
thence proceed South 89 degrees 45 minutes 11 seconds West, 1335.04 feet;
thence proceed North 1 degree 29 minutes 58 seconds West, 1986.503 feet;
thence proceed North 74 degrees 38 minutes 19 seconds West, 1.309 feet;
thence proceed North 71 degrees 41 minutes 18 seconds West, 1417.242 feet; thence proceed South 0 degrees 55 minutes 59 seconds East, 1235.647 feet;
thence proceed North 89 degrees 38 minutes 35 seconds West, 684.872 feet;
thence proceed North 0 degrees 48 minutes 24 seconds West, 1393.475 feet;
thence proceed South 89 degrees 11 minutes 0 seconds West, 572.579 feet;
thence proceed South 1 degree 5 minutes 53 seconds East, 753.454 feet;
thence proceed North 69 degrees 25 minutes 10 seconds West, 1526.122 feet; !..
thence proceed North 1 degree 23 minutes 52 seconds West, 196.673 feet;
thence proceed South 89 degrees 39 minutes 3 seconds West, 510.546 feet;
thence proceed South 89 degrees 37 minutes 11 seconds West, 782.558 feet;
thence proceed South 83 degrees 55 minutes 0 seconds West, 50.836 feet;
thence proceed North 0 degrees 19 minutes 35 seconds West, 385.495 feet;
thence proceed South 89 degrees 55 minutes 19 seconds West, 1380.465 feet to a point on the eastern right of way of Perrilloux Road;
thence following said right of way proceed North 0 degrees 30 minutes 5 seconds West, 561.304 feet to its Intersection with the southern right of way of Hwy 1085;
thence following said right of way proceed North 33 degrees 6 minutes 23 seconds West, 248.3 feet;

thence proceed North 16 degrees 8 minutes 17 seconds East, 126.2 feet;
thence proceed North 62 degrees 7 minutes 48 seconds East, 519.098 feet;
thence proceed North 55 degrees 31 minutes 48 seconds East, 394.584 feet;
thence proceed North 53 degrees 33 minutes 40 seconds East, 845.746 feet;
thence proceed North 57 degrees 52 minutes 40 seconds East, 450.546 feet;
thence proceed North 66 degrees 40 minutes 30 seconds East, 217.086 feet;
thence proceed North 77 degrees 29 minutes 45 seconds East, 323.139 feet;
thence proceed North 89 degrees 46 minutes 57 seconds East, 1773.136 feet;
thence leaving said right of way proceed North 1 degree 6 minutes 50 seconds West,
575.661 feet;
thence proceed North 76 degrees 51 minutes 25 seconds West, 109.05 feet;
thence proceed North 45 degrees 3 minutes 38 seconds West, 424.09 feet;
thence proceed North 63 degrees 23 minutes 29 seconds West, 480.74 feet;
thence proceed North 67 degrees 52 minutes 55 seconds West, 217.13 feet;
thence proceed North 64 degrees 4 minutes 32 seconds West, 341.368 feet;
thence proceed North 0 degrees 45 minutes 59 seconds West, 1390.514 feet to the
Point of Beginning.

(Ord. No. 14-3085, adopted 02/06/2014)

Section 18-100.00 Hwy 434 Economic Development District.

Section 18-100.01 Created

An economic development district is hereby created within the Parish, to be named the "Hwy 434 Economic Development District". The governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided by law.

Section 18-100.02 Boundaries

All that certain piece or parcel of land, commencing at the section corner common to Sections 8, 9, 16 and 17, Township 8 South, Range 13 East, said point being the Point of Beginning;

From the point of Beginning proceed South 0 degrees 1 minute 39 seconds West, 4013.798 feet to a point on the northern right of way of North Dixie Ranch Road;
Thence following the northern right of way of North Dixie Ranch Road proceed South 89 degrees 48 minutes 24 seconds West, 1333.996 feet;
thence proceed North 59 degrees 29 minutes 23 seconds West, 2681.299 feet;
thence leaving the northern right of way of North Dixie Ranch Road proceed South 44 degrees 22 minutes 23 seconds West, 436.942 feet;
thence proceed South 0 degrees 14 minutes 37 seconds East, 489.888 feet;
thence proceed South 72 degrees 51 minutes 23 seconds West, 1193.644 feet;

thence proceed South 27 degrees 39 minutes 28 seconds West, 240.871 feet;
thence proceed North 88 degrees 15 minutes 51 seconds West, 583.214 feet to a point
of the eastern right of way of Hwy 434;
thence following the eastern right of way of Hwy 434 proceed South 30 degrees 46
minutes 19 seconds West, 1507.705 feet;
thence leaving the eastern right of way of Hwy 434 proceed North 89 degrees 41
minutes 15 seconds West, 1769.347 feet;
thence proceed North 18 degrees 4 minutes 10 seconds East, 440.251 feet;
thence proceed North 31 degrees 8 minutes 24 seconds East, 360.13 feet;
thence proceed North 1 degrees 24 minutes 53 seconds East, 519.62 feet;
thence proceed North 57 degrees 10 minutes 54 seconds West, 147.74 feet;
thence proceed North 4 degrees 7 minutes 43 seconds East, 1186.463 feet;
thence proceed North 24 degrees 7 minutes 8 seconds East, 2037.063 feet to a point
on the southern right of way of I-12;
thence following the southern right of way of I-12 proceed South 58 degrees 35 minutes
50 seconds East, 515.315 feet;
thence leaving the southern right of way of I-12 proceed North 23 degrees 49 minutes
46 seconds East, 261.78 feet;
thence proceed South 89 degrees 34 minutes 25 seconds East, 1319.253 feet;
thence proceed North 0 degrees 47 minutes 23 seconds West, 925.948 feet to the
section corner common to Sections 7,8,17 and 18, Township 8 South, Range 13 East;
thence proceed North 0 degrees 48 minutes 10 seconds West, 824.56 feet;
thence proceed North 89 degrees 36 minutes 49 seconds East, 1579.189 feet;
thence proceed North 30 degrees 36 minutes 46 seconds East, 1714.055 feet;
thence proceed South 59 degrees 8 minutes 2 seconds East, 600.596 feet to a point on
the western right of way of Hwy 434;
thence following the western right of way of Hwy 434 proceed North 30 degrees 23
minutes 19 seconds East, 7929.632 feet;
thence leaving the western right of way of Hwy 434 proceed South 60 degrees 23
minutes 21 seconds East, 737.793 feet;
thence proceed South 68 degrees 44 minutes 56 seconds East, 113.722 feet;
thence proceed South 81 degrees 1 minutes 38 seconds East, 113.265 feet;
thence proceed North 75 degrees 25 minutes 33 seconds East, 304.206 feet;
thence proceed South 27 degrees 21 minutes 0 seconds East, 192.252 feet;
thence proceed South 8 degrees 44 minutes 46 seconds East, 309.797 feet;
thence proceed South 45 degrees 0 minutes 0 seconds West, 566.262 feet;
thence proceed South 55 degrees 37 minutes 11 seconds West, 135.56 feet;
thence proceed South 6 degrees 45 minutes 58 seconds West, 349.849 feet;
thence proceed South 25 degrees 46 minutes 59 seconds West, 771.643 feet;
thence proceed South 19 degrees 19 minutes 24 seconds East, 480.47 feet;
thence proceed South 6 degrees 12 minutes 12 seconds West, 272.459 feet;
thence proceed South 5 degrees 39 minutes 54 seconds East, 451.031 feet;
thence proceed South 89 degrees 1 minutes 42 seconds West, 2275.861 feet to the
section corner common to Sections 8, 9, 16 and 17, Township 8 South, Range 13 East;
thence proceed North 89 degrees 57 minutes 57 seconds West, 282.482 feet to a point
on the eastern right of way of Hwy 434;

thence following the eastern right of way of Hwy 434 proceed South 31 degrees 5 minutes 7 seconds West, 1536.767 feet;
thence leaving the eastern right of way of Hwy 434 proceed North 88 degrees 40 minutes 41 seconds East, 1095.478 feet;
thence proceed South 0 degrees 50 minutes 23 seconds East, 1383.638 feet;
thence proceed North 88 degrees 35 minutes 35 seconds East, 1028.983 feet;
thence proceed South 1 degrees 19 minutes 46 seconds East, 2593.03 feet;
thence proceed South 89 degrees 27 minutes 50 seconds West, 1050.084 feet to the Point of Beginning.

(Ord. No. 14-3095, adopted 03/06/2014)

Section 18-101.00 Hwy 1088 Economic Development District.

Section 18-101.01 Created

An economic development district is hereby created within the Parish, to be named the "Hwy 1088 Economic Development District". The governing body of the District shall be the Parish Council. The District shall be a political subdivision of the State of Louisiana and shall possess such powers and authority and have such duties as provided by law.

Section 18-100.02 Boundaries

All that certain piece or parcel of land commencing at a point located at the Section corner common to Sections 28, 29, 32, & 33 Township 7 South, Range 12 East, said point being the Point of Beginning;

From the point of Beginning proceed North 35 degrees 29 minutes 17 seconds East, 4907.294 feet;
thence proceed North 0 degrees 0 minutes 0 seconds East, 6670 feet;
thence proceed South 89 degrees 3 minutes 52 seconds West, 670 feet;
thence proceed North 0 degrees 31 minutes 28 seconds West, 6791.19 feet;
thence proceed South 77 degrees 47 minutes 42 seconds East, 3227.255 feet;
thence proceed North 1 degrees 41 minutes 2 seconds West, 1900.906 feet;
thence proceed South 74 degrees 52 minutes 50 seconds East, 448.876 feet;
thence proceed South 74 degrees 48 minutes 7 seconds East, 6747.593 feet;
thence proceed South 13 degrees 49 minutes 52 seconds West, 927.308 feet;
thence proceed South 75 degrees 44 minutes 1 seconds East, 258.831 feet;
thence proceed South 13 degrees 32 minutes 41 seconds West, 607.3 feet;
thence proceed South 74 degrees 54 minutes 8 seconds East, 37.08 feet;
thence proceed North 26 degrees 26 minutes 27 seconds East, 95.68 feet;
thence proceed North 88 degrees 15 minutes 31 seconds East, 808.69 feet;
thence proceed North 89 degrees 28 minutes 36 seconds East, 1635.9 feet;

thence proceed North 33 degrees 2 minutes 30 seconds East, 58.26 feet;
thence proceed North 83 degrees 51 minutes 26 seconds East, 55.78 feet;
thence proceed South 0 degrees 15 minutes 3 seconds East, 2911.448 feet;
thence proceed South 89 degrees 2 minutes 18 seconds West, 3566.998 feet;
thence proceed North 14 degrees 7 minutes 40 seconds West, 87.214 feet;
thence proceed North 21 degrees 2 minutes 24 seconds West, 170.524 feet;
thence proceed North 25 degrees 49 minutes 40 seconds West, 207.451 feet;
thence proceed North 70 degrees 7 minutes 19 seconds West, 1785.354 feet;
thence proceed North 62 degrees 30 minutes 20 seconds West, 1223.489 feet;
thence proceed South 27 degrees 23 minutes 15 seconds East, 3052.608 feet;
thence proceed South 2 degrees 27 minutes 4 seconds East, 891.214 feet;
thence proceed South 21 degrees 48 minutes 5 seconds West, 2813.741 feet;
thence proceed South 1 degrees 47 minutes 13 seconds West, 817.412 feet;
thence proceed South 7 degrees 44 minutes 1 seconds East, 1146.463 feet;
thence proceed South 86 degrees 27 minutes 16 seconds West, 1017.914 feet;
thence proceed North 55 degrees 37 minutes 11 seconds West, 1503.602 feet;
thence proceed South 90 degrees 0 minutes 0 seconds West, 979.684 feet;
thence proceed South 0 degrees 35 minutes 55 seconds East, 895.468 feet;
thence proceed South 0 degrees 14 minutes 21 seconds West, 933.333 feet;
thence proceed North 86 degrees 25 minutes 25 seconds East, 1047.037 feet;
thence proceed South 50 degrees 36 minutes 33 seconds East, 1661.547 feet;
thence proceed North 64 degrees 28 minutes 7 seconds East, 1974.234 feet;
thence proceed North 53 degrees 12 minutes 19 seconds East, 1682.793 feet;
thence proceed South 81 degrees 22 minutes 33 seconds East, 813.968 feet;
thence proceed South 1 degrees 7 minutes 24 seconds West, 2145.608 feet;
thence proceed North 89 degrees 47 minutes 21 seconds East, 689.506 feet;
thence proceed South 0 degrees 34 minutes 31 seconds East, 961.651 feet;
thence proceed South 81 degrees 49 minutes 51 seconds West, 1514.383 feet;
thence proceed South 5 degrees 11 minutes 39 seconds West, 375.946 feet;
thence proceed South 14 degrees 2 minutes 10 seconds East, 771.845 feet;
thence proceed North 80 degrees 57 minutes 21 seconds East, 324.78 feet;
thence proceed North 87 degrees 56 minutes 38 seconds East, 1038.332 feet;
thence proceed South 0 degrees 34 minutes 31 seconds East, 572.505 feet;
thence proceed North 84 degrees 19 minutes 58 seconds East, 3714.456 feet;
thence proceed South 0 degrees 31 minutes 9 seconds East, 598.928 feet;
thence proceed South 89 degrees 57 minutes 5 seconds East, 1972.667 feet;
thence proceed South 0 degrees 17 minutes 46 seconds West, 5559.914 feet;
thence proceed South 89 degrees 51 minutes 36 seconds West, 2181.595 feet;
thence proceed South 89 degrees 34 minutes 17 seconds West, 2660.181 feet;
thence proceed South 0 degrees 7 minutes 25 seconds West, 3796.254 feet;
thence proceed North 63 degrees 19 minutes 45 seconds West, 11771.75 feet;
thence proceed North 2 degrees 18 minutes 43 seconds East, 1063.369 feet;
thence proceed South 64 degrees 59 minutes 26 seconds West, 452.235 feet;
thence proceed South 25 degrees 39 minutes 29 seconds West, 82.45 feet;
thence proceed South 0 degrees 7 minutes 57 seconds West, 329.46 feet;
thence proceed South 8 degrees 51 minutes 41 seconds East, 290.882 feet;

thence proceed North 63 degrees 19 minutes 45 seconds West, 2548.624 feet to the Point of Beginning.

(Ord. No. 14-3096, adopted 03/06/2014)

CHAPTER 19 PUBLIC LIBRARY

ARTICLE I ST. TAMMANY PARISH PUBLIC LIBRARY IN GENERAL

SEC. 19-001.00 Established; Location

There is hereby established the St. Tammany Parish Public Library, said library to be located at the Parish seat and in other designated Towns and Wards in the Parish.
(Ord. No. 104, Bk. 2, P. 172)

STATE REFERENCE: LSA R.S. 25:212, Power of Police Jury to establish library.

SEC. 19-002.00 Board Of Control

The Parish Public Library shall be governed by a Board of Control, of which the Parish President shall serve as an ex-officio member. There shall be seven (7) parish-wide appointments with six (6) members nominated parish-wide and appointed by the Parish Council. There shall be one (1) remaining member nominated and appointed by the Parish President. All terms shall be for a period of five (5) years.

The President shall appoint or designate any other Parish Council person in his stead to serve on, attend, or otherwise participate on the Board. The appointment or designation by the President of a Council person may be made without the need of further parish ordinance or resolution.

In the event that the Council members do not desire to attend or participate, then the President may appoint or designate any person other than a Parish councilperson in his stead to serve, attend or participate on said Board without further approval or ratification by the Council.

The Board of Control shall have all of the authority in respect to the Parish Public Library as is conferred upon it by law. (Ord. No. 104, Bk. 2, P. 172; Ord. No. 84-138, adopted 06/21/84; amended by Ord. No. 00-0109, adopted 02/17/2000; amended by Ord. No. 00-0157, adopted 06/01/2000))

SEC. 19-003.00 Finances

The Parish Public Library shall be equipped, maintained, operated and supported at the expense of the entire Parish, including the incorporated Towns therein, and all taxes

levied and assessed, whether general or special, for its establishment, support and maintenance, shall be borne proportionately by all of the taxable property of the Parish, including that within incorporated municipalities. (Ord. No. 104, Bk. 2, P. 172)

STATE REFERENCE: LSA R.S. 25:219.

CROSS REFERENCE: See Chapter 2, Section 2-009.00 subsection (b)(11)a. for Library fines and fees.

SEC. 19-003.01 Library Millage Allocation

The St. Tammany Parish Police Jury acting in its capacity as the governing authority of the Parish of St. Tammany and the Library Board of Control agree on the following formula: In 1990, the Library Board of Control will receive twenty-five percent (25%) of the amount allocated for Library Millages. In 1991, the Library Board of Control will receive sixty-six and two-thirds percent (66 2/3%) of the Library Millage allocation. In 1992, and thereafter, the Library Board of Control will receive the full one hundred percent (100%) of the Library Millage allocation. (Ord. No. 89-1120; adopted 07/20/89)

SEC. 19-004.00 Video Recording of movies rated "R" or "NC-17"

It is the policy of the Police Jury of St. Tammany Parish that there exists an expectation of responsibility associated with the dissemination of video recordings of movies rated "R" or "NC-17" to children under 17, and said responsibility fundamentally and legitimately rests with the entity which has custody and control of such material.

As such relates to restricting the actual or potential dissemination by the St. Tammany Parish Public Library of video recordings of movies rated "R" or "NC-17" to children under 17, said Public library shall reasonably and responsibly apply the General Provisions of the Voluntary Movie Rating System that are established by the Motion Picture Association of America, except as otherwise provided as follows.

The Police Jury of St. Tammany Parish urges and requests the Library Board of Control to establish and oversee the continuous implementation of a rule and regulation wholly consistent with the provisions set forth in paragraph 2 of this Section, but that said provisions shall not apply whenever any parent or legal guardian of a child under 17 executes a written waiver of the aforesaid General Provisions for such child on an appropriate form which is made a part of a Library Board of Control rule and regulation which is wholly consistent with the provisions set forth in paragraph 2 of this Section.

(Ord. 99-3007, adopted 01/21/99)

CHAPTER 20 ROADS AND BRIDGES

ARTICLE I IN GENERAL

SEC. 20-001.00 Closing, Abandoning, Revoking Dedication Of Streets, Roads

(A) Definitions

Abandonment shall mean any parish road, street or alley, opened or unopened, which cannot or should not be maintained because the expenses thereof cannot be justified or because same is no longer needed for public use. In such a case, the property shall revert back to the property owners on each side of the abandonment from the centerline of the street as prescribed by statutory law.

Closings shall mean that the street, road or alley or portion thereof is no longer needed for public use at that particular time, upon the review and findings of fact [by] the St. Tammany Parish Planning Commission and St. Tammany Parish Police Jury. Said street, road or alley may be declared private and therefore restricted in use and maintained in common by the private property owners abutting said street, road or alley. Closings may be declared by ordinance for an indefinite period of time or reviewed on an annual basis for reconsideration.

Parish Road Maintenance System for the purposes of this section means those roads, streets and alleys which have been placed on a roster or list as adopted by the Police Jury by ordinance, signifying that said roads, streets and alleys are to be maintained by the Parish Department of Public Works.

Revocation shall mean the surrender of any rights, titles and interests by the parish in any public road, street or alley and the improvements thereunto.

St. Tammany Parish Planning Commission is an extension of and creation of the St. Tammany Parish Police Jury, in which said Commission initially reviews applications for abandonment, closings or revocations.

Street, Road or Alley for the purposes hereof, shall mean any public way set aside for public use and travel which was dedicated to or acquired by the parish to provide means of access to abutting property. It is not necessary that any formal act of acceptance should have occurred, and it is immaterial whether or not said street, road or alley has ever been opened, used or accepted into the parish road maintenance system. For the purposes herein, the words "street", "road" and "alley" may be used interchangeably.

(B) Application Requirements: An application must be filed with the Department of Development to initiate either the closing, abandonment or revocation of any parish street, road, or alley. Said application shall contain the following information:

(1) A cover letter (typed) indicating whom is requesting the abandonment, closing or revocation; the full name, mailing address and phone number of the applicant, and the reasons for submission of an application.

(2) Notarized letters of no objection (typed) shall be obtained by the applicant from all current property owners whose property abuts the street, road or alley which is intended to be abandoned, closed or revoked. For the purposes of this ordinance, "abutting" shall mean property immediately adjacent to or at the start or end of.

(a) Said notarized letters must contain the names and addresses of those property owners whose property abuts the street, road or alley intended to be abandoned, closed or revoked.

(b) If a notarized letter cannot be obtained from an adjacent property owner for reasons unknown, the Parish shall contact said owner to solicit a response as to their failure to submit and sign said letter. If said owner does not respond to the Parish solicitation within ten (10) days after being contacted, the applicant shall be released from their obligation to supply said notarized letter of no objection.

However, if the owner does respond and indicates (in writing) that they have or will have a valid use of the street, road or alley that abuts their property; and if the Planning Commission, upon review of the facts regarding said response is substantiated, said application for abandonment, closing or revocation shall be dismissed from the docket and hence from any further consideration.

(3) Five (5) blue line or black line prints of a bona fide survey containing measurements, degrees and bearing cells. Inclusive of the plotting of all utilities located on the street must be obtained. Said survey must be certified by a state registered engineer or land surveyor and stamped with an official seal. (Amended by Ord. No. 94-2025, adopted 07/21/94)

(a) Signature lines shall be placed on the survey for signatures by and for the Police Jury President, Chairman or Secretary of the Planning Commission, Chairman of the Public Works Committee, Parish Engineer, Clerk of Court, date and file number.

(4) A legal description (typed) describing the boundaries of the property to be abandoned, closed or revoked shall be submitted with the required survey.

(5) Notarized letters of no objection (typed) shall be obtained by the applicant from all utilities whose facilities are located in the Parish street, road or ally which is intended to be abandoned, closed or revoked. (Ord. No. 94-2025, adopted 07/21/94)

The aforesaid application requirements shall be presented to the Planning Commission for its review and consideration. The Planning Commission shall make a formal recommendation to the Police Jury at the earliest practicable date regarding the application request. Should the Planning Commission recommend closing, abandonment or revocation, same shall be transmitted to the Secretary of the Police Jury for he or she to initiate the review thereof by the Police Jury. Should the Planning Commission deny the application, the same procurement shall apply; however, a vote of

two-thirds of the Police Jury membership (9 votes) shall be required to reverse the recommendation from said Planning Commission.

(C) Public Notice

(1) Applications which are received for abandonment, closing or revocation shall be advertised in summary form in the official parish journal once a week for three (3) consecutive weeks prior to the meeting of the Planning Commission, declaring that said property may no longer be needed for public purposes.

(2) Public notice sign(s) shall be posted on or in the immediate vicinity of the property proposed for abandonment, closing or revocation at least ten (10) days prior to the initial hearing date of the Planning Commission. Said sign(s) shall contain an accurate statement of what action is being requested as well as indicate the date, time and location of the initial public hearing.

(D) Ordinance Provisions

(1) All streets, roads or alleys declared by the parish governing authority as abandoned, closed or revoked shall be procured by separate ordinance.

(2) All transfers of real property disposed of by the parish shall include a general provision within the ordinance that all mineral rights shall be retained [by the Parish], unless otherwise specifically noted within said ordinance by act, agreement of placation.

(3) The ordinance may include provisions by which the Parish shall retain servitudes or easements for future use relative to utilities and drainage.

(4) The ordinance shall stipulate whether the property was disposed of by a private cash sale or by reversion as prescribed by statutory law.

(E) Method of Disposal of Immovable Property

(1) Subsequent to the St. Tammany Parish Police Jury adopting an ordinance to abandon, close or revoke a street, road or alley as set forth in subsection (D), the parish may initiate the sale of said property through procurement of the following:

(a) The parish shall commission an appraisal of the property to be conducted by a certified appraiser to determine the fair market value of said property. An appraiser shall be chosen by the Director of the Department of Development at the applicant expense. Said applicant shall be required to remit a deposit in the amount of at least two-hundred fifty dollars (\$250.00) in order for the appraisal to be procured.

(b) After the appraisal has been procured and the fair market value of the property determined, the property shall then be offered for sale to the applicant through means of a private cash sale as permitted by statutory law. All sales of disposed property are final

and will become effective upon the recordation of the sale and corresponding Ordinance adopted by the St. Tammany Parish Police Jury.

(c) The Police Jury President shall have the exclusive authority to execute the sale, transfer or exchange of any immovable property for fair compensation.

(d) If the applicant decides not to purchase the property for whatever reasons, the St. Tammany Parish Police Jury shall rescind their approval for abandonment, closing or revocation by separate ordinance.

(2) Utility Servitude. All transfers of the real property hereunder, when so ordered, shall reserve a servitude allowing the continued existence, maintenance and operation of any existing electric, gas, telephone and/or cable facilities under terms reasonably accepted to such utility(s). (Ord. No. 94-2025, adopted 07/21/94)

(F) Reversionary Rights: Streets, roads or alleys shall be returned to the applicant free of any encumbrances upon completion of the abandonment, closing or revocation process if one of the following conditions are applicable:

(1) The property has not been in the control of the Parish by either formal or tacit dedication or maintenance for a period of at least ten (10) years; or

(2) The applicant is the original grantor of the property or one of the heirs or legatees of whom granted said property to the Parish for public use.

In the event that Section F.(1) is applicable, statutory law requires that property that is revoked shall revert to the present owner or owners of land contiguous thereto, up to the centerline of the property thereof.

(G) Fees: A fee of one-hundred and fifty dollars (\$150.00) shall be submitted for each application received. One-hundred and twenty-five dollars (\$125.00) shall be retained by the Department of Development for administrative and recordation costs and twenty-five dollars (\$25.00) shall be remitted to the Clerk of the Police Jury to offset the cost of publication.

(Ord. No. 295, Bk. 5, P. 26; Ord. No. 81-263, adopted 09/17/81; Ord. No. 84-45, adopted 03/15/84; Ord. No. 85-422, adopted 06/20/85; Ord. No. 87-851, adopted 08/20/87; reenacted and amended Ord. No. 93-1700, adopted 02/18/93; amended by Ord. No. 94-2025, adopted 07/21/94)

STATE REFERENCE: LSA R.S. 48:713

SEC. 20-002.00 Cutting Or Disturbing Road Surfaces

It shall be unlawful to cut or disturb Parish road surfaces for the purpose of laying gas, water or other pipes, or for any other purpose whatever, without prior approval of the Police Jury. (Ord. No. 241, Bk. 4, P. 168)

CROSS REFERENCE: See Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 through 21-008.00 of this Code of Ordinances.

SEC. 20-002.20 Herbicides Prohibited

It shall be unlawful for any person, group, company, corporation or organization to apply, use, or incorporate the use of any herbicide, including but not limited to, those registered with and/or approved by the U. S. Environmental Protection Agency or the Louisiana Department of Agriculture and Forestry, for the management, control, eradication or maintenance of weeds, grass, trees, shrubs, foliage, vegetation or other natural growth in any parish right-of-way, ditch, servitude, drainage area, roadside, road shoulder, green area, buffer zone, waterway, neutral ground or median in the unincorporated areas of St. Tammany Parish. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1789, adopted 08/19/93)

CROSS REFERENCE: See also in Sections 11-066.00, .01, .03, and 11-066.05; See also in Sections 15-005.00, .01, .03, and 15-115.05.

SEC. 20-002.21 Definitions

a) **Herbicide:** Any substance, chemical, toxic, element or composition thereof, commonly or professionally known, identified as, or used, for the purpose of destroying, eradicating, eliminating, killing, stunting or preventing weeds or the growth thereof. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

b) Parish rights-of-way, etc.:

1) **Right-of-Way:** Any public way, street, road, alley, easement, servitude or access, which was dedicated to or acquired by the Parish to provide means of access to abutting properties; whether paved, improved or unimproved, including those areas dedicated for proposed or future uses.

2) **Ditch:** Natural or dedicated area which provides for the containment or flow of water from rain or adjacent drainage areas or waterways such as streams, creeks, ponds, lakes or rivers.

3) **Servitude:** A right-of-way through or across property belonging to another.

4) **Easement:** A designated right to use the property of another for specific purpose, i.e., drainage, utility easement.

5) **Drainage Area:** Area maintained for the purpose of channeling or preventing accumulation of water from surrounding land.

6) **Roadside/Road Shoulder:** Natural or dedicated areas which are parallel, contiguous to, abut, adjoin, border, edge, connect or approach any public right-of-way, road, street or highway.

7) **Median/Neutral Ground:** The area dividing or separating a roadway and not used for right of passage.

(Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE: See also Sections 11-066.00, .01, .03, and 11-066.05; See also in Sections 15-005.00, .01, .03, and 15-115.05.

SEC. 20-002.22 Exemptions

Exempt here from are hand held manual pump sprayers up to a maximum three (3) gallon capacity. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE: See also Sections 11-066.00, .01, .03, and 11-066.05; See also in Sections 15-005.00, .01, .03, and 15-115.05.

SEC. 20-002.23 Violations; Penalties

A violation of the provisions of this article [Division] shall constitute a misdemeanor and shall be punishable under Section 1-008.00 of the Code of Ordinances of St. Tammany Parish. For each day a violation occurs, the same shall constitute a separate offense regardless of whether said violation is of a continuing nature. (Ord. No. 853, adopted 07/20/78; amended by Ord. No. 93-1832, adopted 10/21/93)

CROSS REFERENCE: See also Sections 11-066.00, .01, .03, and 11-066.05; See also in Sections 15-005.00, .01, .03, and 15-115.05.

SEC. 20-003.00 Police Jury Approval Required Prior To Construction Of Roads For Public Use

It shall be unlawful for anyone to commence construction on any road that may be intended for future unrestricted public use without prior approval of the Police Jury. (Ord. No. 256, Bk. 4, P. 395)

CROSS REFERENCE: See Appendix B entitled "Subdivisions generally, specifically Sections 40-010.2, 40-010.12 - 40-010.19, Section 40-010.21, Sections 40-010.23 - 40-010.26, Section 40-032.0 - 40-032.4, all of Section 40-040.00 relating to "Procedures" in

general for Subdivisions, Section 40-042.0 and Section 40-042.6 of this Code of Ordinances.

SEC. 20-004.00 Road Maintenance

It shall be unlawful for Parish forces to perform work within any right-of-way, road, street, etc. that is not a part of the St. Tammany Parish Selective Road Maintenance System Inventory. In order for the Police Jury to accept a private road, excluding subdivisions, into the St. Tammany Parish Selective Road Maintenance System Inventory, same shall be by Ordinance and only after the following requirements are met.

(Ord. No. 98-2893, adopted 6/18/98)

CROSS REFERENCE: See Appendix B entitled "Subdivisions" being Chapter 40, Section 40-042.07, entitled "Letter of Credit"; also see Section 40-044.00 entitled "Acceptance of Streets into the Parish Road System" all of this Code of Ordinances. See also Chapter 21, Article I entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities", Sections 21-001.00 through 21-008.00.

SEC. 20-004.01 Accepting Private Roads, Excluding Subdivisions, into the Parish Selective Road Maintenance System Inventory

A. Initial / Preliminary

A letter must be signed by all of the property owners involved stating their intentions to dedicate and construct a right-of-way to parish specifications. The letter shall be addressed and sent to the Parish Engineer and shall include the following:

1. That the right-of-way to be dedicated shall be a minimum of sixty (60) feet.
2. That the right-of-way must serve two (2) or more individual legal parcels of land, defined as follows:
3. A road becomes eligible when it serves two or more property owners. A property owner is not served by a road if there are no entrances to his/her property from subject road. An entrance onto the properties must exist and be used on a continuing basis by the property owners.
4. That applicant agrees to comply with all the parish, state, and federal laws.
5. That the roadway will be constructed to parish standards and the surface shall be consistent with that of the public road off which it runs, as follows:
 1. Roadway construction shall conform to the standards established as per the "State of Louisiana Department of Transportation and Development Standard Specifications for Roads and Bridges (Silver Book, 1992 edition, or latest edition thereto).
 2. Minimum right-of-way standards shall include a width of sixty (60) feet and a road surface width of twenty (20) feet with four (4) foot shoulders and ditches at 3 : 1 slope grade.

3. The road base shall consist of a minimum of six (6) inches of sand-clay-gravel or an approved equivalent, and a surface treatment minimum of four (4) inches of gravel for gravel roads, and a minimum of two (2) inches of asphaltic concrete for hard-surfaced roads, depending upon test results.
4. The test of base materials must indicate 95% Standard Proctor or better.
5. U.S. Army Corps of Engineers wetlands approval must be obtained either by a letter from the Corps stating that the right-of-way is not subject to jurisdictional wetlands requirements or by the applicant's submission of an approved Section 404 permit and/or an approved Section 10 permit.
6. A survey plat and process verbal legal description for the right-of-way.
7. Documentation for drainage and road design with soil borings must be submitted for review and supplied by a licensed civil engineer.
8. Must indicate if land clearing is required. If required, all vegetation, tree stumps, and organic matter must be removed from the site.
9. The applicant shall be required to submit a traffic signage plan for the purpose of providing proper traffic signage. Traffic signage plan specifications shall be in accordance with "Street Identification and Traffic Control Signs; Installation Regulated", as depicted in the supplemental section of the St. Tammany Parish Subdivision Ordinance No. 499, and all signs must be in place prior to obtaining final approval.
10. The applicant shall submit a "Naming of Road Form" (attached) indicating 3 choices of road names, the same of which must be approved by the 911 Addressing Office.

B. Construction

1. Upon receipt of the letter of intent and support documentation to the Department of Engineering, same shall be reviewed and if acceptable, a work order will be issued to begin construction.
2. Responsibility for on-site inspection shall be that of the applicant to retain a registered civil engineer, to provide for on-site inspections and observation during all construction activities, including those contingent herein and drainage. Said engineer shall provide periodic inspection reports to the Department of Engineering for review and filing. These inspection reports are required on a weekly basis. The engineer is to advise the Department of Engineering whenever major phases of the work commences, so that Parish inspectors may observe as necessary.

C. Final Acceptance

1. Warranty Obligation - Upon completion of all construction activities and a final inspection of the Department of Engineering, the governing authority may impose on said streets sought to be accepted into the Parish Selective Road Maintenance System a maintenance (warranty) letter of credit which shall be in an amount to be fixed by the governing authority based on the recommendation of the Parish Engineer and shall be of a term of not less than one (1) year.

2. Upon the setting of the warranty obligations by the governing authority, the applicant(s) shall place the required funds or other sureties with the Department of Finance.
3. The amount of the warranty obligations set by the Department of Engineering shall be based on the standards established in Section 40-071.01 Warranty and Performance Obligations, Subdivision Regulatory Ordinance No. 499.

The warranty obligation will be released by resolution of the governing authority upon satisfactory inspection by the Department of Engineering and submission of the following documents by the applicant(s).

1. A notarial act of dedication shall be signed by each person or group of persons who wish to dedicate to the Parish the portion of the right-of-way that crosses their property. Said act shall be prepared in a legally binding format by a notary public and submitted to the Department of Engineering.
2. A title insurance policy in favor of St. Tammany Parish on the caption of the property to be dedicated. (Ord. 99-3180, adopted 10/21/99)
3. A survey and proces verbal legal description of the right-of-way to be dedicated, prepared by a Louisiana licensed surveyor, must be provided to the Parish.

D. Inclusion into Parish Selective Road Maintenance System Inventory

1. Upon the release of the warranty obligation, the Department of Engineering shall inform the Department of Public Works that said right-of-way meets parish road specifications.
2. The Department of Public Works shall create an ordinance for the governing authority to adopt accepting said right-of-way into the Parish Selective Road Maintenance System Inventory.
3. Upon the adoption of the ordinance by the governing authority, the parish shall assume full ownership and responsibility for the right-of-way and the applicant(s) shall be released from any further obligations, requirements, or conditions.

E. Exemption

Any provision herein may be waived by a 2/3 vote of the governing authority provided that applicant(s) submits documentation adequate to support the request for waiver.

SEC. 20-004.02 Tacit Dedications of Roads/Streets

Tacit dedication as defined in R.S. 48:491 B is quoted, "All roads and streets in this state which have been or hereafter are kept up, maintained, or worked for a period of three years by authority of a parish governing authority within its parishshall be public roads or streets, as the case may be, if there is actual or constructive knowledge of such work by adjoining landowners exercising reasonable concern over their property." As of 1984, the Police Jury has not authorized maintenance on any road not listed in the Selective Road Maintenance System. An Attorney General Opinion given in

1984 states that whether a road is a public road cannot be determined by listing the users. Example: A private drive does not become a public road simply because it is used by mail carriers, school busses, etc. A road becomes eligible when it serves two (2) or more property owners. A property owner is not served by a road if there are no entrances to his/her property from subject road. An entrance onto the properties must exist and be used on a continuing basis by the property owners. No employee of St. Tammany Parish has the authority to maintain any road not currently in the maintenance system.

As of June 30, 1989, all roads listed in the St. Tammany Parish Selective Road Maintenance System Inventory and listed on the road inventory are designated as Public Roads. Any road petitioned for acceptance after this date, be they expressed or implied (Tacit) dedication, will conform to this Policy. (Ord. No. 89-1133; adopted 08/17/89; amended by Ord. No. 98-2893, adopted 6/18/98; amended by Ord. No.99-3180, adopted 10/21/99)

SEC. 20-005.00 Culverts

A. Definitions.

1. **Person** as herein used shall include any individual or individuals, and any firm, association, partnership or corporation, or any legal entity.
2. **Road** as herein used shall include any highway or street in the Parish Road Maintenance System whether paved, improved or unimproved; the term shall include dedicated rights-of-way for proposed and/or future roads.
3. **Drainage** as herein used shall include flow areas or ditches be they natural or dedicated.
4. **Special purpose** as herein used shall include any need for construction which allows for housing or enclosures requiring a culvert necessary to provide for the flow of water.
5. **Exemption or exempted** as herein used includes any person or installation to which this Section does not apply; provided, however, that this Section shall not be construed to relieve or release any person from driveway permit requirements under State Law as pertains to installations for ingress or egress to State Highways or State roads.
6. **Gas station** as herein used includes any site where fuel pumps or islands containing such fuel pumps are used or employed to sell or dispense gas, oil, lubricants, liquid or bottled, at wholesale or retail.
7. **Store** shall include any wholesale or retail commercial establishment offering any commodity or wares for sale, or which may be dispensed therefrom with or without charge.
8. **Department of Engineering** shall be said department in St. Tammany Parish as presently created, or as hereafter may be reorganized, merged or consolidated and any successor Parish agency thereto.
9. **Culvert** shall be a device, of whatever shape or contour, designed to be covered with earth, shell, gravel or any overlay of whatsoever nature or kind, the purpose

of which, in size, diameter and strength is to provide safe traverse there over and to accommodate drainage, natural or dedicated, with the least impedence thereto.

10. **Grade** shall be that incline or slant longitudinally or latitudinally, as determined by a transom or other device to allow for ramp purposes as well as to ensure the flow of water in the ditch which is traversed; for the purposes hereof, it shall further include the depth at which the culvert is to be installed.
11. **Drive-in theater** shall mean an outdoor theater with an outdoor screen which provides for ingress and egress from a Parish roadway.
12. **Entrances which generate heavy traffic** as used herein shall include, but not necessarily be limited to, such commercial or noncommercial establishments, amusement parks, and/or buildings and/or ventures which generate vehicular traffic of such high proportion and count that the entry to or exit from same constitutes traffic hazards, dangers or slowdowns.
13. **Permission for culvert and driveway required if private property to be connected to Parish road.** That in all cases where a culvert is to be installed and/or a driveway constructed between private property and a Parish owned and/or Parish maintained roadway, application for approval of the driveway shall be submitted to the Department of Engineering who shall determine that the driveway meets current roadway and traffic safety standards and conforms to existing drainage requirements for the area. A violation of this provision shall be deemed a public safety hazard and, in addition to any other enforcement actions and/or penalties, the Parish has authority to institute appropriate and immediate court proceedings to restrain, correct, or abate such violation through the issuance of a temporary restraining order and in due course, a preliminary and permanent injunction.

B. Exemption. Department of Engineering review of culvert verification under the Parish Building Permit process shall suffice in lieu of this requirement.

C. Installation standards and specifications. All culverts shall be purchased and installed by the landowner or person required to install same in conformity with the following:

1. The driveway or approach is for the bona fide purpose of securing access to private property and is not for the purpose of parking or servicing vehicles on the road shoulder or right-of-way.
2. All driveways, approaches or other improvements on the right-of-way, after having been constructed, shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs and relocations to be made as may at any time be considered necessary to permit the relocation, reconstruction, widening and maintaining of the highway and/or road and/or to provide proper and safe protection to life and property on or adjacent to the roadway; that the cost of making such changes, additions, repairs and relocations shall be borne by the property owner.

3. No driveway, approach or other improvement constructed on the right-of-way shall be relocated or its dimensions altered without the written permission of the Department of Engineering.
4. The property owner agrees to hold harmless the Parish of St. Tammany, the Department of Engineering, and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this Section.
5. The location, design and construction of the driveway or driveways described above shall be in accordance with the following rules and regulations:
 1. The frontage of any parcel of property adjacent to a public road shall be considered to be confined between lines drawn from the intersection of the property lines with the right-of-way lines of the road to the roadway surface or to the curbing, if any, and perpendicular to the axis of the road; or if the axis is a curve, to the center of curvature; or a combination of the two (2). Those lines shall be known as boundaries.
 2. Generally no more than two (2) combined entrances and/or exits shall be allowed any parcel of property the frontage of which is less than two hundred (200) feet. Additional entrances or exits for parcels of property having a frontage in excess of two hundred (200) feet shall be permitted only after showing of actual convenience and necessity. When frontage is fifty (50) feet or less, only one combined entrance and exit shall be permitted.
 3. All culverts positioned within the drainage system shall be constructed of concrete, bituminous coated corrugated metal (16 gauge minimum) or plastic in accordance with Louisiana Department of Transportation and Development Standard Specifications for Roads and Bridges (Silver Book, 1992 Edition or latest edition thereto).
 4. The minimum length of any culvert installed shall be as follows:
 5. **Residential** - 20 feet **Commercial** - 30 feet
 6. Any culvert installed shall be required to provide an adequate turning radius , to protect the integrity of the culvert and drainage structure.
 7. The area between driveways shall remain unimproved and open for drainage flow. This area shall be considered restricted and may be filled only as hereinafter provided.
 8. The distance between the inner edges of entrance and exit shall be not less than ten (10) feet where they intersect either the right-of-way line or the road surface.
 9. No entrance or exit shall be so constructed that any part of such entrance or exit shall be less than five (5) feet from the boundaries as defined above.
 10. The grade of entrance and exit shall slope downward away from the road surface at a rate of not less than one-quarter (1/4) inch in one foot or not more than one inch per foot for a distance of not less than ten (10) feet; provided, that when curbing or curb and gutter is removed, the entrance and exit shall be constructed of concrete and the grade of entrance and exit shall conform to the grade of sidewalks, if any, and a neat junction

between the apron of the entrance and exit and the sidewalk shall be made. The curbing shall be returned into the entrance and exit on a radius of not less than three (3) feet nor more than fifteen (15) feet.

11. The construction of parking areas on the road right-of-way is specifically prohibited. Those places of business requiring parking space for their customers shall provide same on their own premises.
12. No driveways parallel to the road shall be constructed on the right-of-way in front of gasoline pumps or other structures requiring an outside drive. Such pumps and structures are to be located a minimum distance of ten (10) feet from the right-of-way line in order that the outside drive shall not encroach on the right-of-way. (A fifteen-foot setback is recommended.)
13. Drainage in highway side ditches shall not be altered or impeded and the applicant must provide, at his expense, suitable and approved drainage structures at entrances and exits.
14. The same material may be used for driveways that is used to surface the premises unless the character of traffic or adjacent improvements require concrete.
15. All entrances and exits shall be so located that vehicles approaching or using them will be able to obtain adequate sight distance in both directions along the road in order to maneuver safely and without interfering with traffic.
16. No entrance or exit at the intersection of two (2) Parish roads shall be within the area between lines drawn perpendicular to the center line, or axis, of the road from points on the right-of-way lines, a distance of twenty-five (25) feet from the intersection of said right-of-way lines; provided, that this distance may be reduced at the discretion of the Department of Public Works to fifteen (15) feet in the case of a roadway intersecting a street; further provided that no part of any entrance or exit be within the radius of any intersecting highway or street; further provided that at intersections where additional right-of-way has been secured for the roadway back of the prolongation of the normal right-of-way lines in order to provide for the channelization of traffic, or more adequate sight distance, no part of any entrance or exit shall be permitted to encroach on such additional right-of-way. The areas described above shall be considered as restricted and may be filled only as hereinafter provided.
17. No entrance or exit at or near a roadway intersection where one or both of the roadways has a median divider or neutral ground, at crossings in esplanades, at bridges or other points of special hazard, shall be so located that any part of such entrance or exit shall be within the following restricted areas:
18. Those portions of the right-of-way shown as restricted areas on the Department of Engineering (or State Highway Department) standard drawings of approaches and restricted areas which may be secured by a person at his expense as required.
19. Those portions of the right-of-way that, because of their proximity to special traffic facilities, any entrance or exit constructed thereon would, in

the opinion of the Department of Engineering, constitute an undue delay and confusion.

20. The area between entrance and exit, and those portions of the right-of-way which have been defined hereinabove as restricted areas, may be filled in only when the following requirements have been fully complied with, and upon adoption of a resolution by the governing authority.
21. Letter addressed to the Parish Engineer requesting permission to enter the parish right of way for the purpose of installing subsurface drainage.
22. Drainage design of the subsurface system certified by a licensed Louisiana State registered Engineer. The following design criteria must be satisfied:
 23. Drop inlets must be constructed for every fifty (50) feet of pipe.
 24. Largest pipe that can fit in existing ditch must be used for design, including the driveway culvert.
 25. Surface drainage shall be provided so that all surface water on the filled-in areas shall be carried away from the roadbed in a suitable manner. The drainage opening underneath the filled-in area shall be adequate to carry the water in the roadway side ditches.
 26. Elevations, top of casting and pipe inverts must be shown on the drawings to demonstrate compliance with the given design criteria.
 27. Signed and notarized Hold Harmless agreement.
 28. Copy of liability insurance coverage naming the Parish as an insured party.
 29. Data relative to the proposed location, relocation, design and construction of driveways as may be required by the Department of Public Works shall be furnished by the applicant. The applicant shall make any and all changes or additions necessary to make the proposed driveways or approaches satisfactory to the said Department.
 30. Signing for warning and protection of traffic in instances where excavations are made in the shoulder of the roadway, or in the roadway surfacing, or where workmen, equipment or materials are in close proximity to the roadway surfacing, shall be in accordance with requirements set forth by the Louisiana Department of Transportation & Development (LA DOTD) Manual on Uniform Traffic Control Devices (MUTCD).
 31. Drive-in theaters and other enterprises which generate heavy traffic:
 32. All applications for entrance and exit facilities to drive-in theaters, as well as to any other enterprise which generates a heavy concentration of traffic, shall be accompanied by a plan drawing and an area sketch drawn to scale.
 33. The position of the screen is to be such that the picture is not visible from the main roadway.
 34. The ticket office is to be located so as to provide a storage area between it and the right-of-way line for an equivalent of fifteen (15) percent of the rated vehicle capacity of the theater. The total storage area inside and outside of the ticket office shall be the equivalent of thirty (30) percent of

the rated vehicle capacity of the theater. The parking or storage of vehicles on the road or within the limits of the road right-of-way will not be permitted.

35. The entrance and exit shall be clearly defined by signs installed off the road right-of-way.
36. Manual control, either by deputized officers of the Sheriff s Department or by theater personnel off the roadway, shall be used at the exits to regulate traffic when the theater is emptying. Undue delay to through traffic on the road will not be permitted.

D. Interpretation.

1. Nothing herein shall be construed to create, cause or place in St. Tammany Parish, nor in any of its officials, agents, servants or employees, any liability or responsibility for any claim for personal injury or property damage or whatsoever, save and except as a direct result of their actionable negligence.
2. Nothing herein shall be construed as estoppel or prohibition against any removal or realignment of any culvert(s) installed hereunder as may be from time to time required by the Parish; nor shall same prevent, release, prohibit or hinder any action by the Parish which may be required to enforce the provisions of this Section, or as same may be hereafter amended, or for any injunctive relief or damages and costs.
3. Any installation which is ordered to be removed or realigned by the Parish Engineer shall be at the sole expense of the property owner or the person installing same, or to their successors in title and any, each, and every culvert installation, whether or not a permit is required, shall be at the sole risk of the property owner or installer. This removal or realignment shall include repair of any damage or disturbance caused to the road ditch or shoulder.

E. Violations; penalties.

1. It shall be unlawful and shall constitute a Misdemeanor punishable as is included in Section 1-008.00 of the Code of Ordinances of St. Tammany Parish (and each and every day of violation shall constitute a separate offense) to violate any of the provisions of this Section.
2. It shall be similarly unlawful and punishable for any Parish employee to singularly or in concert with others violate or aid and abet or conspire with any other person or persons to violate any of the provisions hereof. It shall also be illegal for any Parish employee to specify or direct any person installing culvert(s) to a particular manufacturer, retailer, wholesaler or installer of culvert, pipe, and/or surface materials; or to use Parish equipment or materials in the preparation for, installation of, or surfacing of culverts other than that required in performance of their inspection duties.
3. Additionally, any Parish employee who violates any of the provisions hereof shall be subject to dismissal from Parish employment.

4. (Ord. No. 98-2893, adopted 6/18/98; amended by Ord. No. 99-3069, adopted 5/20/99)

SEC. 20-006.00 Obstruction Of Roads Or Bridges

1. It shall be unlawful for any person to place, load or unload, pile or stack, any wood, logs, timber, concrete washout, building debris, fill, gravel, sand, port-o-lets, dumpsters, equipment, fences, plant vegetation, or other obstruction upon the shoulder, ditch, or road or bridge, or any part of the Parish roads or bridges or to obstruct in any other manner any Parish road, bridge, shoulder or drainage structure.
2. In addition to any enforcement actions established by this Code, the Parish has the authority to take any administrative action necessary, inclusive of placing holds on building permits and/or inspections, to rectify the violation and obtain restitution for same. (Ord. of 7/10/1900; Ord. of 12/8/25; amended by Ord. No. 96-2500, adopted 09/19/96; amended by Ord. No. 98-2903, adopted 6/18/98)

SEC. 20-007.00 Trees

It shall be unlawful for any person, except duly authorized agents or employees of the Parish to cut or deface any shade trees which are located upon the rights-of-way of public roads. (Ord. of 05/08/23)

SEC. 20-007.01 Live Oak Trees Protected

EDITORIAL NOTE: New Section 15-005.20 added under the authority of Ordinance No. 92-1599, adopted 05/21/92.

a) **Prohibited:** It shall be unlawful for any person to cut, trim, remove, damage or deface any live oak tree, which has a circumference of eighteen (18") inches or larger when measured three (3) feet from the ground, located on Parish property or within Parish rights-of-way, without first obtaining the consent and approval of the Director of the Parish Department of Public Works. The Director shall respond to any request within five (5) working days. Upon receipt of said consent and approval, any trimming, maintenance, or removal of live oak trees (as specified above) shall be performed under the supervision of a Professional Licensed Arborist.

In the event of an emergency, a written statement outlining the reasons contributing to such situation shall be furnished to the Public Works Director within 72 hours of any action taken.

b) **Exemption:** Exempt herefrom are duly authorized agents, official and employees of Parish, State or Federal agencies engaged in the pursuit of their duties, or those individuals assigned to provide protection for the citizens of this Parish.

c) **Violation; penalty:** Any violation of this Section shall constitute a misdemeanor punishable in accordance with Section 1-008.00 of this Code of Ordinances.

(Ord. No. 92-1599, adopted 05/21/92; amended by Ord. No. 98-2893, adopted 6/18/98)

SEC. 20-008.00 Fishing From Specific Bridge Prohibited

Fishing from the bridge crossing Doubloon Bayou on Peterson Road in Ward 8 is hereby prohibited. Signs shall be posted on both ends of such bridge stating "NO FISHING FROM BRIDGE". (Ord. No. 697, adopted 02/17/77)

SEC. 20-009.00 Naming Or Renaming Streets

1. **When allowed** - Street names and name changes in the unincorporated areas of St. Tammany Parish may be initiated in the following manner.
 1. By application of a developer or subdivider to the Planning Commission under the subdivision review process.
 2. By submission to the St. Tammany Parish Communications District No. 1 of a request from the Department of Public Works.
 3. By a petition to the St. Tammany Parish Communications District No. 1 signed by at least fifty percent plus one (50% + 1) of the property owners owning or fronting the public or private street; or,
 4. By request of the St. Tammany Parish Communication District No. 1.
 5. The Director of the Department of Public Works shall be allowed to make administrative road name changes to the St. Tammany Parish Road Inventory that only involve correcting a misspelled name or typographical error to conform same with the name reflected on the parish wide 911 map.
2. **Street Name Criteria** - All street names shall conform to all policies and rules hereafter established and to the following street name criteria:
 1. Requests to change the name of a public or private street, road, or thoroughfare shall be considered only in its entire length.
 2. Street names shall not be duplicated for private or public street right-of-way. Spelling differences on similar sounding names do not remedy duplication.
 3. Suffixes such as Drive, Road, Parkway, Avenue, Court, Loop, Circle, etc. do not remedy duplication. Directional prefixes and suffixes may be allowed and will remedy duplication, however, such streets must have a common alignment.
 4. Private street name signs shall be identical to public street name signs except for color as follows:
 5. The St. Tammany Parish Communication District No. 1 will maintain a parish wide map of all road names which shall coordinate with the US Postal Service, City Municipal Address Maps and the St. Tammany Parish Road Inventory (for public maintained roads only).

6. Streets or roads may be “offset” or “jog” with the same name provided the “jog” or “offset” is not more than one hundred twenty five (125) from center line to center line.
7. Existing street names must be used in those instances where a new street is a direct extension of an existing street or logical extension thereof.
3. **Submission Contents** - All submissions for street name changes shall contain the following:
 1. The location of the street to be named/renamed;
 2. The current name, if any;
 3. The Proposed name;
 4. The names and addresses of all abutting property owners, on “Property Owner Certificates” obtained from the St. Tammany Parish Assessor, must be provided by the applicant.
 5. The appropriate signatures of the property owners;
 6. The required filing fee if established in Section 2-009.00 - Parish Fees and Service Charges.
4. **Procedure** - The following procedure is established for street name changes.
 1. Requests and resolutions shall be submitted to the Department of Planning and Permits - Addressing Coordinator, who shall also verify that street names within subdivisions are in compliance with the above criteria.
 2. Requests will be reviewed and forwarded with support documentation, with specific emphasis on whether a conflict exists to the St. Tammany Parish Communication District No. 1 within thirty (30) days.
 3. St. Tammany Parish Communication District No. 1 will review the request at its next regular meeting and forward its recommendation to the governing authority for adoption of an ordinance to implement the change.
 4. The District shall have the right to recommend the rejection of any name change request which is not in the best interest of providing emergency services to St. Tammany Parish.
 5. Upon adoption of the ordinance, all relative maps and data files will be adjusted to reflect same and the Department of Public Works will post signs accordingly on those roads under its jurisdiction.

(Ord. No. 81-264, adopted 09/17/81; Ord. No. 84-105, adopted 05/17/84; Ord. No. 84-210, adopted 09/20/84; amended by Ord. 92-1547, adopted 01/16/92; amended by Ord. No. 98-2893, adopted 6/18/98; amended by Ord. No. 99-3041, adopted 3/18/99; amended by Ord. No. 99-3116, adopted 07/15/99)

SEC. 20-010.00 Location/Placement of Public & Private Utilities In Parish Rights-of-way Relative To New Developments/Subdivisions And Relocation Of Existing Utilities

(a) **Regulated:** All public and private utility equipment and collection and/or distribution lines shall be located as detailed in attachment A to this Section. (**NOTE:** Attachment A is on file with the original Ordinance in the office of the Clerk of the Parish Council.)

(b) **Exemptions:** Any deviations/exemptions from the prescribed standards must be approved prior to construction and/or installation by the Parish Engineer or his designated representative. Exemptions shall be allowable for subdivisions of record.

(c) **Violations:** Any individual, corporation, their agents and/or contractors not conforming with the provisions of this Section shall be subject to the penalty provisions as herein contained. Each day s offense shall be construed to be a separate and individual offense.

(d) **Enforcement:** The enforcement responsibility of the provisions of this Section shall reside with the Department of Public Works.

(e) **Penalties:** Violation of this Section shall constitute a misdemeanor punishable under the provisions of Section 1-008.0 of this Code of Ordinances. Each day of violation shall constitute a separate offense. (Ord. No. 85-364, adopted 03/21/85)

SEC. 20-010.01 Procedure For Placement Of Public & Private Utilities In Parish Rights-of-way

EDITORIAL NOTE: New Section 20-010.01 created under the authority of Ordinance No. 90-1288, adopted 06/21/90 and amended by Ord. No. 06-1340, adopted 07/06/2006.

PART 1:

A. The purpose of [the following] Sections 20-010.01-20-010.08 shall be to establish the procedure for placement of public and private utilities within Parish rights-of-way, proposed Parish rights-of-way, or waterways, as well as the notification process for same. A "utility" shall be generally defined and considered in its most common sense definition as any business enterprise, service or related activity which affects the public interest. It is further understood that for the purpose of this Section, the following list is merely illustrative and not intended to be exhaustive: Cable T.V., Video Services, Information Services, Data Services, Internet Services and Technological Services shall be considered a utility and, as such, shall be bound by the guidelines of these Sections, together with any other applicable provisions of this Code.

B. The Parish, through its appropriate departments, may establish additional procedures and guidelines necessary to place into effect the purpose of this Ordinance.

C. The Parish may establish an application process for requests to enter rights-of-way and waterways to include, but not limited to: proposals for installation of towers, equipment, cable, fiber and such related equipment or materials; schematic drawings; surveys; title examination/ proof of insurance/ ownership information; as-built drawings; site plans; wetland determinations; environmental assessments.

D. The application may include, but is not limited to, the following information: a written request for permission to enter the right-of-way, including the purpose of the request; ownership information; right-of-way dedication; wetlands determination and/or wetlands permit from the U.S. Corps of Engineers and other respective environmental agencies; a site plan of applicant's property with relationship to the proposed structure or structures and the Parish road right-of-way and any other servitudes, both public and private.

E. The Parish is also empowered to impose and assess certain requirements, including but not limited to: additional right-of-way dedication or donation; creation of additional servitudes; hold harmless/indemnity agreements; proof of liability insurance; proof of the Parish named as an additional-named insured; letters of credit; proof of performance bonding; maintenance agreements; responsibility for costs of relocation of utilities; engineering services; permits; and the like.

F. The Parish shall have the right to review, approve and/or reject any plan submitted to the Parish.

G, Should any provision of this section conflict with a valid franchise agreement between the utility and St. Tammany Parish Government, the franchise agreement shall prevail.

H. Notwithstanding the fact that a utility shall comply with the provisions of this section, utilities providing services to St. Tammany Parish residents shall enter into a franchise agreement with St. Tammany Parish for the use of the rights-of-way for the provision of services unless directly prohibited by law.

(Amended by Ord. No. 06-1340, adopted 07/06/2006)

PART 2:

Further, except as provided in Section 20-011.01(C), installation of underground utilities shall not include central water and community sewerage in those cases where the Department of Engineering and Department of Environmental Services has determined that such installation is not warranted due to nonexistent community or regional sewerage or water facilities.

Any other provision notwithstanding, all new subdivisions, and any "dormant subdivision" or "subdivision of record" where a developer applies for permission to enter the parish right of way for the purpose of gaining access to property pursuant to the

provisions of Section 20-011.01, et seq., must have utilities installed underground and conform to all other requirements of Sections 20-010.00 through Section 20-011.01.

Waiver of Regulation: Cases may occur where the installation of underground utilities cannot reasonably be complied with without causing undue hardship. If the developer or property owner of record reasonably believes that he cannot comply with the provision requiring the installation of underground utilities, he may make a request in writing to the Chairman of the Planning Commission, stating that: He is requesting a waiver of the provision requiring the installation of underground utilities and set forth the specific reasons therefor. The Planning Commission may grant such waiver as it deems proper by a resolution adopted by not less than a two-thirds majority (2/3) affirmative vote of the Planning Commission membership. Such approved waiver shall be filed with the Director of the Department of Public Works, Director of the Department of Engineering and Director of the Department of Planning and will be so noted in the files.

(Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90; amended by Ord. No. 06-1223, adopted 01/05/2006)

SEC. 20-010.02 Notification Of Parish Officials

EDITORIAL NOTE: New Section 20-010.02 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

All utility companies shall be required to notify the Division of Utility Regulation and Enforcement of the Department of Public Works, in writing, 48 hours prior to entering any Parish right-of-way for the purpose of installing and/or repairing any utility. If [the] Parish is equipped to be notified through DOTTIE System, notification through same shall suffice.

Written notification shall include but not be limited to the following information:

- a) Company Name
- b) Sub-contractor (if applicable)
- c) Parish Road Name
- d) Location of work
- e) Date work to be done
- f) Description of work to be done
- g) Estimated completion date (if requested)

1) Emergency Notification: In the event of any emergency, it shall be the responsibility of the utility company to notify the Division of Utility Regulation and Enforcement of the Department of Public Works within three (3) working days after such emergency. Notification of emergency work shall include all information listed above.

2) DOTTIE Notification: It is expressly understood that notification to the Division of Utility Regulation and Enforcement of the Department of Public Works does not relieve the utility company of their obligation to notify DOTTIE of any activity within the right-of-way.

3) Exception:

i) Notification shall not be required for the installation or repair of aerial lines (excluding vertical structures and support poles). However, it shall be incumbent upon the utility company performing such work to notify the Division of Utility Regulation and Enforcement of the Department of Public Works of any damage caused to the road or drainage structure within three (3) working days. In the event that damage is caused and notification is not received as specified above, penalties shall be assessed beginning on the fourth (4th) day.

ii) Notification shall not be required for sewer and water taps on the backside of the ditch that are clearly outside of the drainage and roadside structure, and would not impair the flow line of the ditch or enter the road bed itself. However, proper backfill is still required. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90)

SEC. 20-010.03 Location And Placement

EDITORIAL NOTE: Section 20-010.03 created under the authority of Ord. No. 90-1288, adopted 06/21/90, Ord. No. 90-1331, adopted 09/20/1990, and Ord. No. 10-2305, adopted 08/05/2010.

A. Collection and Distribution Lines: Except as otherwise provided in paragraph C of this Section, all public and private utility equipment and collection and/or distribution lines shall be located as detailed in attachment A (of Ordinance No. 90-1331), as well as in accordance with the requirements listed below.

1) It shall be unlawful to cut any Parish roadway for the purpose of installing any utility. When crossing lanes, utilities shall be bored or jacked and installed through a casing in accordance with LDOTD (Louisiana Department of Transportation and Development) specifications, as follows:

a) High Pressure Transmission lines shall be a minimum of 72 inches (72") below road crown.

b) All other line shall be a minimum of 36 inches (36") below the road crown, or a

minimum of 24 inches (24") below the ditch bottom, whichever is deeper.

2) All underground utilities paralleling lanes shall be a minimum of 24 inches (24") below the surface or invert of ditch, whichever is deeper.

Exception: Telecommunication and Cable TV service lines may be buried a minimum of 8

inches (8") below the back side of the ditch only. This exception is conditioned upon and shall apply to a utility company only if the Parish receives a Hold Harmless Agreement from

that utility company and that same is approved by the Division of Utility Regulation and Enforcement of the Department of Public Works. Said agreement shall hold the Parish, its

employees, as well as any person performing work for the Parish, harmless for any damage

caused to these lines, as well as, any cost incurred for same.

3) All utilities paralleling lanes shall be placed on the back side of the ditch as shown on Attachment "A" of Ordinance No. 90-1331.

4) Trenches shall be backfilled and tamped or compacted with acceptable materials in accordance with LDOTD standards (Gold Book) and shall be maintained as required.

5) Except as otherwise provided herein below, after August 15, 2008, with the exception of utility poles, placement of new above ground utility housing structures larger than 3 cubic feet is prohibited within the parish rights-of-way

B. Utility Structures Less than 3 Cubic Feet: Above ground structures less than 3 cubic feet in size shall be no more than 2 feet from the rights-of-way line and shall not obstruct rights-of-way maintenance, ingress and egress to property or traffic. The proposed placement of structures less than 3 cubic feet in size in the right-of-way of a tacit dedication or in any right-of-way less than 50 feet wide shall be submitted to the Department of Engineering and shall be subject to the review and approval by the Director of the Department of Engineering.

C. Structures 3 Cubic Feet to 45 Cubic Feet: The location and placement of utility structures in the parish right-of-way that are more than 3 cubic feet but less than 45 cubic feet in size may require the approval of the Planning Commission, following a public hearing for that purpose, and in all cases shall be subject to the following

requirements. Individual structures greater than 45 cubic feet are prohibited. For purposes of this Ordinance, utility structure means the utility cabinet housing the equipment.

1) Permit: The Procedure and Standards for Granting Permission to Enter Parish Right of Way for Gaining Access to Property shall be applicable to the extent that such procedures and standards are not inconsistent with the provisions of this Section, which shall be controlling. The applicant shall file an application and the following documents with the Department of Planning. The Department of Planning shall promptly submit a copy thereof for review and recommendations by the Department of Public Works and Department of Engineering. Application and construction work drawings are also required to be submitted to the Department of Permits for the issuance of a building permit, which may be done at the same time that the below required documents are filed with the Department of Planning. However, a building permit shall not be issued until the application has received administrative approval from each department or the application has been approved by the Planning Commission. In the event of an appeal from the Planning Commission to the Parish Council, the final approval shall be that of the Parish Council:

a) A site plan for the installation and placement of the particular utility structure, which shall include the following specifications: the overall dimensions/measurements of the utility cabinet/equipment housing and foundation; the proposed location of the installation within the right-of-way, providing measurements of the distance of the foundation from the back of the ditch along the right-of-way, from the edge of the paved or gravel surface of the roadway, from the property line abutting the right-of-way, and the nearest side lot line of the property abutting the right of way. Where the structure is proposed to be located within two hundred (200') feet of an intersecting road or right-of-way, measurements of the distance from the intersecting road or right-of-way shall also be provided; any additional information determined to be necessary by a Parish Department charged with review and approval of the application and plans.

b) A photograph of a prototype of the utility structure to be installed, a photograph of the proposed site on the right-of-way that also depicts any intersecting road or right-of-way within two hundred (200') feet, and a photograph of the abutting property.

2) Criteria: The following criteria shall be applicable to the review and approval required by this Section for installation of a utility equipment structure:

a) The extent of the parish's right-of-way must be of sufficient width behind any existing roadside drainage ditch to allow for the installation of the utility equipment structure in accordance with the below criteria and in consideration of the relocation requirements of Paragraph C(4);

b) The installation and placement of the utility equipment structure shall not obstruct or impede drainage in any roadside ditch or other drainage feature and shall not interfere with the parish's maintenance thereof;

c) The installation of a utility equipment structure cannot be made to fit within a parish right-of-way by means of installing a culvert in the roadside drainage ditch and installing the utility structure over any part of the culvert. Such an installation is strictly prohibited;

d) The installation and placement of the utility structure shall not obstruct the sight line of a vehicle attempting to enter or exit a road from an intersecting road or a private driveway and shall not otherwise interfere with the safe movement of traffic on such road or at such intersection;

e) The installation and placement of the utility structure shall not obstruct or interfere with the parish's maintenance of the right of way. To ensure that the structure does not interfere with the parish's maintenance of the right-of-way, and to mitigate the potential for damage to the utility structure by parish maintenance equipment, the following criteria shall be applicable:

(i) Considering such factors as public safety, drainage and right-of-way maintenance, the extent of the available right-of way, the necessity for locating the structure next to an existing utility structure or equipment, and the proximity of a less obtrusive but equally viable alternative site, the utility structure shall be located at a point on the right-of-way nearest to the side lot line of the private property it is located in front of.

(ii) Considering such factors as public safety and the extent of the available right-of-way in relation to the abutting property line and roadside drainage ditch, a maintenance perimeter of at least thirty (30") inches, but not more than sixty (60") inches, shall be required around the utility structure's foundation. The maintenance perimeter may be established as a maintenance free perimeter made of concrete, asphalt, other impervious material or such other material that will inhibit plant growth. Such perimeter must be level with the immediately surrounding surface of the right of way maintained by the parish.

(iii) When the operation of the utility equipment in the structure that is proposed to be installed necessitates that it be located near another utility structure, the structure to be installed should immediately abut the existing utility structure/equipment and a thirty (30") inch maintenance perimeter provided around both structures as if a single utility structure. If the two structures are separated, an appropriate maintenance perimeter is to be provided around both structures.

(iv) In lieu of the maintenance free perimeter referred to herein above, a landscaping perimeter may be required upon consideration of the existing landscaping and aesthetics of the surrounding area.

f) Should advances in technology permit the use of utility equipment in a smaller utility cabinet/structure, the larger cabinet/structure is to be replaced with a smaller cabinet/structure whenever the equipment being housed in the larger cabinet/structure is to be replaced with the more advance equipment that can be housed in a smaller cabinet/structure. If the equipment ceases to be used for the purposes for which it was

installed, the equipment and structure, including foundation, shall be promptly removed, and the right of way restored to the condition of the surrounding area of the right of way, at the expense of the utility company responsible for its installation or its successor.

3) Post Installation Maintenance of perimeter: The utility company owning and/or maintaining the utility equipment following the installation of the structure housing the equipment shall be responsible for maintaining the perimeter area that is established around the structure.

a) Where landscaping is installed in the maintenance perimeter, the utility company shall be responsible for maintaining the landscaped perimeter at regular intervals to avoid an overgrowth of weeds or an unsightly and unkept appearance.

b) The utility company shall provide the name and contact information for the person designated by the utility company to oversee the maintenance of the perimeter areas around the utility structures. The information shall be provided to the Department of Public Works

and the utility company shall ensure that the name and contact information is kept current. If a maintenance complaint is received by the utility contact person, either from an employee of the Parish or a resident, the utility contact person shall provide a written disposition of the complaint, within fifteen (15) days, to the complainant and to the office of Code Enforcement.

c) The utility company shall provide a letter of credit to the Department of Finance in the amount of twenty-five thousand (\$25,000.00) dollars, which is for the purpose of ensuring that maintenance is performed as required by this Section. Failure to provide a written disposition in accordance with paragraph (3)(b) hereof shall constitute authority for the Parish to perform any required maintenance and to recover the costs thereof under the letter of credit provided for such purpose.

4) Relocation Required by Road or Drainage Improvements: When selecting a site for installation of the utility equipment structure, the utility company should take into consideration the possible need for relocation of the equipment and structure in the event that the Parish undertakes improvements to an existing road or right of way after installation. In this regard, the structure should be located as near as possible to the boundary line of the right of way and abutting property. Should an installed structure be determined to interfere with a planned improvement, or would no longer meet the criteria set forth in this Section as a result of the improvements, the utility company responsible for the initial installation, or its successors and assigns, shall be responsible to relocate the utility equipment structure at its expense. The utility company shall be given reasonable notice of the proposed improvement and the required relocation. A minor shifting of a few feet in the location of the structure must be appropriately noted on the originally approved plan and shall not require Planning Commission approval.

5) Insurance, Indemnification and Hold Harmless: The utility company shall provide the Parish with a written indemnification and hold harmless from and for any responsibility and liability for any claims and/or actions for damages arising out of the installation of a utility equipment structure provided for in Paragraph (C) hereof. Notwithstanding the foregoing, the utility company shall not indemnify the Parish for any damages, liability or claims resulting from the negligence or willful misconduct of its officers, agents or employees. Unless self-insured, the utility company shall also provide the Department of Finance with proof of current liability insurance, naming the Parish as an additional insured for any liability arising out of the installation of the utility equipment structure.

6) Staff Report; and Planning Commission Hearing, When Required: Upon receipt of an application, the Departments charged with the responsibility of reviewing and evaluating the application shall conduct a site inspection and submit its report and recommendations for inclusion in the Planning Department Staff Report. When a public hearing is required, the Department of Planning and/or the Department of Engineering shall be responsible for advertising the proposed utility installation application for public hearing before the Planning Commission. The advertisement shall be published no less than twice during a ten (10) day period in the official Parish Journal and/or newspaper of local circulation in the vicinity of the site of the proposed utility installation indicating the date, time and place of the hearing. No application to install utility equipment governed by paragraph C of this Section shall be acted upon or administered to without the benefit of hearing thereon, except as provided in paragraph D herein below. In addition, it shall be the obligation of the Department of Planning and/or the Department of Engineering to ensure that proper public notice, by way of signs, be posted on or in the vicinity of the proposed installation site at least ten (10) days prior to the public hearing. Said signs shall indicate the date, time and place of the public hearing to review the application.

7) Variances may be granted by the Planning Commission upon favorable vote of a majority of the membership of the Commission.

8) Violation: Any proposed change/amendment to a plan approved by the Planning Commission shall require Planning Commission approval of the change/amendment. Any alteration or change in such a plan that has not been approved by the Planning Commission, and any installation that is not in conformity with an approved plan, whether approved administratively or by the Planning Commission, shall constitute a violation of these regulations and is strictly prohibited.

9) Any person claiming to be aggrieved by a decision of the Planning Commission may appeal to the Parish Council, through the Department of Planning, in written form filed within ten (10) days following the Planning Commission hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten day appeal period. The Parish Council shall have the exclusive right to overturn any Planning Commission decision by a majority vote of the membership of the Parish Council.

D. Administrative Approval: An application to install a utility structure governed by paragraph C of this Section may be acted upon or administered to without the benefit of a Planning Commission hearing thereon, only when there is compliance with the permit and criteria requirements of paragraph C, and the following requirements are satisfied:

1) Public Notice to Property Owners: The applicant shall provide, and submit acceptable proof of, notice of the proposed installation of the utility structure to the owner of the property abutting the location of the proposed installation and to the property owners in the immediate vicinity of the proposed location. For purposes of this Ordinance, owners in the immediate vicinity means the owners of the properties within a 150 foot radius of the proposed location of the utility structure. When the property abutting the location of the proposed installation is located at an intersection, owners in the immediate vicinity shall also mean the owners of the properties at that intersection. For example, the owners of the property located on the four (4) corners, or on the corner(s) and on the opposite sides of the streets.

(a) The applicant shall make every reasonable effort to work with the herein above described property owners to choose a location for the structure which will minimize its impact on the surrounding area.

2) Acceptable Proof of Notice: Except in those cases provided for in subparagraph (3) herein below, Waiver of Notice and No Objection, the applicant shall provide a written notice of the proposed installation to the herein above described property owners via U.S. Mail or commercial delivery. The notice shall, in clear language, inform the owner of the proposed location of the installation and that the owner shall have 30 days from the delivery date of the notice in which to notify the Department of Planning of any objection to the proposed installation. Ownership is to be determined based on the most current listing of the St. Tammany Parish Assessor. The notice shall include the following information:

(a) The address and telephone number of the St. Tammany Parish Department of Planning;

(b) A photograph of a prototype of the utility structure to be installed and a drawing showing the proposed location of the equipment within the right-of-way and in relation to the boundary lines of the owner's property, providing measurements of the distance of the foundation from the back of the ditch along the right-of-way, from the edge of the paved or gravel surface of the roadway, from the property line abutting the right-of-way, and the nearest side lot line of the property abutting the right of way.

3) Waiver of Notice and Objection: In those instances where the representatives of the applicant discuss the proposed location of the utility structure with the herein above described property owners, the notice provided for in subparagraph (2) herein above may be waived. The waiver of notice must identify the owner and his/her property, must identify the location of the proposed utility installation site in relation to the property, and must contain a statement that the owner, having been made aware of all relevant

information concerning the proposed installation of the utility structure, has no objection to the utility structure being installed at the proposed site. The waiver of notice must be signed and dated by the owner.

4) In those cases where the applicant has satisfied all of the other applicable requirements of this Ordinance, and has obtained a signed waiver from each of the owners of the property in the immediate vicinity of the site of the proposed installation, administrative approval shall be granted. In those cases where one or more waivers have not been provided, administrative approval may only be granted when proof of written notice and the delivery thereof is provided, and there is no record of an objection being made to the Department of Planning within the thirty (30) day period following delivery of written notice. In all other cases, approval of the Planning Commission must be obtained.

(Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90; amended by Ord. No. 98-2997, adopted 12/17/98; amended by Ord. No. 06-1223, adopted 01/05/2006; amended by Ord. No. 07-1510, adopted 02/01/2007; amended by Ord. No. 08-1901, adopted 08/07/2008, amended by Ord. No. 10-2305, adopted 08/05/2010)

SEC. 20-010.03.01 Public & Private Utilities In And Adjacent To Certain Parish Road Rights-Of-Way

EDITORIAL NOTE: New Section 20-010.03.01 created under the authority of Ordinance No. 08-1845, adopted 06/05/08.

All public and private utility equipment and collection and/or distribution lines within or adjacent to the following parish road rights-of-way shall be located subsurface pursuant to parish standard requirements, as well as, the additional requirements listed below. Aerial utility lines are expressly prohibited.

Fairway Drive Extension

Emerald Forest Boulevard

Falconer Drive Extension

Holy Trinity Drive

a) It shall be unlawful to cut any Parish roadway for the purpose of installing any utility. When crossing lanes, utilities shall be bored or jacked and installed through a casing in accordance with LDOTD (Louisiana Department of Transportation and Development) specifications, as follows:

1) High Pressure Transmission lines shall be a minimum of 72 inches (72") below road crown.

2) All other line shall be a minimum of 36 inches (36") below the road crown, or a minimum of 24 inches (24") below the ditch bottom, whichever is deeper.

3) All underground utilities paralleling lanes shall be a minimum of 24 inches (24") below the surface or invert of ditch, whichever is deeper.

4) All utilities paralleling lanes shall be placed on the back side of the ditch.

Exception: Telecommunication and Cable TV service lines may be buried a minimum of 8 inches (8") below the back side of the ditch only. This exception is conditioned upon and shall apply to a utility company only if the Parish receives a Hold Harmless Agreement from that utility company and that same is approved by the Division of Utility Regulation and Enforcement of the Department of Public Works. Said agreement shall hold the Parish, its employees, as well as any person performing work for the Parish, harmless for any damage caused to these lines, as well as, any cost incurred for same.

5) Trenches shall be backfilled and tamped or compacted with acceptable materials in accordance with LDOTD standards (Gold Book) and shall be maintained as required.

(Amended by Ord. No. 12-2857, adopted 11/01/2012)

SEC. 20-010.04 Prior Approval For Exemption

EDITORIAL NOTE: New Section 20-010.04 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

Any deviation/exemption from the prescribed standards contained herein, must be approved prior to construction and/or installation by the Division of Utility Regulation and Enforcement of the Department of Public Works. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90)

SEC. 20-010.05 Enforcement

EDITORIAL NOTE: New Section 20-010.05 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

It shall be the responsibility of the Division of Utility Regulation and Enforcement of the Department of Public Works to review and inspect the site after completion. In the event that damage is caused to the right-of-way through activity of the utility company or their agents, the Division of Utility Regulation and Enforcement of the Department of Public Works shall notify the utility company in writing by certified letter. The cost of repairing the damage shall be the sole responsibility of the utility company. Approval shall be required from the Division of Utility Regulation and Enforcement of the Department of Public Works of all specifications, as well as, contractor who will perform any corrective action required as stated in this Section. This Section does not apply to exceptions

listed under Section 20-010.02. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90)

SEC. 20-010.06 Violations

EDITORIAL NOTE: New Section 20-010.06 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

Any individual, corporation, their agents and/or contractors not conforming with the provisions of Sections 20-010.01-20-010.08 shall be subject to the penalty provisions as herein contained. Each day s offense shall be construed to be a separate and individual offense. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90)

SEC. 20-010.07 Penalties

EDITORIAL NOTE: New Section 20-010.07 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

Violation of these sections shall constitute a misdemeanor punishable as follows:

a) \$500.00 per day, commencing five (5) working days after notification of damage if reasonable efforts have not been made to repair damage, until such time that repairs are completed to the satisfaction of the Division of Utility Regulation and Enforcement of the Department of Public Works. Five (5) working days shall not apply to exceptions listed under Section 20-010.02(3);

b) \$250.00 for lack of notification. Each day of violation shall constitute a separate offense. Nothing herein contained shall prevent the Parish from taking such other lawful actions as necessary to prevent or remedy the violation. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90-1331, adopted 09/20/90)

c) \$500.00 per day, commencing on the thirty-first (31) day following the date of written request, for failing to respond to a written request for a utility company to identify the location and depth of a utility line that has been placed within a parish right of way.

(Ord. No. 07-1510, adopted 02/01/2007)

SEC. 20-010.08 Warranty Required

EDITORIAL NOTE: New Section 20-010.08 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

The security required by this Section shall be either a funded Letter of Credit or a Bond approved by the Federal Register with the Parish listed as obligee, as follows:

- a) A blanket security of Ten Thousand Dollars (\$10,000); or
- b) A minimum security per event of Two Thousand Five Hundred Dollars (\$2,500).

SEC. 20-010.09 Enforcement Of Security

EDITORIAL NOTE: New Section 20-010.09 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

In the event a utility company causes damage to Parish property resulting in a contractor having to take corrective action as provided in Section 20-010.05, then, at the completion of all such corrective work, the Parish will present the invoice for said corrective work to the responsible utility company, and the utility company shall have thirty (30) days from its receipt to pay said invoice. In the event the utility company fails to pay said invoice within the thirty (30) days, the Parish may, at its option, take any appropriate action to execute on the security required by this Section.

In the event that the above security has to be called for any reason a new security will be established, as follows:

- a) The security shall increase in \$10,000.00 increments for each occurrence.

(Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90--1331, adopted 09/20/90)

SEC. 20-010.10 Effective Date

EDITORIAL NOTE: New Section 20-010.10 created under the authority of Ordinance No. 90-1288, adopted 06/21/90.

Section 20-010.01-20-010.09 became effective immediately upon adoption. (Ord. No. 90-1288, adopted 06/21/90; amended by Ord. No. 90--1331, adopted 09/20/90)

SEC. 20-010.11 Service Monitoring Fee

1. A uniform service monitoring fee of two percent (2%) on gross sales derived from the unincorporated portions of St. Tammany Parish is hereby imposed on all municipally owned utility companies currently operating in the Parish without a valid, written service agreement, on all renewed service agreements with municipal utility companies currently operating in the Parish with a valid, written service agreement, and on all publicly owned utility companies that wish to establish a franchise service area in unincorporated portions of St. Tammany in the future pursuant to La. R.S. 33:4361, said service agreement fee is being imposed to fund the monitoring of all activities associated with the placement and location of public utilities in Parish rights-of-way.

2. The service agreement fee will be computed according to a two percent (2%) schedule and payable quarterly on or before April 15 for the first quarter, July 15 for the second quarter, October 15 for the third quarter, and January 15 for the fourth quarter. Attached to the payment of the franchise fee will be a statement showing the gross sales or revenue derived from the unincorporated portions of St. Tammany Parish for the months reported. Delinquent balances shall accrue interest at twelve percent (12%) per annum beginning on the first day following the due date of the payment. (Ord. No. 97-2710, adopted 08/21/97)

Cross Reference: Sec. 2-009.00(F), Sec. 12-201.00, and Appendix A

SEC. 20-011.00 Use of Parish Right of Way

Use of parish right of way for any purpose, including but not limited to the following, requires prior approval of the parish governing authority or permission of the appropriate department as authorized by the governing authority:

Department of Public Works:

1. Placement of landscaping
2. Placement of recreational structures, permanent or mobile
3. Placement of sign
4. Use of road/streets for parades or other organized activity.

Department of Engineering:

1. Placement of sub-surface drainage in excess of 50
2. Gaining access to property
3. Placement of utilities (see Sec. 20-010).

SEC. 20-011.01 Procedures and Standards for Granting Permission to Enter Parish Right of Way for Gaining Access to Property

1. The application process may include, but is not limited to the following information: a written request for permission to enter the right-of-way, including the purpose of the request; ownership information; right-of-way dedication; wetland determination and/or wetland permits from the Corps of Engineers and other respective environmental agencies and a site plan of applicant's property with relationship to the proposed structure or structures and the Parish road right-of-way and any other servitudes, both private and public.

2. Conditions which may be imposed on an applicant which must be incorporated within the resolution include, but are not limited to the following information:

a. Requiring additional right-of-way to be dedicated to the parish or the establishment of servitudes in cases when the right-of-way does not meet the current

right-of-way widths as established in the Parish's Subdivision Regulatory Ordinance No. 499, or requiring in cases of limited right-of-way widths the provision to allow a one way access as long as the one way access provides an entrance and a different exit (terminus) to an approved roadway.

b. Requirements which will limit the applicant and any assignees by providing a Hold Harmless Agreement and utilization of the access by (an) individual(s) until the time that the access is upgraded to parish standards and accepted into the Parish's road maintenance system.

c. Requirements which will bind the applicant or any assignees to a maintenance obligation of the access until such time as the Parish agrees to accept the portion of the right-of-way into the Parish's road maintenance system, by execution of Notice of Acknowledgment and Responsibility.

d. The applicant will be responsible for all expenses regarding improvements, relocation of utilities, engineering services, permits, damage and recordation which may be associated with the right-of-way.

e. The Parish Engineer must review and approve a road design and drainage plan prepared by a licensed Louisiana state registered engineer. The Parish Engineer may require additional off-site work to minimize the potential impact of the proposed construction with special emphasis regarding drainage. The road and drainage design must meet the road standards as established under Subdivision Regulatory Ordinance No. 499.

f. Any developer/applicant proposing to develop lots within a "dormant subdivision" or "subdivision of record" must submit for review and approval of the Parish Engineer a drainage plan that meets the detention requirements of Subdivision Regulatory Ordinance No. 499. Where applicable, such developer/applicant shall be entitled to claim a credit toward drainage impact fees due the parish under the authority of the "St. Tammany Parish Drainage Impact Fee Ordinance" (Sec. 2-009.00 Part IV (B)(8)) and, where applicable, shall be entitled to claim credit/reimbursement from any drainage impact fees that have been paid into the "Drainage Impact Fee Escrow Account" by the owner or owners of lots that are not owned by the developer/applicant but would be receiving the benefits of said storage requirements.

g. Liability insurance policy included naming of the parish as an insured party.

h. Provisions for the establishment of a Performance and Warranty letter of credit, when applicable and utilized in the same manner as performance letters of credit are utilized as per Subdivision Regulatory Ordinance No. 499.

i. Applicant and assignees enter into an agreement to delay the hard surfacing requirements for roads to a future date, when applicable, but are bound to meet those requirements either in participating in a front foot assessment or other Parish approved

method at an appropriate time when the road may be reasonably allocated to adjoining property owners and/or assignees.

j. Allow the Department of Engineering to establish a time period for commencement and completion of construction and to delay the issuance of building permits unless appropriate letters of credit are accepted.

3. Any application for the opening and/or extension of any unopened parish right-of-way located within the boundaries of unincorporated St. Tammany Parish shall include provisions for the concurrent installation of central water and community sewerage to the property being accessed provided said property is located within one thousand feet (1,000') of existing central water and community sewerage lines measured along the Parish right-of-way.

(a) Any approval or plans for the opening and/or extension of Emerald Forest Boulevard shall include provisions for the concurrent installation of street lighting and an eight (8') foot tall wooden fence along the boundary of the right of way that abuts or is adjacent to the subdivisions known as Crestwood and Tammany Hills.

(Ord. No. 98-2893, adopted 6/18/98; amended by Ord. No. 04-0983, adopted 10/07/2004; amended by Ord. No. 05-1214, adopted 12/01/2005; amended by Ord. No. 09-2173, adopted 12/03/2009; amended by Ord. No. 14-3199, adopted 09/04/2014)

SEC. 20-012.00 Ditches/Drainage Structures

It shall be unlawful for parish forces to perform any activity within any drainage structure that is not a part of the St. Tammany Parish Drainage Inventory unless otherwise authorized by the governing authority.

SEC. 20-012.01 Acceptance of Private Drainage Structures, excluding subdivisions, into the Drainage Inventory.

1. The Department of Engineering will review any request made for new drainage structures. The Department of Engineering will establish criteria to determine the feasibility of proceeding with the project based upon need, cost, projected benefit and impact to the area. Upon favorable determination of feasibility, the following will be required prior to acceptance by the governing authority.
 1. A notarial act of dedication shall be signed by each person or group of persons who wish to dedicate to the Parish the appropriate right-of-way deemed necessary by the Department of Engineering. Said act shall be prepared in a legally binding format by a notary public and submitted to the Department of Engineering.
 2. A tax research certificate, from the Office of the Sheriff of St. Tammany Parish, indicating that all property taxes and assessments against the property to be dedicated have been paid for the three most recent tax years, and clear mortgage and conveyance certificates, from the Office of

the Clerk of Court of St. Tammany Parish, indicating that those who propose to dedicate the right of way are the sole and only owners and that there are not legal or financial encumbrances in the public records that apply to the owners, and by extension their property, or the property itself, must be run on the caption of the right of way to be dedicated and submitted to the parish for review.

3. A survey and proces verbal legal description of the right of way to be dedicated, prepared by a Louisiana licensed surveyor, must be provided to the Parish.
2. Inclusion into the St. Tammany Parish Drainage Inventory
 1. The Department of Engineering shall inform the Department of Public Works that said right of way meets drainage inventory criteria.
 2. The Department of Public Works shall create an ordinance for the governing authority to adopt accepting said right of way into the drainage inventory.
 3. Upon the adoption of the ordinance by the governing authority, the parish shall assume full ownership and responsibility for the right of way.
3. Construction

The Department of Public Works will be responsible for the construction, based upon the Department of Engineering recommendations, and will provide all future maintenance of the structure.

4. Exemption
 1. Any provision herein may be waived by a 2/3 vote of the governing authority provided that applicant(s) submits documentation adequate to support the request for waiver.
 2. Servitudes may be accepted in lieu of right of way if determined by the Parish Engineer to be acceptable.

(Ord. No. 98-2893, adopted 6/18/98)

SEC. 20-012-02 Tacit Dedication of Drainage Ditches

A drainage ditch shall be added to the Drainage Inventory by ordinance of the governing authority upon certification by the Department of Public Works that same has been maintained by parish personnel for a period of three (3) years or more prior to 1998, the date of adoption of the original Drainage Inventory. (Ord. No. 98-2893, adopted 6/18/98)

SEC. 20-013.00 Road and Drainage Security

The Departments of Public Works and Engineering are granted the authority to require and establish adequate security, as follows, on any project for which it is determined

that security is needed to ensure that the integrity of the road and/or drainage structure is retained:

For all industrial type projects using parish roads and bridges, a funded letter of credit or bond is required in an amount as determined by the Departments of Public Works and Engineering.

A funded letter of credit or bond on any project this is not considered active under a parish issued building permit.

When an active parish issued building permit is in place, a hold can be placed on the issuance of the Certificate of Occupancy for said permit if it is determined that an activity performed under same has caused damage to the road and/or drainage structure.

Any security established under this section shall be released upon satisfactory completion of the project or payment from the responsible party for any damage incurred to the road and/or drainage structure.

(Ord. No. 98-2893, adopted 6/18/98; amended by Ord. No. 14-3149, adopted 06/05/2014)

SEC. 20-014.00 Placement of Advertising Signs in Parish rights-of-way

Title: This article shall be known and may be cited as the “St. Tammany Parish Advertising Signs on Rights-of-Way”.

Definitions:

Parish shall mean the jurisdictional boundaries of the Parish of St. Tammany and all its waterways.

Political sign shall mean any sign urging the election or defeat of any candidate seeking any political office, or urging the passage or defeat of any ballot measure.

Real Estate sign shall mean any temporary sign pertaining to the sale, lease or rental of land or buildings, which is erected or displayed on the lot or parcel to which it applies.

Right-of Way shall mean any portion of ground dedicated to the Parish for public use as a street or other use.

Sign shall mean a medium of communication, including its structure and component parts, which is used or intended to be used to attract attention to its subject matter or location usually for advertising purposes.

Sign owner shall mean that person who owns a sign and/or is responsible for a sign. In those cases in which an owner cannot be determined; the owner of the subject being advertised shall be deemed the owner of the sign.

Snipe sign shall mean a sign which is tacked, nailed, posted, pasted, glued or otherwise attached to poles, stakes, or to other like objects.

General Prohibition:

The erection, installation, maintaining or otherwise placing or permitting to remain upon any Parish highway, right-of-way, including the shoulder, bank, and outer or far side thereof, street, roadway, emergency lane, median, of any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, is prohibited, except insofar as specifically excepted according to provisions made in this ordinance.

Exemptions from General Prohibition:

The above prohibition shall not apply to the following:

1. Signs placed by the Parish Department of Public Works and Parish Department of Planning, or by order of the Parish President or Parish Council to direct, warn, caution or inform the traveling public for the convenience and safety thereof;
2. Signs placed by the Louisiana State Department of Transportation and Development or other state agency for the purpose of informing or warning the public of a regulation made pursuant to law by such agency in keeping with its purposes, the safety, convenience or welfare of the public;
3. Signs placed by the authorities of incorporated municipalities within their corporate limits, in those instances where a parish road crosses or enters a municipal corporation;
4. Signs placed by railroad companies at or near railroad crossings, where required or permitted by law.

Permits - Temporary required:

The parish Director of Planning, or his designee, may issue temporary permits, or certificates of authority, permitting the advance placement on private property, of temporary signs with the purpose of directing guests, members of organizations or other persons to a spot or location where a permitted special event will be held.

Issuance; removal of signs:

Any such temporary permit shall be in writing and signed by the issuing officer, and it shall provide that after the permitted special event, all such signs shall be removed by

the person to whom the temporary permit is issued; a sum estimated as sufficient to defray the expense of removing the signs if such permittee fails to do so, shall be collected at the time the temporary permit is issued. The security shall be returned when satisfactory evidence of the removal of such signs by permittee has been presented to the issuing official.

Issuance under other ordinance or resolution:

If the Council, by resolution or ordinance, grants a special permit, either temporary or permanent, for the placement of any sign in the right-of-way of any road, such resolution or ordinance shall not be deemed a repeal of these procedures, but shall be deemed an exception, along with those exceptions listed above in Exemptions from General Provisions.

Procedures for removal of structures, signs, obstacles, objects, deposits/things within right-of-way:

1. Apparent Value: When structures, signs, obstacles, etc., are of a permanent nature with significant value, the sign owner will be notified by certified mail to remove it within five (5) days. When items do not have significant value but do retain some apparent value, the owner shall be notified orally to remove it within five (5) days. All signs of significant or apparent value will be marked with a "NOTICE OF VIOLATION" at the time of owner notification. If the owner is unknown or cannot be found, a NOTICE OF VIOLATION shall be affixed to the object setting forth that it must be removed within five (5) days from the date specified. Failure to remove within the specified period of time services as forfeiture of all rights thereto and the Parish Government remove the object for its own use, dispose of it in any way deemed necessary. The owner and any other person responsible therefore remains liable for any damages to the public property or expenditures of public funds resulting from the installation or removal of such items.(Amended by Ord. No. 03-0615, adopted 02/06/2003)

2. No Apparent Value: Structures, signs, obstacles, etc. that have no apparent value will be summarily removed and destroyed or disposed of in the most cost effective manner available. Items in this category are wooden stake signs, small cardboard signs, light paper signs, signs nailed to utility poles, snipe signs, signs deemed to be a traffic hazard or obstacle to right-of-way maintenance.

3. Political, Real Estate, or Similar Type Signs: Political, real estate, or similar type signs shall not be located within the public right-of-way. Large signs (i.e. plywood with 2 by 4 supports, or signs that exceed 4 square feet in surface area) will be marked with a NOTICE OF VIOLATION and removed after five (5) days. The ultimate disposition of political, real estate, or similar type signs will be provided in paragraph two (2) above.(amended by Ord. No. 03-0615, adopted 02/06/2003)

4. Potential Traffic Hazard or Obstacle to Maintenance: Any structure, sign, headwall, obstacle, object, deposit, or thing which is potentially hazardous or interferes with road

or structure maintenance because if its location or type of construction will be removed as provided for in paragraph two (2) above.

Removal and Disposal:

Any commercial advertising sign, snipe sign, poster, marker, placard, notice, light, signal light, warning of direction sign, or any other sign as defined in the foregoing sections, considered to be of no apparent value or potential traffic hazard or obstacle to maintenance is subject to immediate removal and disposal by the Department of Permits and Regulatory, Department of Planning, Code Enforcement/Violations officers, Department of Environmental Services, Litter Abatement, St. Tammany Parish Constables, as soon as possible after either of those departments and/or officials is made aware of the location of such signs on public property or within the right-of-way.

Litter Violation:

Any violation of the aforementioned Sections shall be considered a violation of the Parish Code of Ordinances and is subject to the civil and criminal procedures provided therein.

(Ord. No. 02-0551, adopted 10/10/2002; amended by Ord. No. 03-0615, adopted 02/06/2003)

CROSS REFERENCE: See Section 15-005.06 in Chapter 15

SEC. 20-015.00 Mailboxes Within Parish Right of Way

Mailboxes are permitted within Parish rights-of-way, provided that they meet the following specifications:

A. Types of Mailboxes and Installation

1. Mailboxes must be constructed of sheet metal, plastic or similar weight material, with weight not to exceed 11 lbs.
2. Newspaper boxes may be mounted below the mailbox, on the side of the mailbox support, or on their own post alongside.
3. No more than 2 mailboxes can be mounted on a support structure unless the configuration has met U.S. Department of Transportation crash test standards.
4. A single 4x4 inch square or 4 inch diameter wooden post, or light gauge pipe with a strength no greater than 2 inch standard steel pipe, must be embedded no more than 24 inches in the ground.

5. The mailbox and its support will be considered hazardous to motorist when the support exceeds the described structural limitations.

6. Any other type mailbox or installation not conforming to these specifications are not approved for placement within Parish right of way, and therefore exist at the sole liability of the property owner.

B. Placement and Reinstallation

1. The location and construction of mailboxes shall conform to the rules and regulations of the U.S. Postal Service.

2. Contact your local Post Office for instructions on the height (normally 42"-46") and side of the road where your mailbox should be located.

3. Parish is charged with maintaining Parish rights of way, as such, should damage occur to any non-conforming mailbox (i.e. multiple mailboxes, metal cylinders, structures made of brick, stone or other similar materials) or non-conforming post (i.e. large steel post, railroad ties, telephone poles, etc.) located with Parish right of way, the Parish shall not be held liable.

4. Should the Parish cause irreparable damage to an approved mailbox while performing maintenance activities, the Parish's total liability assumed shall be: (a) reimbursement of a sum not to exceed \$40.00*, inclusive of any applicable sales taxes; or (b) replacement with a standard mailbox and pole. *This sum is based on the current prevailing market value of standard mailbox and pole for this area and is only subject to adjustments to reflect annual changes based on the Consumer Price Index for All Urban Consumers (CPI-U) as published by the U.S. Department of Labor, Bureau of Labor Statistics, Washington, D.C.

(Ord. No. 05-1200, adopted 10/06/2005)

SEC. 20-021.00 Major Road Right of Way Protection for Future Expansion

A. The regulations set forth in this Section shall be applicable to the following major roads that need to be improved and/or widened in order to address the existing volume of traffic, level of service and traffic safety:

(1) LA 59 from LA 1088 to Harrison Avenue.

(2) LA 1077 from I-12 to US 190.

(3) LA 21 from Bootlegger to 8th Avenue.

(4) LA 434 from US 190 to LA 36.

(5) LA 25 from US 190 to the Washington Parish line.

(6) LA 1088 from LA 59 to LA 36.

(7) US 11 from US 190 to LA 41.

(8) LA 437 (Lee Road) from US 190 to LA 40 (Barkers Corner)

B. The following protected area for future road improvements and/or widening is established for any road listed in paragraph A of this Section: That area between the center line of the road and a parallel line extending out from the center line a distance of seventy-five (75') feet on both sides of the road.

C. No building, structure or parking area shall be constructed or placed within the protected area established in paragraph B of this Section, where a parcel to be developed is located with frontage on a major road listed in paragraph A of this Section.

D. Pursuant to the provisions of La.R.S. 33:4780.46(3)(b), Section 7.0402(A)(2) of Land Use Ordinance 523, and Section 3.0104(B)(2) of the Unified Development Code, Volume 1-Zoning, the Board of Adjustment shall have the power to hear and decide all matters referred to it or upon which it is required to pass pursuant to ordinance. In accordance with the aforesaid authority, and the authority set forth herein, the Board of Adjustment shall hear and decide any written application filed by a person claiming to be aggrieved by application of the requirements of this ordinance. Upon written application filed with the Department of Planning, setting forth the practical difficulties or unnecessary hardships in meeting the requirements of this ordinance, the Board of Adjustment shall hear and decide whether to vary or modify the application of the requirements of this ordinance.

(Ord. No 10-2244, adopted 04/01/2010; amended by Ord. No. 12-2685, adopted 03/01/2012)

ARTICLE II ROAD DISTRICTS

DIVISION 1. GENERALLY

DIVISION 2. DISTRICT NO. 7

SEC. 20-036.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Sixth Ward. (Res. of 08/17/44, Bk. 2, P. 35)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-037.00 Name And Powers

The Road District created herein shall be known and is hereby designated as "Road District No. 7 of the Parish of St. Tammany, State of Louisiana", and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt, issue bonds, and levy taxes for the payment thereof. (Res. of 08/17/49, Bk. 2, P. 35)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-038.00 Domicile, Seal And Journal

The domicile of the Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Parish Police Jury shall be the Official Journal of said Road District.

DIVISION 3. DISTRICT NO. 8

SEC. 20-046.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Fifth Ward. (Res. of 08/16/45, Bk. 2, P. 86)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-047.00 Name And Powers

The Road District created herein shall be known and designated as "Road District No. 8 of the Parish of St. Tammany, State of Louisiana", and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt, issue bonds, and levy taxes for the payment thereof. (Res. of 08/16/45, Bk. 2, P. 86)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-048.00 Domicile, Seal And Journal

The domicile of the Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Parish Police Jury shall be the Official Journal of said Road District.

DIVISION 4. DISTRICT NO. 9

SEC. 20-056.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Second Ward. (Res. of 07/15/48, Bk. 2, P. 284)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-057.00 Name And Powers

The Road District created herein shall be known and is hereby designated as "Road District No. 9 of the Parish of St. Tammany, State of Louisiana", and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt, issue bonds, and levy taxes for the payment thereof. (Res. of 07/15/48, Bk. 2, P. 284)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-058.00 Domicile, Seal And Journal

The domicile of the Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Parish Police Jury shall be the Official Journal of said Road District. (Res. of 07/15/48, Bk. 2, P. 284)

DIVISION 5. DISTRICT NO. 12

SEC. 20-066.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Seventh Ward. (Res. of 07/23/56)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-067.00 Name And Powers

The Road District created herein shall be known and is hereby designated as "Road District No. 12 of the Parish of St. Tammany, State of Louisiana", and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt, issue bonds, and levy taxes for the payment thereof. (Res. of 07/23/56)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-068.00 Domicile, Seal And Journal

The domicile of the Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said

Road District, and the Official Journal of the Parish Police Jury shall be the Official Journal of said Road District. (Res. of 07/23/56)

SEC. 20-069.00 Sub-Road District No. 1 (Parcel) of Road District No. 12

Note: District originally created by Ord. No. 86-682, adopted 08/21/86 and amended by Ord. No. 87-812, adopted 06/18/87; then abolished by Ord. No. 89-1032, adopted 01/19/89. The District was reestablished under the Home Rule Charter by reorganization Ord. No. 00-0157, adopted 06/01/2000.

SEC. 20-070.00 Created; boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana R.S. of 1950, as amended, and other constitutional and statutory authority, a Sub-Road District No. 1 (Parcel) of Road District No. 12 is hereby created and shall comprise and embrace all of the phass of Lacombe Harbor Subdivision as recorded in the St. Tammany Clerk of Court's records under map file numbers: 308-A, 309-A, 89-B Lacombe Subdivision; 373-B Lacombe Harbor Subdivision Addition 1; 85-B Lacombe Harbor Subdivision Addition 2; 87-C Lacombe Harbor Subdivision Addition 3; 84-B Lacombe Harbor Subdivision Addition 4; 377-B Lacombe Harbor Subdivision Addition 5; 87-B Lacombe Harbor Subdivision Addition 6; 360-B Lacombe Harbor Subdivision Addition 8; 362-A Lacombe Harbor Subdivision Addition 9, less and except Lots 98, 99, 100, 101, 102-A, 103-A, 103-B, 104-A and 104-B, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124 and 125 of Lacombe Harbor Subdivision; and also including that parcel of land along the eastern boundary of Lacombe Harbor Subdivision between Lots 74 and 82 of said Subdivision with the eastern and southern boundary of said parcel fronting on Lot 81-E of said Subdivision, Perch Bay and Cypress Bayou. (Ord. No. 86-682, adopted 08/21/86; amended by Ord. No. 87-812, adopted 06/18/87)

SEC. 20-071.00 Name and Powers

A Sub-Road District hereby created shall be known and designated as "Sub-Road District No. 1 (Parcel) of Road District No. 12 of the Parish of St. Tammany, State of Louisiana", and as created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority and shall have all the rights, powers and privileges granted and conferred by the Constitution and the Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes. (Ord. No. 86-682, adopted 08/21/86)

DIVISION 6. DISTRICT NO. 14

SEC. 20-076.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Eighth Ward as it exists on April 21, 1960. (Ord. No. 261, Bk. 4, P. 420)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-077.00 Name And Powers

The Road District created herein shall be known and designated as "Road District No. 14 of the Parish of St. Tammany, State of Louisiana", and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment thereof. (Ord. No. 261, Bk. 4, P. 420)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-078.00 Domicile, Seal And Journal

The domicile of the Road District created shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Police Jury shall be the Official Journal of said Road District. (Ord. No. 261, Bk. 4, P. 420)

SEC. 20-079.00 Sub-Road District No. 1 Of Road District No. 14

EDITORIAL NOTE: Sub-Road District No. 1 of Road District No. 14 was established by Ord. No. 85-519, adopted 11/21/85 and abolished Ord. No. 89-1032, adopted 01/19/89 and hereby established again by the authority of Ord. No. 95-2173, adopted 02/23/95)

(a) **Created; Boundaries** - By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana R.S. of 1950, as amended, and other constitutional and statutory authority, a Sub-Road District No. 14 of the Parish of St. Tammany, State of Louisiana, which sub-road district shall comprise and embrace the territory within Police Jury District No. 8, less and except the corporate limits of the City of Slidell.

(b) **Name and Powers** - The Sub-Road District hereby created shall be known and designated as "Sub-Road District No. 1 of Road District No. 14 of the Parish of St. Tammany, State of Louisiana", and as created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority and shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

(c) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Sub-Road District and the official journal of this Police Jury shall be the official journal of said Sub-Road District.

(d) **Notice/Publication** - Due notice of the formation and creation of the Sub-Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Sub-Road District and to cause publication thereof to be made in Louisiana Revised Statutes of 1950, as amended. (Ord. No. 95-2173, adopted 02/23/95)

STATE REFERENCE: LSA R.S. 33:2740.13 authorizes St. Tammany Parish to create sub-road districts.

SEC. 20-080.00 Sub-Road District No. 2 Of Road District No. 14 - Abolished

(Ord. No. 85-520, adopted 11/21/85; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-081.00 Sub-Road District No. 2-A (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-667, adopted 08/04/86; Ord. No. 86-707, adopted 09/18/86; Ord. No. 86-744, adopted 11/20/86; Ord. No. 86-745, adopted 11/20/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

EDITORIAL NOTE: Ord. No. 86-667 established Sub-Road District No. 2-A, Ord. No. 86-707 adjusted the boundaries thereof, Ord. No. 86-744 abolished the Sub-Road District, and Ord. No. 86-745 established a new Sub-Road District.

SEC. 20-082.00 Sub-Road District 2-B (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-727, adopted 10/16/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-083.00 Sub-Road District No. 2-C (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-746, adopted 11/20/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-084.00 Sub-Road District No. 3 (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-668, adopted 8/04/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-085.00 Sub-Road District No. 3 Of Road District No. 14 - Abolished

(Ord. No. 86-678, adopted 08/04/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-085.01 Sub-Road District No. 4 (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-669, adopted 8/04/86; Ord. No. 87-788, adopted 04/16/87; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-085.02 Sub-Road District 4 Of Road District No. 14 - Abolished

(Ord. No. 86-679, adopted 8/04/86; abolished by Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-085.03 Sub-Road District No. 5 Of Road District No. 14

Created; boundaries. By virtue of the authority conferred by part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other Constitutional and Statutory authority supplemental thereto, a sub-road district is hereby created within Road District No. 14 of the Parish, which sub-road district shall comprise and embrace a portion of that territory within the Road District, with boundaries described as follows:

Commencing at the intersection of La. Highway 1090 and I-10, the point of beginning; thence go northwest and southwest along I-10 to its intersection with the southern boundary of West Expressway Shopping Center; thence westerly along the southern boundary of West Expressway Shopping Center to a point 300 feet east of the northwest corner of the southwest quarter of the northwest quarter of Section 12, Township 9 South, Range 14 East, which is also the north line of Lot 1, Square 1, Lindberg Glenn Annex #1; thence southerly a distance of 120 feet, more or less, to the south line of Lot 2, Square 1, Lindberg Glenn Annex #1; thence easterly along the south line of Lot 2 a distance of 330 feet, more or less, to the west line of Lindberg Drive; thence southerly along the west line of Lindberg Drive a distance of 700 feet, more or less, to the northeast corner of Lot 13, Square 1, Lindberg Glenn Annex #1; thence go west along the north line of Lot 13 a distance of 630 feet, more or less, to the northwest corner of Lot 13, Square 1, Lindberg Glenn Annex #1, which point is on the west line of Section 12, Township 9 South, Range 14 East; thence south along the west line of Section 12 to its intersection with the extension of the south line of Fremaux Avenue; thence go west along the extension of the south line of Fremaux Avenue to the northeast corner of Lot 34, Square 7, Pine Shadows S/D; thence go south along the east line of Square 7 to the southeast corner of Lot 31, Square 7, Pine Shadows S/D; thence go west along the south line of Lots 31 and 4, Square 7, Pine Shadows S/D to the southwest corner of Lot 4; thence go north along the west line of Square 7 to the northwest corner of Lot 1, Square 7, Pine Shadows S/D; thence go west to the northeast corner of Lot 32, Square 6, Pine Shadows S/D; thence go south along the east line of Square 6 to the southeast corner of Lot 31, Square 6, Pine Shadows S/D; thence go west along the south line of Lot 31 to its southwest corner; thence go north along the west line of Lots 31 and 32, Square 6, Pine Shadows S/D to the northwest corner of Lot 32; thence go west along the south line of Fremaux Avenue to the northeast corner of Lot 33, Square 5, Pine Shadows S/D; thence go south along the east line of Lot 33 to its southeast corner; thence go west along the south line of Lots 33 and 1, Square 5, Pine Shadows S/D to the southwest corner of Lot 1; thence go south along Beth Drive to its intersection with U.S. Highway 190 (Business), a/k/a Short Cut road; thence go southeast along U.S. Highway 190 (Business), a/k/a Short Cut Road,

to its intersection with the section line common to Section 13, Township 9 South, Range 14 East, and Section 18, Township 9 South, Range 15 East; thence north along said section line and the section line common to Section 12, Township 9 South, Range 14 East, and Section 7, Township 9 South, Range 15 East to the corner common to Sections 1 and 12, Township 9 south, Range 14 East, and Sections 6 and 7, Township 9 south, Range 15 East; thence go west 2657 feet, along the south line of Section 1, Township 9 South, Range 14 East; thence go north 100 feet, more or less, to the north side of Gause Road and the southwest corner of the property of National Medical Development Corporation; thence go north 1230 feet, more or less, to the northwest corner of the property of National Medical Development Corporation; thence go east 1325 feet, more or less, to the northeast corner of the property of National Medical Development corporation; thence continue east a further 402 feet; thence go south 1007 feet, more or less, to the north side of Gause Road; thence continue south across Gause Road to the southern right-of-way line of Gause Road; thence go southwesterly along the southern right-of-way line of Gause Road to the point where it intersects the section line common to Sections 1 and 12, Township 9 South, Range 14 East; thence go easterly along the section line common to Sections 1 and 12, Township 9 South, Range 14 East, to the corner common to Sections 1 and 12, Township 9 South, Range 14 East, and Sections 6 and 7, Township 9 South, Range 15 East; thence go northerly along the line common to Section 1, Township 9 South, Range 14 East and Section 7, Township 9 South, Range 15 East, to its intersection with the north right-of-way line of Gause Road; thence go northeast along the north right-of-way line of Gause Road to its intersection with La. Highway 1090; thence northwest along La. Highway 1090 to the point of beginning.

Less and except the following described property:

(1) Lots 1 through 5, of Square 1, Robert Park S/D.

(2) One certain lot or parcel of ground, together with all the buildings and improvements thereon and all the rights, ways, privileges, servitudes, appurtenances or advantages thereunto belonging or in anywise appertaining, located in the Parish and being situated in the north half of the northeast quarter of the northwest quarter of Section 12, Township 9 South, Range 14 East, Ward 8 of the Parish, being more fully described on a map or survey; according thereto said tract of land contains 3.200 acres of land and being described as follows: From the quarter corner common to Sections 11 and 12, Township 9 South, Range 14 East, go North 89 degrees 55 minutes East a distance of 1325.70 feet to a point and corner, thence North 0 degrees 07 minutes 30 seconds East a distance of 1354.00 feet; thence North 23 degrees 12 minutes East a distance of 399.16 feet to a point and corner; thence North 25 degrees 41 minutes East a distance of 289.37 feet to a point which is marked point "A" on the map referred to hereinabove and which point "A" is the point of beginning. From the point of beginning, marked as point "A" on the above-referred-to survey, proceed South 89 degrees 55 minutes East a distance of 393.59 feet to a point marked by an iron pipe and corner; thence proceed North 0 degrees 15 minutes West a distance of 463.61 feet to a point which point is

marked by an iron rod and corner; thence South 56 degrees 25 minutes West a distance of 80.60 feet to a point and corner; thence 24 degrees 23 minutes West a distance of 455.10 feet to a point which is the point of beginning. Said tract of land described herein above contains 3.200 acres of land, being the land acquired by Slidell Motel Properties Partnership by act of sale recorded in COB 1096, page 693, on April 19, 1983, and being the property upon which a Ramada Inn is presently located.

(3) All that certain lot or parcel of land, situated in the north portion of Square 8 of Pine Shadows Subdivision, said subdivision forming with other lands the northwest quarter of the southeast quarter of Section 11, Township 9 South, Range 14 East, Ward 8.

Said parcel of land herein conveyed starts at the northeast corner of the aforementioned Square Eight, which is 21 feet south of the northeast corner of the aforementioned northwest quarter of the southeast quarter, going thence South 0 degrees 14 minutes West 180 feet; thence west 192 feet to the easterly right-of-way line of Marsha Drive; thence north along the east boundary of Marsha Drive a distance of 180 feet to the south right-of-way line of Fremaux Avenue; thence along the south side of said Fremaux Avenue east a distance of 192 feet to the point of departure.

Said Square Eight is bounded on the north by Fremaux Avenue, on the east by the east line of the subdivision, on the south by Alice Avenue, on the west by Marsha Drive, all in accordance with plat of survey of said Pine Shadows Subdivision by H. G. Fritchie, P.S., numbered 1387 and dated April 22, 1954, copy of which is on file in the official records of the Parish.

(b) **Name and Powers.** The Sub-Road district hereby created shall be known and designated as "Sub-Road District No. 5 of Road District No. 14 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State, of which this Police Jury shall be the governing authority, and shall have all the rights, powers and privileges granted and conferred by the State Constitution and Statutes, including the authority to incur debt, issue bonds, and to levy taxes.

(c) **Seal, journal.** The official seal of the Parish is hereby adopted as the official seal of the Sub-Road District, and the Official Journal of this Police Jury shall be the Official Journal of the Sub-Road District. (Ord. No. 86-680, adopted 8/04/86; Ord. No. 86-748, adopted 12/18/86)

SEC. 20-085.04 Sub-Road District No. 5 (Parcel) Of Road District No. 14 - Abolished

(Ord. No. 86-681, adopted 8/21/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-085.05 Sub-Road District No. 6 (Parcel) of Road District No. 14

(a) **Created; Boundaries**

That, by virtue of the authority conferred by Section 2740.13 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (R.S. 33:2740.13) (the "Act"), and other constitutional and statutory authority supplemental thereto, a sub-road district be and the same is hereby created within Road District No. 14 of the Parish of St. Tammany, State of Louisiana, which sub-road district shall comprise and embrace a portion of that territory within said Road District with boundaries described as follows, to-wit:

Commencing at the intersection of Military Road and LP&L power line servitude; thence go northeast along said power lines to its intersection with the western boundary of Bay Ridge Subdivision; thence go northwest, northeast and southeast along the west, north and east boundary of said subdivision to its intersection with the northern boundary of Quail Ridge Subdivision, Phase 6; thence go north 50 degrees east along said boundary to its intersection with West Pearl River; thence follow the meanderings of West Pearl River downstream to its confluence with Doubloon Bayou; thence follow the meanderings of Doubloon Bayou upstream to its intersection with Military Road; thence follow Military Road north to its intersection with the LP&L power line servitude and the point of beginning.

Said sub-road district shall include, but is not limited to, the following subdivisions: Bay Ridge, Quail Ridge, Quail Valley, Doubloon Bayou, The Settlement, and Paradise Point.

(b) **Name and Powers** - The sub-road district hereby created shall be known and designated as "Sub-Road District No. 6 (Parcel) of Road District No. 14 of the Parish of St. Tammany, State of Louisiana", (the "District"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all the rights, powers and privileges granted and conferred by the Act and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to parcel fees.

(c) **Board of Commissioners** - The governing authority of the District shall be a five member Board of Commissioners comprised of registered voters residing within the District. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President (Ord. No. 00-0157, adopted 06/01/2000)

(d) **Domicile** - The domicile of the District shall be the regular meeting place of this Police Jury;

however, the Board of Commissioners may meet at either such regular meeting place or a location within the District designated by the presiding officer of said Board of Commissioners.

(Ord. No. 94-2016, adopted 07/15/94)

STATE REFERENCE: LSA R.S. 33:2740.13 authorizes St. Tammany Parish to create sub-road districts.

DIVISION 7. DISTRICT NO. 15

SEC. 20-086.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Ninth Ward as it exists on April 21, 1960. (Ord. No. 262, Bk. 4, P. 421)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-087.00 Name And Powers

The Road District created herein shall be known and designated as "Road District No. 15 of the Parish of St. Tammany, State of Louisiana," and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment thereof. (Ord. No. 262, Bk. 4, P. 421)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-088.00 Domicile, Seal And Journal

The domicile of the Road District herein created shall be at Covington, Louisiana, the Parish Seat, and the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Police Jury shall be the Official Journal of said Road District. (Ord. No. 262, Bk. 4, P. 421)

SEC. 20-089.00 Sub-Road District No. 1 Of Road District No. 15

Created; boundaries. By virtue of the authority conferred by part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other Constitutional and Statutory authority supplemental thereto, a sub-road district is hereby created within Road District No. 15 of the Parish, which sub-road district shall comprise and embrace a portion of that territory within Ward 9 of the Parish, with boundaries described as follows:

Commencing at the intersection of the center line of Facianes Canal and the shore of Lake Pontchartrain in Section 26, Township 9 South, Range 13 East; the point of beginning; thence follow the meanderings of Facianes Canal northeast, southeast, northeast, east, and southeast to its intersection with the western boundary of the Southern Railroad; thence continue South 45 degrees 51 minutes 27 seconds East to the center line of U.S. Hwy. 11; thence follow the center line of U.S. Hwy. 11 in a northeasterly direction to its intersection with the Schneider Canal; thence follow the meanderings of Schneider Canal in a southeasterly direction to its intersection with the center line of Howze Beach Road; thence go northeasterly along the center line of Howze Beach Road to its intersection with La. Hwy. 433 (Salt Bayou Road); thence follow the center line of La. Hwy. 433 in a southeasterly direction to its intersection with

the northern boundary of Pirate s Harbor Subdivision, also the northern right-of-way line of Captain Morgan Street (not constructed); thence southwest along the northern right-of-way of Captain Morgan Street to the center line of East Diversion Canal; thence south and southwest along the center line of said canal to its intersection with Salt Bayou; thence follow the meanderings of Salt Bayou in a southwesterly direction to the shore of Lake Pontchartrain; thence follow the shoreline of Lake Pontchartrain in a northwesterly direction to the point of beginning.

(b) **Name and Powers.** The Sub-Road district hereby created shall be known and designated as "Sub-Road District No. 1 of Road District No. 15 of the Parish of St. Tammany, State of Louisiana," (the "district"), and as thus created shall constitute a public corporation and political subdivision of the State, of which this Police Jury shall be the governing authority, and shall have all the rights, powers and privileges granted and conferred by the State Constitution and Statutes to such corporations, including the authority to incur debt, issue bonds, and to levy taxes.

(c) **Seal; Journal.** The Official Seal of the Parish is hereby adopted as the official seal of the Sub-Road District, and the Official Journal of this Police Jury shall be the Official Journal of the Sub-Road District. (Ord. No. 86-588, adopted 04/17/86)

SEC. 20-090.00 Sub-Road District No. 1 (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-670, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-091.00 Sub-Road District No. 2 Of Road District No. 15 - Abolished

(Ord. No. 86-697, adopted 09/18/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-092.00 Sub-Road District No. 2-A (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-672, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-093.00 Sub-Road District No. 2-B (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-673, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-094.00 Sub-Road District No. 2-C (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-674, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-095.00 Sub-Road District No. 2-D (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-675, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-095.01 Sub-Road District No. 2-E (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-676, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-095.02 Sub-Road District No. 2-F (Parcel) Of Road District No. 15 - Abolished

(Ord. No. 86-677, adopted 08/04/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-095.03 Sub-Road District No. 3 of Road District No. 15

(a) Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Sub-Road District be and the same is hereby created within Road District No. 15 of the Parish of St. Tammany, State of Louisiana, which sub-road district shall comprise and embrace the following territory:

A portion of the right-of-way of Airport Road, inclusive of width and length, located west and north of Slidell, Louisiana, commencing from the southern most point of westbound Interstate northerly direction to the northern most point of Airport Road's intersection with Belair Boulevard.

(b) Name and Powers - The Sub-Road District hereby created shall be known and designated as "Sub-Road District No. 3 of Road District No. 15 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the authority and shall have the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

(c) Seal and Journal - The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Sub-Road District and the official journal of this Police Jury shall be the official journal of said Sub-Road District.

(d) Notice/Publication - Due notice of the formation and creation of the Sub-Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Sub-Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended. (Ord. No. 94-2026, adopted 07/21/94)

STATE REFERENCE: LSA R.S. 33:2740.13 authorizes St. Tammany Parish to create sub-road districts.

SEC. 20-095.04 Sub-Road District No. 4 of Road District No. 15

(a) Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Sub-Road District be and the same is hereby created within Road District No. 15 of the Parish of St. Tammany, State of Louisiana, which sub-road district shall comprise and embrace territory within Police Jury District No. 13 as follows:

All property bounded on the north by the Schneider Canal, on the south by Lake Pontchartrain, on the east by Interstate 10 and on the west by U.S. Highway 11.

(b) **Name and Powers** - The Sub-Road District hereby created shall be known and designated as "Sub-Road District No. 4 of Road District No. 15 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the authority and shall have the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

(c) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Sub-Road District and the official journal of this Police Jury shall be the official journal of said Sub-Road District.

(d) **Notice/Publication** - Due notice of the formation and creation of the Sub-Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Sub-Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended. (Ord. No. 95-2174, adopted 02/23/95)

STATE REFERENCE: LSA R.S. 33:2740.13 authorizes St. Tammany Parish to create sub-road districts.

DIVISION 8. DISTRICT NO. 16

SEC. 20-096.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Third Ward as it exists on February 18, 1965. (Ord. No. 375, Bk. 5, P. 535)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-097.00 Name And Powers

The Road District created herein shall be known and designated as "Road District No. 16 of the Parish of St. Tammany, State of Louisiana," and shall have all the rights, powers and privileges granted by and conferred by the Constitution and Statutes of

Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment thereof. (Ord. No. 375, Bk. 5, P. 535)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-098.00 Domicile, Seal And Journal

The domicile of the Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is hereby adopted as the Official Seal of said Road District, and the Official Journal of the Police Jury shall be the Official Journal of said Road District. (Ord. No. 375, Bk. 5, P. 535)

DIVISION 9. DISTRICT NO 17

SEC. 20-106.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Tenth Ward as it exists on the adoption date of the Ordinance from which this section is derived. (Ord. No. 585, Bk. 7, P. 368)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-107.00 Name And Powers

The Road District herein created shall be known and designated as "Road District No. 17 of the Parish of St. Tammany, State of Louisiana," and shall have all rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment received thereof. (Ord. No. 585, Bk. 7, P. 368)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-108.00 Domicile, Seal And Journal

The domicile of Road District created herein shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is adopted as the Official Seal of said Road District and the Official Journal of the Police Jury shall be the Official Journal of the Road District. (Ord. No. 585, Bk. 7, P. 368)

DIVISION 10. DISTRICT NO 18

SEC. 20-109.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the First Ward as said ward is described in Section 2-017.00 of the Code of Ordinances. (Ord. No. 80-81, adopted 11/20/80)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-110.00 Name And Powers

The Road District herein created shall be known and designated as "Road District No. 18 of the Parish of St. Tammany, State of Louisiana", and shall have all rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment received thereof. (Ord. No. 80-81, adopted 11/20/80)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-111.00 Domicile, Seal And Journal

The domicile of the Road District herein created shall be at Covington, Louisiana, the Parish Seat; Official Seal of the Parish is adopted as the Official Seal of said District and the Official Journal of the Police Jury shall be the Official Journal of said Road District. (Ord. No. 80-81, adopted 11/20/80)

SEC. 20-111.01 Sub-Road District No. 1 (Parcel) Of Road District No. 18 - Abolished

EDITORIAL NOTE: Section 20-111.01 and Section 20-111.03 are authorized by Ord. No. 88-986, adopted 09/15/88 with the legislative intent to abolish Sub-Road District No. 1 (Parcel) of Road District No. 18 as created by Ord. No. 86-671 adopted 08/04/86 and to provide for a special fund for any moneys remaining thereof, all as stated in Subsection 20-111.02 herein.

Under and by virtue of the authority conferred by Article VI, Section 15 of the Constitution of the State of Louisiana, for the year 1974, Section 2740.13 of Title 33 of the Louisiana Revised Statutes of 1950 and other constitutional and statutory authority supplemental thereto, created by Ordinance Police Jury Series No. 86-671 adopted on August 4, 1986, be and the same is hereby abolished. (Ord. No. 88-986; adopted 09/15/88 to revoke Ord. No. 86-671; adopted 08/04/86)

SEC. 20-111.02 Special Fund With Provisions For Use

All moneys of the District shall be placed in a special fund to be created, maintained and controlled by the Police Jury, and all expenditures therefrom shall be solely for purposes set forth in the proposition approved by the voters of the District at the special election held within the boundaries thereof on September 27, 1986 (the "Proposition"). Any and all duly incurred obligations and/or indebtedness of the district shall be payable solely from such moneys of the District placed in said special fund. (Ord. No. 88-986; adopted 09/15/88 to revoke Ord. No. 86-671; adopted 08/04/86)

SEC. 20-111.03 Records, Etc. Retained By Police Jury

The records, property and other assets of the District shall be delivered to the St. Tammany Parish Police Jury and retained by said Police Jury for the purposes set forth in the Proposition. (Ord. No. 88-986; adopted 09/15/88 to revoke Ord. No. 86-671; adopted 08/04/86)

DIVISION 11. DISTRICT NO. 19

SEC. 20-112.00 Created; Boundaries

A Road District is hereby created within the Parish which shall comprise and embrace all of the Fourth Ward as said ward is described in Section 2-017.00 of the Code of Ordinances. (Ord. No. 80-82, adopted 11/20/80)

STATE REFERENCE: LSA R.S. 48:571, Power to create Road Districts.

SEC. 20-113.00 Name And Powers

The Road District herein created shall be known and is designated as "Road District No. 19 of the Parish of St. Tammany, State of Louisiana," and shall have all rights, powers and privileges granted by and conferred by the Constitution and Statutes of Louisiana, including the right to incur debt and issue bonds and levy taxes for the payment received thereof. (Ord. No. 80-82, adopted 11/20/80)

STATE REFERENCE: LSA R.S. 48:582, Powers of Road Districts.

SEC. 20-114.00 Domicile, Seal And Journal

The domicile of the Road District herein created shall be at Covington, Louisiana, the Parish Seat; the Official Seal of the Parish is adopted as the Official Seal of said District, and the Official Journal of the Police Jury shall be the Official Journal of said Road District. (Ord. No. 80-82, adopted 11/20/80)

SEC. 20-115.00 Sub-Road District No. 1 (Parcel) Of Road District No. 19 - Abolished

(Ord. No. 86-721, adopted 10/16/86; abolished Ord. No. 89-1032, adopted 01/19/89)

SEC. 20-115.01 Sub-Road District No. 2 (Parcel) of Road District No. 19

By virtue of the authority conferred by Section 2740.13 of Title 33 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, a sub-road district is hereby created within Road District No. 19 of the Parish of St. Tammany, State of Louisiana, which sub-road district shall comprise and embrace a portion of the territory within said Road District and the boundaries of which sub-road district shall include the following territory:

A CERTAIN TRACT OR PARCEL OF LAND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, appurtenances, and advantages thereunto belonging or in anywise appertaining, situated in Section 44, Township 8 South, Range 11 East, Greensburg Land District, St. Tammany Parish, Louisiana being Lewisburg Estates, all in accordance with the official plan thereof by Albert A. Lovell & Associates, Inc., Consulting Engineers, dated June 14, 1977, filed for record on September 9, 1977 in Map File #534-A, and more fully described therein as follows, to-wit:

Commencing at the corner of Sections 4, 42, 43 and 44, Township 8 South, Range 11 East; thence South 06 degrees 36 minutes West 3576.62 feet along the line between Sections 43 and 44; thence North 83 degrees 24 minutes West 807.75 feet to the West line of Holly Street, the point of beginning; thence North 83 degrees 24 minutes West 136.8 feet; thence North 00 degrees 49 minutes East 150.77 feet; thence North 83 degrees 24 minutes West 377.11 feet; thence South 00 degrees 31 minutes East 998.17 feet; thence South 59 degrees 29 minutes West 445.01 feet; thence South 89 degrees 29 minutes West 184.59 feet; thence South 00 degrees 31 minutes East 372 feet more or less to the shore of Lake Pontchartrain, thence along the shore of said Lake in a easterly direction 400 feet more or less; thence North 00 degrees 31 minutes West 228.00 feet more or less to the South line of Northlake Drive; thence North 89 degrees 29 minutes East 132.06 feet; thence along a curve having a radius of 120 feet a distance of 70.28 feet; thence along a curve having a radius of 60 feet a distance of 38.14 feet; thence North 89 degrees 29 minutes East 264.86 feet; thence South 00 degrees 31 minutes East 160 feet; thence South 18 degrees 31 minutes West 150 feet more or less to the shore of Lake Pontchartrain; thence along the shore of said Lake 150 feet more or less to a line parallel to and 154 feet from the West line of Holly Street; thence along said line North 00 degrees 31 minutes West 340 feet more or less; thence North 89 degrees 20 minutes East 154 feet to the West line of Holly Street; thence North 00 degrees 31 minutes West 1220 feet along the West line of Holly Street to the point of beginning; and

Lot numbers 2, 3, 4, 5, 6 of square 1, all in accordance with the official plan thereof by J. J. Krebs & Sons, Civil Engineers and Surveyors dated March 28, 1963, which these 5 lots are shown as "Not A Part" in said official plan by Albert A. Lovell & Associates, Inc., Consulting Engineers, dated June 14, 1977, filed for record on September 9, 1977 in Map File #534-A, and as revised to resubdivide Lots 10, 11, 12 & 15 into Lots 10A, 11A, 13A and 15A, and further to allow for Homeowners Boat Launch, all in accordance with map by Surveys, Inc. dated May 13, 1985, and filed for record on November 5, 1985 in Map File #897-B, of the official records of St. Tammany Parish, Louisiana.

SEC. 20-115.02 Name and Powers

The sub-road district hereby created shall be known and designated as "Sub-Road District No. 2 (Parcel) of Road District No. 19 of the Parish of St. Tammany, State of Louisiana" (the "District"), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all the rights, powers and privileges granted and

conferred by the Act and other constitutional and statutory authority, including the authority, to incur debt, to issue bonds and to levy parcel fees.

SEC. 20-115.03 Governing Authority

The governing authority of the District shall be a five member Board of Commissioners comprised registered voters residing within the District, for terms of four (4) years each.

SEC. 20-115.04 Domicile, Seal and Journal

The domicile of the District shall be the regular meeting place of this Parish Council; however, the Board of Commissioners may meet at either such regular meeting place or a location within the District designated by the presiding officer of said Board of Commissioners.

(Ord. 00-0135, adopted 05/04/2000)

DIVISION 12, DISTRICT NO. 20

SEC. 20-116.00 Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Road District shall comprise and embrace all of that territory within Police Jury District No. 10 of the Parish of St. Tammany, State of Louisiana, as presently constituted.

STATE REFERENCE: Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950.

SEC. 20-117.00 Name And Powers

The Road District hereby created shall be known and designated as "Road District No. 20 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

SEC. 20-118.00 Domicile, Seal And Journal

The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Road District and the official journal of this Police Jury shall be the official journal of said Road District.

A) Due notice of the formation and creation of the Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended.

(Ord. No. 92-1659, adopted 10/15/92)

DIVISION 13, DISTRICT NO. 21

SEC. 20-120.00 Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Road District shall comprise and embrace all of that territory within Police Jury District No. 4 of the Parish of St. Tammany, State of Louisiana, as presently constituted.

STATE REFERENCE: Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950.

SEC. 20-121.00 Name And Powers

The Road District hereby created shall be known and designated as "Road District No. 21 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes.

SEC. 20-122.00 Domicile, Seal And Journal

The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Road District and the official journal of this Police Jury shall be the official journal of said Road District.

A) Due notice of the formation and creation of the Road District hereby created shall be published in accordance with law and the President of the Police Jury is hereby instructed and ordered to issue notice of the formation and creation of said Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended.
(Ord. No. 92-1660, adopted 10/15/92)

DIVISION 14, DISTRICT NO. 22

SEC. 20-123.00 Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road District is hereby created within the Parish of St. Tammany, State of Louisiana, which road district shall comprise and embrace all of the Ward 4 territory within Police Jury District No. 7. (Ord. No. 93-1687, adopted 01/21/93)

SEC. 20-123.01 Name and Powers

The Road District hereby created shall be known and designated as "Road District No. 22 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the authority and shall have the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes. (Ord. No. 93-1687, adopted 01/21/93)

SEC. 20-123.02 Seal and Journal

The official seal of the Parish of St. Tammany, State of Louisiana, is hereby adopted as the official seal of said Road District and the official journal of this Police Jury shall be the official journal of said Road District. (Ord. No. 93-1687, adopted 01/21/93)

SEC. 20-123.03 Notice/Publication

Due notice of the formation and creation of the Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended. (Ord. No. 93-1687, adopted 01/21/93)

DIVISION 15, DISTRICT NO. 23

EDITORIAL NOTE: Div. No. 14, Secs. 20-123.00 - 20.123.03 are new sections created by the authority of Ord. No.95-2172, adopted 02/23/95.

SEC. 20-124.00 Created; Boundaries

By virtue of the authority conferred by Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which road district shall comprise and embrace territory within Police

Jury District No. 2, less and except the corporate limits of the Village of Folsom, Louisiana. (Ord. No. 95-2172, adopted 02/23/95)

SEC. 20-124.01 Name and Powers

The Road District hereby created shall be known and designated as "Road District No. 23 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the authority and shall have the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such corporations, including the authority to incur debt, to issue bonds and to levy taxes. (Ord. No. 95-2172, adopted 02/23/95)

SEC. 20-124.02 Seal and Journal

The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is hereby adopted as the official seal of said Road District and the official journal of this Police Jury shall be the official journal of said Sub-Road District. (Ord. No. 95-2172, adopted 02/23/95)

SEC. 20-124.03 Notice/Publication

Due notice of the formation and creation of the Road District hereby created shall be published in accordance with law, and that the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the formation and creation of said Road District and to cause publication thereof to be made in accordance with the requirements of Part II, Chapter 2, Title 48 of the Louisiana Revised Statutes of 1950, as amended. (Ord. No. 95-2172, adopted 02/23/95)

DIVISION 20, CAPITAL IMPROVEMENT PROGRAM

SEC. 20-125.00 Three Year Capital Improvement Program

The St. Tammany Parish Police Jury hereby establishes a three (3) year Capital Improvement Program for St. Tammany Parish as attached and marked as Exhibit "A" of this Ordinance and numbered pages 1 through 14. (Ord. No. 89-1195, adopted 12/21/89)

EDITORIAL NOTE: Exhibit "A" is attached to this Ordinance, on file in the office of the Secretary of the Police Jury.

ARTICLE III ROAD LIGHTING DISTRICTS

Editor's Note: Pursuant to Ord. No. 00-0157, adopted 06/01/2000, Lighting Districts #2, 3, 8, 12 and 13 were abolished as per law; all other Districts (#1, 4, 5, 6, 7, 9, 10, 11) that maintain funds shall remain viable. When and if funds are depleted, the Parish Council shall review the District to determine if it should continue to exist.

SEC. 20-201.00 District No. 1

There is hereby created St. Tammany Parish Lighting District No. 1. The boundaries of said district shall be the entire Seventh Ward of the Parish as it existed on May 5, 1977. The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 711, adopted 05/05/77; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-202.00 District No. 2

Repealed. See Editor's Note above.

SEC. 20-203.00 District No. 3

Repealed. See Editor's Note above.

SEC. 20-204.00 District No. 4

There is hereby created St. Tammany Parish Lighting District No. 4. The boundaries of said district shall be all of the area included in the Ninth Ward of the Parish as it existed on August 18, 1977, less and except the area included within the boundaries of the municipality of Slidell as of August 18, 1977 and precinct 9 of the Ninth Ward.

In addition, the boundaries of the District shall include a portion of the US Highway 11 right-of-way near, and including, the entirety of its interchange with I-12 and proceeding a certain distance along US Highway 11 generally northwest of I-12 located in the southwest corner of Section 35, Township 8 South, Range 14 East, a portion of the Railroad right of way and a portion of I-12 in Section 34 and 35, Township 8 South, Range 14 East.

The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President.

(Ord. No. 725, adopted 06/16/77; Ord. No. 750, adopted 08/18/77; Ord. No. 83-639, adopted 07/21/83; amended by Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 12-2804, adopted 08/02/2012; amended by Ord. No. 15-3410, adopted 10/1/2015)

SEC. 20-205.00 District No. 5

There is hereby created St Tammany Parish Lighting District No. 5, comprising French Branch Estates, Phases I through X, in the Eighth Ward of St. Tammany Parish, Louisiana as it existed on May 17, 1979. (Ord. No. 985, adopted 05/17/79)

By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the boundaries of Road Lighting District No. 5 are hereby amended to include French Branch Estates, Phases 11-A, 11-B and 11-C. The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 97-2656, adopted 05/15/97; amended by Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-206.00 District No. 6

There is hereby created St. Tammany Parish Lighting District No. 6., the boundaries of such district shall be encompass only those areas of Ward 4 (as described in this Code of Ordinances in Chapter 2, Section 2-017.00) located in former Paish Police Jury District 7 as it existed on August 20, 1992, less and except any portion or portions thereof situated within any incorporated area thereof at the time of district creation.

In addition, the boundaries of the District shall include a portion of the Louisiana Highway 1088 Right-of-Way, in its entirety and including all of the area of its interchange with Interstate Highway 12 (I-12), beginning at its intersection with Loretta Drive and proceeding northeast to its intersection with an imaginary line being the eastern-most end of Section 26, in Township 7 South, Range 12 East.

In addition, the boundaries of the District shall include a portion of the Louisiana Highway 1088 Right-of-Way, in its entirety and including all of the area of its interchange with Highway 59, and proceeding northeast to its intersection with Loretta Drive.

The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 83-574, adopted 04/21/83; amended Ord. 92-1627, adopted 08/20/92; amended by Ord. No. 00-0157, adopted 06/01/2000; amended by Ord. No. 12-2733, adopted 05/03/2012; amended by Ord. No. 15-3270, adopted 01/08/2015)

SEC. 20-207.00 District No. 7

There is hereby created St. Tammany Parish Lighting District No. 7. The boundaries of such district shall be the entirety of Precinct 9 of the Ninth Ward, with the inclusion of the roads an/or pieces of roads described below in Sec. 20-207.01, and, further, with the inclusion of all of Lake Pontchartrain South of Precinct 9 of the Ninth Ward extending (a) due South from the westernmost intersection of Precinct 9 of the Ninth Ward with the shoreline of Lake Pontchartrain to the southernmost boundary of St. Tammany Parish; and (b) due South from the easternmost intersection of Precinct 9 of the Ninth Ward with the shoreline of Lake Pontchartrain to the southernmost boundary; and (c) that portion of the southern boundary of St. Tammany Parish between (a) and (b) above.

(Ord. No. 83-639, adopted 07/21/83; amended by Ord. No. 96-2513, adopted 10/17/96, amended by Ord. No. 97-2575, adopted 01/16/97; amended by Ord. No. 12-2680, adopted 02/02/2012)

SEC. 20-207.01 Amended Boundaries

The description of the boundaries of Road Lighting District No. 7 is hereby amended to include the following roads and/or pieces of roads and the properties fronting upon them from the boundaries of Road Lighting District No. 7:

Oak Tree Dr. Oak Harbor S/D, Ph. 1/Sec. 1 “The Fairways”

Mission Hills Oak Harbor S/D, Ph. 1/Sec. 1 “The Fairways”

La Quinta Dr. Oak Harbor S/D, Ph. 1/Sec. 1 “The Fairways”

Carmel Valley Oak Harbor S/D, Ph. 1/Sec. 1 “The Fairways”

Oak Cove Oak Harbor S/D, Ph. 1/Sec. 2-A “The Inlets”

Inlet Dr. Oak Harbor S/D, Ph. 1/Sec. 2-A “The Inlets”

Inlet Dr. Oak Harbor S/D, Ph. 1/Sec. 2-B “The Inlets”

Harbor Cove Oak Harbor S/D, Ph. 1/Sec. 2-B “The Inlets”

Mariner’s Cove Blvd. Oak Harbor’s Mariner’s Cove, Ph. 1-A

Lighthouse Point Oak Harbor’s Mariner’s Cove, Ph. 1-A

Clipper Dr. Clipper Estates S/D, Ph. 1-A

Clipper Dr. Clipper Estates S/D, Ph. 1-B

Clipper Dr. Clipper Estates S/D, Ph. 1-C

Clipper Dr. Clipper Estates S/D, Ph. 2-A

(Ord. No 96-2513, adopted 10/17/96; amended Ord. No.97-2575, adopted 01/16/97)

SEC. 20-207.02 Regulations/Policies/Procedures

All Parish regulations, policies, procedures and operating methods pertaining to the creation, administration and operation of parish road lighting districts shall apply to the

aforementioned Road Lighting District No. 7, as amended herein. (Ord. No 96-2513, adopted 10/17/96; amended Ord. No. 97-2575, adopted 01/16/97)

SEC. 20-207.03 Administration

The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-208.00 District No. 8

Repealed. See Editor's Note at beginning of Article III.

STATE REFERENCE: LSA R.S. 48:1306 authorizes parish governing authorities to create road lighting districts.

SEC. 20-209.00 District No. 9

(A) By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Road Lighting District shall comprise and embrace all of that territory within the unincorporated areas of Police Jury District No. 8 of the Parish of St. Tammany, State of Louisiana, as originally constituted November 19, 1992 per Ordinance P.J.S. No. 92-1672. (Ord. No. 92-1672, adopted 11/19/92; amended by Ord. 94-2088, adopted 10/20/94; amended by Ord. No. 99-3080, adopted 5/20/99)

(B) The Road Lighting District hereby created shall be known and designated as "Road Lighting District No. 9 of the Parish of St. Tammany, State of Louisiana" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes. (Ord. No. 92-1672, adopted 11/19/92)

(C) The official seal of the Parish of St. Tammany, State of Louisiana be and the same is hereby adopted as the official seal of the District and the official journal of this Police Jury shall be the official journal of the District. (Ord. No. 92-1672, adopted 11/19/92)

(D) The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-210.00 District No. 10

(A) **Created; Boundaries** - By virtue and authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Road Lighting District shall comprise and embrace all of the territory situated in Hunters Creek Village a/k/a Evangeline Oaks Subdivision within Police Jury District No. 9 of the Parish of St. Tammany, State of Louisiana.

(B) **Name and Powers** - The Road Lighting District hereby created shall be designated as "Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is adopted as the official seal of the District and official journal of the Police Jury shall be the official journal of the District.

(Ord. No. 94-2123, adopted 11/17/94; amended by Ord. No. 94-2145, adopted 12/15/94)

STATE REFERENCE: LSA R.S. 48:1306 authorizes parish governing authorities to create road lighting districts.

(D) The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-211.00 District No. 11

(A) **Created; Boundaries** - By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Road Lighting District shall compromise and embrace all of the territory situated in Meadow Lake Subdivision, Phases 1, 2, 3, 4, 5 and 6, within Police Jury District No. 13 of the Parish of St. Tammany, State of Louisiana.

(B) **Name and Powers** - The Road Lighting District hereby created shall be known and designated as "Road Lighting District No. 11 of the Parish of St. Tammany, State of Louisiana" (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Police Jury shall be the governing authority, and the District shall have all the rights, powers and privileges

granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, be and the same is adopted as the official seal of the District and the official journal of the Police Jury shall be the official journal of the District. (Ord. No. 97-2657, adopted 05/15/97)

(D) The District shall be administratively governed and controlled by the Parish President. All funds shall be maintained and controlled, as per law, by the office of the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 20-212.00 District No. 12

Repealed. See Editor's Note at beginning of Article III.

SEC. 20-213.00 District No. 13

Repealed. See Editor's Note at beginning of Article III.

SEC. 20-214.00 District No. 14

(A) **Created; Boundaries** - By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District is hereby created within the Parish of St. Tammany, which Road Lighting District shall comprise and include all of the properties situated in **Ashton Oaks Subdivision, Phase 1, 2, 3 and 4**, within Ward 8, District 9 of the Parish of St. Tammany. The official recorded plats of said subdivision phases are made a part hereof by reference, copies of which are available for public inspection in the Parish Council Office.

(B) **Name and Powers** - The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 14** of the Parish of St. Tammany (the "District"), and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Parish Council shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, is adopted as the official seal of the District and the official journal of St. Tammany Parish Government shall be the official journal of the District. (Ord. No. 05-1184, adopted 09/28/2005)

SEC. 20-215.00 District No. 15

(A) **Created; Boundaries** - By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District is hereby created within the Parish of St. Tammany, which Road Lighting District shall comprise and include all of the properties situated in **Ingram Estates Subdivision, Phase 2**, within Ward 3, District 5 of the Parish of St. Tammany. The official recorded plats of said subdivision phases are made a part hereof by reference, copies of which are available for public inspection in the Parish Council Office.

(B) **Name and Powers** - The Road Lighting District hereby created shall be known and designated as “**Road Lighting District No. 15** of the Parish of St. Tammany (the “District”),” and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Parish Council shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, is adopted as the official seal of the District and the official journal of St. Tammany Parish Government shall be the official journal of the District. (Ord. No. 07-1514, adopted 02/01/2007)

SEC. 20-216.00 District No. 16

(A) **Created; Boundaries** - By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District is hereby created within the Parish of St. Tammany, which Road Lighting District shall comprise and include all of the properties situated within a portion of Ward 3, District 5 of the Parish of St. Tammany; with boundaries defined and described as follows and as further illustrated on the map attached to Ord. No. 07-1629, adopted 08/02/2007.

Commencing at the intersection of U.S. Highway 190 and Crestwood Boulevard, proceed in an Easterly direction along Crestwood Boulevard to its intersection with Falconer Drive, thence proceed North along the Falconer Drive right-of-way to its intersection with 9th Avenue, thence proceed East on 9th Avenue to its intersection with K Street, thence proceed South along the K Street right-of-way to its intersection with the northern boundary of Crestwood Subdivision, thence proceed East following the northern boundary of Crestwood Subdivision to its intersection with the 1st Street right-of-way, thence proceed South along the 1st Street right-of-way to its intersection with Madison Avenue, thence proceed in an Easterly direction on Madison Avenue to its intersection with 7th Street, thence proceed South on 7th Street to its intersection with the Emerald Forest Boulevard right-of-way, thence proceed East along the Emerald Forest Boulevard right-of-way to its intersection with 11th Street, thence proceed South on 11th Street to its intersection with Helenbirg Road, thence proceed Southwest and West on Helenbirg Road to its intersection with U.S. Highway 190, thence proceed

North on U.S. Highway 190 to its intersection with Crestwood Boulevard, also the point of beginning.

(B) **Name and Powers** - The Road Lighting District hereby created shall be known and designated as "**Road Lighting District No. 16** of the Parish of St. Tammany (the "District")," and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Parish Council shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, is adopted as the official seal of the District and the official journal of St. Tammany Parish Government shall be the official journal of the District. (Ord. No. 07-1629, adopted 08/02/2007)

SEC. 20-217.00 District No. 17

(A) **Created; Boundaries** - By virtue of the authority conferred by Chapter 7, Title 48 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, a Road Lighting District is hereby created within the Parish of St. Tammany, which Road Lighting District shall comprise and include all of the properties situated within a portion of Ward 3, District 5 of the Parish of St. Tammany; with boundaries defined and described [here]in and as further illustrated on the map attached [to Ord. No. 15-3352, adopted 07/09/2015.](Emphasis added)

Encompassing Township 7, Range 11 East, Sections: 17, 16, 22, 15, 10, 48, and 9. The boundaries of the district created herein shall be as follows: Beginning at the corners of Three Rivers Road, and US Highway 190 head south on the south bound right of way of US Highway 190 3,793.35 feet to North Park Blvd. and thence follow North Park Blvd 2,433.69 feet to a point. Head northwest 456 feet to a point and thence North East 373.79 feet to a point, and thence West 75 feet to a point, thence East North East 373 feet to a point and thence West 75 feet to a point, and thence Northeast 418 feet, thence West 2,529.09 feet, thence South 2,554.15 feet, thence East 387 feet, thence South 698 feet, thence East 412 feet, thence East North East 753 feet, thence Northwest 340 feet, thence East North East 706.54 feet, thence North 219.27 feet, thence East 1,281.57 feet, thence East North East 542 feet, thence West 202 feet, thence Northwest 359.91 feet back to North Park Blvd.

Take Northpark Blvd 2, 411.53 feet to the South Bound US Highway 190, and thence head south 4, 966.08 feet to Westbound Interstate 12. Head West alongside Interstate 12 1.95 miles to Three Rivers Road. Follow Three Rivers Road 2.46 miles to the point of beginning.

(B) **Name and Powers** - The Road Lighting District hereby created shall be known and designated as "Road Lighting District No. 17 of the Parish of St. Tammany (the

District")," and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, of which this Parish Council shall be the governing authority, and the District shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State of Louisiana to such political subdivisions, including the authority to incur debt and to levy taxes.

(C) **Seal and Journal** - The official seal of the Parish of St. Tammany, State of Louisiana, is adopted as the official seal of the District and the official journal of St. Tammany Parish Government shall be the official journal of the District.

(Ord. No. 15-3352, adopted 07/09/2015)

CHAPTER 21 SEWERS AND SEWAGE DISPOSAL

ARTICLE I PERFORMANCE STANDARDS FOR DEVELOPMENTS WITH CENTRAL SEWAGE AND/OR WATER FACILITIES

EDITORIAL NOTE: Article I herein previously appeared as Article III of this chapter.

SEC. 21-001.00 Purpose

The purpose of this Article is to provide a Parish regulatory vehicle to insure that owner/developers properly install, operate and maintain sewage and water facilities provided in residential, commercial and industrial developments. (Ord. No. 86-630, adopted 06/19/86)

STATE REFERENCE: LSA R.S. 33:4064.1 through 33:4064.6, Act No. 934 of the 1986 Louisiana State Legislature as approved July 10, 1986.

SEC. 21-002.00 Definitions

For the purpose of this Article, a central sewage facility shall be defined as either a publicly or privately owned system, that may consist of a collection system, or a portion thereof, pumping facility or facilities, and a means of final treatment and disposal, as well as any ancillary features which serves more than one dwelling unit or business.

For the purpose of this Article, a central water system shall be defined as either a public or privately owned system usually consisting of at least one of the following: a source; storage facility; pumping system; treatment process; or distribution system which insures the safe and adequate supply of potable water to more than one dwelling unit or business.

For the purpose of this Article, sewage shall be defined as the waste material and liquids carried off by sewers; and sewerage shall be defined as the removal and disposal of sewage and surface water. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-003.00 Standards Prescribed

The sewer and water facilities herein addressed shall comply with all of the provisions of the Louisiana State Department of Health and Human Resources, hereby referred to as (DHHR) or its successor agency. The Sanitary Code of the State of Louisiana, and the Department of Environmental Quality, hereby referred to as (DEQ) [or its successor agency], and the Water Quality Control Standards of the State of Louisiana. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-004.00 Plans And Specification, Requirements For Submittal

The owner/developer shall be required to submit to the St. Tammany Parish Department of Public Works a complete set of plans and specifications along with the completed "Design Summary Package", as required by the Louisiana Department of Health and Human Resources, detailing the type of central sewage and water facilities to be installed. Such plans and specifications shall be certified by a registered professional engineer of the State of Louisiana. Also written acknowledgment from the appropriate governmental agency (DHHR) must be submitted to the Department of Public Works for St. Tammany Parish, insuring that the plans and specifications are being reviewed by DHHR, and that when necessary, the discharge permit from DEQ has been applied for. This must be done before preliminary approval by the Parish or issuance of a Building Permit.

Before final approval by the Parish and/or an Occupancy Permit obtained, the plans and specifications must be approved by DHHR, the (draft) discharge permit obtained and the construction certified by a registered professional engineer as to its completeness, conformance to the plans and specifications on file, and present operational capacity. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-005.00 Time Limitation On Construction

The owner/developer must comply with the time limitations as provided by DHHR with respect to their approval, and those of DEQ concerning the discharge permit. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-006.00 Operation And Maintenance

The owner/developer shall be responsible for the operation and maintenance (at his, her or their expense) of the central sewage and water facilities in full compliance with all the requirements of this Article and with Federal and State laws and regulations.

This may include hiring of the necessary certified operator, or a consultant that provides such a service, and adhering to the instructions and limits as laid out in the discharge permit. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-007.00 Management Of Facilities And Transfer Of Ownership

The owner/developer of a project shall accept responsibility for the operation and maintenance of a central sewage and/or water facility and may transfer the ownership rights to another party if so desired. However, in any case, the owner/developer shall establish and submit to the Director of the St. Tammany Parish Department of Public Works, a "management declaration" which shall establish the responsibility of the owner/developer for the operation, maintenance and funding requirements for the central sewage and/or water facilities. The owner/developer must satisfy the concerns of the Parish and of DHHR that such management declaration is valid and solvent. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-008.00 Posting Of Bonds/Letters Of Credit Required

Once the sewage and/or water treatment facilities have been installed, the developer and/or owner shall contact the Parish Department of Public Works. An on-site inspection to insure that the system(s) have been installed, and are operable, will be initiated. If upon inspection, the Department of Public Works determines that such system(s) is not found to be built according to specifications, the owner/developer shall be required to make the appropriate corrections at his or her expense and shall not be allowed to continue any further developmental activities until said corrections have been made and certified as being correct by the Department of Public Works. Subsequently, the Director of the Department of Public Works or the Parish Engineer shall establish an amount in the form of a warranty bond/letter of credit for a period of not less than 1 year in order to insure the adequate operation and maintenance of the system(s). The Director shall submit his bond recommendation for approval to the Parish Police Jury.

All warranty bonds/letters of credit shall be obtained by the owner/developer from an accredited financial institution recognized in good standing by the Parish of St. Tammany. The release of warranty bonds/letters of credit shall follow established Parish procedures. (Ord. No. 86-630, adopted 06/19/86)

SEC. 21-009.00 Notice Requirement for Central Sewerage and/or Water Facilities

It shall be required of property owners and developers in subdivisions or communities with existing, pending or anticipated central sewerage and/or water facility projects to notify potential buyers, in writing, prior to the execution of any act of sale, of the existing, pending or anticipated project and any additional costs for which the buyer may be responsible for tying into the new system(s) and/or decommissioning the existing sewerage and water system on the property.

(Ord. 01-0253, adopted 01/04/2001)

CROSS REFERENCE: Chapter 2, Subsection 2-009.99(7)e. for Subdivision fees, Violations, per day; Chapter 5, Article I entitled Buildings and Construction in General, and Division 6 entitled Plumbing Division, and Subsections 5P-103.8 through 5P-103.9; Chapter 11, Section 11-070.00 entitled "Discharge of Untreated Sewerage Prohibited" through Section 11-075.00 entitled "Penalties"; Chapter 20, Section 20-002.00 entitled "Cutting or Disturbing Road Surfaces" and Section 20-005.00 entitled "Culverts"; Chapter 40 - Appendix B, entitled "Subdivisions" in general, especially Section 40-034.00 entitled "Lots", Section 40-036.00, entitled "Sanitary Provisions", Section 40-042.1 entitled "Proposed Subdivisions with Central Sewage or Water Systems", Section 40-092.00 entitled "Mobile Home Parks" subsections (N) and (O), all of this Code of Ordinances.

ARTICLE II SEWAGE DISTRICTS

DIVISION I. GENERALLY

DIVISION 2. DISTRICT NO. 1

SEC. 21-026.00 Created; Boundaries

A Sewage District is hereby created within the Parish which shall be composed of territory entirely outside the corporate limits of any municipality and shall include, comprise and embrace all of that territory within the following described boundaries:

From the east corner of Section 37, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, measure south 45 degrees 15 minutes west, 4254.5 feet to a point in the westerly right-of-way line of U.S. Highway No. 190; thence along said line the following distance and bearings: North 03 degrees 00 minutes East 217.8 feet to a point; North 07 degrees 00 minutes East 274.0 feet; North 08 degrees 45 minutes East 3178.0 feet to the point of beginning. (Pt. A, O. C. Hollister s map, dated January 25, 1959)

From said point of beginning measure south 08 degrees 45 minutes west along the westerly right-of-way line of U.S. Highway No. 190, 2659.7 feet to a point; thence north 69 degrees 45 minutes west 4619.0 feet to a point; thence south 66 degrees 00 minutes west, 1040.0 feet to a point; thence north 69 degrees 53 minutes west, 840.0 feet to a point; thence north 20 degrees 00 minutes east 1560.6 feet to a point; thence north 23 degrees 04 minutes east, 726.0 feet to a point; thence north 09 degrees 15 minutes west 362.0 feet to a point; thence north 42 degrees 55 minutes west 385.4 feet to a point; thence north 59 degrees 20 minutes west 80.9 feet to a point; thence north 39 degrees 30 minutes east, 132.0 feet to a point; thence north 50 degrees 40 minutes west, 716.6 feet to a point; on the left bank of the Tchefuncte River; thence upstream with said bank about 587 feet to a point to the southwest corner of the A. Shushan property; thence along said property line fence south 58 degrees 45 minutes east 1787.9 feet to a point; thence south 83 degrees 5 minutes east 4,903.1 feet to a point in the westerly right-of-way line of U.S. Highway No. 190; thence with said line, south 08

degrees 45 minutes west, 1199.9 feet to the point of beginning. This tract contained 466 acres, more or less. All as per surveys dated June 6, 1955 and January 25, 1959, by O.C. Hollister, Registered Surveyor, A. Amite, Louisiana. (Ord. No. 277, Bk. 4, P. 499)

STATE REFERENCE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-027.00 Name, Status And Powers

The Sewage District herein created shall be known and designated as "Sewage District No. 1 of the Parish of St. Tammany, State of Louisiana", and as thus created, shall constitute a public corporation and political subdivision of the State and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and Statutes of the State, including the authority to incur debt, to issue bonds, and to levy taxes and assessments. (Ord. No. 277, Bk. 4, P. 499)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-028.00 Domicile

The domicile of the Sewerage District created herein is hereby designated as the Covington Country Club, Country Club Estates, Covington, Louisiana, which domicile is within the boundaries of said Sewage District. (Ord. No. 277, Bk. 4, P. 499)

STATE REFERENCE: LSA R.S. 33:3886.

SEC. 21-029.00 Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 3. DISTRICT NO. 2

SEC. 21-036.00 Created; Boundaries

A Sewage District is hereby created within the Parish, comprising and embracing all that territory within the following described boundaries:

From the southeast corner of Section 44, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana, measure along the line common to Sections 13 and 44, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana, north 62 degrees, 30 minutes west 4776 feet more or less to a point on the left bank of Bayou Liberty the point of beginning. From the point of beginning, measure south 62 degrees 30 minutes east, along the line common to Sections 13 and 44, 4011 feet more or less to the

southwest corner of land of George B. Dunbar in Section 44, Township 9 South, Range 13 East, St. Tammany Parish, Louisiana; thence north 00 degrees 30 minutes east, 1432.7 feet more or less to a point in the southerly right-of-way line of Laurent Avenue; thence north 70 degrees 15 minutes east, 3330 feet more or less to the northwest corner of tract, formerly land of Estate of Clementine Roberts, thence north 37 degrees 15 minutes west, 484.6 feet to an iron post in the southerly right-of-way line of Bayou Liberty Road; thence with said right-of-way line northeasterly 501.3 feet to an iron post; thence south 22 degrees 50 minutes east, 286.3 feet to an iron post; thence south 37 degrees 15 minutes east, 879.6 feet to a point in the center of Ravine Coin Des Lestin; thence with the center line of said ravine, south 58 degrees 56 minutes west, 368.4 feet to a point; thence south 37 degrees 15 minutes east, 1470 feet more or less to a point on the right bank of Bayou Bonfouca; thence along said bank southwesterly, westerly, northwesterly and northerly through Section 38, 42, 18 and 19, Township 9 South, Range 14 East, and Section 24, 13 and 23, Township 9 South, Range 13 East, in turn to intersection with line common to Sections 14 and 23, Township 9 South, Range 13 East; thence easterly with said line to corner common to Sections 13, 14, 23 and 24, Township 9 South, Range 13 East; thence northerly with line common to Sections 13 and 14, to its intersection with the southerly bank of Bayou Liberty; thence upstream with said bank southeasterly and northeasterly to the point of beginning. (Ord. No. 336, Bk. 5, P. 383)

STATE REFERENCE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-037.00 Name, Status And Powers

The Sewage District herein created shall be known and is hereby designated as "Sewage District No. 2 of the Parish of St. Tammany, State of Louisiana," and that as so created shall constitute a public corporation and political subdivision of the State and shall have all the powers granted by the Constitution and laws of this State to such entities. (Ord. No. 336, Bk. 5, P. 383)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-038.00 Domicile

The domicile of the Sewerage District created herein is hereby designated as Coin du Lestin, St. Tammany Parish, and which domicile is within the boundaries of said Sewage District. (Ord. No. 336, Bk. 5, P. 383)

STATE REFERENCE: LSA R.S. 33:3886.

SEC. 21-039.00 Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one

(1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 4. RESERVED

DIVISION 5. DISTRICT NO. 4

SEC. 21-056.00 Created; Boundaries

A Sewage District is hereby created within the Parish outside the corporate limits of any municipality, which shall comprise and embrace all of that territory within the following described boundaries:

RIVERWOOD ON THE TCHEFUNCTE SUBDIVISION, PHASES I & II

Phase I:

Beginning at a point 2,947.0 feet north 51 degrees, 50 minutes west of the southeast corner of Section 37, Township 7 South, Range 11 East, proceed at a bearing north 83 degrees, 15 minutes west along the rear property lines of Lots 22 through 42, inclusive, Square 1, to the intersection of said rear property line with the east right-of-way line of Club Lane, thence across Club Lane to the point of intersection of the rear property line of Lot 1, Square 13, and the west right-of-way line of Club Lane to the point of intersection of the rear property line of Lot 1, Square 13, and the west right-of-way line of Club Lane, thence westerly along the rear property line of Lots 1, 2, 3 and 4 Square 13, to the point of intersection of said rear property line of Lot 4, Square 13, thence proceed north 7 degrees 10 minutes 37 seconds west along said west property line of Lot 4, Square 13, thence proceed north 7 degrees 10 minutes 37 seconds west along said west property line of Lot 4, Square 13, to its point of intersection with the south right-of-way line of Golfview Lane, thence across Golfview Lane, to the intersection of the west property line of Lot 9, Square 12, with the north right-of-way line of Golfview Lane, thence north along said west property line of Lot 9, Square 12, to the intersection of the rear property line of said lot, thence northeasterly along the rear property lines of Lots 9, 8, 7, 6 and 5, Square 12 to the point of intersection of the said rear property line with the east property line of Lot 5, Square 12, thence southerly along said east property line of Lot 5, Square 12 to the point of intersection of said east property line with the north property line of Lot 4, Square 12, thence north 48 degrees east along said north property line of Lot 4, Square 12 to its point of intersection with the south right-of-way line of Belle Terre Boulevard, thence across Belle Terre Boulevard to the point of intersection of the west property line of Lot 6, Square 7, with the north right-of-way line of Belle Terre Boulevard; thence northeasterly along said west property line of Lot 6, Square 7, to the intersection with the north line of the utilities servitude, adjoining the rear property line of Lot 6, Square 12, thence generally easterly along said north line of the utilities servitude to the intersection of said north line with the west right-of-way line of Magnolia Lane, thence across Magnolia Lane to the intersection of the east right-of-way line of Magnolia Lane with the north line of the utilities servitude adjoining the rear

property line of Lot 9, Square 4, thence along said north line of the utilities servitude for a distance of approximately 165.48 feet, thence north 15 degrees 42 minutes 42 seconds west along said north line for a distance of approximately 84.38 feet, thence generally easterly along said north line of the utilities servitude adjoining the north property lines of Lots 8 through 1, Square 4 inclusive, to its point of intersection with the west right-of-way line of U.S. Highway 190, thence southerly along said west right-of-way line of U.S. Highway 190 to its intersection with the south property line of Lot 22, Square 1, being the point of beginning. All of the above described is within Township 7 South, Range 11 East of Ward 4 of St. Tammany Parish, Louisiana as shown on a survey map prepared by Landry Engineering Co., Civil Surveyors, and Consulting Engineers and dated July 30, 1960, a copy of which is on file with the Secretary of this Police Jury and is open to public inspection; and

Phase II:

Beginning at a point south 45 degrees 15 minutes west 4,854.4 feet north 3 degrees 0 minutes east, 217.8 feet, north 7 degrees 0 minutes east, 274.0 feet north 8 degrees 47 minutes east, 4,377.9 feet north 83 degrees 13 minutes 15 seconds west, 3840.0 feet from the east corner of Section 37, Township 7 South, Range 11 East, proceed north 83 degrees 15 minutes west 2,052.47 feet along the rear property line of Lots 5 through 10, Square 13, inclusive, and Lots 1 through 11, Square 14, inclusive, to the point of intersection of said rear property line with the common property line between Lots 11 and 12, Square 14, thence north 58 degrees 35 minutes west 365.31 feet along the rear property line of Lots 12, 13 and 14, Square 14, to the point of intersection of said rear property lines with the west property line of Lot 14, Square 14, thence north 31 degrees 25 minutes east along said west property line of Lot 14, Square 14, to its intersection with the south right-of-way line of Riverwood Drive thence across Riverwood Drive to the point of intersection of the north right-of-way line of Riverwood Drive and the west property line of Lot 10, Square 15, thence north 31 degrees 25 minutes east for approximately 160 feet along said west property line of Lot 10, Square 15, thence north 72 degrees 18 minutes east approximately 260 feet to the intersection with the north right-of-way line of Bayberry Drive, thence easterly along the north right-of-way line of Bayberry Drive to its intersection with the west right-of-way line of Cherrylaurel Drive, thence generally northerly along the west right-of-way line of Cherrylaurel Drive to its intersection with the west right-of-way line of an unnamed street thence northerly along the west right-of-way of said unnamed street to the north right-of-way line of Belle Terre Boulevard, thence easterly along said north right-of-way line of Belle Terre Boulevard to its intersection with the west property line of Lot 23, Square 10, thence northerly along said west property line of Lot 23, Square 10 for a distance of approximately 198 feet, thence north 75 degrees 0 minutes east approximately 84.05 feet to the north servitude line adjoining the northeast property line of Lot 23, Square 10, thence easterly along said north line of the utilities servitude adjoining the rear property lines of Lots 23, 22, 21, 20, 19, 18, 17, 16 and 15, Square 10, thence across an unnamed street to the point of intersection of the east right-of-way of said unnamed street with the north line of the utilities servitude adjoining the rear property line of Lot 34, Square 9, thence along said north line of the utilities servitude, southeasterly 180.3 feet to the point of intersection of

said north line with the east property line of said Lot 34, Square 9, thence across an unnamed street to the point of intersection of the east right-of-way line of said unnamed street to the point of intersection of the east right-of-way line of said unnamed street with the north line of the utilities servitude adjoining the rear property line of Lot 1, Square 7, thence generally southeasterly along said north line of the utilities servitude adjoining the rear property lines of Lots 1, 2, 3, 4 and 5, Square 7 to its point of intersection with the east property line of Lot 5, Square 7, thence southwesterly along the property line common to Lots 5 and 6, Square 7 to its intersection with the north right-of-way line of Belle Terre Boulevard, thence across Belle Terre Boulevard to the point of intersection of the south right-of-way line of said Belle Terre Boulevard and the southern most property line of Lot 3, Square 12, thence along said southernmost property line of Lot 3, Square 12 at a bearing south 48 degrees west for approximately 198.73 feet, thence north 29 degrees 45 minutes west to the southeast corner of Lot 20, Square 12, thence along the rear property lines of Lots 20, 19, 18, 17 and a portion of Lot 16, Square 12 to the northeast corner of Lot 10, Square 12, to the intersection with the north right-of-way line of Golfview Drive, thence across Golfview Lane to the point of intersection of the south right-of-way line of Golfview Lane and the east property line of Lot 5, Square 13, thence southeasterly along the east property line of said Lot 5, Square 13 to its point of intersection with the rear property line of said Lot 5, Square 13, being the point of beginning. All the above described is within Township 7 south, Range 11 East of Ward 4 of St. Tammany Parish, Louisiana, as shown on a survey map prepared by Robert A. Berlin, Registered Land Surveyor, and dated April 6, 1962, a copy of which is on file with the Secretary of this Police Jury and is open to public inspection.

The district shall also embrace that certain tract of land situated in the Fourth Ward of St. Tammany Parish, Louisiana, outside the corporate limits of any municipality, more particularly described as follows:

Beginning at the intersection of the west right-of-way line of U.S. Highway 190 and the southern bank of Ponchitolawa Creek with point of intersection situated in Section 22, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana; proceed generally westward following the meanderings of the south bank of the Ponchitolawa Creek to its intersection with the east bank of the Tchefoncté River; thence generally southerly, following the meanderings of the said east bank of the Tchefoncté River to the point of intersection of said east bank of the Tchefoncté River with a projection of the southernmost boundary of Riverwood on the Tchefoncté Subdivision, Phases I and II; thence generally southeasterly along said projection line, thence generally easterly along the southernmost boundary of Riverwood on the Tchefoncté Subdivision, Phases I and II to its point of intersection with the west right-of-way line to its intersection with the southern bank of Ponchitolawa Creek, the point of beginning. (Ord. No. 537, Bk. 7, P. 174; Ord. No. 559, Bk. 7 P. 282)

STATE REFERENCE: LSA R.S. 33:3885, Power of Police Jury to create Sewage District.

SEC. 21-057.00 Name, Status And Powers

The Sewage District herein created shall be known and is designated as "Sewage District No. 4 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State, and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and statutes of the State, including the authority to incur debt, to issue bonds and to levy taxes and assessments. (Ord. No. 537, Bk. 7, P. 174)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-058.00 Domicile

The domicile of the Sewage District created herein is hereby designated as the Riverwood Club House, Riverwood Subdivision, Covington, Louisiana, which domicile is within the boundaries of said Sewage District. (Ord. No. 537, Bk. 7, P. 174)

STATE REFERENCE: LSA R.S. 33:3886.

SEC. 21-059.00 Board Of Supervisors

The Board of Supervisors of Sewage District No. 4 shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

STATE REFERENCE: LSA R.S. 33:3887.

DIVISION 6. DISTRICT NO. 5 ABOLISHED

SEC. 21-066.00 Created; Abolished

Created by Ord. No. 547, Bk 7, Page 208, amended by Ord. No. 00-0157, adopted 06/01/2000, Abolished effective January 1, 2004 by Ord. C.S. No. 03-0742, adopted 09/04/2003 (All in accordance with LSA R.S. 33:3884)

Note: Division 6 formerly comprised Sec. 21-066.00 - 21-069.00 regarding St. Tammany Parish Sewerage District No. 5

DIVISION 7. DISTRICT NO. 6 ABOLISHED

SEC. 21-076.00 Created; Abolished

Created by Ord. No. 595, Bk. 7, P. 401, amended by Ord. No. 901, adopted 12/21/1978, and pursuant to La. R.S. 33:3881.

Abolished at a regular meeting of the St. Tammany Parish Council held on September 3, 2009, the Parish Council, acting under the authority of LSA R.S. 33:3884, adopted a Resolution giving notice of intention to abolish Sewerage District No. 6 and providing that the governing authority would meet in open and public session in Council Chambers, St. Tammany Parish Administrative Complex, 21490 Koop Drive, Mandeville, Louisiana, on Thursday, November 5, 2009 at 6:00 p.m., and proceed to abolish Sewerage District No. 6.

Notice of said intention was published once a week for three consecutive weeks in the official parish journal, the first publication being more than fifteen (15) days prior to adoption of the ordinance abolishing the District.

The public hearing thereon was duly conducted, there being no objections to the abolishment of Sewerage District No. 6, the governing body of St. Tammany Parish concluded and determined that said Sewerage District is no longer required, and abolishment of same is in the best interest of the Parish and the inhabitants of the area affected.

The Parish of St. Tammany shall assume any and all rights, duties and obligations previously held and/or incurred by Sewerage District No. 6 and shall have the authority to assert, and transfer as it deems appropriate, said rights, duties and obligations as its own.

Due notice of the abolishment of Sewerage District No. 6 was published in accordance with law.

(Ord. No. 09-2164, adopted 11/05/2009)

DIVISION 8. DISTRICT NO. 7 ABOLISHED

(Note: By virtue of LSA R.S. 33:3884 and Ord. No. 06-1319, adopted 6/1/2007, Sewerage District No. 7 was abolished and the Parish of St. Tammany assumed any and all rights, duties and obligations previously held and/or incurred by Sewerage District No. 7 and has the authority to assert said rights, duties and obligations as its own.)

(Prior to abolishment, Sec. 21-086.00 through 21-089.00, Sewerage District No. 7 originally created and amended per Ord. No. 603, Bk. 7, P. 427; Ord. No. 613, Bk. 7, P. 484; Ord. No. 621, Bk. 7, P. 497; Ord. No. 85-363, adopted 06/21/1985, amended by Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 9. DISTRICT NO. 8

SEC. 21-096.00 Created; Boundaries

Pursuant to the authority contained in Section 3881, Chapter 9, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the Police Jury of the Parish of St. Tammany, State of Louisiana, acting as the governing authority of said Parish, acting on its own initiative, does hereby change the boundaries of said District, said boundaries to remain outside the corporate limits of any municipality, so that the boundaries and corporate limits of Sewerage District No. 8 of the Parish of St. Tammany, State of Louisiana, shall hereafter comprise, embrace and include all of that territory within Tall Timbers Subdivision, described as follows, to-wit:

Commence at the quarter corner common to Section 27 and 34, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, said point being the point of beginning; thence go North 00 degrees, 12 minutes, 52 seconds west 1,362.69 feet; thence go North 45 degrees, 43 minutes, 42 seconds east 2,821.42 feet; thence go south 00 degrees, 03 minutes, 34 seconds west 3,311.73 feet; thence go south 89 degrees, 25 minutes, 01 second west 2,011.80 feet back to the point of beginning.

Said property comprises the Subdivision known as Tall Timbers, located in Ward 4, Police Jury District 10.

(Ord. No. 744, adopted 08/18/77; amended by Ord. No. 92-1670, adopted 11/19/92)

STATE REFERENCE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-097.00 Name, Status And Powers

The said District shall continue to be known as and is hereby designated as "Sewerage District No. 8 of the Parish of St. Tammany, State of Louisiana", and shall continue to constitute a public corporation and political subdivision of the State of Louisiana, and as such, shall have all the powers incidental thereto as granted by the Constitution and laws of the State of Louisiana, including the authority to incur debt, to issue bonds and to levy taxes; that said Sewerage District, as originally created and amended, has no outstanding bonded indebtedness, and such change shall in no manner impair any other obligations that may have heretofore been incurred by said Sewerage District during the period of its existence. (Ord. No. 744, adopted 08/18/77; amended by Ord. No. 92-1670, adopted 11/19/92)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-098.00 Notice of Change of Boundaries

Due note[ice] of the change of the boundaries of said Sewerage District shall be published and the President of this Police Jury be and he is hereby instructed and ordered to issue notice of the change of the boundaries of said Sewerage District and to cause publication thereof to be made in the St. Tammany Farmer. (Ord. No. 744, adopted 08/18/77; amended by Ord. No. 92-1670, adopted 11/19/92)

SEC. 21-099.00 Board Of Supervisors

The Board of Supervisors of Sewage District No. 8 shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 10. DISTRICT NO. 9 - ABOLISHED

(Created by Ord. No. 777, adopted 12/15/77; amended by Ord. No. 83-523, adopted 01/20/83; abolished by Ord. No. 89-1074, adopted 08/15/90)

DIVISION 11. DISTRICT NO. 10

CROSS REFERENCE: Division 11, Waterworks District No. 16, Secs. 22-085.00 - 22-089.00

SEC. 21-116.00 Created; Boundaries

A Sewage District is hereby created within the Parish and outside the corporate limits of any municipality, which District shall comprise and embrace all of that territory within the following described boundaries:

A.

Certain pieces or portions of ground with all the buildings and improvements thereon and all rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, forming a portion of Sections 23, 24, 25, and 26, Township 6 South, Range 12 East, in that part thereof known as Hillcrest Country Club Estates Subdivision, Addition No. 3, as shown on a survey by Land Engineering Services, Inc., dated February 3, 1961, revised May 16, 1961, certified by Robert A. Berlin, La. Reg. Sur., and recertified on April 6, 1964, being described as follows, to wit: 1.

Beginning at a point on the westerly right-of-way line of Snead Drive, which point forms the southeast corner of Lot 59, Square 2, thence westerly 150 feet to the southwest corner of Lot 59, said square, to a point; thence northeasterly along the rear line of Lots 59 descending through and including Lot 37, said square to the southwest corner of Lot 37; thence northerly along the sideline of Lot 37, 151 feet to the northwest corner of Lot 37; thence in a westerly direction along the southerly line of Snead Drive a distance of

10 feet to a point, which is the northeast corner of Lot 36; thence in a southerly direction along the sideline of Lot 36 a distance of 151 feet; to a point, which is the southeast corner of Lot 36; thence continue along the rear line of Lot 36 descending thru and including Lot 1 of Square 2 to a point on the northern right-of-way of Francis Quimet Drive; thence easterly along the northern right-of-way of Francis Quimet Drive; thence easterly along the northern right-of-way of Francis Quimet Drive to a point, which point is the southwest corner of Lot 98, Square 1; thence continue northerly along the rear line of Lot 98 descending thru and including Lot 49 of said square to a point; which point is the southwest corner of Lot 49; thence continue northerly along the rear line of Lots 48 descending thru and including Lot 28 to a point, which is the southwest corner of Lot 28, Square 1; thence northerly along the sideline of Lot 28, 190 feet to a point on the southern right-of-way of Fairway Drive; thence northerly along the southerly right-of-way of Fairway Drive 20 feet to a point, which is the northeast corner of Lot 27 of said square; thence continue southerly along the sideline of Lot 27, 190 feet to a point, which is the southeast corner of Lot 27; thence continue along the rear line of Lot 27 descending thru and including Lot 6 to a point, which is the point common to Lot 5, Lot 105 and Lot 106 of Square 1; thence continue easterly along the rear of Lot 106 through and including Lot 120 of Square 1 to a point on the rear line of Lot 143; thence continue southeasterly along the rear line of Lot 143 thru and including Lot 148 to a point, which point is the eastern most corner of Lot 148; thence southwesterly 200 feet to the eastern right-of-way line of Francis Quimet Drive; thence southerly along the eastern right-of-way line of Francis Quimet Drive to the intersection of the southern right-of-way line of Oliver Street, which intersection forms the northwest corner of Lot 26 of Square 3; thence northeasterly along the southern right-of-way line of Oliver Street to a point, which point is the northern corner of Lot 10, Square 3; thence southeasterly along the rear line of Lot 10 descending thru and including Lot 6 to a point, which is the northeast corner of Lot 6; thence southerly along the side line of Lot 6, 247.2 feet to a point, which is the southeast corner of Lot 6; thence southeasterly along the northern right-of-way of Evans Street 15 feet to a point, which is the southwest corner of Lot 5 of Square 3; thence northerly along the side line of Lot 5 a distance of 247.2 feet to a point, which is the northwest corner of Lot 5, Square 3, thence southeasterly along the rear line of Lots 5 and 4 to a point on the westerly right-of-way of Francis Quimet Drive; thence northerly along the western right-of-way of Francis Quimet Drive and northeasterly to the intersection of the western right-of-way line of Snead Drive; thence northwesterly along the western right-of-way line of Snead Drive to the point of beginning.

LESS AND EXCEPT that portion sold by Leslie Homes, Inc., to Pep, Inc., by act dated May 17, 1962, before Vincent C. Rodriguez, Notary Public, registered in COB 323, folio 429, St. Tammany Parish, Louisiana, containing 1.45 acres, and described as follows:

A certain piece or portion of ground, together with all improvements thereon, all rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, Section 25, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, which portion of ground is more particularly described as follows in accordance with map of Robert A. Berlin, Louisiana Registered Surveyor, No. 94, dated May 10, 1962, annexed to said sale to Pep, Inc.:

From the corner common to Sections 23, 24, 25 and 26, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, measure north 42 degrees 30 minutes east, 519.7 feet to a point; thence south 30 degrees 15 minutes east, 1788.8 feet to an iron post; thence north 64 degrees 05 minutes east, 388.7 feet to an iron post; thence south 72 degrees 30 minutes east, 239.9 feet to an iron post on the westerly right-of-way line of Snead Drive, a 60-foot street; thence along said right-of-way line south 31 degrees 20 minutes east, 413.5 feet to an iron post; thence continuing along said right-of-way line south 40 degrees 49 minutes east, 419.0 feet to an iron post at the intersection of the westerly right-of-way line of Snead Drive with the northwesterly right-of-way line of Quimet Drive; thence with said northwesterly right-of-way line south 41 degrees 08 minutes west, 262.4 feet to an iron post, the point of beginning.

From the point of beginning measure south 41 degrees 08 minutes west, 200.0 feet to an iron post on said right-of-way line of Quimet Drive; thence north 48 degrees 52 minutes west 276.0 feet to an iron post at the water s edge of Hillcrest Lake; thence with the water s edge north 19 degrees 35 minutes east, 215.6 feet to an iron post at the water s edge of said lake; thence south 48 degrees 52 minutes east, 355.0 feet to the point of beginning.

2.

From the point of beginning, which point is located at the intersection of the northern right-of-way line of Worsham Street and the rear boundary line of Lot 35, Square 4, continue northerly and westerly along the rear lines of Lots 35 thru and including Lot 61, Square 4 to a point; thence northerly along the side line of Lot 61 a distance of 237 feet to the southerly right-of-way of Francis Quimet Drive; thence westerly along the southerly right-of-way of Francis Quimet Drive 20 feet to a point, which is the east and northeast corners of Lots 7 and 8, respectively, Square 4; thence south along the rear line of Lots 7 through and including Lot 11 to a point, which point is at the corner common to the rear line of Lots 14 and 15; thence easterly along the rear line of Lots 15 through and including Lot 34 to a point on the northern right-of-way line of Worsham Street; thence northeasterly along the right-of-way line of Worsham Street to the point of beginning.

3.

From the point of beginning, which point is the southwest corner of Lot 2, Square 5, continue along the rear lines of Lots 2 through and including Lot 36 to a point, which is the southeast corner of Lot 36; thence northwesterly along the side line of Lot 36, 200 feet to a point, which is the northeast corner of Lot 36; thence northeasterly along the eastern right-of-way of Francis Quimet Drive 20 feet to a point, which is the northwest corner of Lot 37, Square 5; thence along the side line of Lot 37, 200 feet to a point, which is the southwest corner of Lot 37; thence continue along the rear line of Lots 37 thru and including Lot 59 to a point, which is the southeast corner of Lot 59; thence northwesterly along the side line of Lot 59, 175 feet to a point, which is the northeast corner of Lot 59; thence northeasterly along the east side line of Snead Drive 20 feet to

a point, which is the northwest corner of Lot 60, Square 5; thence southeasterly along the side line of Lot 60, 175 feet to a point, which is the southerly most corner of Lot 60; thence continue along the rear of Lots 60, 63 thru and including Lot to a point, which is the southerly most corner of Lot 145, Square 5; thence continue northeasterly along the rear of Lot 145 and Lot 1, Square 5, to a point on the southerly right-of-way of Francis Quimet Drive; thence in a southeasterly direction along the southern right-of-way of Francis Quimet Drive 20 feet to a point, which is the northwest corner of Lot 2, Square 5; thence southwesterly along the sideline of Lot 2, Square 5, 175 feet to point of beginning. All in accordance with a recertification of same survey by E.L. Dewailly, Reg. La. Sur., dated April 6, 1971, recorded as Entry No. 277916, St. Tammany Parish, Louisiana.

B.

A certain piece or portion of ground with all the buildings and improvements thereon and all rights, ways, privileges, servitudes and appurtenances thereunto belonging or anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, forming parts of Sections 23, 24, 25 and 26, Township 6 South, Range 12 East, in that part thereof known as Hillcrest Country Club Estates Subdivision. Addition No. 3, as shown on a survey by E. L. Dewailly, Sr., Registered Land Surveyor, dated March 29, 1971, and being described as follows, to-wit:

From the point of beginning, which point is located at the rear corner common to Lots 8 and 9, Square 7, measure 48 degrees west, 1540 feet to a point, which point is on the eastern right-of-way of Snead Drive and opposite to the corner common to Lots 56 and 57, Square 2, thence southeasterly along the eastern right-of-way of Snead Drive 1480 feet, more or less, to a point, which point is the northwestern corner of Lot 1, Square 6; thence northeasterly along the side line of Lot 1, 90 feet to a point; thence southeasterly along the rear line of Lots 1 thru and including Lot 9 to a point on the northern right-of-way line of Snead Drive; thence northeasterly along the right-of-way line of Snead Drive to a point at the intersection of the rear line of Lot 1, Square 7; thence northeasterly along the rear line of Lots 1 thru and including Lot 8 to the point of beginning.

97 Acres

A certain piece or portion of ground with all the buildings and improvements thereon and all of the servitudes, rights and appurtenances thereunto applying situated in the State of Louisiana, in the Parish of St. Tammany, in Sections 24 and 25, Township 6 South, Range 12 East, as shown on a survey prepared by Land Engineering Services, Inc., dated April 1, 1964, signed by Robert A. Berlin, La. Reg. Sur., and said portion of ground commences from the one-quarter corner on line common to Sections 24 and 25, Township 6 South, Range 12 East, measure south 1455 feet more or less to a point, thence east 575 feet more or less to the most northerly corner of Lot 10, Block 7, Hillcrest Country Club Estates Subdivision, Addition No. 3, thence south 31 degrees 55 minutes west 178.2 feet to a corner common to Lots 9 and 10, said block, addition, subdivision, thence north 51 degrees 45 minutes west 97.4 feet to the most northerly corner

of Lot 9, said Block and Subdivision, thence south 45 degrees 20 minutes west 85 feet to a point, thence south 32 degrees 55 minutes west 100 feet to a corner common to Lots 8 and 9, said block, addition, subdivision, thence north 48 degrees 00 minutes west 1540 feet more or less to a point in the easterly right-of-way line of Snead Drive, said point being on an easterly extension of the line common to Lots 56 and 57, said block, addition, subdivision, thence along said right-of-way line north 11 degrees 10 minutes east 400 feet more or less to a point, thence north 04 degrees 15 minutes west 328 feet more or less to a point, thence north 13 degrees 00 minutes west 395 feet more or less to a point, thence north 22 degrees 15 minutes west 100 feet more or less to a point, thence north 33 degrees 00 minutes west 416 feet more or less to a point, thence north 59 degrees 25 minutes west 888 feet more or less to a point, thence north 81 degrees 45 minutes west 187 feet more or less to a point, thence north 35 degrees, 00 minutes west 10 feet to a point in the southeasterly right-of-way line of Louisiana State Highway No. 435, thence along said right-of-way line north 65 degrees 00 minutes east 306.24 feet more or less to a point, thence north 60 degrees 00 minutes east 132 feet to a point, thence north 52 degrees 00 minutes east 132 feet to a point, thence north 50 degrees 30 minutes east 264 feet to a point, thence north 49 degrees 45 minutes east 772.2 feet to a point thence north 46 degrees 45 minutes east 594 feet to a point, thence north 46 degrees 20 minutes east 463.98 feet to a point, thence south 0 degrees 07 minutes east 2705 feet more or less to the point of beginning. This tract contains 97 acres, more or less. All of which said measurements are the same as shown on a survey by E. L. Dewailly, Reg. La. Sur., dated March 29, 1971, annexed to a sale by Leslie Homes, Inc., to Louisiana Purchase Corporation, registered in COB 607, folio 135, St. Tammany Parish, Louisiana.

C.

Lots Nos. 1 through 148 in Square No. 1, bounded by Fairway Drive, Burke Drive, the Golf Course and Francis Quimet Drive.

Lots Nos. 1 through 59 in Square No. 2, bounded by Snead Drive, Chapman Street, Francis Quimet Drive and the Golf Course.

Lots Nos. 1 through 37 in Square No. 3, bounded by Evans Street, Oliver Street and Francis Quimet Drive.

Lots Nos. 1 through 61 in Square No. 4, bounded by Francis Quimet Drive, Bob Rosburg Street, Hogan Street Worsham Street and the Golf Course.

Lots Nos. 1 through 145 in Square No. 5, bounded by Bobby Jones Drive, Worsham Street, Francis Quimet Drive, the Golf Course and Metz Street, Snead Drive and Ford Street.

Lots Nos. 1 through 9 in Square No. 6, bounded by Snead Drive, Ford Street and Golf Course.

Lots Nos. 1 through 24 in Square No. 7, bounded by Ford Street, the Golf Course, the Northeasterly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lots Nos. 1 through 31 in Square No. 8, bounded by Chapman Street, Bob Rosburg Street, Snead Drive and Little Court.

Lots Nos. 1 through 12 in Square No. 9, bounded by Bob Rosburg Street, Francis Quimet Drive, the Westerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3, and Louisiana State Highway No. 435.

Lots Nos. 1 through 10 in Square No. 10, bounded by Bob Rosburg Street, Francis Quimet Drive, Harry Vardon Drive and the Westerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lots Nos. 1 through 13 in Square No. 11, bounded by Hogan Street, unnamed street, the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3, and Bob Rosburg Street.

Lots Nos. 1 through 8 in Square No. 12, bounded by Hogan Street, Worsham Street, the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3, and an unnamed street.

Lots Nos. 1 through 12 in Square No. 13, bounded by Bobby Jones Drive, an unnamed street and the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lots Nos. 1 through 13 in Square No. 14, bounded by Bobby Jones Drive, an unnamed street, and the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lots Nos. 1 through 12 in Square No. 15, bounded by Bobby Jones Drive, an unnamed street, and the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lots Nos. 1 through 13 in Square No. 16, bounded by Bobby Jones Drive, unnamed street and Southeasterly Boundary of Hillcrest Country Club Estates Subdivision Addition No. 3.

(Ord. No. 902, adopted 12/21/78)

STATE REFERENCE NOTE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-117.00 Name, Status And Powers

The Sewage District herein created shall be known and is hereby designated as "Sewage District No. 10 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State, and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and statutes of the State, including the authority to incur debt, issue bonds and to levy taxes and assessments. (Ord. No. 902, adopted 12/21/78)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-118.00 Domicile

The domicile of the Sewage District created herein is hereby designated as the Clubhouse, Hillcrest Subdivision, St. Tammany Parish, Louisiana, which domicile is within the boundaries of said Sewage District. (Ord. No. 902, adopted 12/21/78)

SEC. 21-119.00 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 12. RESERVED

EDITORIAL NOTE: Ord. No. 1127, adopted March 20, 1980 established Sewage District No. 11; Ord. No. 86-624, adopted May 15, 1986 abolished said district.

DIVISION 13. DISTRICT NO. 12

SEC. 21-126.00 Created; Boundaries

A Sewage District is hereby created within the Parish and outside the corporate limits of any municipality, which Sewage District shall comprise and embrace all of that territory within the following described boundaries:

A certain piece or portion of ground situated in the Parish, being located in Sections 9 and 10, Township 9 South, Range 14 East, and more fully described as follows: Commence at the section corner common to Sections 3, 4, 9 and 10, Township 9 South, Range 14 East. Measure thence west 1,510.76 feet; thence south 00 degrees 19 minutes west a distance of 1,320.57 feet; thence north 89 degrees 41 minutes west a distance of 385.1 feet; thence south 00 degrees 19 minutes west a distance of 323.66 feet; thence south 31 degrees 09 minutes west a distance of 149.66 feet; thence south 72 degrees 45 [minutes] east a distance of 267.8 feet; thence south 66 degrees 44 minutes east a distance of 158.07 feet; thence south 57 degrees 14 minutes east a distance of 135.33 feet; thence south 47 degrees 25 minutes east a distance of 121.6 feet; thence south 39 degrees 07 minutes east a distance of 601.65 feet, to a point, the

point of beginning. Thence from the point of beginning measure north 31 degrees 12 minutes 10 seconds east a distance of 124.45 feet; thence south 58 degrees 48 minutes east a distance of 260.0 feet; thence north 31 degrees 12 minutes east a distance of 59.4 feet; thence south 58 degrees 48 minutes east a distance of 260.0 feet; thence north 34 degrees 17 minutes east a distance of 135.33 feet; thence south 58 degrees 50 minutes east a distance of 200.5 feet; thence north 34 degrees 17 minutes east a distance of 240.00 feet; thence south 58 degrees 50 minutes east a distance of 220.0 feet; thence north 28 degrees 55 minutes east a distance of 186.15 feet; thence south 46 degrees 05 minutes east a distance of 80.69 feet to a point; thence along the arc of a curve to the left a distance of 169.44 feet, the chord of which measures south 87 degrees 36 minutes 07 seconds east a distance of 154.95 feet; thence south 29 degrees 57 minutes 19 seconds east a distance of 223.6 feet; thence south 89 degrees 31 minutes east a distance of 97.8 feet to a point on the westerly line of Bayou Bonfouca; thence in a southerly direction along the westerly line of Bayou Bonfouca along the mean high water line, which line is at an elevation of 1.7 feet mean sea level, for an approximate distance of 1,762 feet; thence north 55 degrees 07 minutes 31 seconds west a distance of 1,278.97 feet; thence north 1 degree 9 minutes 36 seconds east a distance of 17.60 feet; thence north 89 degrees 46 minutes 44 seconds west a distance of 27.06 feet; thence north 00 degrees 27 minutes 36 seconds east a distance of 55.85 feet; thence north 89 degrees 05 minutes 56 seconds east a distance of 208.7 feet; thence north 00 degrees 15 minutes 23 seconds west a distance of 313.05 feet; thence north 89 degrees 51 minutes 30 seconds east a distance of 138.9 feet; thence north 40 degrees 17 minutes 50 seconds west a distance of 137.46 feet to a point, the point of beginning. (Ord. No. 1089, adopted 12/20/79)

STATE REFERENCE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-127.00 Name, Status And Powers

The Sewage District herein created shall be known and is hereby designated as "Sewage District No. 12 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State, and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and statutes of the State, including the authority to incur debt, to issue bonds and to levy taxes and assessments. (Ord. No. 1089, adopted 12/20/79)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-128.00 Domicile

The domicile of the Sewage District created herein is hereby designated as St. Tammany Parish, Louisiana, which domicile is within the boundaries of such District. (Ord. No. 1089, adopted 12/20/79)

DIVISION 14. DISTRICT NO. 13

SEC. 21-130.00 Created; Boundaries

A Sewage District is hereby created within the Parish and outside the corporate limits of any municipality, which sewage district shall comprise and embrace all that territory within the following described boundaries:

A certain portion of land situated in St. Tammany Parish, State of Louisiana in Sections 25, 26, 35 and 36, Township 8 South, Range 14 East and more fully described as follows: Commencing at the intersection of Brown s Switch Road and U. S. Highway 11 center lines; thence in a northeasterly direction along the U. S. Highway 11 center line approximately 6,530 feet to intersection with a westerly extension of the Haas Road center line; thence in an easterly direction along Haas Road center line approximately 5900 feet to intersection with Louisiana Highway 1091 (Robert Road) center line; thence in a southerly direction along said center line approximately 7050 feet to its intersection with the Brown s Switch Road center line; thence in a westerly direction along said center line approximately 7200 feet to its intersection with U.S. Highway 11 center line and point of beginning. Containing approximately 1075 acres of land more or less, all as more fully shown on boundary map attached to original Ordinance. [Map on file in office of the Police Jury] (Ord. No. 81-286, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3881, Power of Police Jury to create Sewage District.

SEC. 21-131.00 Name, Status And Powers

The Sewage District herein created shall be known and designated as "Sewage District No. 13 of the Parish of St. Tammany, State of Louisiana," and as thus created shall constitute a public corporation and political subdivision of the State, and as such, shall have all the rights, powers and privileges granted and conferred by the Constitution and statutes of the State, including the authority to incur debt, to issue bonds, to construct, maintain, acquire or improve sewers or sewerage disposal systems and to levy taxes and assessments. (Ord. No. 81-286, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3885.

SEC. 21-132.00 Board Of Supervisors

The Sewage District shall be governed by a Board of Supervisors composed of five (5) members having residence requirements as provided in Louisiana Revised Statutes, Section 33:3887 to be appointed by the St. Tammany Parish Police Jury by resolution, which resolution shall also fix the terms of office. (Ord. No. 81-286, adopted 11/19/81)

SEC. 21-133.00 Domicile

The domicile of the Sewage District is designated as 105 West Forest, Slidell, La., 70458, which domicile is within the boundaries of said Sewage District. (Ord. No. 81-286, adopted 11/19/81)

EDITORIAL NOTE: See Article I of this Chapter for old Article III of the Municipal Code Corp. publication entitled "Performance Standards for Developments with Central Sewage and/or Water Facilities.

EDITORIAL NOTE OF STATE REFERENCE: By Police Jury Resolution number 86-2082 dated 02/20/86, the St. Tammany Parish Police Jury requested the creation by the State Legislature of a Parish Environmental Control Commission. The Sewerage and Water Management Commission of St. Tammany Parish is created and given specific powers, see LSA R.S. 33:4065 et seq.

DIVISION 15. DISTRICT NO. 14

SEC. 21-135.00 Created; Boundaries

Pursuant to the authority contained in Sub-Part A, Part I, Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, a Sewerage District is hereby created with[in] the Parish and outside the corporate limits of any municipality, which sewerage district shall comprise and encompass all territory within the following described boundaries:

The East half and Northwest Quarter of Section 11, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana per the subdivision plan of V. D. Tilley dated March 18, 1921 on file in the office of the Clerk of Court, St. Tammany Parish, La.; said subdivision was originally designated as SOUTH ABITA SPRINGS SUBDIVISION, and is now know as TAMMANY HILLS SUBDIVISION for all or a part thereof, the boundaries of South Abita Springs Subdivision per the subdivision plan of V. D. Tilley being the prevailing boundaries. (Ord. No. 89-1210, adopted 12/21/89)

SEC. 21-135.01 Amended Boundaries

The amended boundaries of Sewerage District No. 14 of the Parish of St. Tammany, State of Louisiana, shall comprise and encompass all the territory located within the following described property, to-wit:

Beginning at the northeast corner of the intersection of Harrison Avenue and 11th Street proceed along the east right-of-way of 11th Street (the east boundary of South Abita Springs Subdivision) in a southerly direction to its intersection with the right-of-ways line of Monroe Avenue, thence proceed in a westerly direction along the south right-of-way of Monroe Avenue to its intersection with the west right-of-way line of 1st Street, thence proceed in a northerly direction along the west right-of-way line of 1st Street to its intersection with the south right-of-way line of Washington Avenue, thence proceed in a westerly direction along the south right-of-way line of Washington avenue to its

intersection with the east right-of-way line of "K" Street, thence proceed in a southerly direction along the east right-of way line of "K" Street to its intersection with the south right-of-way line of 11th Avenue, thence proceed in a westerly direction along the south right-of-way line of 11th Avenue to its intersection with the west boundary of east Addition of Alexiusville, thence in a northerly direction along said boundary to its intersection with the south right-of-way line of Harrison Avenue, thence in an easterly direction along the south right-of way line of Harrison Avenue to its intersection with the west right-of-way line of "K" Street thence proceed due north a distance of 51 feet to the north right-of-way line of Harrison Avenue, thence in an easterly direction along the north right-of-way line of Harrison Avenue to the POINT OF BEGINNING.

LESS AND EXCEPT:

1. All lots in Square 11, Square 11 being bounded by Jefferson Avenue, Adams Avenue, 1st Street and 2nd Street;
2. All lots in Square 13, Square 13 being bounded by Jefferson Avenue, Adams Avenue, 3rd Street and 4th Street;
3. All lots in Square 21, Square 21 being bounded by Jefferson Avenue, Madison Avenue, 1st Street and 2nd Street;
4. All lots in Square 22, Square 22 being bounded by Jefferson Avenue, Madison Avenue, 2nd Street and 3rd Street;
5. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 24, said lots forming the west half of Square 24 bounded by Jefferson Avenue, Madison Avenue, 4th Street and 5th Street.
6. All lots in Square 31, Square 31 being bounded by Madison Avenue, Monroe Avenue, 1st Street and 2nd Street;
7. All lots in Square 32, Square 32 being bounded by Madison Avenue, Monroe Avenue, 2nd Street and 3rd Street;
8. All lots in Square 33, Square 33 being bounded by Madison Avenue, Monroe Avenue, 3rd Street and 4th Street;
9. All lots in Square 34, Square 34 being bounded by Madison Avenue, Monroe Avenue, 4th Street and 5th Street;
10. All lots in Square 35, Square 35 being bounded by Madison Avenue, Monroe Avenue, 5th Street and 6th Street;
11. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 36, bounded by Madison Avenue, Monroe Avenue, 6th Street and 7th Street; and
12. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 23, said lots form the east half of Square 23 fronting 3rd Avenue between Jefferson Avenue and Madison Avenue.
13. East half of Square 36 consisting of Lots No. 1,3,5,7,9,11,13,15,17,19,21,23,25,27,29,31, 33,35,37,39 and 41 of Square 36 and the west half of Square 37 consisting of Lots No. 2,4, 6,8,10,12,14,16,18,20,22,24,26,28,30,32,34,36,38,40 and 42 of Square 37, Tammany Hills Subdivision (south of Abita Springs) St. Tammany Parish, Louisiana.

(Sec. 21-135.01 amended per Ord. No. 99-3019, adopted 2/25/99; amended by Ord. No. 02-0427, adopted 01/10/2002)

SEC. 21-135.02 Effect Of Amendment

Except for the purpose set forth in Section 21-135.01, this Ordinance shall not be construed as amending, rescinding or changing any other portion of Ordinance No. 89-1210 or the existence and powers of Sewerage District No. 14 or its governing authority. (Ord. No. 90-1268, 04/19/90)

SEC. 21-136.00 Name, Status And Powers

The said Sewerage District herein created shall be known and is hereby designated as "SEWERAGE DISTRICT NO. 14 of the PARISH OF ST. TAMMANY, STATE OF LOUISIANA" and as thus created it shall constitute a public corporation and political subdivision of the state, and as such it shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the State, including the authority to incur debt, to issue bonds, to construct, maintain, acquire or improve sewer lines or mains, collection systems and to levy taxes and assessments in accordance with law. (Ord. No. 89-1210, adopted 12/21/89)

SEC. 21-137.00 Board of Supervisors

The Board of Supervisors shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 21-138.00 Domicile

The domicile of the Sewerage District is hereby designated as: 70288 3rd Street, Covington, La. 70433. (Ord. No. 89-1210, adopted 12/21/89)

ARTICLE III LOUISIANA POLLUTION DISCHARGE ELIMINATION SYSTEM (LPDES)

SEC. 21-200.00 LPDES Permit, When Required

Every sewerage system whose discharge of sanitary is subject to provisions of Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under authority of said Act shall obtain a Louisiana Pollution Discharge Elimination System (LPDES) permit in accordance and compliance with applicable law, and shall comply with the provisions set forth in the LPDES permit, or any order or directive issued by the LA DEQ which related to the/a LPDES permit. (Ord. No. 96-2522, adopted 10/17/96)

SEC. 21-201.00 Enforcement

The Department of Environmental Services, formerly the Environmental Services Commission of St. Tammany Parish shall be authorized and is directed to adopt and/or enforce rules and regulations, the effect of which compel compliance with the provisions set forth in Section 21-200.00; all in a manner set forth in LA R.S. 33:4064.1, et seq., and/or any other applicable parish ordinances, and state and local regulations. (Ord. No. 96-2522, adopted 10/17/96, Ord. No. 00-0177, adopted 07/06/2000)

ARTICLE IV INSPECTIONS OF ON-SITE SEWERAGE DISPOSAL SYSTEM REQUIRED

SEC. 21-400.00 Definitions

The following words, terms, and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

1. "Applicable law" means the pertinent and appropriate provisions of the State Sanitary Code, other applicable parish ordinances, or state and local regulations which pertain to sewerage systems located, or to be located within the Parish.
2. "Community sewerage system" means any sanitary sewerage system, also known as a sanitary sewage treatment works, which is owned, operated, and/or maintained by a political entity or private person. A community sewerage system serves multiple connections and includes any individual, public, profit, nonprofit, or not-for-profit sewerage system whose effluent discharge is subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any Rules and Regulations effective or promulgated under the authority of the Act.
3. "DES" means the St. Tammany Parish Department of Environmental Services, its employees and its agents.
4. "DEQ" means the Louisiana Department of Environmental Quality, Office of Water Resources.
5. "DH&H" means the Louisiana Department of Health and Hospitals, Office of Public Health.
6. "Individual on-site sewage disposal system" means any or all of the various components, including piping and pumping and treatment facilities, comprising a system designed for the collection and/or treatment and/or disposal of sanitary sewage. An on-site sewage disposal system may be owned, operated, and/or maintained by a political entity or private person.
7. "Owner" or "Owners" means any person or persons who alone or jointly or severally with others has:
 1. Legal title to any premises, facilities or equipment affected by this Section; and/or
 2. Actual physical control of any premises, facilities or equipment affected by this Section pursuant to an agreement, expressed or implied from the circumstances, with the owner or owners.

8. "Political entity" means any agency, board, commission, department or political subdivision of the State of Louisiana, or of the governing authority of the Parish of St. Tammany, or any agent thereof.
9. "Premises" means any structure or dwelling of any construction whatsoever in which a person may live, work or congregate.
10. "Private person" means any individual, group of individuals, firm, corporation, association, partnership, private entity or other legal entity, or any agent thereof.
11. "Responsible person" means the operator or operators of an on-site sewage disposal system, the owners or owners of an on-site sewage disposal system, the owner or owners of the property on which an on-site sewage disposal system is located, or any or all of them.
12. "Sanitary Sewage" means human, domestic, or acceptable industrial waste, except refuse, including liquid from residences, businesses, buildings, industrial establishments or other places, together with such ground water, surface water, storm water, and other wastes as may be present.
13. "Sewerage system" means any or all of the various components, including piping and pumping and treatment facilities, comprising a system designed for the collection and/or treatment and/or disposal of sanitary sewage. A sewerage system may be owned, operated, and/or maintained by a political entity or private person.
14. "State Sanitary Code" means the rules and regulations which pertain to sewage disposal; including, but not limited to those rules and regulations applicable to the collection, treatment, or disposal of sewage; and which have been adopted by the LA Department of Health and Hospitals State Health Officer in accordance with Title 51 of the Louisiana Administrative Code.

SEC. 21-401.00 Adoption of State Sanitary Code

The Parish of St. Tammany hereby adopts for implementation and enforcement Chapter 5 of Part XIII of Title 51 of the Louisiana Administrative Code, as it may be amended, less and except Section 511, Paragraph B(1).

SEC. 21-401.10 Community Sewerage System Required

A. Community sewerage shall be provided in subdivisions comprised of 15 lots or more. This requirement shall apply to all new subdivision developments. (Ord. No. 06-1241, adopted 02/02/2006)

The use of individual sewerage systems in lieu of a community sewerage system may be authorized and will be considered under the following circumstances:

In subdivisions comprised of less than 15 lots with a minimum lot size of two acres or greater and a minimum frontage of 125 feet, when the developer submits a comprehensive drainage plan, as well as a proposal for restrictive covenants which detail requirements for perpetual maintenance of drainage. Whenever the average lot size of a proposed subdivision is greater than five acres, the DES may waive the

requirement for a community sewerage system upon demonstration by the developer that the implementation of such provisions would prove to be a manifestly unreasonable financial hardship.

B. In that development known as Bedico Creek, Bedico Creek Utilities, a private St. Tammany utility company regulated by the Louisiana Public Service Commission, is responsible for providing sewer and water services to the Bedico Development that is located in unincorporated St. Tammany Parish. The Tangipahoa Parish Council has adopted T.P. Ordinance No. 05-64, which authorizes Sewerage District No.1 of Tangipahoa Parish to accept sewerage from public and private entities located in St. Tammany Parish, provided the governing body for St. Tammany Parish grants its approval, and to treat this waste at Tangipahoa Parish Sewerage District No. 1 facilities in Tangipahoa Parish, Louisiana. Bedico Creek Utilities is authorized by St. Tammany Parish to enter into an agreement with Tangipahoa Parish Sewerage District No. 1 for the purpose of connecting the Bedico Creek development into the new regional sewerage treatment facility of Tangipahoa Parish Sewerage District No. 1, provided that Bedico Creek Utilities shall own both the sewer and water lines, shall maintain the sewer and water lines, and shall own and maintain the sewer lift stations and all related sewer facilities within the Bedico Creek Development.

(Ord. No. 06-1241, adopted 02/02/2006)

SEC. 21-402.00 Authority of the Department of Environmental Services

The DES, in order to monitor the operation of any individual, public, profit, nonprofit, or not-for-profit sewerage system located in the Parish, may authorize any employee or agent of the DES to enter upon the premises of any such sewerage system at a reasonable time and in a reasonable manner for the purpose of inspecting any such sewerage system in order to determine that the operation of the sewerage system is conducted in accordance or compliance with applicable law. The responsible person for the property upon which the inspection is conducted, by reason of his/her/its operation of the sewerage system to be inspected, implicitly consents to the entrance of the said authorized employee or agent upon the property, and same shall not be deemed a trespass.

SEC. 21-403.00 Required Facilities; Connection to Sewerage System

A. All new or existing premises, public or private, where people live, work, or congregate shall be provided with approved toilet facilities, including hand washing facilities. Such plumbing facilities shall be properly connected to a community sewerage system, whenever available, or to an individual on-site sewage disposal system which is specifically approved for the premises by the State Health Officer or his duly authorized representative after determining that the installation and operation of an individual on-site sewage disposal system will not create a nuisance or public health hazard. It shall be the duty of the owner, manager or agent of any occupied premises, public or private,

where people live, work or congregate to provide the premises with an approved method of sewage disposal in compliance with the requirements of this Article.

B. (1) Whenever the DES determines that any building or structure to be constructed is in proximity to the sewage collection or treatment facility of a qualified community sewerage system, said building or structure shall be required to connect thereto. When a qualified community sewerage system is available, and there is an approved public water supply with adequate water capacity, all plumbing fixtures within any building or structure shall be connected to such approved public water supply and community sewerage system.

(2) For the purposes of this Section, a “qualified community sewerage system” is a community sewerage system: 1) which has the actual and/or anticipated capacity which will be required to realize the peak sewage demand of the subject building or structure, and 2) the operation and maintenance of which is likely to be in accordance and compliance with all regulatory requirements; all as determined by the DES.

(3) The DES, at the time of its consideration of the issuance of the building permit for the subject building or structure, may waive the requirement in Subsection B(1) upon the showing by the applicant that the implementation of the provisions of said Subsection would prove to be a manifestly unreasonable financial hardship. In no event, however, shall a Certificate of Occupancy be issued or shall any other such final action on the subject building permit occur unless and until an individual on-site sewage disposal system has been specifically approved for the premises by the State Health Officer, or his duly authorized representative.

C. Existing mobile homes and permanent buildings or structures will be exempt from the requirements of this Section for the period of time that the present owner or occupant of the property inhabits the premises. However, at the time of change in ownership, occupancy, location or transfer of electrical power service, such mobile home or permanent building or structure shall be required to obtain a sewerage system inspection permit for electrical service as outlined in Subsection D below. Additionally, existing mobile homes and permanent buildings or structures which are properly connected to a community sewerage system will be exempt from the requirements of this Section.

D. (1) Prior to the issuance of a sewerage system inspection permit for any non-residential mobile home, permanent building or structure, the DES shall inspect the premises to determine if the plumbing fixtures are properly connected to a permitted individual on-site sewage disposal system. The DES shall inspect individual on-site sewage disposal systems to determine that said systems are not causing an apparent health or environmental problem prior to the issuance of any sewerage system inspection permit for the connection or transfer of electrical power service. In no event, however, shall a sewerage system inspection permit be issued or shall any other such final action occur unless and until an individual on-site sewage disposal system has

been specifically approved for the premises by the State Health Officer or his duly authorized representative.

(2) Prior to the issuance of a sewerage system inspection permit for any residential mobile home, permanent building or structure, the DES shall inspect the premises to determine if the plumbing fixtures are properly connected to an individual on-site sewage disposal system. The DES shall inspect individual on-site sewage disposal systems to determine that said systems are not causing an apparent health or environmental problem prior to the issuance of any sewerage system inspection permit for the connection or transfer of electrical power service.

SEC. 21-404.00 Manner of Inspection

The DES shall be authorized to inspect every sewerage system located in the unincorporated portion of St. Tammany Parish. In conducting an inspection of a sewerage system, the DES shall conform to the relevant and appropriate practices and procedures of the DEQ and the DHH as such practices and procedures relate respectively to the inspection of said sewerage systems.

SEC. 21-405.00 Sewerage System Permit

A. Except for existing mobile homes and permanent building or structures exempt from the requirements of this Article outlined in Section 21-403.00(C), no sewerage system shall be used or placed in operation without approval in the form of a sewerage system permit issued by the State Health Officer or his duly authorized representative. For the purposes of this Article, a new sewerage system permit shall be required upon the initial installation of an individual on-site sewage disposal system. Each time the occupancy, connection or transfer of electrical power service changes, an inspection of the individual on-site sewage disposal system and the issuance of a sewerage system inspection permit by the DES shall be required.

B. For the purpose of convenience, the landlord, owner, manager or agent, may acquire for the period of one year on rental property, an approved sewerage system permit. It shall be the duty of any of the aforementioned persons to obtain, make available and provide such approved sewerage system permit to the renter of the property. It shall also be the responsibility of any of the aforementioned persons to obtain renewal of such approved sewerage system permit each year thereafter.

C. Violation of this Section shall constitute an offense and shall be punishable as provided in Section 23-115.00 of the DES's Rules and Regulations - Compliance with Rules and Regulations Required.

SEC. 21-406.00 Sewerage system inspection permit prerequisite for permanent utility service

A. No electrical power utility company licensed to do or doing business in the Parish shall install or connect permanent electrical service to any mobile home or permanent building or structure until a sewerage system inspection permit has been issued. No electrical power utility company licensed to do or doing business in the Parish shall install or connect temporary electrical service to any mobile home or permanent building or structure unless a work authorization has been issued by the Parish.

B. If an electrical service connection is made absent any authorization by the Parish, the DES shall provide written notification to the appropriate electrical power utility company to terminate electrical service. The electrical power company shall provide for termination of unauthorized electrical service within 48 hours of receiving notification from the DES. If no or insufficient action is taken after proper notification, the DES shall take any and all steps which it is empowered to take pursuant to La. R.S. 33:4064.1, et. seq., and the St. Tammany Parish Code of Ordinances in order to require compliance with this Article.

SEC. 21-407.00 Apartment complexes, mobile home parks

A. All persons who own or operate apartment complexes of four or more units and mobile home parks with four or more units shall be required to obtain a sewerage system permit from the State Health Officer or his duly authorized representative verifying that the sewage treatment plant associated with the complex or mobile home park is an approved system and in compliance with all applicable provisions of the State Sanitary Code.

B. All owners or operators of complexes or mobile home parks as defined in this Section shall apply to the St. Tammany Parish Health Unit for a sewerage system permit.

C. For the purpose of convenience, the owner or operator of complexes or mobile home parks may acquire for the period of one year on rental property, an approved sewerage system permit. It shall be the duty of any of the aforementioned persons to obtain, make available and provide such approved sewerage system permit to the renter of the property. It shall also be the responsibility of any of the aforementioned persons to obtain renewal of such approved sewerage system permit each year thereafter.

SEC. 21-408.00 Sewerage System Inspection Permit Fee

In order to defray the costs associated with the inspection on-site sewage disposal systems serving all new or existing buildings or structures, a twenty-five dollar (\$25.00) sewerage system inspection permit fee is hereby assessed for the issuance of each sewerage system inspection permit. Such sewerage system inspection permit fee shall be in addition to any other applicable fee collected by the Parish of St. Tammany.

Article IV established by Ord. No. 02-0538, adopted 09/05/2002)

CHAPTER 22 WATER

ARTICLE I IN GENERAL

DIVISION I CENTRAL WATER SYSTEMS, FIRE SUPPRESSION CAPACITY

CROSS REFERENCE: Supplemental Code, Chapter 5 (Buildings and Construction), Paragraph E and Appendix B of, Chapter 40, Section 40-036.01(B).

SEC. 22-001.00 Central Water Systems; Fire Suppression Capacity

(a) For the purposes of the provisions of this Division, a central water system, shall mean a public water supply as defined in Chapter XII of the LA Sanitary Code, the rates and tariffs for which are established by the LA Public Service Commission.

(b) Whenever a central water system is to be constructed or modified, the construction and modification of such system shall provide for an adequate flow of water for fire suppression purposes and include fire hydrants which shall be located and installed as required by applicable law, ordinance, codes, and/or rules and regulations; all in a manner set forth in this Division. (Ord. No. 96-2459, adopted 07/18/96)

SEC. 22-001.01 Administration and Enforcement

(a) As such related to any and all provisions of this Division, and to the extent provided in LA R.S. 33:4064.1, et seq., the Department of Environmental Services (formerly the Environmental Services Commission of St. Tammany Parish) is authorized to adopt rules and regulations, the purpose of which shall provide for the operation, maintenance, connection, and inspection of central water systems, and to enter into an environmental utility service agreement with any public or private provider of water service wherein the purpose of any such agreement shall be to assign to the provider certain rights of said Commission to plan, finance, construct, and improve or otherwise extend water systems within the unincorporated portion of St. Tammany Parish. To that end, said commission shall establish in said rules, regulations and agreements objective and cost effective standards, guidelines, requirements, and conditions which may be necessary to effect any provisions set forth or contemplated in this Division.

(b) The construction and improvement or extension of any central water system shall not occur unless such is in accordance with the provisions of this Division or any rules and regulations of said Commission which are adopted pursuant thereto. Failure to comply with such provisions set forth in applicable law or said rules and regulations and, if applicable, shall be prima facie evidence of a breach of the provisions of any nonexclusive franchise agreement subject to the provisions of LA R.S. 33:4064.6 (B).

(Ord. No. 96-2459, adopted 07/18/96)

SEC. 22-001.02 Water Flow Rating and Capacity

Any determination of a mean water flow rating for the fire hydrants connected to a central water system shall be made for the sole use and benefit of said Commission and the subject water service provider, and shall not be considered in any manner whatsoever as a warranty or guarantee of the water flow capacity of a central water system or its availability for connection thereto.

ARTICLE II WATERWORKS DISTRICTS

STATE REFERENCE: LSA R.S. 33:3822.2 entitled "Construction, Improvement, and Maintenance of Waterworks Systems in St. Tammany Parish, its Municipalities or Waterworks Districts".

DIVISION 1 GENERALLY

DIVISION 2 WATERWORKS DISTRICT NO. 2

SEC. 22-026.00 Created; Boundaries

A Waterworks District is hereby created within the Parish which shall comprise and embrace all of that territory within the following described boundaries:

Sections 17, 18, 37, 19 and 20 in their entirety, and the triangular Northwest corner of Section 30, bounded by the Long Branch waterway and adjacent section lines, Township 6 South, Range 12 East, Ward 10; and Sections 26, 42 and 35 in Ward 3, Township 6 South, Range 11 East; that portion of Section 36 located in Ward 3; that portion of Section 25 located in Ward 3; that portion of Section 27 in Ward 3 east of State Highway No. 437, less and except a triangular portion of Section 27 east of Highway 437 between said Highway 437 and the Bogue Falaya River; that portion of Section 23 in Ward 3 east of Little Bogue Falaya River; that portion of Section 43 in Ward 3 located east of Little Bogue Falaya River; that portion of Section 24 located in Ward 3; that portion of Section 36 in Ward 10 located outside the corporate limits of Abita Springs; that portion of Abita Springs; that portion of Section 25 in Ward 10 located outside the corporate limits of Abita Springs, that portion of Section 24 located in Ward 10 less those two parts of Section 24 located west of Little Bogue Falaya River, that portion of Section 43 in Ward 10 located east of the East Fork of the Little Bogue Falaya River; and that portion of Section 13 in Ward 10 located east of State Highway No. 21. (Ord. No. 428, Bk. 6, P. 201; Ord. No. 453, Bk. 6, P. 257; Ord. No. 550, Bk. 7, P. 251; amended by Ord. 06-1337, adopted 07/06/2006)

STATE REFERENCE: LSA R.S. 33:3811, Power to create Waterworks District.

SEC. 22-027.00 Name, Status And Powers

The Waterworks District herein created shall be designated as "Waterworks District No. 2 of the Parish of St. Tammany, State of Louisiana," and as created shall constitute a public corporation and political subdivision of the State, and as such, shall have all

rights, powers and privileges granted by the Constitution and statutes of this State to such subdivisions, including authority to incur debt, issue bonds and to levy taxes and assessments. (Ord. No. 428, Bk. 6, P. 201)

STATE REFERENCE: LSA R.S. 33:3815.

SEC. 22-028.00 Domicile

The domicile of the Waterworks District created herein is hereby designated as the office of Waterworks District No. 2, Abita Road, Covington, Louisiana, which said domicile is within the corporate limits of such Waterworks District. (Ord. No. 428, Bk. 6, P. 201)

STATE REFERENCE: LSA R.S. 33:3816.

SEC. 22-029.00 Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 3 WATERWORKS DISTRICT NO. 3

SEC. 22-036.00 Created; Boundaries

A Waterworks District is hereby created within the Parish which shall comprise and embrace all of that territory within the following described boundaries:

Beginning at the intersection of the west right-of-way line of U.S. Highway 190 and the southern bank of Ponchitolawa Creek which point of intersection is situated in Section 22, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana; proceed generally westward following the meanderings of the south bank of the Ponchitolawa Creek to its intersection with the east bank of the Tchefuncte River; thence generally southerly, thence southwesterly, thence southerly following the meanderings of the said east bank of the Tchefuncte River to its point of intersection of south right-of-way line of Country Club Drive, thence along said south right-of-way of Country Club Drive to its intersection with the west property line of property of the Covington Country Club located south of Country Club Drive as set forth on the survey of Robert A. Berlin, Registered Land Surveyor, dated October 11, 1960 as revised March 4, 1963, filed for record with the Clerk of Court of St. Tammany Parish, Louisiana as Map File No. 983, thence generally southwest, thence southeast along said west property line to its junction with the rear property line of Lot 1, Square K, Country Club Estates Extension, thence along the rear property lines of Lots 149 of said Square K, thence across extension of Dogwood Drive, thence along the rear property lines of Lots 1 -11, Square J of Country Club Estates Extension to the intersection with the west right-of-way line of

U.S. Highway 190, thence generally northerly along said west right-of-way line to its intersection with the southern bank of Ponchitolawa Creek, the point of beginning. (Ord. No. 552, Bk. 7, P. 252)

STATE REFERENCE: LSA R.S. 33:3811, Power of Police Jury to create Waterworks District.

SEC. 22-037.00 Name, Status And Powers

The Waterworks District created herein shall be designated as "Waterworks District No. 3 of the Parish of St. Tammany, State of Louisiana," and as created shall constitute a public corporation and political subdivision of the State, and as such, shall have all powers and privileges granted by the Constitution and statutes of this State to such subdivisions, including authority to incur debt, issue bonds and to levy taxes and assessments. (Ord. No. 552, Bk. 7, P. 252)

STATE REFERENCE: LSA R.S. 33:3815.

SEC. 22-038.00 Domicile

The domicile of the Waterworks District created herein is hereby designated as Covington Country Club, which domicile is within the corporate limits of said Waterworks District. (Ord. No. 552, Bk. 7, P. 252)

STATE REFERENCE: LSA R.S. 33:3816.

SEC. 22-039.00 Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

DIVISION 4

WATERWORKS DISTRICT NO. 4 - ABOLISHED

(Created by Ord. No. 646, Bk. 7, P. 584; abolished Ord. No. 89-1049, adopted 02/23/89)

DIVISION 5

WATERWORKS DISTRICT NO. 5 - ABOLISHED

(Created Ord. No. 903, adopted 12/21/78; abolished Ord. No. 89-1034, adopted 01/19/89)

DIVISION 6

RESERVED

DIVISION 7 WATERWORKS DISTRICT NO. 13

SEC. 22-065.00 Created; Boundaries

EDITORIAL NOTE: Waterworks District No. 13 declared inactive, but not formally abolished.

A Waterworks District is hereby created within the Parish and outside the corporate limits of any municipality, to comprise and embrace all territory within the following described boundaries:

A certain portion of land situated in St. Tammany Parish, State of Louisiana in Sections 25, 26, 35 and 36, Township 8 South, Range 14 East and more fully described as follows: Commencing at the intersection of Brown s Switch Road and U.S. Highway 11 center lines; thence in a northeasterly direction along the U.S. Highway 11 center line approximately 930 feet to its intersection with the Brown s Village Road center line; thence in a westerly direction along said center line approximately 668 feet to section corner common to Sections 27, 28 33 and 34, Township 8 South, Range 14 East; thence along the section line between 27 and 28, north 00 degrees 01 minutes 00 seconds west, 1044.76 feet to the northwest corner of Brown s Village Square; thence south 89 degrees 56 minutes 52 seconds east along northern boundary of said shopping center approximately 1010 feet to U.S. Highway 11 center line; thence northeasterly along said center line approximately 4600 feet to intersection with westerly extension of Haas Road center line; thence in an easterly direction along Haas Road center line approximately 5900 feet to intersection with Louisiana Highway 1091 (Robert Road) center line; thence in a southerly direction along said center line approximately 7050 feet to its intersection with Brown s Switch Road center line; thence in a westerly direction along said center line approximately 7200 feet to its intersection with U.S. Highway 11 center line and point of beginning. Containing approximately 1100 acres of land more or less, all as shown on boundary map attached to original Ordinance. (Ord. No. 81-287, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3811, Power of Police Jury to create Waterworks District.

SEC. 22-066.00 Name, Status And Powers

The said Waterworks District herein created shall be known and designated as "Waterworks District No. 13 of the Parish of St. Tammany, State of Louisiana", and as thus created shall constitute a public corporation and political subdivision of the State,

and as such shall have all the rights, powers and privileges granted by the Constitution and statutes of the State, including the authority to incur debt, to issue bonds, to construct, maintain, acquire or improve water lines or mains, wells and distribution systems and to levy taxes and assessments. (Ord. No. 81-287, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3815.

SEC. 22-067.00 Board Of Commissioners

The Waterworks District shall be governed by a Board of Commissioners comprised of five (5) members having residence and other requirements as provided in Louisiana Revised Statutes 33:3811 et seq. to be appointed by the Police Jury by Resolution, which Resolution shall also fix the terms of office. (Ord. No. 81-287, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3813, 33:3817, 33:3818, and 33:3819.

SEC. 22-068.00 Domicile

The domicile of the Waterworks District is hereby designated as 105 West Forest, Slidell, Louisiana, 70458 which domicile is within the boundaries of said Waterworks District. (Ord. No. 81-287, adopted 11/19/81)

STATE REFERENCE: LSA R.S. 33:3816.

EDITORIAL NOTE: Waterworks District No. 13 declared inactive, but not formally abolished.

DIVISION 8 BEN THOMAS WATERWORKS DISTRICT (Repealed)

SEC. 22-070.00 - 22-073.00 Repealed

Ben Thomas Waterworks consolidated under management, operation and maintenance of water system within the jurisdiction of the Department of Environmental Services, formerly Water Services Commission of St. Tammany Parish also known as Environmental Services Commission established by Legislative Acts No. of 1993 Regular Session. (Ord. No. 83-640, adopted 07/21/83; amended by Ord. No. 90-1287, adopted 06/21/90; repealed by Ord. No. 93-1739, adopted 05/20/93; Ord. No. 00-0177, adopted 07/06/2000)

DIVISION 9 WATERWORKS DISTRICT NO. 14

EDITORIAL NOTE: Waterworks District No. 7 established by Ord. No. 1141, adopted April 7, 1980 was abolished by Ord. No. 86-643, adopted June 19, 1986, including the territory in newly created Waterworks District No. 14 which is this Division 9.

SEC. 22-075.00 Created; Boundaries

Pursuant to the authority contained in Section 3811, Chapter 8, Title 33 of the Louisiana Revised Statutes of 1950, and other constitutional and statutory authority supplemental thereto, the Police Jury of the Parish of St. Tammany, State of Louisiana, acting as the governing authority of said Parish, acting on its own initiative, does hereby change the boundaries of said District, said boundaries to remain outside the corporate limits of any municipality, so that the boundaries and corporate limits of Waterworks District No. 14 of the Parish of St. Tammany, State of Louisiana, shall hereafter comprise, embrace and include all of that territory within Tall Timbers Subdivision, described as follows, to-wit:

Commence at the quarter corner common to Section 27 and 34, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, said point being the point of beginning; thence go North 00 degrees, 12 minutes, 52 seconds west 1,362.69 feet; thence go North 45 degrees, 43 minutes, 42 seconds east 2,821.42 feet; thence go south 00 degrees, 03 minutes, 34 seconds west 3,311.73 feet; thence go south 89 degrees, 25 minutes, 01 second west 2,011.80 feet back to the point of beginning. Said property comprises the Subdivision known as Tall Timbers, located in Ward 4, Police Jury District 10.

(Ord. No. 86-644, adopted 06/19/86; amended by Ord. 92-1671, adopted 11/19/93)

STATE REFERENCE: LSA R.S. 33:3811, Power of Police Jury to create Waterworks District.

SEC. 22-076.00 Name, Status And Powers

The said District shall continue to be known and is designated as "Waterworks District No. 14 of the Parish of St. Tammany, State of Louisiana", and shall continue to constitute a public corporation and political subdivision of the State of Louisiana, and as such, shall have all powers granted by the Constitution and laws of the State of Louisiana, including the authority to incur debt, to issue bonds and to levy taxes; that said Water District, as originally created and amended, has no outstanding bonded indebtedness, and such change shall in no manner impair any other obligations that may have heretofore been incurred by said Water District during the period of its existence. (Ord. No. 86-644, adopted 06/19/86; amended by Ord. 92-1671, adopted 11/19/93)

SEC. 22-077.00 Board Of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No.)00-0157, adopted 06/01/2000).

Due notice of change of the boundaries of said Water District shall be published and the President of this Police Jury be and he is hereby instructed and ordered to issue notice

of the change of the boundaries of said Water District and to cause publication thereof to be made in the St. Tammany Farmer. (Ord. No. 86-644, adopted 06/19/86; amended by Ord. 92-1671, adopted 11/19/93)

SEC. 22-078.00 Domicile

The domicile of the Waterworks District is hereby designated as which domicile is within the boundaries of said Waterworks District. (Ord. No. 86-644, adopted 06/19/86)

STATE REFERENCE: LSA R.S. 33:3821.

DIVISION 10 WATERWORKS DISTRICT NO. 15

SEC. 22-080.00 Created; Boundaries

Pursuant to the authority contained in Chapter 8 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, a Waterworks District is hereby created within the Parish and outside the corporate limits of any municipality, which waterworks district shall comprise and encompass all territory within the following described boundaries:

The East half and Northwest Quarter of Section 11, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana per the subdivision plan of V. D. Tilley dated March 18, 1921 on file in the office of the Clerk of Court, St. Tammany Parish, La.; said subdivision was originally designated as SOUTH ABITA SPRINGS SUBDIVISION, and is now known as TAMMANY HILLS SUBDIVISION for all or a part thereof, the boundaries of South Abita Springs Subdivision per the subdivision plan of V. D. Tilley being the prevailing boundaries. (Ord. No. 89-1209, adopted 12/21/89)

SEC. 22-080.01 Amended Boundaries

The amended boundaries of Waterworks District No. 15 of the Parish of St. Tammany, State of Louisiana, shall comprise and encompass all the territory located within the following described property to-wit:

Beginning at the northeast corner of the intersection of Harrison Avenue and 11th Street proceed along the east right-of-way of 11th Street (the east boundary of South Abita Springs Subdivision) in a southerly direction to its intersection with the right-of-ways line of Monroe Avenue, thence proceed in a westerly direction along the south right-of-way of Monroe Avenue to its intersection with the west right-of-way line of 1st Street, thence proceed in a northerly direction along the west right-of-way line of 1st Street to its intersection with the south right-of-way line of Washington Avenue, thence proceed in a westerly direction along the south right-of-way line of Washington avenue to its intersection with the east right-of-way line of "K" Street, thence proceed in a southerly direction along the east right-of way line of "K" Street to its intersection with the south right-of-way line of 11th Avenue, thence proceed in a westerly direction along the south right-of-way line of 11th Avenue to its intersection with the west boundary of east

Addition of Alexiusville, thence in a northerly direction along said boundary to its intersection with the south right-of-way line of Harrison Avenue, thence in an easterly direction along the south right-of way line of Harrison Avenue to its intersection with the west right-of-way line of "K" Street thence proceed due north a distance of 51 feet to the north right-of-way line of Harrison Avenue, thence in an easterly direction along the north right-of-way line of Harrison Avenue to the POINT OF BEGINNING.

LESS AND EXCEPT:

1. All lots in Square 11, Square 11 being bounded by Jefferson Avenue, Adams Avenue, 1st Street and 2nd Street;
2. All lots in Square 13, Square 13 being bounded by Jefferson Avenue, Adams Avenue, 3rd Street and 4th Street;
3. All lots in Square 21, Square 21 being bounded by Jefferson Avenue, Madison Avenue, 1st Street and 2nd Street;
4. All lots in Square 22, Square 22 being bounded by Jefferson Avenue, Madison Avenue, 2nd Street and 3rd Street;
5. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 24, said lots forming the west half of Square 24 bounded by Jefferson Avenue, Madison Avenue, 4th Street and 5th Street.
6. All lots in Square 31, Square 31 being bounded by Madison Avenue, Monroe Avenue, 1st Street and 2nd Street;
7. All lots in Square 32, Square 32 being bounded by Madison Avenue, Monroe Avenue, 2nd Street and 3rd Street;
8. All lots in Square 33, Square 33 being bounded by Madison Avenue, Monroe Avenue, 3rd Street and 4th Street;
9. All lots in Square 34, Square 34 being bounded by Madison Avenue, Monroe Avenue, 4th Street and 5th Street;
10. All lots in Square 35, Square 35 being bounded by Madison Avenue, Monroe Avenue, 5th Street and 6th Street;
11. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 36, bounded by Madison Avenue, Monroe Avenue, 6th Street and 7th Street; and
12. Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40 and 42 of Square 23, said lots form the east half of Square 23 fronting 3rd Avenue between Jefferson Avenue and Madison Avenue;
13. East half of Square 36 consisting of Lots No. 1,3,5,7,9,11,13,15,17,19,21,23,25,27,29,31, 33,35,37,39 and 41 of Square 36 and the west half of Square 37 consisting of Lots No. 2,4, 6,8,10,12,14,16,18,20,22,24,26,28,30,32,34,36,38,40 and 42 of Square 37, Tammany Hills Subdivision (south of Abita Springs) St. Tammany Parish, Louisiana.

(Sec. 22-080.01 amended per Ord. No. 99-3018, adopted 2/25/99; amended by Ord. No. 02-0427, adopted 01/10/2002)

SEC. 22-080.02 Effect Of Amendment

Except for the purpose set forth in Section 22-080.01, this Ordinance shall not be construed as amending, rescinding or changing any other portion of Ordinance No. 89-1209 or existence and powers of Waterworks District No. 15 or its governing authority. (Ord. No. 90-1269, adopted 04/19/90)

SEC. 22-081.00 Name, Status And Powers

The said Waterworks District herein created shall be known and is hereby designated as "Waterworks District No. 15 of the Parish of St. Tammany, State of Louisiana" and as thus created it shall constitute a public corporation and political subdivision of the state, and as such it shall have all the rights, powers and privileges granted and conferred by the constitution and statutes of the State, including the authority to incur debt, to issue bonds, to construct, maintain, acquire or improve sewer lines or mains, collection systems and to levy taxes and assessments in accordance with law. (Ord. No. 89-1209, adopted 12/21/89)

SEC. 22-082.00 Board of Commissioners

The Waterworks District shall be governed by a Board of Commissioners composed of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

The Board of Waterworks Commissioners shall meet at their domicile of the District within thirty (30) days of the adoption of this Ordinance for the purpose of organizing the District. (Ord. No. 89-1209, adopted 12/21/89)

SEC. 22-083.00 Domicile

The domicile of the Waterworks District is hereby designated as: 70288 3rd Street, Covington, La. 70433. (Ord. No. 89-1209, adopted 12/21/89)

CROSS REFERENCE: See Chapter 21, Sections 21-135.00 through Section 21-138.00 for Sewerage District No. 14 of the Code of Ordinances of St. Tammany Parish, Louisiana.

DIVISION 11 WATERWORKS DISTRICT NO. 16

EDITORIAL NOTE: Waterworks District No. 16 was created by the authority of Ord. No. 96-2402, adopted 04/18/96, thereby creating Secs. 22-085.00 through 22-0089.00.

CROSS REFERENCE: Division 11, District No. 10, Secs. 21-116.00 - 21-118.00

SEC. 22-085.00 Created; Boundaries

That under and by virtue of the authority conferred by Chapter 8 of Title 33 of Louisiana Revised Statutes of 1950, a Waterworks District be and the same is hereby created within the Parish of St. Tammany, State of Louisiana, which Waterworks District shall comprise and embrace all of that territory within the following described boundaries, to-wit:

A.

CERTAIN PIECES OR PORTION OF GROUND with all the buildings and improvements thereon and all rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, forming a portion of Sections 23, 24, 25 and 26, Township 6 South, Range 12 East, in that part thereof known as Hillcrest Country Club Estates Subdivision, Addition No. 3, as shown on a survey by Land Engineering Services, Inc., dated February 3, 1961, revised May 16, 1961, certified by Robert A. Berlin, La. Reg. Sur., and recertified on April 6, 1964, being described as follows, to-wit:

1.

Beginning at a point on the westerly right-of-way line of Snead Drive, which point forms the southeast corner of Lot 59, Square 2, thence westerly 150 feet to the southwest corner of Lot 59, said square, to a point; thence northeasterly along the rear line of Lots 59 descending thru and including Lot 37, said square to the southwest corner of Lot 37; thence northerly along the sideline of Lot 37, 151 feet to the northwest corner of Lot 37; thence in a westerly direction along the a southerly line of Snead Drive a distance of 10 feet to a point, which is the northeast corner of Lot 36; thence in a southerly direction along the sideline of Lot 36 a distance of 151 feet, to a point, which is the southeast corner of Lot 36; thence continue along the rear line of Lots 36 descending through and including Lot 1 of Square 2 to a point on the northern right of way of Francis Quimet Drive to a point, which point is the southwest corner of Lot 98, Square 1; thence continue northerly along the rear line of Lots 98 descending through and including Lot 49 of said square to a point, which point is the southwest corner of Lot 49; thence continue northerly along the rear line of Lots 48 descending through and including Lot 28 to a point, which is the southwest corner of Lot 28, , Square 1; thence northerly along the sideline of Lot 28, 190 feet to a point on the southern right of way of Fairway Drive; thence northerly along the southerly right of way of Fairway Drive 20 feet to a point, which is the northeast corner of Lot 27 of said square; thence continue southerly along the sideline of Lot 27, 190 feet to a point, which is the southeast corner of Lot 27; thence continue along the rear line of Lots 27 descending through and including Lot 6 to a point which is the point common to Lot 5, Lot 105 and Lot 106 of Square 1; thence continue easterly along the rear of Lots 106 through and including Lot 120 of Square 1 to a point on the rear line of Lot 143; thence continue southeasterly along the rear line of Lots 143 through and including Lot 148 to a point, which point is the eastern most corner of Lot 148; thence southwesterly 200 feet to the eastern right of way of Francis Quimet Drive thence southerly along the eastern right of way line of Francis Quimet to the intersection of the southern right of way line of Oliver Street, which intersection

forms the northwest corner of Lot 26 of Square 3; thence northeasterly along the southern right of way line of Oliver Street to a point, which point is the northern corner of Lot 10, Square 3; thence southeasterly along the rear line of Lots 10 descending through and including Lot 6 to a point, which is the northeast corner of Lot 6; thence southerly along the side line of Lot 6, 247.2 feet to a point, which is the southeast corner of Lot 6; thence southeasterly along the northern right of way of Evans Street 15 feet to a point, which is the southeast corner of Lot 5 of Square 3; thence northerly along the side line of Lot 5 a distance of 247.2 feet to a point, which is the northwest corner of Lot 5, Square 3; thence southeasterly along the rear line of Lots 5 and 4 to a point on the westerly right of way of Francis Quimet Drive; thence northerly along the western right of way of Francis Quimet Drive and northeasterly to the intersection of the western right of way line of Snead Drive to the point of beginning.

A CERTAIN PIECE OR PORTION OF GROUND, together with all improvements thereon, all rights, way, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of St. Tammany, Section 25, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, which portion of ground is more particularly described as follows in accordance with map of Robert A. Berlin, Louisiana Registered Surveyor, No. 94, dated May 10, 1962, annexed to said sale to Pep, Inc.

From the corner common to Sections 23, 24, 25, and 26, Township 6 South, Range 12 East, St. Tammany Parish, Louisiana, measure North 42 degrees 30 minutes East, 519.7 feet to a point; thence South 30 degrees 15 minutes East, 1788.8 feet to an iron post; thence North 64 degrees 05 minutes East, 388.7 feet to an iron post; thence South 72 degrees 30 minutes East, 239.9 feet to an iron post on the Westerly R/W line of Snead Drive, a 60 foot street; thence along said R/W line South 31 degrees 30 minutes East, 413.5 feet to an iron post; thence continuing along said R/W line South 40 degrees 49 minutes East, 419.0 feet to an iron post at the intersection of the Westerly R/W line of Snead Drive with the Northwesterly R/W line of Quimet Drive; thence with said Northwesterly R/W line South 41 degrees 08 minutes West, 262.4 feet to an iron post, the point of beginning.

From the point of beginning measure South 41 degrees 08 minutes West, 200.0 feet to an iron post on said R/W line of Quimet Drive; thence North 48 degrees 52 minutes West, 276.0 feet to an iron post at the waters edge of Hillcrest Lake; thence with the waters edge North 19 degrees 35 minutes East, 215.6 feet to an iron post at the water's edge of said lake; thence South 48 degrees 52 minutes East, 355.0 feet to the point of beginning.

2.

From the point of beginning, which is located at the intersection of the northern right of way line of Worsham Street and the rear boundary line of Lot 35, Square 4, continue northerly and westerly along the rear line of Lots 35 through and including Lot 61, Square 4 to a point; thence northerly along the side line of Lot 61 a distance of 237 feet

to the southerly right of way of Francis Quimet Drive; thence westerly along the southerly right of way of Francis Quimet Drive 20 feet to a point, which is the east and northeast corners of Lots 7 and 8, respectively, Square 4; thence south along the rear line of Lots 7 through and including Lot 11 to a point, which is at the corner common to the rear line of Lots 14 and 15; thence easterly along the rear line of Lots 15 through and including Lot 34 to a point on the northern right of way line of Worsham Street; thence northeasterly along the right of way of Worsham Street to the point of beginning.

3.

From the point of beginning, which is the southwest corner of Lot 2, Square 5, continue along the rear lines of Lots 2 through and including Lot 36 to a point, which is the southeast corner of Lot 36; thence northwesterly along the side line of Lot 36, 200 feet to a point, which is the northeast corner of Lot 36; thence northeasterly along the eastern right of way of Francis Quimet Drive 20 feet to a point, which is the northwest corner of Lot 37, Square 5; thence along the side line of Lot 37, 200 feet to a point, which is the southwest corner of Lot 37; thence continue along the rear line of Lots 37 through and including Lot 59 to a point, which is the Southeast corner of Lot 59; thence northwesterly along the side line of Lot 59, 175 feet to a point, which is the northeast corner of Lot 59; thence northeasterly along the east side line of Snead Drive 20 feet to a point, which is the northwestern line of Lot 60, Square 5; thence southeasterly along the side line of Lot 60, 175 feet to a point, which is the southerly most corner of Lot 60; thence continue along the rear of Lot 60, 63 through and including Lot 145 to a point, which is the southerly most corner of Lot 145. Square 5; thence continue northeasterly along the rear of Lot 145 and Lot 1, Square 5, to a point on the southerly right of way of Francis Quimet Drive ; thence in a southeasterly direction along the southern right of way of Francis Quimet Drive 20 feet to a point, which is the northwest corner of Lot 2, Square 5; thence southwesterly along the side line of Lot 2, Square 5, 175 feet to a point of beginning. All in accordance with a recertification of same survey by E.L. Dewailly, Reg. La. Sur., dated April 5, 1971, recorded as Entry No. 277916, St. Tammany Parish, Louisiana.

B.

A CERTAIN PIECE OR PORTION OF GROUND with all buildings and improvements thereon and all rights, ways, privileges, servitudes and appurtenances thereunto belonging or in anywise appertaining, situated in the State of Louisiana, Parish of St. Tammany, forming parts of Sections 23, 24, 25, ns 26, Township 6 South, Range 12 East, in that part thereof known as Hillcrest Country Club Estates Subdivision, Addition No. 3, as shown on a survey by E. L. Dewailly, Sr., Registered Land Surveyor, dated March 29, 1971, and being described as follows, to-wit:

From the point of beginning , which is the point located at the rear corner common to Lots 8 and 9, Square 7, measure 48 degrees West, 1540 feet to a point, which is on the eastern right of way line of Snead Drive and opposite to the corner common to Lots 56 and 57, Square 2; thence southeasterly along the eastern right of way of Snead Drive

1480 feet, more or less, to a point, which point is the northwestern corner of Lot 1, Square 6; thence northeasterly along the side line of Lot 1, 90 feet to a point; thence southeasterly along the rear line of Lots 1 through and including Lot 9 to a point on the northern right of way line of Snead Drive ; thence northeasterly along the right of way line of Snead Drive to a point at the intersection of the rear line of Lot 1, Square 7; thence northeasterly along the rear line of Lots 1 through and including Lot 8 to the point of beginning.

97 Acres

A CERTAIN PIECE OR PORTION OF GROUND with all buildings and improvements thereon and all of the servitudes , rights and appurtenances thereunto applying, situated in the State of Louisiana, Parish of St. Tammany, Sections 24 and 25, Township 6 South, Range 12 East, as shown on a survey prepared by Land Engineering Services, Inc., dated April 1, 1964, signed by Robert A. Berlin, La. Reg. Sur., and said portion of ground commences from the one-quarter corner on line common to Sections 24 and 25, Township 6 South, Range 12 East, measure South 1455 feet more or less to a point; thence East 575 feet more or less to a point; thence East 575 feet more or less to the most northerly corner of Lot 10, Block 7, Hillcrest Country Club Estates Subdivision, Addition No. 3; thence South 31 degrees 55 minutes West 178.2 feet to a corner common to Lots 9 and 10, said Block, Addition, Subdivision, thence North 51 degrees 45 minutes West 97.4 feet to the most northerly corner of Lot 9, said Block and Subdivision; thence South 45 degrees 20 minutes West 85 feet to a point; thence South 32 degrees 55 minutes West, 100 feet to a corner common to Lots 8 and 9, said Block, Addition, Subdivision; thence North 48 degrees 00 minutes West 1540 feet more or less to a point in the easterly right of way line of Snead Drive, said point being on an easterly extension of the line common to Lots 56 and 57, said Block, Addition, Subdivision, thence along said right of way line North 11 degrees 10 minutes East 400 feet more or less to a point; thence North 04 degrees 15 minutes West 328 feet more or less to a point; thence North 13 degrees 00 minutes West 395 feet more or less to a point; thence North 22 degrees 15 minutes West 100 feet more or less to a point; thence North 33 degrees 00 minutes West 416 feet more or less to a point; thence North 59 degrees 25 minutes West 888 feet more or less to a point; thence North 81 degrees 45 minutes West 187 feet more or less to a point; thence North 35 degrees , 00 minutes West 10 feet to a point in the southeasterly right of way line of Louisiana State Highway No. 435; thence along said right of way line North 65 degrees 00 minutes East 306.24 feet more or less to a point; thence North 60 degrees 00 minutes East 132 feet to a point ; North 52 degrees 00 minutes East 132 feet to a point; thence North 50 degrees 30 minutes East 264 feet to a point; thence North 49 degrees 45 minutes East 777.2 feet to a point; thence North 46 degrees 45 minutes East 594 feet to a point; thence North 46 degrees 20 minutes East 463.98 feet to a point; thence South 0 degrees 07 minutes East 2705 feet more or less to the point of beginning. This tract contains 97 acres, more or less. All of which said measurements are the same as shown on survey by E.L. Dewailly, Reg. La. Sur., dated March 29, 1971, annexed to a sale by Leslie Homes, Inc. to Louisiana Purchase Corporation, registered in COB 607, folio 135, St. Tammany Parish, Louisiana.

C.

Lot Nos. 1 through 148 in Square No. 1 bounded by Fairway Drive, Burke Drive, the Golf Course and Francis Quimet Drive.

Lot Nos. 1 through 59 in Square No. 2, bounded by Snead Drive, Chapman Street, Francis Quimet Drive and the Golf Course.

Lot Nos. 1 through 37 in Square No. 3. Bounded by Evans Street, Oliver Street, and Francis Quimet Drive.

Lot Nos. 1 through 61 in Square No. 4, bounded by Francis Quimet Drive, Bob Rosburg Street, Hogan Street, Worsham Street, and the Golf Course.

Lot Nos. 1 through 145, in Square No. 5, bounded by Bobby Jones Drive, Worsham Street, Francis Quimet Drive, the Golf Course and Metz Street, Snead Drive, and Ford Street.

Lot Nos. 1 through 9 in Square No. 6., bounded by Snead Drive, Ford Street, and the Golf Course.

Lot Nos. 1 through 24 in Square No. 7, bounded by Ford Street, the Golf Course, and the Northeasterly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lot Nos. 1 through 31 in Square No. 8, bounded by Chapman Street, Bob Rosburg Street, Snead Drive and Little Court.

Lot Nos. 1 through 12 in Square No. 9, bounded by Bob Rosburg Street, Francis Quimet Drive, the Westerly Boundary Line of Hillcrest Country Club Estate Addition No. 3 and Louisiana State Highway No. 435.

Lot Nos. 1 through 10 in Square No. 10, bounded by Bob Rosburg Street, Francis Quimet Drive, Harry Vardon Drive, and the Westerly Boundary Line of Hillcrest Country Club Estates Subdivision Addition No. 3.

Lot Nos. 1 through 13 in Square No. 11, bounded by Hogan Street, unnamed street, the Southerly Boundary Line of Hillcrest Country Club Estates Subdivision, Addition No. 3 and Bob Rosburg Street.

Lot Nos. 1 through 8 in Square No. 12, bounded by Hogan Street, Worsham Street, southerly boundary line of Hillcrest Country Club Estates, Addition No. 3 and an unnamed street.

Lot Nos. 1 through 12 in square No. 13, bounded by Bobby Jones Drive, an unnamed street, and Southerly Boundary Line of Hillcrest Country Club Estates Subdivision, Addition No. 3.

Lot Nos. 1 through 13 in Square No. 14, bounded by Bobby Jones Drive, an unnamed street, and Southerly Boundary Line of Hillcrest Country Club Estates Subdivision, Addition No. 3.

Lots 1 through 12 in Sq. 15, bounded by Bobby Jones Drive, an unnamed street, and the Southerly Boundary Line of Hillcrest Country club Estates Subdivision, Addition No. 3.

Lots 1 through 13 in Sq. No. 16, bounded by Bobby Jones Drive, an unnamed street, and Southerly Boundary Line of Hillcrest Country Club Estates Subdivision, Addition No. 3.

(Ord. No. 96-2402, adopted 04/18/96)

SEC. 22-086.00 Name, Status and Powers

Said Waterworks District shall be known and is hereby designated as “Waterworks District No. 16 of the Parish of St. Tammany, State of Louisiana”, and as thus created shall constitute a public corporation and political subdivision of the State of Louisiana, and shall have all powers and privileges granted by the Constitution and Statutes of this State to such subdivisions, including the authority to incur debt, to issue bonds and levy taxes and assessments. (Ord. No. 96-2402, adopted 04/18/96)

SEC. 22-087.00 Board of Commissioners

The Board of Commissioners shall be comprised of five (5) members. There shall be four (4) members nominated and appointed by the Parish Council. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000)

SEC. 22-088.00 Domicile

The domicile of said Waterworks District is designated as the Hillcrest Country Club Subdivision, St. Tammany Parish, Louisiana, which domicile is within the corporate limits of the said Waterworks District, and that the Commissioners shall meet at the domicile herein designated on May 1, 1996, a eight (8:00) o'clock p.m., and shall proceed to organize in accordance with the provisions of Chapter 8 of Title 33 of the Louisiana Revised Statutes of 1950.(Ord. 96-2402, adopted 04/18/96)

ARTICLE III WATERWAY SAFETY COMMITTEE

SEC. 22-095.00 Creation and Purpose

The St. Tammany Parish Waterway Safety Committee was created for the purpose of reviewing and issuing recommendations to the parish governing authority on matters relative to traffic and general safety on the waterways of St. Tammany.(Reso. P.J.S. No. 98-8756, adopted 07/23/98)

SEC. 22-095.01 Members

Members of the Committee shall consist of representatives from the St. Tammany Parish Sheriff's Office, Louisiana Department of Wildlife and Fisheries, waterway user groups and waterfront homeowners groups.

SEC. 22-095.02 Board of Commissioners

The Board shall be comprised of seven (7) members that are residents of and domiciled within St. Tammany Parish. The Office of the Parish Sheriff shall nominate and exclusively appoint one (1) person domiciled within the parish. The Louisiana Department of Wildlife and Fisheries shall nominate and exclusively appoint one (1) person domiciled within the parish. The Parish Council shall have the authority to nominate and appoint four (4) members. There shall be one (1) member nominated and appointed by the Parish President. (Ord. No. 00-0157, adopted 06/01/2000, amended by Ord. No. 03-0694, adopted 06/05/2003)

CHAPTER 23 DEPARTMENT OF ENVIRONMENTAL SERVICES

ARTICLE I DEPARTMENT OF ENVIRONMENTAL SERVICES

SEC. 23-101.00 Statement of Purpose

The purpose of these Rules and Regulations is to accomplish the protection of public health and the environment through the control, monitoring, and inspection of public and private sewerage and water systems in the Parish and through the enforcement of all ordinances and state and local regulations relative to such systems. (Ord. 01-0354, adopted 08/02/2001)

SEC. 23-102.00 Statement of Authority

Notwithstanding anything to the contrary, the Parish shall be entitled to avail itself to all rights, powers, and authority conferred upon it as outlined in La. R.S. 33:4064.1 et. seq. and Act No. 146 of the First Extraordinary Session of the 2000 Legislature.

SEC. 23-103.00 Statement of Policy

It is hereby declared to be the policy of the Department that:

A. Sewerage and water systems have the potential to cause significant adverse impact on human health and on the environment and, therefore, the operation, maintenance, and connection of sewerage and water systems must strictly comply with the objective standards established by statutes, codes, ordinances, and rules and regulations that provide for the protection of public health and the environment; and

B. The monitoring and inspection of sewerage and water systems and the approval, inspection, and monitoring of all construction necessary or incidental to the provision of sewage disposal and water promote the operation, maintenance, and connection of sewerage and water systems in a manner that provides for the protection of public health and the environment.

SEC. 23-105.00 Definitions

As used in these Rules and Regulations, the terms defined in this Section shall have the following meanings, unless the context or use thereof clearly indicates otherwise, or more explicit definitions are referenced.

A. "Applicable law" means the pertinent and appropriate provisions of the State Sanitary Code, other applicable parish ordinances, or state and local regulations which pertain to sewerage and water systems located, or to be located within the Parish.

B. "Beneficial purpose" or "beneficial use" means the use of groundwater for domestic, municipal, industrial, agricultural, recreational, or therapeutic purposes or any other advantageous use.

C. "Department" means the St. Tammany Parish Department of Environmental Services, its employees, and its agents.

D. "DEQ" means the Louisiana Department of Environmental Quality, Office of Water Resources.

E. "DH&H" means the Louisiana Department of Health and Hospitals, Office of Public Health.

F. "DOTD" means the Louisiana Department of Transportation and Development, Office of Public Works.

G. "Governed sewerage system" means every sewerage system in the Parish whose discharge of sanitary sewage wastewater is subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under the authority of said Act and, when applicable, said sewerage system shall include, but not limited to, any such system owned, operated, or maintained by a private utility company or a sewerage district created by the governing authority of St. Tammany Parish.

H. "Governed water system" means every water system in the Parish which is comprised of a source of groundwater, treatment, if necessary, storage, distribution, and/or the appurtenances and related facilities that make it available for use. When applicable, a governed water system shall include, but not limited to, any such system owned, operated, or maintained by a private person or political entity which uses groundwater for any beneficial purpose.

I. "Louisiana Water Well Rules, Regulations, and Standards" means the provisions of the Rules, Regulations, and Standards for Water Well Construction adopted by the DOTD in accordance with Title 38 of the Louisiana Revised Statutes of 1950.

J. "Owner" or "Owners" means any person or persons who alone or jointly or severally with others has:

(1) Legal title to any premises, facilities, or equipment affected by these Rules and Regulations; and/or

(2) Actual physical control of any premises, facilities, or equipment affected by these Rules and Regulations pursuant to an agreement, expressed or implied from the circumstances, with the owner or owners.

K. "Operator" or "Operators" means any person who alone or jointly or severally with others conducts, directs, manages, or supervises the operation and/or maintenance of any premises, facilities, or equipment affected by these Rules and Regulations.

L. "Parish" means the unincorporated portion of St. Tammany Parish.

M. "Political entity" means any agency, board, commission, or department or political subdivision of the State of Louisiana, or of the governing authority of the Parish of St. Tammany, or any agent thereof.

N. "Private person" means any individual, group of individuals, firm, corporation, association, partnership, private entity, or other legal entity, or any agent thereof.

O. "Responsible person" means the operator or operators of a sewerage or water system, the owner or owners of a sewerage or water system, the owner or owners of the property on which a sewerage or water system is located, or any or all of them.

P. "Sanitary sewage" means human, domestic, or acceptable industrial waste, except refuse, including conveying liquid from residences, buildings, industrial establishments, or other places, together with such ground water, surface water, storm water, and other wastes as may be present.

Q. "Sewerage system" means any or all of the various components, including piping and pumping and treatment facilities, comprising a system designed for the collection

and/or treatment and/or disposal of sanitary sewage. A sewerage system may be owned, operated, and/or maintained by a political entity or private person.

R. "State Sanitary Code" means the rules and regulations which pertain to water supplies and sewage and refuse disposal; including, but not limited to those rules and regulations applicable to the collection, treatment, or disposal of sewage, and the treatment and distribution of potable water; and which have been adopted by the State Health Officer in accordance with Title 40 of the Louisiana Revised Statutes of 1950.

S. "Ten-State Standards" means the Recommended Standards for Water Works (1987 Edition), or the Recommended Standards for Wastewater Facilities (1990 Edition), or both, published by the Great Lakes - Upper Mississippi River Board of State Public Health and Environmental Managers; and any modifications, additions, or revised editions to such standards as are established in the State Sanitary Code, or which are otherwise authorized by the State Health Officer.

T. "Water system" means a source of groundwater, treatment, if necessary, storage, distribution, and/or the appurtenances and related facilities that make it available for use. A water system may be owned, operated, and/or maintained by a political entity or private person.

SEC. 23-107.00 Applicability of Rules and Regulations

Whenever relevant and appropriate, the provisions of these Rules and Regulations shall apply to any individual, public, profit, nonprofit, or not-for-profit sewerage or water system located in the Parish.

SEC. 23-109.00 Applicable Operating Requirements

A. Every sewerage and water system located within the Parish shall be operated in accordance or compliance with applicable law, which shall include, but not limited to, all applicable ordinances of the Parish of St. Tammany, and the rules and regulations of any state or local agency having jurisdiction over sewerage or water systems in the Parish.

B. Nothing in these Rules and Regulations shall be construed to preclude or stay a responsible person from complying with the lawful requirements of any other federal, state, or local agency having jurisdiction over the construction, operation, monitoring, and connection of sewerage and water systems.

SEC. 23-111.00 Familiarity with Rules and Regulations

Every responsible person shall know and be familiar with the provisions of these Rules and Regulations.

SEC. 23-113.00 Severability of Rules and Regulations

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

SEC. 23-115.00 Compliance with Rules and Regulations Required

A. Every responsible person shall comply with the provisions of the Rules and Regulations of the Department as set forth in this Section.

B. Whenever facts and circumstances exist whereby the Department determines that a responsible person has acted in a manner contrary to or inconsistent with the provisions and requirements set forth in Title 1 of the Rules and Regulations of the Department (hereinafter referred to as the "Deficiency"), the Department shall cause to be issued to said responsible person a notice which cites the Deficiency, directs compliance with the Rules and Regulations of the Department, and prescribes a reasonable amount of time to accomplish such direction.

C. If no or insufficient action is taken after proper notice, the Department, upon expiration of the time prescribed in said notice, shall be authorized to impose upon said responsible person, as defined in this Section, a penalty not to exceed one hundred dollars per day for each day the Deficiency existed from date of said notice, however, the cumulative total of such penalty shall not exceed ten thousand dollars. In addition thereto, the Department may terminate or require the termination of any utility service to the subject premises.

D. As further provided by applicable law, the Department shall be authorized to enforce the collection of an imposed penalty, such to include the filing of an affidavit of lien on the subject property or any property found or within St. Tammany Parish which is owned by the responsible party.

E. Any responsible person who has been assessed a penalty may appeal the imposition of the penalty in writing to the St. Tammany Parish Council within thirty (30) days. The Council shall thereafter hear the appeal in an open and public session at its next regular meeting. An appeal from the Council's decision shall be to the 22nd Judicial District Court for the Parish of St. Tammany within thirty (30) days of the Council's decision.

F. The Director of the Department shall be authorized to recommend or prescribe additional procedures or practices he deems necessary and advisable to effect the provisions of this Section.

ARTICLE II MONITORING OF SEWERAGE AND WATER SYSTEMS

SEC. 23-201.00 Systems Subject to Monitoring Requirements

Every governed sewerage system and every governed water system shall be subject to and participate in the water quality monitoring program established, implemented, and administered pursuant to the provisions of this Section.

SEC. 23-202.00 Louisiana Pollution Discharge Elimination System (LPDES), Permit Required

Every governed sewerage system shall obtain a LPDES permit in accordance and compliance with applicable law, and shall comply with the provisions set forth in the LPDES permit, or any order or directive issued by the LA DEQ which relates to the/a LPDES permit.

SEC. 23-203.00 Monitoring of Governed Sewerage Systems

Every governed sewerage system shall make available to the Department for its review, upon the Department's request, all monitoring data required to be furnished to the DEQ as set forth in the water discharge permit issued by the DEQ for the treatment works for the system. Such monitoring data shall be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1 or an approved substitute). For inspection purposes, copies of all such monitoring reports shall be kept on-site at, or in reasonable proximity to the permitted facility for a period of at least three (3) months from the date of the sample measurement or report of such measurement.

SEC. 23-205.00 Monitoring of Governed Water Systems

Every governed water system shall make available to the Department for its review, upon the Department's request, all monitoring data effected as a consequence of the system's sampling plan approved by the DH&H pursuant to the federal Safe Drinking Water Act, as amended, or any rules and regulations effective or promulgated under the authority of said Act or under such authority delegated to the DH&H by the U.S. Environmental Protection Agency. Additionally, every governed water system shall make available to the Department for its review, upon the Department's request, all monitoring data effected as a consequence of the system's compliance with rules and regulations effective or promulgated under the authority of the Parish or under any such authority as mandated by local, state, or federal law. For inspection purposes, copies of all such monitoring data provided shall be kept on-site at, or in reasonable proximity to the monitored facility for a period of at least three (3) months from the date of the sample measurement or report of such measurement.

SEC. 23-207.00 Other Means of Compliance

The Parish President is hereby authorized and directed to negotiate with the responsible person for any governed sewerage system or governed water system a Memorandum of Understanding and/or Agreement, the effect of which shall be to assure compliance with the provisions of this Section.

ARTICLE III INSPECTION OF SEWERAGE AND WATER SYSTEMS

SEC. 23-301.00 Authority of the Department

A. The Department, in order to monitor the operation of any individual, public, profit, nonprofit, or not-for-profit sewerage or water system located in the Parish, may authorize any employee or agent of the Department to enter upon the premises of any such sewerage or water system at a reasonable time and in a reasonable manner for the purpose of inspecting any such sewerage or water system in order to determine that the operation of the sewerage or water system is conducted in accordance or compliance with applicable law. The responsible person for the property upon which the inspection is conducted, by reason of his/her/its operation of the sewerage or water system to be inspected, impliedly consents to the entrance of the said authorized employee or agent upon the property, and same shall not be deemed a trespass.

B. Any inspection of a sewerage or water system conducted pursuant to the provisions of this Section is for the use and benefit of the Department and shall not be considered as an affirmation that the operation of the inspected sewerage or water system is in accordance or compliance with applicable law.

SEC. 23-303.00 Frequency and Manner of Inspection

A. (1) The Department shall be authorized to inspect every governed sewerage system and every governed water system in the Parish.

(2) Incidental to the inspection of a governed water system, the Department, in the interest of public health and safety, and in cooperation and agreement with the responsible person for such system and the fire chief for the Fire Protection District in which the system is located, may inspect the fire hydrants which are a part of the system for the purposes of determining the operability of said fire hydrants.

(3) In conducting an inspection of a governed sewerage system or a governed water system, the Department shall conform to the relevant and appropriate practices and procedures of the DEQ and the DH&H as such practices and procedures relate respectively to the inspection of said sewerage or water systems.

B. The Department may provide for an immediate inspection of any sewerage or water system:

(1) Upon the voluntary request of the responsible person for the system to be inspected;
or

(2) Whenever there is positive and reliable information that the operation of a sewerage or water system is not in accordance or compliance with applicable law.

SEC. 23-305.00 Report of Deficient Condition

Whenever an inspection of a sewerage or water system discloses that the system is not being operated in accordance or compliance with applicable law, the Department shall cause to be served upon the responsible person a written notice of the condition, and such notice shall direct the responsible person to perform at his/her/its expense all work necessary to assure that the operation of the system is in accordance or compliance with applicable law, and give the responsible person an opportunity within a specified period of time to remedy the deficient condition, and otherwise to conform with applicable law.

SEC. 23-307.00 Remedial Action

Upon the expiration of the time prescribed in the written notice issued pursuant to Section 23-305.00, a reinspection of the sewerage or water system shall be conducted to determine if the deficient condition noted during the original inspection has been remedied. If the deficient condition still exists, the Department shall perform all necessary work to remedy the deficient condition and assess the responsible person for the reasonable cost of such work. Should the responsible person fail to pay such costs, the Department shall file an affidavit of lien on the property or system specifically identifying the property or system affected, and the amount of any and all costs, fees, and delinquent payment charges to date of filing and that may be accruing. Any lien which was filed against real property and not paid timely shall be added to the annual ad valorem tax bill of the owner or owners of such property.

SEC. 23-309.00 Assessment of Fees

A. (1) Effective July 1, 1992, in order to defray the costs associated with the inspection of sewerage and water systems, a recurring monthly fee is hereby assessed on every governed water system with 50 or more service connections. The amount of the monthly fee shall equal Thirty Cents (\$.30) times the total number of service connections served by the system during the month. A water system service connection is intended to mean the separate and/or ultimate distribution point (e.g.; premises, dwelling unit, etc.) of potable water and may be commonly known as a "customer", "beneficiary", or "subscriber" of the water system.

(2) (a) On or before the last day of the month immediately succeeding the month in which the monthly fee is assessed, the responsible person for the governed water system shall send to the Department a statement showing the total number of service connections served by the system during the month in which the monthly fee was assessed as evidenced by the records maintained by the responsible person and, along therewith, the responsible person shall remit the said monthly fee due and payable to the Department at its business office in Mandeville, LA. If a dispute arises, such remittance may be adjusted upon mutual agreement of the Department and the responsible person.

(b) If the Department disputes the aforesaid statement submitted by the responsible person, then, within ten (10) days after receipt thereof, the Department shall provide a

written notice to the responsible person setting forth in detail each item in dispute and the reason the Department disputes same. Promptly after receipt of such written notice, the Director and the responsible person, or a duly authorized representative thereof, shall meet and attempt to resolve by mutual agreement all disputes prior to the time of the next succeeding monthly statement and remittance. If the Department and the responsible person are unable to resolve any disputed item as herein provided, either may pursue any remedy afforded it at law or in equity.

(c) Any monthly fee, or portion thereof, not paid in full on or by the date due and payable for such payment, shall be considered past due and delinquent and a penalty of ten percent (10%) of the amount due shall be added should an attorney be required to collect said fee.

(d) The Parish President is hereby authorized and directed to negotiate with the responsible person for any governed water system a Memorandum of Understanding and/or Agreement, the effect of which shall be to assure compliance with the provisions of this Section.

B. (1) The fee assessed to conduct an immediate inspection of a governed sewerage system or governed water system shall be reasonable and commensurate with the cost of the inspection and, if applicable and at the discretion of the Department, may be in addition to the monthly fee assessed on a governed water system.

(2) The fee assessed to conduct an immediate inspection of any other sewerage or water system shall be Thirty Dollars (\$30.00). If sampling for the purpose of laboratory analysis is essential to the inspection, the actual cost of the laboratory analysis shall be added to the fee.

(3) Whenever an immediate inspection of a sewerage or water system is to be conducted as a result of a voluntary request of the responsible person for the system, the fee assessed shall be due and payable in full to the Department prior to the conduct of the inspection.

(4) Whenever an immediate inspection of a sewerage or water system is conducted as a result of the positive and reliable information received by the Department that the operation of the sewerage or water system is not in accordance or compliance with applicable law, the fee assessed shall be due and payable in full to the Department upon presentation of a written notice to the responsible person. Any amount not paid at that time shall be considered past due and a delinquent payment charge of one and one half percent per month (eighteen percent annual percentage rate) will be added to any past due amount. However, a fee shall not be assessed if any such inspection reveals to the satisfaction of the Department that the system is being operated in accordance or compliance with applicable law, or there exists a condition of such degree or a circumstance as not to warrant the assessment of a fee.

C. Before referral under Section 23-311.00, the Parish President may compromise the amount of the fee assessed pursuant to a provision of this Section and which is due and payable to the Department.

SEC. 23-311.00 Fee Recovery

A. Whenever relevant and appropriate, the Department shall notify in writing the responsible person of the fee assessed either by mail or hand delivered in person. Upon passage of the date such fee is due and payable to the Department and without receipt of such fee in full, the Department shall submit to legal counsel to pursue collection of the fee. Should suit be commenced to enforce collection of any money owing the Department, in addition to the principal amount due, delinquent payment charges, reasonable attorney s fees, judicial interest from the date the amount became due, plus all costs of the legal proceedings shall be added.

B. Should the Department complete the work directed in a notice of direction as provided in Section 23-307.00, the assessed fee and any delinquent payment charge shall be added to the cost of such work.

C. Any fee collected pursuant to a provision of this Section shall be paid to the Department and placed into a special fund, the use of which shall be for the administration of the provisions of this Article which relate to the inspection of sewerage and water systems.

ARTICLE IV CONNECTION OF SEWERAGE AND WATER SYSTEMS

SEC. 23-401.00 Authority of the Department

As further provided in this Section, the Department shall have authority over all construction necessary or incidental to the provision of sewage disposal and water in the unincorporated portion of St. Tammany Parish. Plans and specifications for sewerage and water systems to be constructed in said portion of St. Tammany Parish shall be submitted to and approved by the Department prior to initiating such construction, and the conduct of such construction shall be subject to inspection by the Department. Copies of any amendments to plans and specifications for such systems shall also be submitted to the Department, and the Department shall approve such amendments prior to operation of such systems.

SEC. 23-402.00 Connection to Sewerage (Sewage) System and Potable Water System Required

A. Connection to Sewerage (Sewage) System Required:

1. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or

any other building, structure, or establishment wherein people customarily or occasionally live, work, or congregate, shall connect any such premises to a sewerage system as may be required for the premises by applicable law.

2. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall, at such person's sole expense, connect any such premises to a public sewerage system if such public sewer line is situated within three hundred (300') feet of the boundary line of such premises. Such construction to connect the premises shall commence within the time required by LSA R.S. 33:4042, upon receipt of a notice to connect. If such connection is not begun in the time required, the Parish may connect the premises to the public sewer in the manner prescribed by LSA R.S. 33:4041, et seq. and apportion the connection costs and fees to each owner as also provided therein. The Parish shall have all other remedies for enforcement and collection of connection costs and fees as is provided by applicable law.

B. Connection to Potable Water System Required:

1. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall connect any such premises to a potable water system as may be required for the premises by applicable law.

2. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall, at such person's sole expense, connect any such premises to a public water system if such public water line is situated within three hundred (300') feet of the boundary line of such premises. If such connection is not begun in the time prescribed by notice to the owner, the Parish may connect the premises to the public water system in the manner prescribed by the St. Tammany Parish Code of Ordinances §23-950.12, and assess the connection costs and fees to each owner as also provided therein. The Parish shall have all other remedies for enforcement and collection of connection costs and fees as is provided by applicable law.

(amended by Ord. No. 11-2494, adopted 04/07/2011)

SEC. 23-402.01 Determination and Notice of Deficiency

Whenever facts and circumstances exist whereby the Department of Health and Hospitals, Office of Public Health (the DH&H) determines that the failure to properly or timely connect a subject premises to a sewerage system would likely pose a danger or threat to public health or the environment, the Department, upon receipt of such written determination, shall be authorized to issue a notice to the private person or political entity whose action or inaction has been determined to be the cause of such deficiency. Said notice shall identify the deficiency, direct its correction, and prescribe a reasonable amount of time to accomplish such correction.

SEC. 23-402.02 Authority to Impose Penalty and Enforce Collection

A. If no or insufficient action is taken after proper notice of direction to correct said deficiency, the Department, upon expiration of the time prescribed in said notice, shall be authorized to impose upon said private person or political entity a penalty not to exceed one hundred dollars per day for each day the deficiency existed from date of said notice, however, the cumulative total of such penalty shall not exceed ten thousand dollars. In addition thereto, the Department may terminate or require the termination of any utility service to the subject premises.

B. As further provided by applicable law, the Department shall be authorized to enforce the collection of an imposed penalty, such to include the filing of an affidavit of lien on the subject property or any property found or within St. Tammany Parish which is owned by the subject private person or political entity.

C. Any private person or political entity who/which has been assessed a penalty may appeal the imposition of the penalty in writing within thirty (30) days to the St. Tammany Parish Council which shall hear the appeal in an open and public session at its next regularly scheduled meeting. Any subsequent and final appeal shall be to the 22nd Judicial District Court for the Parish of St. Tammany within thirty (30) days of the Council's decision.

SEC. 23-402.03 Authority to Prescribe Standards

The DH&H shall be authorized to recommend or prescribe additional procedures or practices it deems necessary and advisable to effect the provisions of Section 23-402.00 et seq.

SEC. 23-403.00 Submittal of Detailed Plans and Specifications

A. (1) Prior to the start of construction or modification of a governed sewerage system or governed water system, detailed plans and specifications shall be submitted by the responsible person for the system to be constructed or modified and shall be reviewed and, contingent upon any revisions to such plans and specifications as may be required to meet compliance, approved by the Department in accordance and compliance with applicable law which shall include the Ten-State Standards and the Louisiana Water Well Rules, Regulations, and Standards.

(2) (a) As such relates to the provisions of Paragraph A(1) of this Section, whenever there is a participatory and coordinated effort between the Department and the District Engineer of the Office of Public Health of the LA Department of Health and Hospitals, the Department shall affirm any approval granted by the said state entity when the subject plans and specifications for sewerage and water systems to be constructed or modified are in accordance and compliance with applicable law.

(b) Upon the expiration of one year from the date on which such approval was granted and the proposed construction or modification is not complete, any approval or affirmation thereof by the Department of the subject plans and specifications shall be void. Accordingly, prior to the conduct of any proposed or subsequent construction or modification, the responsible party shall again comply with the provisions of Paragraph A(1) of this Section. However, upon written application to, and at the discretion of the Department, a conditional or absolute waiver of the effect of the provisions of this article may be issued. With regard to any restorative compliance effort required herein, no additional fees shall be attached thereto.

B. Any review and subsequent approval of the plans and specifications for the construction or modification of a governed sewerage system or governed water system is for the use and benefit of the Department and shall not be considered as an affirmation that the construction, modification, or operation of the sewerage or water system is or will be in accordance or compliance with applicable law which shall include the Ten-State Standards and the Louisiana Water Well Rules, Regulations, and Standards.

SEC. 23-404.00 Governed Water Systems, Fire Suppression Capacity

A. Whenever a governed water system is to be constructed or modified, the construction and modification of such system shall provide for an adequate water flow for fire suppression purposes as outlined in the National Fire Protection Association Standard 1142 (Standard on Water Supplies for Suburban and Rural Fire Fighting, 1999 Edition, Chapters 1-5) and include fire hydrants which shall be located and installed as required by applicable law and these Rules and Regulations. A copy of National Fire Protection Association Standard 1142 (Standard on Water Supplies for Suburban and Rural Fire Fighting, 1999 Edition, Chapters 1-5) shall be appended to this Section and made a part thereof.

B. For the purposes of the provisions of this Section, a governed water system shall mean a public water supply as defined in Chapter XII of the State Sanitary Code, the rates and tariffs for which are established by the LA Public Service Commission.

C. There shall be established a mean water flow capacity classification for the fire hydrants connected to a governed water system, such to be determined initially and subsequently on an annual basis by a licensed professional engineer, an Operator, as defined in La. R.S. 40:1141(D), who possesses a valid and current Water Distribution (Class IV) certification issued by the LA Department of Health and Hospitals/Office of

Public Health ("LA DHH/OPH), or appropriate personnel from the affected Fire Protection District, all in a manner consistent with the practices of the Department which relate to the submittal of detailed plans and specifications and/or as-built drawings. Any such determination shall be made for the sole use and benefit of the Department and water service provider, and shall not be considered in any manner whatsoever as a warranty or guarantee of the water flow capacity of a governed water system or its availability for connection thereto.

D. To determine the mean water flow capacity classification for the fire hydrants connected to a governed water system, the water service provider shall submit to the Department a detailed as-built drawing of said system which shall include an inventory and location of all fire hydrants that are connected thereto. Each fire hydrant shall be readily accessible for its intended use and in good operating order. The mean water flow capacity classification shall be determined by measuring the water flow of each fire hydrant connected to the governed water system and dividing the sum of such measurements by the total number of fire hydrants.

E. As such relates to the functionality of, and the approximation of the water flow capacity for each fire hydrant connected to the subject system, the governed water system shall maintain each fire hydrant in good operating order. The barrel of each fire hydrant shall be painted chrome yellow and the top and nozzle caps of each fire hydrant shall be painted to signify the classification of its relative water flow capacity according to the uniform color scheme for such as set forth below, and affix a blue colored, raised reflective marker on the roadway in proximity to each fire hydrant; and the conduct of such action to its resolution shall be subject to inspection by the Department.

F. (1) The procedure to measure the water flow capacity of a fire hydrant shall conform to the relevant instructions for such as set forth in Appendix B of American Water Works Association (AWWA) Standard C502, as amended from time to time, and Appendix B of American Water Works Association (AWWA) Standard C503, as amended from time to time.

(2) The classification of a fire hydrant rated in terms of its relative capacity shall conform to the relevant provisions for such as set forth in Appendix B of AWWA Standard C502 and Appendix B of AWWA Standard C503.

(3) The uniform color scheme of a fire hydrant to signify the approximate capacity of water flow shall conform to the relevant provisions for such as set forth in Appendix B of AWWA Standard C502 and Appendix B of AWWA Standard C503.

(4) A copy each of Appendix B of AWWA Standard C502 and Appendix B of AWWA Standard C503 shall be appended to this Section and made a part thereof.

G. (1) There shall be a fire hydrant at each street intersection unless intersections are less than 500 feet apart and all intermediate hydrants shall be located not more than 500 feet apart. All fire hydrants shall be located in a right of way or utility servitude.

(2) Fire hydrants shall have at least three outlets per hydrant; one shall be a steamer connection to allow fire apparatus to provide water from the hydrant to the apparatus and there shall be at least two 2.5-inch outlets with National Standard Threads.

(3) Fire hydrants shall remain free of any and all manner of obstruction that could interfere with accessibility or visibility. All fire hydrants shall have a 5-foot minimum clearance from the center of the hydrant outward in all directions.

(4) Whenever facts and circumstances exist whereby the Department determines that any private person or owner has acted in a manner contrary to or inconsistent with the provisions and requirements set forth in this Section (hereinafter referred to as the "Deficiency"), the Department shall cause to be issued to said private person or owner a notice which cites the Deficiency, directs compliance with the Rules and Regulations of the Department, and prescribes a reasonable amount of time to accomplish such direction.

(5) If no or insufficient action is taken after proper notice, the Department, upon expiration of the time prescribed in said notice, shall be authorized to impose upon said private person or owner, as defined in this Chapter, a penalty not to exceed one hundred dollars per day for each day the Deficiency existed from date of said notice.

(6) The Department shall be authorized to perform all necessary work to remedy the deficient condition and assess the private person or owner for the reasonable cost of such work. Should the private person or owner fail to pay such costs, the Department shall be authorized to enforce collection by filing an affidavit of lien on the property specifically identifying the property affected, and the amount of any and all costs, fees, and delinquent penalties which may be accruing. Any lien which was filed against real property and not paid timely shall be added to the annual ad valorem tax bill of the owner or owners of such property.

(7) Any private person or owner who has been assessed a penalty may appeal the imposition of the Department's penalty in writing to the St. Tammany Parish Council within thirty (30) days. The Council shall thereafter hear the appeal in an open and public session at its next regular meeting. An appeal from the Council's decision shall be to the 22nd Judicial District Court for the Parish of St. Tammany within thirty (30) days of the Council's decision.

H. As a condition of any environmental utility service agreement which is executed or amended pursuant to the relevant provisions of said Code of Ordinances and this Section, fire hydrants connected to the governed water system shall conform with the provisions set forth in this Section. In addition thereto, the operation and maintenance of the governed water system, which shall include affixing and maintaining a blue colored, raised reflective marker on the roadway in proximity to each fire hydrant, shall be in accordance with the provisions of applicable law and these Rules and Regulations.

I. The Department to the extent which is reasonable and practical shall enforce the provisions set forth in Paragraph E of the Environmental Services Section of the Supplemental Code, Chapter 5 (Buildings and Construction) of the Code of Ordinances of St. Tammany Parish, Louisiana, all in a manner set forth in an environmental utility service agreement which may be executed or amended pursuant to the relevant provisions of said Code of Ordinances and this Section.

J. (1) As a condition of any environmental utility service agreement which is executed or amended pursuant to the relevant provisions of said Code of Ordinances and this Section, the Department is authorized to assess a recurring monthly fee (the "Fee") on the subject provider of water service to defray the Department's costs associated with the inspection of the operation, maintenance, and connection of a governed water system. The amount of the Fee shall equal the percentage assigned to the mean water flow capacity classification for the fire hydrants connected to the governed water system (the "Factor") of the monthly gross billing amount for all water usage services which are provided to the users and subscribers (the "Customers") by connection to the governed water system. The Factor shall be as follows, to wit:

Classification Residential Factor* Factor for Nonresidential Customers

Class AA 7.75% 10.00%

Class A 6.50% 7.75%

Class B 5.25% 6.50%

Class C 3.00% 5.25%

*For the purposes of this Section, residential shall mean all detached single-family dwellings and attached two-family (duplex) dwellings.

(2) The collection from the Customers of the amount of the Fee by the subject water service provider shall be subject to the provisions set forth in the General Order of the LA Public Service Commission issued October 18, 1988. Accordingly, the line item on the Customers invoice or bill shall reflect the purpose of the Fee with full or abbreviated text (e.g. Fire Flow Inspection Fee, Fire Protection Fee, Fire Flow Fee, Parish Fire Flow Fee, or other appropriately descriptive term).

(3) As a condition of any environmental utility service agreement which is executed or amended pursuant to the relevant provisions of said Code of Ordinances and this Section, a portion of the Fee shall be used by the subject water service provider in consideration of and to defray any administrative costs associated with the implementation of the provisions of said agreement and any costs associated with the planning, financing, construction, and improvement or extension of the governed water system, all for the purpose of improving and/or maintaining water flow for fire suppression purposes.

(4) As a condition of any environmental utility service agreement which is executed or amended pursuant to the relevant provisions of said Code of Ordinances and this Section, whenever the responsible person for the governed water system submits to the Department for its review plans and specifications for the modification of the governed water system, the fee required to be paid to the Department as set forth in Section 23-040.11(A) of these Rules and Regulations shall be waived.

(5) The Fee, when submitted for the corresponding billing period, shall be in lieu of the fee imposed by the Department which is set forth in Section 23-309.00(A) of these Rules and Regulations.

K. Whenever facts and circumstances exist whereby the requirements of this Section may be effected in a more superior manner by some other means of compliance, any environmental utility service agreement contemplated by this Section may include provisions for said other means of compliance.

L. Whenever facts and circumstances exist whereby the requirements of an environmental utility service agreement contemplated by this Section may be effected in a more superior manner by some other means of compliance, the Parish President is hereby authorized and directed to negotiate with the responsible person for a governed water system a Memorandum of Understanding and/or Agreement, the effect of which shall include provisions for said other means of compliance.

M. Any environmental utility service agreement which is contemplated pursuant to the relevant provisions of said Code of Ordinances and this Section shall be established by ordinance of the governing authority of the Parish of St. Tammany, the provisions for which shall be set forth in Article IX of these Rules and Regulations.

N. The Director of the Department shall be authorized to take all action which may be necessary to administer and enforce the provisions of this Section. The Department may waive or modify the requirements of this Section upon determination that the implementation of the provisions of this Section would prove to be a manifestly unreasonable financial hardship.

SEC. 23-405.00 Fees Assessed to Review Plans and Specifications

A. The fee assessed to review plans and specifications for the construction or modification of any sewerage or water system or systems, the construction or modification of which is associated with a subdivision development proposed for approval by the St. Tammany Parish Planning Commission shall be in accordance with the provisions of St. Tammany Parish Ordinance No. 91-1470, to wit;

Twenty Dollars (\$20.00) plus Five Dollars (\$5.00) per lot upon application for tentative plan approval; Ten Dollars (\$10.00) per lot upon application for preliminary plan approval; and Fifteen Dollars (\$15.00) per lot upon application for final plan approval.

B. The fee assessed to review the plans and specifications for the construction or modification of a governed sewerage system or governed water system not subject to the fee schedule specified in Paragraph A of this Section shall be:

(1) Five Dollars (\$5.00) plus Two Cents (\$.02) per each linear foot of water distribution pipe to be constructed or modified, and/or Three Cents (\$.03) per each linear foot of sewage collection pipe to be constructed or modified; in addition to

(2) Five Dollars (\$5.00) per water supply facility (e.g., well) to be constructed or modified, and/or per sewage collection or treatment facility (e.g.; plant, pond, lift station) to be constructed or modified.

(3) It is the intent of the provisions of this Section that a water supply facility or a sewage collection or treatment facility shall mean the individual, distinct components, respectively, of a governed water system or governed sewerage system. Hence, a sewage treatment system with one or more aerated lagoons and associated pumping and treatment infrastructure in immediate proximity thereto shall be considered one sewage treatment facility. However, an associated, but remote lift station shall be considered a separate sewage collection facility. Manhole access points shall not be considered a separate sewage collection facility, but merely an element of the linear footage of the sewage collection piping.

C. (1) Any fee assessed pursuant to a provision of this Section shall be due and payable in full to the Department upon the ordinary application for subdivision plan approval by the St. Tammany Parish Planning Commission, as provided by an Ordinance of the Parish of St. Tammany, or otherwise upon the submittal of the detailed plans and specifications to the Department by the responsible person for the governed sewerage system or governed water system to be constructed or modified.

(2) Upon collection of any fee assessed pursuant to a provision of this Section, such fee shall be placed into a special fund, the use of which shall be for the administration of the provisions of this Section which relate to the review of plans and specifications for the construction or modification of sewerage or water systems.

SEC. 23-407.00 Systems to Comply with Plans and Specifications

Every governed sewerage system or governed water system shall be constructed or modified in accordance with the plans and specifications for installation which have been approved in advance by the Department prior to the start of construction or modification.

SEC. 23-409.00 Inspection of Construction or Modification

A. (1) To monitor the construction or modification of any governed sewerage system or governed water system, the Department may authorize any employee or agent of the Department to inspect at a reasonable time and in a reasonable manner any such

sewerage or water system in order to determine that the construction or modification of such sewerage or water system is conducted in accordance and compliance with the plans and specifications for installation which have been approved in advance by the Department prior to the start of construction or modification. In carrying out this power, the authorized employee or agent of the Department may enter private and public properties.

(2) As such relates to the provisions of Subparagraph 1 of this Section, whenever there is a participatory and coordinated effort between the Department and the Parish Engineer, the Department shall acknowledge the results of any inspection conducted by the said Parish Engineer.

B. Any inspection of a sewerage or water system conducted pursuant to a provision of this Section is for the use and benefit of the Department and shall not be considered as an affirmation that the construction, modification, or operation of the inspected sewerage or water system is or will be in accordance or compliance with applicable law which shall include the Ten-State Standards and the Louisiana Water Well Rules, Regulations, and Standards.

SEC. 23-411.00 Fees Assessed to Inspect Construction/Modification of Sewerage or Water System

A. The fee assessed to inspect the construction or modification of a governed sewerage system or governed water system shall be:

(1) Six Cents (\$.06) per each linear foot of water distribution pipe to be constructed or modified, and/or Eleven Cents (\$.11) per each linear foot of sewage collection pipe to be constructed or modified; in addition to

(2) Thirty Dollars (\$30.00) per water supply facility (e.g., well) to be constructed or modified, and/or per sewage collection or treatment facility (e.g.; plant, pond, lift station) to be constructed or modified.

B. (1) Any fee assessed pursuant to a provision of this Section shall be due and payable in full to the Department upon application for preliminary plan approval by the St. Tammany Parish Planning Commission, or otherwise, upon the submittal of the detailed plans and specifications to the Department by the responsible person for the governed sewerage system or governed water system to be constructed or modified.

(2) Upon collection of any fee assessed pursuant to this Section, such fee shall be placed into a special fund, the use of which shall be for the administration of the provisions of this Section which relate to the inspection of sewerage or water systems to be constructed or modified.

SEC. 23-413.00 Other Inspections Required

A. The Department shall provide for the inspection of an individual sewerage system, as defined in the State Sanitary Code, or a private water supply, as defined in the State Sanitary Code, whenever either system is constructed or modified and the monitoring or inspection of such construction or modification is not accomplished by the DEQ, DH&H, or DOTD.

B. To the extent applicable and appropriate, provisions within this Section which relate to the inspection of the construction or modification of a governed sewerage system or governed water system shall likewise apply to the implementation of the provisions of this Section.

C. The fee assessed to inspect the construction or modification of an individual sewerage system or private water supply as provided in this Section shall be Fifteen Dollars (\$15.00) and shall be due and payable in full to the Department prior to the inspection of said construction or modification.

SEC. 23-414.00 Authorization to Construct an Individual Water System

A. Definitions

As used in this Section, the terms defined herein shall have the following meanings unless the context or use clearly indicates otherwise.

(1) "Individual water system" means any water system, other than a public water supply as defined in Chapter XII of the State Sanitary Code, the principal element of which is a water well.

(2) "Qualified contractor" means a contractor (driller) who is duly licensed by the DOTD in accordance with the Louisiana Water Well Rules, Regulations, and Standards (the "Rules"), and whose professional practices and actions are likely to comply with said Rules, the Rules and Regulations of the Department, and other applicable law.

B. A completed application to construct an individual water system shall be submitted to and approved by the Department prior to the construction of an individual water system.

C. The construction of an individual water system shall not occur unless and until an appropriate authorization for the subject work is issued by the Department to a qualified contractor.

D. The conduct of the construction of an individual water system shall be subject to the inspection of the Department.

E. The provision of water shall not occur until the appropriate element(s) of an individual water system is (are) tested by the DH&H or other laboratory which has been appropriately certified by the DH&H for bacterial contamination and a written

determination made by said agency or laboratory that such system may be used as a potable water supply.

F. An authorization and/or inspection of an individual water system is for the use and benefit of the Department and shall not be considered as an affirmation that the construction or operation of the individual water system nor the quality or potability of its output, yield, and production is or will be in accordance or compliance with applicable law which shall include the Rules, the Rules and Regulations of the Department, and other applicable law.

G. As such relates to the provisions of this Section, the fee to apply for an authorization to construct an individual water system shall be Thirty Dollars (\$30.00).

H. For the purpose of the provisions set forth in Section 23-010.05 of this Article, a "responsible person" shall include any private person or political entity who 1) constructs or intends to construct an individual water system; or 2) owns or operates, or intends to own or operate an individual water system; or 3) owns the property on which an individual water system is located or is to be located; or 4) any or all of them.

SEC. 23-415.00 Connection to a Sewerage or Water System

The provision of sewage disposal or water shall not occur until the constructed or modified sewerage or water system has been inspected by the Department or appropriate state authority and determined to be constructed or modified in accordance with the applicable and appropriate plans and specifications for installation which have been approved in advance by the Department and/or appropriate state authority prior to the start of construction or modification.

SEC. 23-416.00 Certification of Connection to Water System

A. Central Water System

(1) As such relates to Section 5P-103.1.4.1 of Chapter 5 of the St. Tammany Parish Code of Ordinances, as amended, the Department shall verify as reliable the certification issued by the entity responsible for the operation and/or administration of the subject central (community) water system (supply), whereby such certification includes 1) the Public Water Supply Identification Number designated by the LA Office of Public Health for the subject system (supply); 2) a declaration that the required capacity and distribution service connection is in place and available; and 3) a statement that the applicant has paid all fees due and owing said entity for connection to the subject system (supply).

(2) Whenever facts and circumstances exist whereby the issuance of the certification or portion thereof is infeasible, in lieu of the certification the Department may issue to the Department of Permits and Regulatory a letter of no objection to the issuance of the Certificate of Occupancy.

(3) Whenever the DH&H issues a determination that facts and circumstances exist whereby the connection to a subject system (supply) would likely pose a danger or threat to public health, the Department shall not issue the verification or letter of no objection until such time as said agency appropriately modifies or rescinds the determination.

B. Individual Water System

(1) As such relates to Section 5P-103.1.4.2 of Chapter 5 of the St. Tammany Parish Code of Ordinances, as amended, the Department shall certify that 1) the subject structure on the building site is not required to connect to a central water system (supply), and 2) an authorization to construct an individual water system, as defined in Section 23-414.00(A)(1), on the subject building site was issued by the Department to a qualified contractor who is duly licensed in accordance with the Water Well Rules, Regulations, and Standards adopted by the DOTD (the "Rules"), and 3) the subject individual water system was drilled in accordance with said authorization.

(2) Whenever facts and circumstances exist whereby the issuance of said certification or portion thereof is infeasible, in lieu of said certification the Department may issue to the Department of Permits and Regulatory a letter of no objection to the issuance of the Certificate of Occupancy.

(3) Whenever the DH&H issues a determination that facts and circumstances exist whereby the connection to a subject system (supply) would likely pose a danger or threat to public health, the Department shall not issue the certification until such time as said agency appropriately modifies or rescinds the determination.

C. Any verification, certification, or letter of no objection issued by the Department is for the use and benefit of the Department and shall not be considered as an affirmation that the output, yield, production, and/or the quality or potability of such output, yield, and production, and/or the operation of the subject water system are or will be in accordance or compliance with applicable law which shall include the Rules, the Rules and Regulations of the Department, and other applicable law.

SEC. 23-417.00 Other Means of Compliance

The Parish President is hereby authorized and directed to negotiate with the responsible person for any sewerage or water system a Memorandum of Understanding and/or Agreement, the effect of which shall be to assure compliance with the provisions of this Section.

SEC. 23-419.00 Fee Established for Activity/Action Not in Compliance or Accordance with Section

Whenever any person commences any activity or action to connect to, or to otherwise construct or modify a sewerage or water system without first having complied with the

applicable provisions of this Article, then, in addition to all other remedies provided by applicable law, the Department shall be entitled to collect a fee equal to 200% of the established fee otherwise due for said activity or action.

ARTICLE V UNIFORM EFFLUENT DISCHARGE LIMITATIONS

SEC. 23-501.00 Establishment of Limitations

A. To advance the protection of public health and the environment, any community-type sewerage system located in the unincorporated portion of St. Tammany Parish which has an anticipated flow of 10,000 gallons-per-day or more of treated sanitary sewage wastewater into, or into the basin of, any river, bayou, stream, or lake within or bordering St. Tammany Parish, shall be operated and maintained in accordance with the following effluent limitations:

Daily Average Maximum Average

Biochemical Oxygen Demand (BOD5) 10 mg/l 15 mg/l

Total Suspended Solids (TSS) 15 mg/l 23 mg/l

Fecal Coliform Bacteria 200/100 ml 400/100 ml

B. Through the cooperative efforts of the Louisiana Department of Environmental Quality (the DEQ), administration of these rules and regulations is to be accomplished through the implementation and operation of the Louisiana Pollution Discharge Elimination System (LPDES) administered by the Office of Water Resources of the DEQ. The effluent limitations in these rules and regulations are to have effect on the original, reissuance, or renewal of any water discharge permit issued for every community-type sewerage system, also known as a sanitary sewage treatment works or facility, other than for a system, treatment works, or facility which has an anticipated flow of less than 10,000 gallons-per-day of treated sanitary sewage wastewater.

C. Through the cooperative efforts of the Louisiana Department of Health and Hospitals (the DH&H), administration of these rules and regulations is also to be accomplished through the implementation and operation of the applicable provisions which relate to the review and approval of plans and specifications for the construction or modification of community-type sewerage systems as provided in Chapter XIII of the State Sanitary Code as administered by the State Health Officer through the DH&H. The effluent limitations in these rules and regulations are to have effect upon the approval of plans and specifications for said construction or modification as a part of the permit issued by the State Health Officer prior to the start of the construction or modification of a community-type sewerage system, also known as a sanitary sewage treatment works facility, other than for a system, treatment works, or facility which has an anticipated flow of less than 10,000 gallons-per-day of treated sanitary sewage wastewater.

D. Nothing in these rules and regulations shall be construed to preclude, stay, or otherwise preempt the DEQ from imposing different, more stringent, or seasonally variable effluent limitations in accordance with its established policies, procedures, or rules and regulations, nor the State Health Officer from imposing more stringent effluent limitations and standards established for a specific community-type sewerage system, treatment works, or facility in accordance with his/her established policies, procedures, or rules and regulations.

E. For all purposes of the provisions of these rules and regulations, the terms defined herein shall have the following meanings unless the context or use clearly indicates otherwise.

(1) "Community-type sewerage system" means any sanitary sewerage system, also known as a sanitary sewage treatment works, which is owned, operated, and/or maintained by a political entity or private person. A community-type sewerage system includes any individual, public, profit, nonprofit, or not-for-profit sewerage system whose effluent discharge is subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any Rules and Regulations effective or promulgated under the authority of the Act.

(2) "Political entity" means any agency, board, commission, department, or political subdivision of the State of Louisiana, or of the governing authority of the Parish of St. Tammany, or any agent thereof.

(3) "Private person" means any individual, group of individuals, firm, corporation, association, partnership, private entity, or other legal entity, or any agent thereof.

ARTICLE VI REQUIRED DISPOSAL OF SEWERAGE EFFLUENT DISCHARGED FROM NONCOMMUNITY- TYPE SEWERAGE SYSTEMS

SEC. 23-601.00 Purpose of Section

It is the purpose of this Section to provide requirements which relate to the disposal of sewage effluent discharged from noncommunity-type sewerage systems, the effect of said requirements shall be that every noncommunity-type sewerage system to be installed in the unincorporated portion of St. Tammany Parish shall be so constructed that the disposal of its sewage effluent is realized essentially within the boundaries of the building site upon which the sewage effluent originated by means of an approved post-secondary treatment sewage effluent disposal method.

SED. 23-603.00 Definitions

As used in this Section, the terms defined herein shall have the following meanings unless the context or use clearly indicates otherwise.

A. "Approved septic system" means a noncommunity-type sewerage system which provides for the collection, treatment, and disposal of sanitary sewage within the boundaries of the building site upon which the sanitary sewage originated. An approved septic system shall not include any noncommunity-type sewerage system which allows sewage effluent to flow from, or run off the building site. An approved septic system shall include a septic tank and absorption field.

B. "Building site" means any land or lot area, grounds, premises, or property, the size of which is twenty-two thousand and five hundred (22,500) feet or greater.

C. "Noncommunity-type sewerage system" means any sewerage system, the installation of which requires the issuance by the Parish Health Unit of an Application For Permit To Install Individual Sewerage System (Department of Health and Hospitals Form LHS-47), and whose discharge of sanitary sewage wastewater is not subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under the authority of said Act.

D. "Parish Health Unit" means the staff of either St. Tammany Parish branch office (Mandeville or Slidell) of the Office of Public Health of the Louisiana Department of Health and Hospitals who has the authority to issue an Application For Permit To Install Individual Sewerage System (Department of Health and Hospitals Form LHS-47).

E. "Sewage effluent" means treated sanitary sewage.

F. "Approved" means designed and constructed to achieve the purpose of the provisions of this Section.

SEC. 23-605.00 Applicability of Rules and Regulations

A. The provisions of this Section shall have force and effect within the unincorporated portion of St. Tammany Parish.

B. Nothing in these rules and regulations shall be construed to preclude, stay, or otherwise preempt the State Health Officer or other such regulatory authority from imposing more stringent requirements which relate to the construction or discharge of sewage effluent from a noncommunity-type sewerage system.

SEC. 23-607.00 Administration and Enforcement

The Parish Health Unit shall be authorized to administer and enforce the provisions of this Section.

SEC. 23-609.00 Fees

The Department shall establish by ordinance a schedule of fees and charges which may be required to administer or enforce the provisions of this Section.

SEC. 23-611.00 Authority to Prescribe Standards

The Parish Health Unit is and shall be authorized to prescribe additional procedures, rules, regulations, specifications, and standards it deems necessary and advisable to administer or enforce the provisions of this Section.

SEC. 23-613.00 Required Disposal of Sewage Effluent

A. Every noncommunity-type sewerage system to be installed in the unincorporated portion of St. Tammany Parish shall be so constructed that the disposal of its sewage effluent is realized essentially within the boundaries of the building site upon which the sewage effluent originated by means of an approved post-secondary treatment sewage effluent disposal method.

B. To accomplish the provisions of Subsection A, said installation of a noncommunity-type sewerage system shall require the construction of an approved septic system. Whenever the Parish Health Unit determines that the installation of an approved septic system is not feasible or would not be in accordance or compliance with applicable law, the Parish Health Unit shall authorize, as may be reasonable and appropriate, an alternative system selected from a list of approved systems which have been specified by the LA Department of Health and Hospitals.

SEC. 23-615.00 Installation of System to Comply with Local Codes

A. Whenever there is installed a noncommunity-type sewerage system, or any element thereof, which requires the connection to an electrical power source, any and all electrical connection(s) associated therewith must conform with the standards, codes, and requirements established and enforced by the governing authority of St. Tammany Parish prior to the operation of said system.

B. As such relates to Paragraph A of the Section, no person shall effect any electrical connection until there is issued by said governing authority an appropriate permit.

C. To administer the provisions of this Section, said governing authority shall collect a fee not to exceed \$35.00 for each applicable installation. However, whenever said installation is directly associated with the filing of a building permit issued by said governing authority, said fee shall not be imposed.

D. The DH&H and said governing authority shall be authorized to recommend or prescribe additional procedures or practices it deems necessary and advisable to effect the provisions of this Section.

ARTICLE VII SPECIFICALLY APPROVED SEWERAGE SYSTEMS

SEC. 23-701.00 When Required

The owner of any property which is situated in a marsh or swamp, or on, over, or contiguous to any river, stream, bayou, lake, or other waterway within or bordering the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, or any other structure which is occupied customarily or occasionally as a dwelling, must connect the toilet facilities and other plumbing fixtures within the said residence, camp, or structure to a community-type sewerage system where available, or to an individual sewerage system specifically approved for the premises by the State Health Officer after determining that connection to a community-type sewerage system is not feasible and that the installation and operation of an individual sewerage system will not create a nuisance or public health hazard.

SEC. 23-703.00 Authority to Prescribe Standards

The Parish Health Unit is and shall be authorized to recommend or prescribe additional procedures, rules, regulations, specifications, and standards it deems necessary and advisable to effect a proper administration or enforcement of the provisions of this Section by the Department.

ARTICLE VIII ADMINISTRATION OF ENVIRONMENTAL SERVICES

SEC. 23-801.00 Statement of Purpose

The Rules and Regulations established in this Article affect the provision of environmental services which relate to any sewerage system and/or water system which is owned, operated, or leased by the Department; and for the notice, collection, payment, and cancellation of sewerage and water rates established and assessed for sewerage and water facilities owned, operated, or leased by the Department.

SEC. 23-803.00 Statement of Policy

It shall be the policy of the Department to provide sewerage and/or water services in accordance with applicable law and any and all obligations or agreements by and between or amongst the Department and a private person and/or political entity and which may be in full force and effect.

SEC. 23-805.00 Definitions

Terms used in this Article may be defined elsewhere in the Rules and Regulations. In addition thereto, for use in this Article, terms defined in this Section shall have the following meanings, unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

A. "Environmental service" means sewerage and/or water and/or solid waste disposal service(s) provided by the Department or its duly authorized agent or agents.

B. "Restrictive Covenant" means an appropriate, binding, and abiding term or condition which prescribes or proscribes an action or activity which the Department is authorized to regulate and enforce.

SEC. 23-807.00 Authority to Develop and Effect Environmental Service Rates

A. The Director of the Department is authorized and directed to develop any and all environmental service rates due and owing the Department for services provided to the subscribers and customers of sewerage and water systems which are owned, operated, or leased by the Department.

B. The environmental service rates developed pursuant to the provisions of Subsection A above shall be in full force and effect upon enactment of an ordinance of the governing authority of the Parish of St. Tammany establishing and assessing such rates.

SEC. 23-809.00 Establishment of Environmental Service Rates

A. Sewerage and water rates shall be equal and uniform for each grade or class of customers or beneficiaries and shall cover anticipated costs of providing such sewerage or water service. Further, such rates shall be established and assessed in accordance with applicable law and any and all obligations or agreements by and between or amongst the Department and a private person and/or political entity.

B. Rates for a supplementary environmental service which is provided pursuant to an expressed restrictive covenant of a subdivision approved by the St. Tammany Parish Planning Commission shall be similarly established.

C. The Department shall on an annual basis provide for a review and validation of each and every schedule of rates effected for the environmental service(s) the Department provides to the customers or subscribers of a sewerage and/or water system owned, operated, or leased by the Department.

SEC. 23-810.00 Service Rates and Fees

A. SYSTEM FEES

These fees shall apply to all customers or subscribers of a sewerage and/or water system owned and operated by the Parish.

I. WATER SERVICE FEE

CAPACITY RESERVATION FEE
gallon

Not to exceed \$2.35 per

TAP-IN-FEE

3/4" Service	\$ 444.00
1" Service	\$ 499.50
1 ½" Service	\$ 571.65
2" Service	\$ 860.25
Above 2" Service of meter & all necessary fittings)	\$ 444.00 (plus actual cost

CONNECTION FEE \$ 22.20

RE-CONNECT FEE \$ 38.85

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.

DEPOSIT

2 ½ times average monthly bill \$ 40.00 (Minimum)

SERVICE CHARGE \$ 49.95

This charge shall cover the cost of utility employee sent to a consumers premises at the customer's request when the trouble is found to be in the consumer's house piping.

TAMPERING \$ 250.00

This fee applies to anyone who illegally taps into the system or in anyway destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.

II. SEWER SERVICE FEES

CAPACITY RESERVATION FEE Not to exceed \$4.70 per gallon

TAP-IN FEE \$ 499.50

This charge will include all labor and materials and any other cost associated with initially establishing service.

CONNECTION FEE \$ 38.85

RE-CONNECTION FEE \$ 33.30

This charge is for re-establishing service after disconnection for non-payment, failure to make deposit, fraudulent or seasonal use.

SERVICE CHARGE \$ 49.95

This charge shall cover the cost of a utility employee sent to a customer's premises at the customer's request when the trouble is found to be in the customer's house piping.

DEPOSIT

2 ½ times the average monthly bill \$ 40.00 (Minimum)

TAMPERING FEE \$ 250.00

This fee applies to anyone who illegally taps into the system or in anyway destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.

LATE PAYMENT CHARGE 6 % of the unpaid balance

III. SYSTEM CONSTRUCTION FEE COLLECTION AGREEMENT

A. St. Tammany Parish acknowledges the need for the construction of water and sewer infrastructure to facilitate connections to Tammany Utilities water and sewer system. In some cases individuals are willing to construct the lines to connect to Tammany Utilities but, seek reimbursement of a pro rata portion from Neighboring Lot Owners who will utilize the lines. The following provisions shall apply to the process of assessment and collection of the pro rata portion of the New System Construction Fee.

1) The following definitions shall apply to the terms used in this section:

a.) Applicant shall mean the person who will construct or actually constructs the water and/or sewer infrastructure across undeveloped property for which he/she seeks reimbursement of its costs;

b.) Application shall mean the form prepared by the Department of Environmental that contains all information necessary to process a request for a New System Construction Fee Agreement;

c.) Neighboring Lot Owner shall mean owners of lots which benefit from the installation of water and/sewer lines which they will be compelled to connect and for which they will owe a pro rata reimbursement of the cost of construction therefore;

d.) Minor Subdivision shall have that meaning as defined in the St. Tammany Parish Code of Ordinances;

e.) New System Construction Fee is the pro rate share of the cost of construction and installation of water and/or sewer lines across Neighboring Lot Owner's property and which is owed by each Neighboring Lot Owner upon connection to Tammany Utilities;

f.) New System Construction Fee Agreement is the document that will be prepared by the Parish Legal Department upon approval of same by the Department of Environmental Services and which will provide for the collection and payment of the pro rata share of the cost of construction and installation of water and/or sewer lines across Neighboring Lot Owner's property and which is owed by each Neighboring Lot Owner upon connection to Tammany Utilities;

g.) New System Infrastructure are water and/or sewer lines constructed and installed by an Applicant and for which the Applicant seeks reimbursement from Neighboring Lot Owners;

h.) Plans and Specifications shall mean a complete set of the plans and specifications which describe and depict the sewer and/or water lines to be constructed and installed. The plans and specifications shall be signed and stamped by a licensed engineer upon submittal to the Department of Environmental Services;

i.) Subdivision shall have that meaning as defined in the St. Tammany Parish Code of Ordinances;

j.) Tammany Utilities shall mean the water and sewer services provided by St. Tammany Parish operated under the name Tammany Utilities.

B. Individuals who construct the necessary infrastructure to connect to a Tammany Utilities sewer and/or water line, hereinafter referred to as New System Infrastructure, within public right of way or right of way owned by the Parish and across undeveloped lots can make application with the Parish for a New System Construction Fee Collection Agreement ("Collection Agreement).

C. The following documents shall be submitted with the Application:

1) Plans and Specifications for the New System Infrastructure; and

2) Invoices with all necessary backup documentation and proof of payment evidencing the construction of the New System Infrastructure; and

3) Any and all other documents requested by the Department of Environmental Services.

D. Upon completion of the New System Infrastructure, Tammany Utilities will inspect the infrastructure to ensure that it meets all of its applicable regulations.

E. Upon verification that the New System Infrastructure has been constructed as designed and that proper payment has been made by the Applicant, St. Tammany Parish will prepare and enter into a New System Construction Fee Collection Agreement, whereby the Parish agrees to collect from the Neighboring Lot Owners a New System Construction Fee being a pro rata portion of the total cost of construction of the New System Infrastructure. This pro rata portion shall be based upon the amount of linear footage of the New System Infrastructure which services each Neighboring Lot Owner. Once the Parish determines that the Applicant is entitled to seek a New System Construction Fee, the pro rata portion shall be assessed to each Neighboring Lot Owner and collected as stated herein.

F. St. Tammany Parish will use its best efforts to collect the pro rata portion from each Neighboring Lot Owner when that individual makes application to connect to Tammany Utilities water and/or sewer system. There shall be no obligation on behalf of the Parish to pay the Applicant's cost of the New System Infrastructure as the Parish shall only act as a conduit for the reimbursement of the New System Infrastructure.

G. This provision shall not apply to Minor Subdivisions or any Subdivision of any type.

H. The obligation of the Parish to collect the pro rata portion of the New System Infrastructure Fee shall expire five (5) years from the date that the Parish enters into the New System Construction Fee Collection Agreement.

I. St. Tammany Parish shall not have any obligation to pursue collection efforts of the pro rata portion from each Neighboring Lot Owner. The obligation to pay remains with the Neighboring Lot Owner. St. Tammany Parish intends to act simply a collection agent for the cost of implementing the New System Infrastructure.

J. An administration fee of One Hundred Dollars and no/100 (\$100.00) shall be assessed for each collection made by the Parish pursuant to a New System Construction Fee Collection Agreement.

B. BEN THOMAS ROAD & ALTON AREA RATES

MONTHLY WATER SERVICE

Residential

\$ 13.00

Small Commercial	\$ 52.00
Large Commercial	\$ 156.00
MONTHLY SEWERAGE SERVICE	
Residential	\$ 25.00
Small Commercial	\$ 80.00
Large Commercial	\$ 155.00
PARISH INSPECTION FEE	\$ 0.30

C. ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX WATER AND SEWERAGE RATES

MONTHLY WATER SERVICE

First 4000 gallons or portions thereof	\$ 24.00
Each Additional 1000 gallons or portion thereof	\$ 2.00

MONTHLY SEWERAGE SERVICE

90% of water service billing	\$ 15.60 (minimum)
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D. OAKWOOD ESTATES SEWERAGE RATES

MONTHLY SEWERAGE SERVICE

Residential	\$ 26.00
Repair Surcharge (10 years - expires December 31, 2014)	\$ 13.00

E. ST. TAMMANY PARISH - DIVERSIFIED FOODS AND SEASONINGS WATER AND SEWERAGE RATES

MONTHLY WATER SERVICE

First 54,000 gallons or portions thereof \$ 220.50

Each additional 1000 gallons or portion thereof \$ 3.20

MONTHLY SEWERAGE SERVICE

Up to 150% of water service billing

F. TAMMANY UTILITIES EAST – WATER AND SEWERAGE RATES

MONTHLY WATER SERVICE

Residential

Metered Rate

Residential & Apartment Complexes with Individual Meters

(Minimum) First 4,000 gallons or less \$ 12.50

1,000 gallons Each Additional 1,000 gallons or portions thereof \$ 1.75 per

Commercial

Flat Rate

Flat Rate Commercial \$ 150.00

Flat Rate Appartments \$ 12.50 per rental unit

Metered Rate

0 - 4,000 gallons \$ 26.50

All additional \$ 2.00 per 1,000 gallons

MONTHLY SEWERAGE SERVICE

Residential

Residential Customers	100 % of water rate
	\$ 15.00 (Minimum)
	\$ 44.00 (Maximum)
Commercial	
Commercial Customers	100% of water rate
	\$ 26.00 (Minimum)
	No Maximum
Flat Rate Apartments	\$15.00 per rental unit
Flat Rate Sewer (GS2)	\$150.00

REST AREA MONITORING & MAINTENANCE FEE - up to \$156.00

MONTHLY SERVICE FEE

Residential customer	Not to Exceed \$ 2.50 per
Commercial customer	Not to Exceed \$ 2.50 per

G. NORTSHORE BEACH AREA SEWERAGE RATES

Residential	\$ 25.00
Commercial	\$ 60.00
Flat Rate - Apartments	\$ 15.00 per rental unit

H. TAMMANY UTILITIES

MONTHLY WATER SERVICE

RESIDENTIAL

FLAT RATE

Residential Flat Rate \$ 22.00 per month

METERED RATE

METERS RESIDENTIAL & APARTMENT COMPLEXES WITH INDIVIDUAL METERS

less First 4,000 gallons or \$ 19.00 (Minimum)
thereof \$ 2.90 per 1,000 gallons Each additional 1,000 gallons or portion

APARTMENT COMPLEXES WITH MASTER METERS

less First 4,000 gallons or \$ 37.70 (Minimum)
500,000 \$ 3.00 per 1,000 gallons Over 4,000 gallons up to
Additional All \$ 1.90 per 1,000 gallons

COMMERCIAL

FLAT RATE

Commercial Flat Rate \$ 30.60

(C18) \$ 157.00 Commercial Flat Rate

(R08) Flat Rate Apts
\$ 266.70

METERED RATE

gallons 0 - 4,000
\$ 41.70

additional All
\$ 3.40 per 1,000 gallons

Usage	Size of Meter	Min. Minimum Bill
gallons	3/4" x 5/8"	4,000 \$ 41.70
gallons	1"	8,000 \$ 55.60
gallons	1 1/2"	18,000 \$ 89.30
gallons	2"	26,000 \$ 116.30
gallons	3"	35,000 \$ 146.70
gallons	4"	44,000 \$ 177.00
gallons	6"	54,000 \$ 244.40
Additional		All \$ 3.40 per 1,000 gallons

Terra Bella Subdivision

Effective as of January 01, 2012, instead of the Parish's standard tap-in-fee, for each new water connection in the Terra Bella Subdivision, including Phase 1-A-1 and 1-A-2,

a tap-in fee in the amount of Seven Hundred Fifty Dollars (\$750.00) shall be charged, at the time of tap-in, for each residential user. No Building Permit shall be issued without the payment of the Parish tap-in-fee.

Eagle Landing Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Eagle Landing Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated February 1, 2008 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Del Sol Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Del Sol Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated October 29, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Weston Glen Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Weston Glen Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated May 25, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Northshore Commercial Park Subdivision

In addition to the Parish tap-in-fee, for each new water connection in the Northshore Commercial Park Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated June 4, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

MONTHLY SEWERAGE SERVICE

RESIDENTIAL

Residential Customers

115% of water rate

\$ 28.60 (Minimum)

		\$ 58.10 (Maximum)
Residential Flat (S10)	\$ 28.60	
Bedico Creek Customers	115% of water rate	
		\$ 33.36 (Minimum)
		\$ 67.83 (Maximum)
COMMERCIAL		
Commercial Customers	115% of water rate	
		\$ 62.40 (Minimum)
		No Maximum
Flat Rate Apartments (S08)	\$ 383.88	

Terra Bella Subdivision

Effective January 01, 2012, instead of the Parish's standard tap-in-fee, for each new sewer connection in the Terra Bella Subdivision, including Phase 1-A-1 and 1-A-2, a tap-in fee in the amount of Seven Hundred Fifty Dollars (\$750.00) shall be charged, at the time of tap-in, for each residential user. No Building Permit shall be issued without the payment of the Parish tap-in-fee.

Eagle Landing Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Eagle Landing Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated February 1, 2008 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Del Sol Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Del Sol Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated October 29, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Weston Glen Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Weston Glen Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated May 25, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

Northshore Commercial Park Subdivision

In addition to the Parish tap-in-fee, for each new sewer connection in the Northshore Commercial Park Subdivision, where applicable, a system construction fee shall be charged in accordance with the Utility Services Agreement dated June 4, 2007 and as amended. No Building Permit shall be issued without the payment of the Parish tap-in-fee and the system construction fee.

I. INDEXED INCREASES

Except as expressly provided herein, commencing on January 1, 2012, all water and sewer rates, fees and costs shall be adjusted annually using the "Municipal Cost Index" issued by Penton Media, Inc. through American City and County (<http://americancityandcounty.com/mciarchive/>).

Effective January 1, 2012 and each January 1 thereafter, the then-current water and sewer rates shall be revised by an amount equal to the percentage change in the Municipal Cost index for the previous twelve (12) month period comprised from October of the prior year and October two years' prior.

Provided, however, the percentage increase shall not exceed four (4%) percent without Council approval. For example, on January 1, 2012, rates shall increase four (4%) percent based on the percentage change in the Municipal Cost Index from October 2010 (212.8) to October 2011 (223.6) of 5.08% $((223.6 - 212.8) / 212.8)$. If the percentage change in the Municipal Cost Index for such period of October to October is zero or less than zero, then no increase to the water and sewer rates shall occur for that calendar year.

Rates shall be rounded up to the nearest tenth of a dollar (10/100th).

Indexed Increases do not apply to:

1. Capacity Reservation Fees
2. Tap-In Fees
3. Connection Fees
4. Re-Connect Fees
5. Deposit
6. Service Charge

7. Tampering
8. Late Payment Charge
9. Parish inspection Fee
10. Repair Surcharge

If the Municipal Cost Index is subsequently converted to a different standard reference base or otherwise revised, the numerator and denominator of the fraction(s) set out in this rate ordinance will be determined by using any conversion factor, formula or table published by a nationally recognized publisher of similar statistical information. If the Municipal Cost index ceases to be published, for the purposes hereof, any other index chosen by Parish may be substituted therefor.

(Ord. No. 09-2067, adopted 06/04/2009; amended by Ord. No. 09-2181, adopted 12/03/2009; amended by Ord. No. 10-2257, adopted 04/01/2010; amended by Ord. No. 10-2357, adopted 10/07/2010; amended by Ord. No. 11-2561, adopted 07/07/2011; amended by Ord. No. 11-2645, adopted 12/01/2011; amended by Ord. No 12-2707, adopted 04/05/2012).

SEC. 23-811.00 Notice of Environmental Service Rates

A copy of the schedule of rates established and assessed for an environmental service provided by the Department shall be publicly displayed at the office of the Department and, as applicable and appropriate, its billing agent(s); and provided to any person upon a written request to the Department.

SEC. 23-813.00 Collection, Payment, and Cancellation of Fees

SEC. 23-815.00 Authority to Establish Policies and Procedures

A. The Director of the Department is authorized and directed to establish policies and procedures for the collection, payment, and cancellation of fees paid by subscribers and customers of sewerage and water systems which are owned, operated, or leased by the Department.

B. The development and effect of a subject policies and procedures shall be based upon applicable law, industry standards, sound and reasonable principles of business management, and with due and proper regard for any and all obligations or agreements by and between or amongst the Department and a private person and/or political entity.

C. The Department shall on an annual basis provide for a review and validation of the policies and procedures which may be effected pursuant to this Article.

SEC. 23-817.00 Notice of Policy and Procedures

All policies and procedures effected pursuant to this Article shall be made available for review by any person at a reasonable time and in a reasonable matter at the offices of the Department and, as applicable and appropriate, its billing agent(s).

SEC. 23-819.00 Enforcement of Rules and Regulations

These Rules and Regulations of the Department and all policies and procedures effected pursuant thereto shall be enforced in accordance with applicable law.

ARTICLE IX ENVIRONMENTAL UTILITY SERVICE AGREEMENTS

SEC. 23-901.00 Authority of the Parish

The Parish shall have sole authority to enter into an environmental utility service agreement with any public or private provider of sewerage or water service wherein the purpose of such agreement shall be to assign to the provider certain rights of the Parish to plan, finance, construct, purchase, own, let, lease, maintain, operate, improve, or otherwise extend sewerage or water systems within the unincorporated portion of St. Tammany Parish. The Parish may adopt rules and regulations relative to the assignment of such rights, establishment of environmental utility service districts, terms and requirements of said agreements, and fees associated with their application, administration, supervision, and enforcement of said agreement.

SEC. 23-903.00 Agreement incorporated into Code of Ordinances

Any Agreement which is authorized by this Section and executed by any public or private provider of sewerage or water service and the Parish, and each amendment and supplement thereto, shall be incorporated into Appendix A (Franchises) of the Code of Ordinances and made a part thereof.

SEC. 23-905.00 Authority of the Parish President

The Parish President, upon authorization by the Parish Council, shall execute any document or establish any process or procedure which may be necessary to effect the provisions of this Section or an Agreement.

SEC. 23-907.00 Other Means of Compliance

Whenever facts and circumstances exist whereby the provisions of this Section or the terms and requirements of an Agreement may be effected better by some other means of compliance, the Parish President shall be authorized to negotiate and execute with any public or private provider of sewerage or water service a Memorandum of Understanding and/or Agreement, the effect of which shall be to assure compliance with

the provisions of this Section and/or the terms and requirements of an Agreement. (Ord. 01-0354, adopted 08/02/2001)

Wastewater Management Areas and Wastewater Service Areas

SEC. 23-930.00 Authorization and Purpose

Authorization:

This ordinance is adopted pursuant to La. R.S. 33:4064.1 and Section 23-101.00 of the St. Tammany Parish Code of Ordinances, which state(s), in part, that the St. Tammany Parish Government, through its Department of Environmental Services shall be responsible for the protection of public health and the environment through the control, monitoring and inspection of public and private sewerage and water systems, and La. R.S. 33:4064.4(H)(1) which sets forth that the Parish shall have the authority to plan for the extension of sewerage and water systems within the unincorporated portions of St. Tammany Parish.

Purpose:

The purpose of this ordinance is to create and establish a planning mechanism to guide and direct the extension of sewerage and water services, the location of regional wastewater treatment facilities and their associated discharge points, the management of decentralized, on-site wastewater treatment systems, and the coordination and consolidation of wastewater collection and treatment, where practicable, within the unincorporated portions of St. Tammany Parish. The established boundaries may also be utilized to guide and direct the management, extension, consolidation and coordination of solid waste collection and disposal within the unincorporated portions of St. Tammany Parish. (Ord. 04-0969, adopted 90/02/2004)

SEC. 23-930.01 Establishment of Wastewater Management Area Boundaries

The St. Tammany Parish Government hereby establish's five (5) geographical Wastewater Management Areas to facilitate overall monitoring , regulation and enhancement of existing and proposed wastewater treatment in the unincorporated areas of the Parish.

1. Wastewater Management Area 1 (West Tchefuncte)

There is herewith created Wastewater Management Area 1 (West Tchefuncte) with the boundaries more fully described as follows:

Commencing at the intersection of the western boundary of St. Tammany Parish and the shore of Lake Pontchartrain, thence follow the western boundary of St. Tammany Parish north to East Bedico Creek, thence follow East Bedico Creek upstream to US Highway 190, thence follow US Highway 190 southeast and east to the western

boundary of Barbara Place Subdivision, thence go north , southeast and south along said subdivision boundary back to US Highway 190, thence go east along US Highway 190 to the western boundary of River Forest and the City of Covington, thence follow the said boundary south to the section line common to Sections 25 and 36, Township 6 South, Range 10 East, thence go west along said section line to the Tchefuncte River, thence go downstream along the Tchefuncte River to the northern shore of Lake Pontchartrain, thence follow the shore of Lake Pontchartrain west to the western boundary of St. Tammany Parish and the point of beginning. This area excludes the Town of Madisonville.

2. Wastewater Management Area 2 (East Tchefuncte)

There is herewith created Wastewater Management Area 2 (East Tchefuncte) with the boundaries more fully described as follows:

Commencing at the mouth of the Tchefuncte River at Lake Pontchartrain, thence follow the Tchefuncte River upstream to the Bogue Falaya River, thence follow the Bogue Falaya River upstream to the Little Bogue Falaya River, thence follow the Little Bogue Falaya River upstream to Holly Drive, thence follow Holly Drive southeast to LA Highway 21, thence follow LA Highway 21 northeast to Wilson Road, thence follow Wilson Road east and continue east along the section line common to Sections 19 and 20, 20 and 29, and 21 and 28, Township 6 South, Range 12 East to the section corner common to Sections 21, 22, 27 and 28, Township 6 North, Range 12 East, thence go south along the section line common to Sections 27 and 28 and Section 33 and 34 to the corner common to Sections 33 and 34, Township 6 South, Range 12 East and Section 3 and 4, Township 7 South, Range 12 East, thence go south 30 degrees west approximately 7,650 feet to LA Highway 36, thence follow LA Highway 36 southeast to the section line common to Sections 16 and 17, Township 6 South, Range 13 East, thence follow said section line south to a point 1,200 feet south of LA Highway 36, thence go southeast along a line 1,200 feet south of and parallel to LA Highway 36 to a point 1,000 feet west of LA Highway 434, thence go south along a line 1,000 feet west of and parallel to LA Highway 434 to the section line common to Sections 21 and 28, Township 7 South, Range 13 East, thence go west along said section line and continue west along the section line common to Sections 20 and 29, Township 7 South, Range 13 East 3,300 feet, thence go south 3,300 feet, thence go east 3,300 feet to the section line common to Sections 28 and 29, Township 7 South, Range 13 East and continue south along the section line common to Sections 32 and 33, Township 7 South, Range 13 East to a point approximately 2,000 feet north of Bayou Lacombe, thence go west to Beaver Ball Road, thence continue to a point 1,000 feet west of Beaver Ball Road, thence go southeast and southwest along a line 1,000 feet west of and parallel to Beaver Ball Road to Fish Hatchery Road and continue across Fish Hatchery Road to a point 1,000 feet west of Fish Hatchery Road, thence go south west along a line 1,000 feet west of and parallel to Fish Hatchery Road to I-12, thence go northwest along I-12 to the section line common to Sections 2 and 2, Township 8 South, Range 12 East, thence go southwest approximately 6,000 feet to the northwest corner of Section 42, Township 8 South, Range 12, East, thence go southwest along the section line common

to Sections 42 and 10, 9 16 and 17 to the section corner common to Sections 17 42 and 43, Township 8 South, Range 12 East, thence go northwest along the section line common to Section 43 and 17 and 8 to Bayou Castine, thence go downstream along Bayou Castine to the shore of Lake Pontchartrain, thence follow said shore in an westerly direction to the mouth of the Tchefuncte River and the point of beginning. This area excludes the City of Covington, the City of Mandeville and the Town of Abita Springs.

3. Wastewater Management Area 3 (Lacombe)

There is herewith created Wastewater Management Area 3 (Lacombe) with the boundaries more fully described as follows:

Commencing at the northwest corner of Section 42, Township 8 South, Range 12 East, thence go southeast and southwest along the section line common to said section and Sections 10, 15 and 16 of said Township and Range to the section corner common to Sections 16, 21, 42 and 48, Township 8 South, Range 12 East, thence go west along the section line common to Sections 42 and 48 of said Township and Range to Cane Bayou, thence go downstream along Cane Bayou to northern boundary of Big Branch Marsh National Wildlife Refuge, thence follow the northern boundary of said wildlife refuge east and south to Bayou Lacombe, thence go upstream along Bayou Lacombe to the mouth of Cypress Bayou, thence follow Cypress Bayou upstream to a point where the northern boundary of the Big Branch March National Wildlife Refuge leaves the bayou, thence follow said section line eastward to the northwest corner of Section 41, Township 9 South, Range 13 East, thence go east along the northern boundary of said section to the section corner common to Sections 10, 40 and 41 of said Township and Range, thence go north along the western section line of Section 40, Township 9 South, Range 13 East to the section corner common to Sections 2, 3 and 40, Township 9 South, Range 13 East, thence go north along the section line common to Sections 2 and 3 to the section corner common to Sections 34 and 35, Township 8 South Range 13 East, and Sections 2 and 3, Township 9 South, Range 13 East, thence continue north along the section lines common to Sections 34 and 35, 26 and 27 and 22 and 23, Township 8 South, Range 13 East to a point 900 feet north of North Dixie Ranch Road, thence go northwest along a line 900 feet north of and parallel to North Dixie Ranch Road to the section line common to Section 15 and 16, Township 8 South, Range 13 East, thence go north along the section line common to Sections 15 and 16 and Sections 9 and 10 to the section corner common to Sections 3,4,9 and 10, Township 8 South, Range 13 East, thence go west along the section line common to Sections 4 and 9 of said Township and Range to a point approximately 1,000 feet east of LA Highway 434, thence go northeast along a line east of and parallel to LA Highway 434 to the section line common to Section 4, Township 8 South, Range 13 East and Section 33, Township 7 South, Range 13 East, thence go east along said section line and north along the eastern section line of Section 33, Township 7 South, Range 13 East to a point 1,000 feet south of Horseshoe Island Road, thence go northeast along a line 1,000 feet south of and parallel to Horseshoe Island Road to the eastern section line of Section 34, Township 7 South, Range 13 East, thence go north along said section line

to Horseshoe Island Road, thence go east along Horseshoe Island Road to a point approximately 700 feet east of the section line common to Sections 34 and 35, Township 7 South, Range 13 East, thence go north along a line 700 feet east of and parallel to said section line approximately 1.800 feet, thence go west approximately 3,650 feet, thence go north 3600 feet to a point 1,000 feet south of LA Highway 36, thence go southeast along a line 1,000 feet south of and parallel to LA Highway 36, approximately 4,900 feet, thence go north to a point approximately 1,400 feet north of LA Highway 36, thence go northwest along a line 1,400 feet north of and parallel to LA Highway 36 to the eastern section line of Section 16, Township 7 South, Range 13 East, thence go north along said section line approximately 3,100 feet, thence go west approximately 3,100 feet, thence go south to a point approximately 900 feet north of LA Highway 36, thence go northwest along a line 900 feet north of and parallel to LA Highway 36 to the western section line of Section 16, Township 7 South, Range 13 East, thence go south thence follow said section line south to a point 1,200 feet south of LA Highway 36, thence go southeast along a line 1,200 feet south of and parallel to LA Highway 36 to a point 1,000 feet west of LA Highway 434, thence go south along a line 1,000 feet west of and parallel to LA Highway 434 to the section line common to Sections 21 and 28, Township 7 South, Range 13 East, thence go west along said section line and continue west along the section line common to Sections 20 and 29, Township 7 South, Range 13 East 3,300 feet, thence go south 3,300 feet, thence go east 3,300 feet to the section line common to Sections 28 and 29, Township 7 South, Range 13 East and continue south along the section line common to Sections 32 and 33, Township 7 South, Range 13 East to a point approximately 2,000 feet north of Bayou Lacombe, thence go west to Beaver Ball Road, thence continue to a point 1,000 feet west of Beaver Ball Road, thence go southeast and southwest along a line 1,000 feet west of and parallel to Beaver Ball Road to Fish Hatchery Road and continue across Fish Hatchery Road to a point 1,000 feet west of Fish Hatchery Road, thence go south west along a line 1,000 feet west of and parallel to Fish Hatchery Road to I-12, thence go northwest along I-12 to the section line common to Sections 2 and 2, Township 8 South, Range 12 East, thence go southwest approximately 6,000 feet to the northwest corner of Section 42, Township 8 South, Range 12, East and the point of beginning.

4. Wastewater Management Area 4 (West Slidell)

There is herewith created Wastewater Management Area 4 (West Slidell) with the boundaries more fully described as follows:

Commencing at the confluence of Bayou Bonfouca and Bayou Liberty, thence follow Bayou Liberty upstream to Bayou Paquet, thence follow Bayou Paquet upstream approximately 3,000 feet to an unnamed branch to the northwest, thence follow the unnamed branch to the northwest across Bayou Paquet Road and continue upstream in a northwesterly direction approximately 3,450 feet, thence go due north to the section line common to Sections 40 and 41, Township 8 South, Range 13 East, thence go west along said section line to the southwest corner of Section 40, Township 8 South, Range 13 East, thence go northeast along the western line of said section to the section corner

common to Sections 2, 3 and 40, Township 8 South, Range 13 East, thence go north along the section line common to Sections 2 and 3, Township 8 South, Range 13 East to the section corner common to Sections 34 and 35, Township 7 South, Range 13 East and Sections 2 and 3, Township 8 South, Range 13 East, thence continue north along the section line common to Sections 34 and 35, 25 and 26 and 22 and 23 of said township and range to a power line approximately 1,250 feet north of I-12, thence go southeast along said power line to North Dixie Ranch Road, thence follow North Dixie Ranch Road northwest to its intersection with an unnamed road to the east, thence follow said unnamed road east and north approximately 6,300 feet to its intersection with an unnamed road to the east, thence follow said unnamed road and its extension southeast approximately 4,800 feet to Bayou Liberty, thence follow Bayou Liberty upstream to Journey Road, thence follow Journey Road east to the property line of Slidell Airport thence follow said boundaries east, south, southwest, east, south, east and north to a point where the western boundary of Camp Villere Military Reservation departs to the east, thence go east and southeast along said boundary approximately 8,150 feet, thence go east approximately 1,600 feet, thence go north approximately 8,900 feet, thence go east approximately 5,600 feet, thence go south approximately 14,000 feet to a point west of a westward extension of Fricke Road, thence go east to Fricke Road and continue east to US Highway 11, thence go southwest on US Highway 11 to North Boulevard, thence go east on North Boulevard to the W-14 Canal, thence go downstream along said lateral to the section line common to Sections 2 and 3, Township 9 South, Range 14 East, thence go south along said section line to 650 feet to a point where the Slidell City Limits depart to the west, thence follow said city limits west and south to Indiana Avenue, thence go west on Indiana Avenue to US Highway 11, thence go north along US Highway 11 to the Southern Railroad, thence go south along said railroad approximately 1800 feet to a western spur of said railroad, thence follow said western spur northwest to the northern section line of Section 3, Township 9 South, Range 14 East, thence go west along said section line to Bayou Vincent, thence go downstream along Bayou Vincent to where it becomes Bayou Bonfouca, thence go downstream along Bayou Bonfouca to its intersection with Bayou Liberty and the point of beginning. This area excludes the City of Slidell.

5. Wastewater Management Area 5 (East Slidell)

There is herewith created Wastewater Management Area 5 (East Slidell) with the boundaries more fully described as follows:

Commencing at the mouth of the Fascine Canal and the north shore of Lake Pontchartrain, thence follow said shore southeast to a point approximately 1,800 feet east of US Highway 90, thence go northeast along a line 1,800 feet east of and parallel to US Highway 90 approximately 27,750 feet to the West Pearl River, thence go upstream along the West Pearl River to the mouth of Morgan River, thence go upstream along Morgan River to Porter's River, thence go west approximately 1,400 feet, thence go southwest along a line 500 feet north of and parallel to Charwood Drive and continue along said line in a southwesterly direction to the section line common to Section 13, Township 8 East, Range 13 East and Section 18, Township 7 South, Range 15 East,

thence go west approximately 620 feet to Old Military Road, thence follow said road northwest to LA Highway 41, thence follow LA Highway 41 northwest to US Highway 11, thence follow US Highway 11 southwest to a point approximately 1,240 feet south of Highway Department Road, thence go west 4,690 feet and the eastern boundary of West Slidell WWMA, thence go south approximately 8,370 feet to a westward extension of Fricke Road, thence go east to Fricke Road and continue east to US Highway 11, thence go southwest along US Highway 11 to the Slidell City Limits, thence follow Slidell City Limits in a clockwise direction to the Southern Railroad, thence follow said railroad northeast to Slidell City Limits, thence go west along said city limits approximately 2,600 feet west of the Southern Railroad, thence go southwest along a line 2,600 feet west of and parallel to said railroad to the section line common to Sections 29 and 44, Township 8 South, Range 14 East, thence go west to the shore of Lake Pontchartrain, thence go southeast along the shore of Lake Pontchartrain to the mouth of the Fascine Canal and the point of beginning. This area excludes the City of Slidell and the Town of Pearl River.

(Ord. 04-0969, adopted 09/02/2004)

SEC. 23-930.02 Establishment of Wastewater Management Area Boundaries

The St. Tammany Parish Government hereby establishes eighteen (18) geographical Wastewater Service Delivery Areas to facilitate the extension of sewerage and water services, the coordination and consolidation of wastewater collection and treatment, and the management of decentralized, on-site wastewater treatment systems.

1. West Tchefuncte Wastewater Service Area 1

There is herewith created West Tchefuncte Wastewater Service Area 1 with the boundaries more fully described as follows:

Commencing at the intersection of an unnamed branch of East Bedico Creek and LA Highway 1085, thence follow said unnamed branch north to East Bedico Creek, follow East Bedico Creek upstream to US Highway 190, thence follow US Highway 190 southeast and east to the western boundary of Barbara Place Subdivision, thence go north, southeast and south along said subdivision boundary back to US Highway 190, thence go east along US Highway 190 to the western boundary of River Forest and the City of Covington, thence follow the said boundary south to the section line common to Sections 25 and 36, Township 6 South, Range 10 East, thence go west along said section line to the Tchefuncte River, thence go downstream along the Tchefuncte River to LA Highway 21, thence follow LA Highway 21 southwest, west and southwest to a point approximately 1,000 feet south of LA Highway 1085, thence go northwest and west along a line 1,000 feet south of and parallel to LA Highway 1085 to its intersection with an unnamed branch of East Bedico Creek and the point of beginning.

2. West Tchefuncte Wastewater Service Area 2

There is herewith created West Tchefuncte Wastewater Service Area 2 with the boundaries more fully described as follows:

Commencing at the intersection of the western boundary of St. Tammany Parish and LA Highway 22, thence follow the western boundary of St. Tammany Parish north to East Bedico Creek, thence follow East Bedico Creek upstream approximately 5,300 feet to its intersection with an unnamed stream to the south, thence follow said unnamed stream south to LA Highway 1085, thence follow LA Highway 1085 east to LA Highway 1077, thence follow LA Highway 1077 southeast to LA Highway 21, thence follow LA Highway 21 south to the town limits of Madisonville, thence follow the town limits of Madisonville west to LA Highway 22, thence follow LA Highway 22 northwest and west to the western boundary of St. Tammany Parish and the point of beginning.

3. West Tchefuncte Wastewater Service Area 3

There is herewith created West Tchefuncte Wastewater Service Area 3 with the boundaries more fully described as follows:

Commencing at the intersection of LA Highway 1077 and Brewster Road, thence follow LA Highway 1077 northwest to a point approximately 1,000 feet south of LA Highway 1085, thence go east and southeast along a line 1,000 feet south of and parallel to LA Highway 1085 to its intersection with LA Highway 21, thence follow LA Highway 21 northeast, east and northeast to the Tchefuncte River, thence follow the Tchefuncte River downstream approximately 18,650 feet to a power line, thence follow said power line northwest and west to LA Highway 1077 and the point of beginning.

4. West Tchefuncte Wastewater Service Area 4

There is herewith created West Tchefuncte Wastewater Service Area 4 with the boundaries more fully described as follows:

Commencing at the intersection of LA Highway 21 and the northern town limits of Madisonville, thence follow LA Highway 21 north to its intersection with LA Highway 1077, thence follow LA Highway 1077 northwest approximately 9,200 feet to a power line, thence follow said power line east and southeast to the Tchefuncte River, thence follow the Tchefuncte River downstream to its intersection with the northern town limits of Madisonville, thence follow the town limits of Madisonville northwest to LA Highway 21 and the point of beginning.

5. West Tchefuncte Wastewater Service Area 5

There is herewith created West Tchefuncte Wastewater Service Area 5 with the boundaries more fully described as follows:

Commencing at the intersection of the western boundary of St. Tammany Parish and the shore of Lake Pontchartrain, thence follow the western boundary of St. Tammany

Parish north to LA Highway 22, thence follow LA Highway 22 east to the town limits of Madisonville, thence go west, south east and south along said town limits to the shore of Lake Pontchartrain, thence go west along the shore of Lake Pontchartrain to western boundary of St. Tammany parish and the point of beginning.

6. East Tchefuncte Wastewater Service Area 1

There is herewith created East Tchefuncte Wastewater Service Area 1 with the boundaries more fully described as follows:

Commencing at the intersection of the Tchefuncte River and the Ponchitolawa Creek, thence follow the Tchefuncte River upstream to its intersection with the Bogue Falaya River, thence follow the Bogue Falaya River upstream to the Little Bogue Falaya River, thence follow the Little Bogue Falaya River upstream to its intersection with Holly Drive, thence follow Holly Drive southeast to its intersection with La Highway 21, thence follow La Highway 21 northeast to its intersection with Jackson Street, thence follow Jackson Street east to Plantation Street, thence follow Plantation Street north to Oak Lane, thence follow Oak Lane and continue east to Lowe Davis Road, thence follow Lowe Davis Road southwest to its intersection with an unnamed creek, thence follow the unnamed creek downstream to its intersection with the Abita Springs town limits, thence follow the Abita Springs town limits south, west, south, and east to its intersection with LA Highway 59, thence follow LA Highway 59 south to Soell Drive, thence follow Soell Drive west and southwest to 6th Avenue, thence follow 5th Avenue northwest to Helenbirg Road, thence follow Helenbirg Road southwest and west and continue west to US Highway 190, thence follow US Highway 190 south to its intersection with the Ponchitolawa Creek, thence follow the Ponchitolawa Creek downstream to the Tchefuncte River and the point of beginning.

7. East Tchefuncte Wastewater Service Area 2

There is herewith created East Tchefuncte Wastewater Service Area 2 with the boundaries more fully described as follows:

Commencing at the intersection of US Highway 190 and the section line common to Sections 22 and 37, Township 7 South, Range 11 East, thence follow US Highway 190 north to its intersection with a westward extension of Helenbirg Road, thence follow Helenbirg Road east and northeast to its intersection with 6th Avenue, thence follow 6th Avenue southeast to its intersection with Soell Drive thence follow Soell Drive northeast and east to LA Highway 59, thence follow LA Highway 59 south to its intersection with Dove Park Road, thence follow Dove Park Road west, north and west to the section line common to Sections 22 and 27, Township 7 South, Range 11 East, thence follow said section line west to the section corner common to Sections 22, 27 and 37, Township 7 South, Range 11 East, thence follow the section line common to Sections 22 and 37 of said township and range northwest to US Highway 190 and the point of beginning.

8. East Tchefuncte Wastewater Service Area 3

There is herewith created East Tchefuncte Wastewater Service Area 3 with the boundaries more fully described as follows:

Commencing at the intersection of LA Highway 59 and I-12, thence follow LA Highway 59 north to its intersection with Harrison Road and the Abita Springs town limits, thence follow the Abita Springs town limits east and north to LA Highway 38, thence follow LA Highway 36 southeast approximately 14,850 feet to the section line common to Sections 10 and 11, Township 7 South, Range 11 East, thence follow said section line south and continue south along the section lines common to Sections 14 and 15, Sections 22 and 23 and Sections 26 and 27 to LA Highway 1088, thence follow LA Highway 1088 southwest to I-12, thence follow I-12 northwest to its intersection with LA Highway 59 and the point of beginning.

9. East Tchefuncte Wastewater Service Area 4

There is herewith created East Tchefuncte Wastewater Service Area 4 with the boundaries more fully described as follows:

Commence at the at the mouth of the Tchefuncte River at Lake Pontchartrain, follow the Tchefuncte River upstream to its intersection with Ponchitolawa Creek, thence follow Ponchitolawa Creek upstream to US Highway 190, thence follow US Highway 190 south to its intersection with North Causeway Approach, thence follow North Causeway Approach south to Lake Pontchartrain, thence follow the north shore of Lake Pontchartrain west to the mouth of the Tchefuncte River and the point of beginning. This area excludes the City of Mandeville.

10. East Tchefuncte Wastewater Service Area 5

There is herewith created East Tchefuncte Wastewater Service Area 5 with the boundaries more fully described as follows:

Commence at the intersection of North Causeway Approach and Florida Street, thence follow North Causeway Approach north to the section line common to Sections 22 and 37, Township 7 South, Range 11 East, thence go southeast along said section line to the section corner common to Sections 22, 27 and 37, Township 7 South, Range 11 East, thence go east along said section line to Dove Park Road, thence follow Dove Park Road east, south and east to its intersection with the Tammany Trace, thence follow the Tammany Trace south to its intersection with Florida Street (US Highway 190), thence follow Florida Street west to its intersection with East Causeway Approach, thence follow East Causeway Approach west to its intersection with Florida Street, thence follow Florida Street west to its intersection with North Causeway Approach and the point of beginning.

This area excludes the City of Mandeville.

11. East Tchefuncte Wastewater Service Area 6

There is herewith created East Tchefuncte Wastewater Service Area 6 with the boundaries more fully described as follows:

Commencing at the intersection of the Tammany Trace and Florida Street (US Highway 190), thence follow the Tammany Trace north to its intersection with Dove Park Road, thence follow Dove Park Road east to its intersection with LA Highway 59, thence follow LA Highway 59 north to its intersection with I-12, thence follow I-12 east to a point approximately 9,500 feet east of LA Highway 1088, thence go southwest approximately 6,000 feet to the northwest corner of Section 42, Township 8 South, Range 12 East, thence follow the western section line of said section southwest to the southeast corner of Section 43, Township 8 South, Range 12 East, thence go northwest along the eastern section line of Section 43, Township 8 South, Range 12 East to its intersection with Bayou Castine, thence follow Bayou Castine downstream to its intersection with Florida Street (US Highway 190) thence follow Florida Street west to its intersection with the Tammany Trace and the point of beginning. This area excludes the City of Mandeville.

12. Lacombe Wastewater Service Area 1

There is herewith created the Lacombe Wastewater Service Area 1 with the boundaries more fully described as follows:

Commencing at the northwest corner of Section 42, Township 8 South, Range 12 East, thence go southeast and southwest along the section line common to said section and Sections 10, 15 and 16 of said Township and Range to the section corner common to Sections 16, 21, 42 and 48, Township 8 South, Range 12 East, thence go west along the section line common to Sections 42 and 48 of said Township and Range to Cane Bayou, thence go downstream along Cane Bayou to northern boundary of Big Branch Marsh National Wildlife Refuge, thence follow the northern boundary of said wildlife refuge east and south to Bayou Lacombe, thence go upstream along Bayou Lacombe to the mouth of Cypress Bayou, thence follow Cypress Bayou upstream to a point where the northern boundary of the Big Branch March National Wildlife Refuge leaves the bayou, thence follow said section line eastward to the northwest corner of Section 41, Township 9 South, Range 13 East, thence go east along the northern boundary of said section to the section corner common to Sections 10, 40 and 41 of said Township and Range, thence go north along the western section line of Section 40, Township 9 South, Range 13 East to the section corner common to Sections 2, 3 and 40, Township 9 South, Range 13 East, thence go north along the section line common to Sections 2 and 3 to the section corner common to Sections 34 and 35, Township 8 South Range 13 East, and Sections 2 and 3, Township 9 South, Range 13 East, thence continue north along the section lines common to Sections 34 and 35, 26 and 27 and 22 and 23, Township 8 South, Range 13 East to a point 900 feet north of North Dixie Ranch Road, thence go northwest along a line 900 feet north of and parallel to North Dixie Ranch Road to the section line common to Section 15 and 16, Township 8 South, Range 13 East, thence go north along the section line common to Sections 15 and 16 and Sections 9 and 10 to the section corner common to Sections 3,4,9 and 10, Township 8

South, Range 13 East, thence go west along the section line common to Sections 4 and 9 of said Township and Range to a point approximately 1,000 feet east of LA Highway 434, thence go northeast along a line east of and parallel to LA Highway 434 to the section line common to Section 4, Township 8 South, Range 13 East and Section 33, Township 7 South, Range 13 East, thence go east along said section line and north along the eastern section line of Section 33, Township 7 South, Range 13 East to a point 1,000 feet south of Horseshoe Island Road, thence go northeast along a line 1,000 feet south of and parallel to Horseshoe Island Road to the eastern section line of Section 34, Township 7 South, Range 13 East, thence go north along said section line to Horseshoe Island Road, thence go east along Horseshoe Island Road to a point approximately 700 feet east of the section line common to Sections 34 and 35, Township 7 South, Range 13 East, thence go north along a line 700 feet east of and parallel to said section line approximately 1.800 feet, thence go west approximately 3,650 feet, thence go north 3600 feet to a point 1,000 feet south of LA Highway 36, thence go southeast along a line 1,000 feet south of and parallel to LA Highway 36, approximately 4,900 feet, thence go north to a point approximately 1,400 feet north of LA Highway 36, thence go northwest along a line 1,400 feet north of and parallel to LA Highway 36 to the eastern section line of Section 16, Township 7 South, Range 13 East, thence go north along said section line approximately 3,100 feet, thence go west approximately 3,100 feet, thence go south to a point approximately 900 feet north of LA Highway 36, thence go northwest along a line 900 feet north of and parallel to LA Highway 36 to the western section line of Section 16, Township 7 South, Range 13 East, thence go south thence follow said section line south to a point 1,200 feet south of LA Highway 36, thence go southeast along a line 1,200 feet south of and parallel to LA Highway 36 to a point 1,000 feet west of LA Highway 434, thence go south along a line 1,000 feet west of and parallel to LA Highway 434 to the section line common to Sections 21 and 28, Township 7 South, Range 13 East, thence go west along said section line and continue west along the section line common to Sections 20 and 29, Township 7 South, Range 13 East 3,300 feet, thence go south 3,300 feet, thence go east 3,300 feet to the section line common to Sections 28 and 29, Township 7 South, Range 13 East and continue south along the section line common to Sections 32 and 33, Township 7 South, Range 13 East to a point approximately 2,000 feet north of Bayou Lacombe, thence go west to Beaver Ball Road, thence continue to a point 1,000 feet west of Beaver Ball Road, thence go southeast and southwest along a line 1,000 feet west of and parallel to Beaver Ball Road to Fish Hatchery Road and continue across Fish Hatchery Road to a point 1,000 feet west of Fish Hatchery Road, thence go south west along a line 1,000 feet west of and parallel to Fish Hatchery Road to I-12, thence go northwest along I-12 to the section line common to Sections 2 and 2, Township 8 South, Range 12 East, thence go southwest approximately 6,000 feet to the northwest corner of Section 42, Township 8 South, Range 12, East and the point of beginning.

13. West Slidell Wastewater Service Area 1

There is herewith created the West Slidell Wastewater Service Area 1 with the boundaries more fully described as follows:

Commencing at the confluence of Bayou Bonfouca and Bayou Liberty, thence follow Bayou Liberty upstream to Bayou Paquet, thence follow Bayou Paquet upstream approximately 3,000 feet to an unnamed branch to the northwest, thence follow the unnamed branch to the northwest across Bayou Paquet Road and continue upstream in a northwesterly direction approximately 3,450 feet, thence go due north to the section line common to Sections 40 and 41, Township 8 South, Range 13 East, thence go west along said section line to the southwest corner of Section 40, Township 8 South, Range 13 East, thence go northeast along the western line of said section to the section corner common to Sections 2, 3 and 40, Township 8 South, Range 13 East, thence go north along the section line common to Sections 2 and 3, Township 8 South, Range 13 East to the section corner common to Sections 34 and 35, Township 7 South, Range 13 East and Sections 2 and 3, Township 8 South, Range 13 East, thence continue north along the section line common to Sections 34 and 35, 25 and 26 and 22 and 23 of said township and range to a power line approximately 1,250 feet north of I-12, thence go southeast along said power line to North Dixie Ranch Road, thence follow North Dixie Ranch Road northwest to its intersection with an unnamed road to the east, thence follow said unnamed road east and north approximately 6,300 feet to its intersection with an unnamed road to the east, thence follow said unnamed road and its extension southeast approximately 4,800 feet to Bayou Liberty, thence follow Bayou Liberty upstream to Journey Road, thence follow Journey Road east to the property line of Slidell Airport thence follow said boundaries east, south, southwest, east, south, east and north to a point where the western boundary of Camp Villere Military Reservation departs to the east, thence go east, southeast and south along said boundary to I-12, Thence go west along I-12 to Airport Road, thence go south along Airport Road / Northshore Boulevard to US Highway 190, thence go east along US Highway 190 to Bayou Vincent, thence go downstream along Bayou Vincent to where it becomes Bayou Bonfouca, thence go downstream along Bayou Bonfouca to its intersection with Bayou Liberty and the point of beginning.

This area excludes the City of Slidell.

14. West Slidell Wastewater Service Area 2

There is herewith created the West Slidell Wastewater Service Area 2 with the boundaries more fully described as follows:

Commencing at the intersection of Airport Road and I-12, thence go east on I-12 to US Highway 11, thence go southwest on US Highway 11 to North Boulevard, thence go east on North Boulevard to the W-14 Canal, thence go downstream along said lateral to the section line common to Sections 2 and 3, Township 9 South, Range 14 East, thence go south along said section line to 650 feet to a point where the Slidell City Limits depart to the west, thence follow said city limits west and south to Indiana Avenue, thence go west on Indiana Avenue to US Highway 11, thence go north along US Highway 11 to the Southern Railroad, thence go south along said railroad approximately 1800 feet to a western spur of said railroad, thence follow said western spur northwest to the northern section line of Section 3, Township 9 South, Range 14 East, thence go west along said

section line to Bayou Vincent, thence go downstream along Bayou Vincent to US Highway 190, thence go northwest on US Highway 190 to Airport Road / Northshore Boulevard, thence go north on Airport Road / Northshore Boulevard to I-12 and the point of beginning.

This area excludes the City of Slidell.

15. West Slidell Wastewater Service Area 3

There is herewith created the West Slidell Wastewater Service Area 3 with the boundaries more fully described as follows:

Commencing at the intersection of I-12 and the eastern boundary of Camp Villere Military Reservation, thence go north along said eastern boundary approximately 7,800 feet to a point where said boundary goes northwest, thence go east approximately 1,600 feet, thence go north approximately 8,900 feet, thence go east approximately 5,600 feet, thence go south approximately 5,650 feet, thence go east to US Highway 11, thence go northeast on US Highway 11 to LA Highway 41, thence go east and southeast on LA Highway 41 to Cleo Road, thence go southwest on Cleo Road to Old Military Road, thence go southeast on Old Military Road approximately 4,150 feet to a point, thence go east to I-59, thence go south along I-59 to Brown Switch Road, thence go west on Brown Switch Road to US Highway 11 thence go southwest on US Highway 11 to I-12, thence go west on I-12 to the eastern boundary of Camp Villere Military Reservation and the point of beginning.

This area excludes the City of Slidell and the Town of Pearl River.

16. East Slidell Wastewater Service Area 1

There is herewith created the East Slidell Wastewater Service Area 1 with the boundaries more fully described as follows:

Commencing at the intersection of I-10 and I-59, thence go north on I-59 to a point approximately 710 feet north of the section line common to Sections 13 and 24, Township 8 South, Range 14 East, thence go east to the western section line of Section 18, Township 8 South, Range 15 East, thence go northeast along a line 500 feet north of and parallel to Charwood Drive approximately 3,900 feet to a point west of the intersection of Morgan River and Porter's River, thence go east approximately 1,400 feet to the intersection of Porter's River and Morgan River, thence go downstream along Morgan River to the West Pearl River, thence go downstream along the West Pearl River approximately 15,220 feet to Gum Bayou, thence go upstream along Gum Bayou to the northern section line of Section 38, Township 8 South, Range 15 East, thence go southwest along said section line to I-10, thence go west on I-10 to I-59 and to point of beginning.

17. East Slidell Wastewater Service Area 2

There is herewith created the East Slidell Wastewater Service Area 2 with the boundaries more fully described as follows:

Commencing at the intersection of I-10, I-12 and I-59, thence go southwest on I-10 to Gause Boulevard, thence go west on Gause Boulevard to the section line common to Sections 11 and 12, Township 9 South, Range 14 East, thence go south along said section line to an eastward extension of Fremaux Avenue, thence go west along the eastward extension and continue west along Fremaux Avenue to US Highway 190 (Short Cut Road), thence go southeast along US Highway 190 to US Highway 90, thence go east on US Highway 90 to the West Pearl River, thence go upstream along the West Pearl River to Gum Creek, thence go upstream along Gum Bayou to the northern section line of Section 38, Township 8 South, Range 15 East, thence go southwest along said section line to I-10, thence go west on I-10 to I-12 and I-59 and to point of beginning. This area excludes the City of Slidell.

18. East Slidell Wastewater Service Area 3

There is herewith created the East Slidell Wastewater Service Area 3 with the boundaries more fully described as follows:

Commencing at the mouth of the Fascine Canal and the north shore of Lake Pontchartrain, thence follow said shore southeast to a point approximately 1,800 feet east of US Highway 90, thence go northeast along a line 1,800 feet east of and parallel to US Highway 90 approximately 27,750 feet to the West Pearl River, thence go upstream along the West Pearl River to US Highway 90, thence go west on US Highway 90 to US Highway 190, thence go northwest on US Highway 190, crossing I-10 to the city limits of Slidell, thence follow said city limits in a southerly and westerly direction to the Southern Railroad, thence follow the Southern Railroad northerly to a point where the city limits of Slidell departs to the west, thence go west approximately 2,600 feet, thence go southwest along a line 2,600 feet west of and parallel to the Southern Railroad to the section line common to Sections 29 and 44, Township 8 South, Range 14 East, thence go west to the shore of Lake Pontchartrain, thence go southeast along the shore of Lake Pontchartrain to the mouth of the Fascine Canal and the point of beginning.

This area excludes the City of Slidell.

(Ord. 04-0969, adopted 09/02/2004)

SEC. 23-930.03 Administration

The Parish Government shall administer all aspects of this ordinance, as stated in Section A, under Purpose, through the Department of Environmental Services, pursuant to R.S. 33:4064.1 and Section 23-101.00 of the St. Tammany Parish Code of Ordinances, which state(s), in part, that the St. Tammany Parish Government, through its Department of Environmental Services (DES) shall be responsible for the protection

of public health and the environment through the control, monitoring, and inspection of public and private sewerage and water systems and the provision and/or supervision of environmental services, all in the unincorporated portion of the Parish of St. Tammany. (Ord. 04-0969, adopted 09/02/2004)

SEC. 23-930.04 Amending Clause

If any of the boundary descriptions included in the above sections prove to be in error or inapplicable then these sections shall remain valid and said description(s) amended to reflect the correct boundaries and intent of this ordinance.

(Ord. 04-0969, adopted 09/02/2004)

SEC. 23-931.00 Wastewater Standards Prior to Entering Collection Systems of Parish

Pursuant to LA R.S. 33:4064.4(C), the St. Tammany Parish Department of Environmental Services "shall be authorized to adopt rules and regulations relative to the impact upon, and the construction, modification, perpetuation, sustenance, operation, maintenance, connection and inspection of sewerage and water systems and the provision and/or supervision of environmental services, all within the unincorporated portion of St. Tammany Parish..."

Wastewater generated from the industrial and light industrial customers shall not exceed the following standards prior to said wastewater entering the wastewater collection systems owned and operated by St. Tammany Parish:

Parameter	Limit
BOD5	348 mg/L
COD	1,133 mg/L
Oil & Grease	128 mg/L
TSS	368 mg/L

pH not less than 5.8 S.U. and not more than 9.6 S.U.

Failure by any customer to provide this quality wastewater prior to treatment by St. Tammany Parish shall result in termination of wastewater treatment services and/or water service at the sole discretion of St. Tammany Parish.

(Ord. 06-1302, adopted 05/04/2006)

ARTICLE X SEWAGE FROM SEPTIC AND SLUDGE

SEC. 23-950.00 Purpose

The purpose of this Article is to establish procedures and standards by which the public health and safety and the environment is protected by insuring that safe, sustainable and proper techniques are employed to better survey, monitor, collect, convey, treat and dispose of sewage from Septage and Sludge in St. Tammany Parish, Louisiana; and

Build upon the existing St. Tammany Parish Health and Sanitation (Chapter 11, Article IV) and Sewers and Sewage Disposal (Chapter Twenty One) Ordinances; and

Assure that all individuals are both informed and responsible for their actions regarding wastewater from Septage and/or Sludge that may affect the public health and the environment in the community now and in the future; and

Augment, supplement and support existing State of Louisiana laws pertaining to wastewater from Septage and/or Sludge; and

To impose penalties and fines concerning illegal collection, conveyance, treatment and/or disposal of wastewater from Septage and/or Sludge.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.01 Authority

Authorizing and providing for the surveying, monitoring, collection, conveyance, treatment and disposal of St. Tammany Parish wastewater from Septage and/or Sludge; establishing standards and requirements for Septage and/or Sludge wastewater management operations within the unincorporated areas of St. Tammany Parish; requiring licenses and/or permits for surveying, monitoring, collection, conveyance, treatment and disposal of wastewater from Septage and/or Sludge embodying and supplementing the minimum standards and requirements established by the rules of the Louisiana Department of Environmental Quality as promulgated under Title 30, Part IX, et seq., of the Environmental Regulatory Code and the Code of Ordinances, Chapter 11, Article IV and Chapter Twenty One, et seq., of St. Tammany Parish, Louisiana and providing for enforcement of said requirements; the imposing penalties for failure to comply with these provisions; and promoting the health, safety and welfare of the public.

This Article is adopted by the St. Tammany Parish Council and rescinds all previous ordinances of the Parish of St. Tammany, which regulate wastewater from Septage and/or Sludge and are inconsistent herewith.

This Article is mindful of the State of Louisiana Environmental Quality Act (LSA-R.S. 30:2001, et seq.), which established the enforcement, authority and procedures for carrying on the purposes of the Act.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.02 Definitions

Any and all definitions contained herein are comparable to those found in Title 33 of the Environmental Regulatory Code, Part XII, Subpart 1, Chapter 1, Section 115.

(Ord. 06-1322, adopted 06/01/2006)

When used in this Article the following terms shall have the meanings defined as follows:

Acceptable Waste means waste, which is acceptable at the designated facility. Acceptable waste shall include garbage, refuse, and municipal solid waste from residential, commercial, industrial and community activities which is generated and collected in aggregate, and which is not otherwise defined herein as unacceptable waste. No amount of hazardous waste or infectious waste that is regulated by law is acceptable at the designated facility.

Acceptable waste shall also include acceptable household quantities and acceptable non-household waste, as defined herein. All household waste is acceptable waste unless it is otherwise regulated or prohibited by law.

Acceptable Household Quantities means waste which is otherwise unacceptable waste, but which is contained in garbage, refuse, and municipal solid waste from normal household activities. For the purpose of this definition, "household" includes any residential dwelling unit or place of transient residence.

Acceptable Non-Household Waste means waste which is otherwise unacceptable waste, but which is contained in garbage, refuse, and municipal solid waste generated from commercial, industrial, or community activities, where the quantity of such unacceptable waste contained in any load delivered to the designated facility does not constitute a significant portion of such load. No amount of hazardous waste that is regulated by law is acceptable waste.

Agency refers to the Environmental Protection Agency, its agent, or representative. In the case of Louisiana, that means Region VI.

Air Contaminant means the presence in the outdoor atmosphere of any dust, fume, mist, smoke, vapor, gas or other gaseous fluid, or particular substance, differing in composition from or exceeding in concentration, the natural components of the atmosphere, such as, but not limited to the resulting ambient conditions created by the unlawful burning of solid waste.

Air Pollution means the presence in the outdoor atmosphere of any air contaminant or combination thereof in such quantity, of such nature and duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

Applicable Law means the pertinent and appropriate provisions of the State Sanitary Code, other applicable parish ordinances, or state and local regulations, which pertain to sewerage and water systems located, or to be located within the Parish.

Applicant means an owner, or agent of the owner, of any land negotiating for sewer service.

Ash means the incombustible material that remains after a fuel or solid waste is incinerated.

Backyard Compost Site means a site used to compost food scraps, garden wastes, weeds, lawn cuttings, leaves, and prunings from a single family or household, apartment building, or single commercial office, a member of which is the owner, occupant, or lessee of the property.

Biochemical Oxygen Demand (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty (20) degrees Centigrade, expressed in milligrams per liter (mg/l).

Biohazardous Waste means wastes from a biological source that may be hazardous to living organisms. Wastes can be physical, biological or chemical in nature.

Brush Disposal Facility means a site used exclusively for disposal of trees and tree parts including stumps, branches, and their attached leaves.

Camp means any structure, floating or foundation-secured, used temporarily or occasionally as a dwelling; not used as a residence.

Canister System means a facility where solid waste is deposited in mechanically serviced containers as an intermediate step of congregating solid waste from several properties for periodic removal of the accumulated waste by commercial hauler. Similar to a "transfer station" (see below).

Chemical Oxygen Demand (COD) means the quantity of oxygen utilized in the chemical oxidation of the chemically oxidizable carbonaceous contents found within the wastewater sample, expressed in milligrams per liter (mg/l).

Cease and Desist Order means an administrative order directing a user to immediately halt illegal or unauthorized discharges.

Clean Water Act means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251 et seq.

Closure means actions to prevent or minimize the threat to public health and the environment posed by a facility that no longer accepts the solid waste for which it operated or was permitted, including the removal of contaminated equipment, the

removal of liners, grading, applying final cover, seeding of final cover, installation of monitoring devices, construction of ground and surface water diversion structures, and gas control systems as necessary.

Co-compost means the controlled biological decomposition and management of selected organic solid waste that is mixed with a nutrient source, most commonly sewage sludge, which results in an innocuous, stable, humus product which can be used as a soil conditioner.

Co-disposal means the disposal of nonhazardous industrial wastes together with mixed municipal solid waste at a waste facility.

Collection means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility. Collection may include either manual or automated systems.

Commercial Hauler means any person who owns, operates, or leases vehicles for the purpose of contracting to collect or transport solid waste or source-separated materials from residential, commercial or industrial property.

Community Sewerage System means any sanitary sewerage system, also known as a sanitary sewage treatment works, which is owned, operated, and/or maintained by a political entity or private person. A community sewerage system serves multiple connections and includes any individual, public, profit, nonprofit, or not-for-profit sewerage system whose effluent discharge is subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any Rules and Regulations effective or promulgated under the authority of the Act.

Compliance Order means an administrative order directing a noncompliant user to achieve or to restore compliance by a date specified in the order.

Compost means solid waste which has undergone biological decomposition of organic matter and has been stabilized using composting or similar technologies, to a degree that is beneficial to plant growth and that is used, or sold for use, as a soil amendment, artificial topsoil, growing-medium amendment, or other similar uses.

Compost Facility means a site used to compost solid waste including all structures used to control drainage, collect and treat leachate, storage areas for the incoming waste, and the final product. A composting facility may include various types of compost operations, including but not limited to windrow, in-vessel or static pile facilities.

Composting means the controlled microbic degradation of organic waste to yield a humus-like product. Generally, the compost itself is a solid waste which has undergone biological decomposition of organic matter and has been stabilized using composting or similar technologies, to a degree that is beneficial to plant growth and that is used, or

sold for use, as a soil amendment, artificial topsoil, growing-medium amendment, or other similar uses.

Construction Debris means waste, building materials, packaging and rubble resulting from construction, remodeling, repair and demolition of buildings and roads.

Containment means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment.

Corrosive Waste means any character of waste, whether liquid, gaseous or solid, which can cause actual physical damage or destruction to any public storm drain or sanitary sewer or which prevents or materially retards treatment of sewage in the sewage treatment plant.

Cover means approved material that is used to cover compacted solid waste in a land disposal site. Important general characteristics of good cover material are low permeability, uniform texture, cohesiveness and compatibility.

Curing Area means an area where organic material that has undergone the rapid initial stage of composting is further stabilized into a humus-like material.

Demolition Landfill means an area of land used for the disposal of demolition waste.

Demolition Waste means non-putrescible solid waste from the construction, remodeling, repair or demolition of structures including buildings and paved roads. It includes waste building materials, packaging and rubble such as concrete, brick, bituminous concrete, wood, masonry, glass, trees, structural metals, insulation, roofing material, and plastic building parts. It may also include other waste materials accepted by the Department. It does not include uncontaminated earth or rock, hazardous materials, asbestos, industrial waste, or appliances.

Department means the St. Tammany Parish Department of Environmental Services, its employees and/or its agents.

DEQ means the Louisiana Department of Environmental Quality, as created by R.S. 30:2001 et seq.

Developed Property means any parcel of land that has been, or is about to be, improved to the extent that municipal water and sewer service are necessary prior to its utilization.

Developer means an owner, or agent of the owner, in the process of the commercial utilization of any land, including subdivisions, who shall have the legal right to negotiate for municipal water and sewer service.

Development means a parcel of land, including subdivisions, being commercially improved to the extent that municipal water and sewer service are necessary prior to its utilization.

DHH means the Louisiana Department of Health and Hospitals, Office of Public Health.

Direct Discharge means any discharge of effluent from the building site where it originated other than into an approved collection system.

Disposal or Dispose means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including ground water.

Disposal Facility means a waste facility permitted by the Louisiana Department of Environmental Quality (DEQ) that is designed or operated for the purpose of disposing of waste in or on the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

Domestic Waste means liquid wastes and waterborne liquid, gaseous and solid substances: (1) discharged from nonindustrial sources, (2) containing human excrement and similar matter from sanitary conveniences, including but not limited to, toilets, sinks, dishwashers, lavatories and bathtubs. The strength of normal domestic sewerage is: (1) BOD of two hundred (200) mg/l or less, (2) TSS of two hundred fifty (250) mg/l or less, and (3) COD of five hundred (500) mg/l or less.

DOTD means the Louisiana Department of Transportation and Development, Office of Public Works.

Dumping means the illegal placement of any solid waste anywhere other than an approved facility or container.

Dwelling means a residential building or portion thereof intended for human occupancy but not including hotels, motels, boarding or rooming houses.

Effluent means treated or untreated wastewater.

Effluent Limitation means a restriction or limitation on discharges of pollutants established by EPA under the Clean Water Act, as amended, and/or any other state regulation or local ordinance.

EPA means the United States Environmental Protection Agency.

Facility means the actual land and associated appurtenances used for storage, processing, and/or disposal of solid wastes, but possibly consisting of one or more units. (Any earthen ditches leading to or from a unit of a facility and that receives solid

waste are considered part of the facility to which they connect, except for ditches lined with materials capable of preventing groundwater contamination. The term facility does not necessarily mean an entire industrial manufacturing plant.)

Floodplain means the areas adjoining a watercourse or water basin that has been or hereafter may be covered by a regional floodplain.

Flood Prone means any area that is regularly subject to flooding, as determined by the United States Geological Survey or the Army Corps of Engineers.

Financial Assurance means monetary mechanisms, which are used to assure proper closure, post closure care, and contingency action at a site or facility.

Food Service Operation (FSO) means any establishment engaged in the manufacturing, preparation, or distribution of food, whether or not it is the establishment's primary business, including, but not limited to bars, cafes, cafeterias, caterers, delis, grocery stores, hospitals, hotels, institutions providing food service, restaurants, schools, seafood or meat markets, or any other wholesale or retail food outlet or food services establishment regulated by the State Sanitary Code and required by the Parish to have a grease control device. FSOs that share a common grease control device shall be considered to be individual establishments and shall be required to obtain individual discharge permits. An establishment that is classified as an FSO must comply with all applicable regulations regardless of whether or not it owns, rents, or leases the property or premises on which food preparation occurs. The designation of an establishment as a significant industrial user as defined in section 27-143 supersedes the classification of food service operation.

Grease Control Device means a device for separating and retaining waterborne fats, oil or grease prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. These devices also serve to collect settleable solids, generated by and from food preparation activities. Grease control devices include equipment such as grease traps, grease interceptors, grease removal devices used with interceptors or other equipment approved by the director of code enforcement, the sole purpose of which is to retain, remove, or destroy fats, oil or grease and settleable solids prior to discharge to the sewerage system.

Grease Removal Device (GRD) means a plumbing appliance, which is installed in the sanitary sewerage system in order to intercept free-floating fats, oils, and grease from wastewater discharges. Such equipment has the ability to remove the entire range of commonly available free-floating fats, oils, and grease automatically without intervention from the user except for maintenance. The removed material is essentially water-free which allows recycling of the removed product.

Grease Trap means a watertight receptacle utilized by commercial or industrial generators of liquid waste to intercept, collect, and restrict the passage of fats, oils, or greases of animal or vegetable origin, into both public and private sanitary sewers.

Governed Sewerage System means every sewerage system in the Parish whose discharge of sanitary sewage wastewater is subject to the provisions of the Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under the authority of said Act and, when applicable, said sewerage system shall include, but not limited to, any such system owned, operated, or maintained by a private utility company or a sewerage district created by the governing authority of St. Tammany Parish.

Governed Water System means every water system in the Parish that is comprised of a source of groundwater, treatment, if necessary, storage, distribution, and/or the appurtenances and related facilities that make it available for use. When applicable, a governed water system shall include, but not limited to, any such system owned, operated, or maintained by a private person or political entity that uses groundwater for any beneficial purpose.

Hauler means any person, partnership, company, or corporation engaged in the cleaning, pumping or otherwise servicing individual on-site treatment systems which accumulates septage or sludge, and/or handling, transport, and disposal of septage or sludge.

Holding Tank means any tank used for temporary storage and onsite containment of sanitary wastewater.

Incompatible Pollutant means any pollutant that is not amenable or compatible with normal municipal waste treatment practices at a given concentration or amount.

Individual Mechanical Plant means any individual sewage system that employs aerobic bacterial action that is maintained by mechanical aeration.

Individual On-Site Sewage Disposal System means any or all of the various components, including piping and pumping and treatment facilities, comprising a system designed for the collection and/or treatment and/or disposal of sanitary sewage. An on-site sewage disposal system may be owned, operated, and/or maintained by a political entity or private person.

Individual Sewage System means any system of piping (excluding building plumbing), treatment device or other facility that conveys, stores, treats, or disposes of sewage on the property where it originates, and which utilizes the individual sewage system technology as prescribed in Section 11-072.00, "Permits."

Industrial User means any entity/person who discharges or causes or permits to be discharged, any pollutants into a sewage system from any non-domestic source.

Industrial Waste means liquid waste and waterborne liquid, gaseous and solid substances discharged from any industrial, manufacturing, trade or commercial process, as distinct from domestic wastes.

Industry means any individual, partnership or corporation engaged in the manufacture, packaging, processing or handling of any item of commerce for resale purposes within the parish, or any such establishment outside the limits of the parish, whose discharges flow into the parish. Hotels, motels, schools, office buildings, apartment houses, and other establishments that discharge only domestic wastes are not considered to be industries.

Infiltration means the water unintentionally entering the public sewer system, including water from sanitary building drains and laterals, from the ground through such means as, but not limited to, defective pipes, pipe joints, connections or manhole walls. Infiltration does not include, and is distinguished from, Inflow.

Inflow means the water discharged into a sanitary sewer system, including building drains and sewer laterals, from such sources as, but not limited to, roof leader, cellar, yard, and area drains, foundation drains, unpolluted cooling water discharges, drains from springs and swampy areas, manhole covers, cross-connections from storm sewers or combined sewers, catch basins, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include, and is distinguished from, Infiltration.

Influent means water, wastewater, or other liquid flowing into a tank, basin, treatment process, or treatment facility.

Interference means a discharge which, alone or in conjunction with a discharge or dischargers from other sources, both: (a) Inhibits or disrupts the sewage system, its treatment processes or operations or its sludge processes, use, or disposal; and (b) Therefore is a cause of a violation of a requirement of the sewage system's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued herein (or more stringent State): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including state regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

Louisiana Pollutant Discharge Elimination System (LPDES) means the state program for issuing, conditioning, and/or denying permits for the discharge of pollutants into the waters of the state pursuant to the Louisiana Environmental Quality Act (L.R.S. 30:1051 et seq., as amended).

Louisiana Water Discharge Permit System (LWDPS) means the state program for issuing, conditioning, and/or denying permits for the discharge of pollutants into the waters of the state pursuant to the Louisiana Environmental Quality Act (L.R.S. 30:1051 et seq., as amended).

Louisiana Water Well Rules, Regulations, and Standards means the provisions of the Rules, Regulations, and Standards for Water Well Construction adopted by the DOTD in accordance with Title 38 of the Louisiana Revised Statutes of 1950.

Marine Sanitation Device (MSD) means any device designed for the handling, storage and/or disposal of domestic waste (sewage) generated aboard a vessel or camp.

Medical Waste means isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

Mobile Waste Hauler means any person who collects waste from residences, public buildings, commercial and business establishments, industries and any other sources; who transports the mentioned waste by road or rail; who discharges, is permitted to discharge, or intends to discharge to the St. Tammany Parish Sanitary Sewerage System.

National Pollutant Discharge Elimination System (NPDES) means the federal program for issuing, conditioning and/or denying permits for the discharge of pollutants from point sources pursuant to section 402 of the Clean Water Act.

New Source means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that: (i) The building, structure, facility or installation is constructed at a site at which no other source is located; or (ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (iii) The production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

Non-chemically Treated Cooling Water means any water used for the process of cooling machinery, equipment or devices of any kind, and which has not been chemically altered by or for that process such as but not limited to, the addition of algicides, fungicides and/or corrosion inhibitors.

Non-community-type Sewerage System means any sewerage system, the installation of which requires the issuance by the Parish Health Unit of an Application for Permit to Install Individual Sewerage System (Department of Health and Hospitals Form LHS-47), and whose discharge of sanitary sewage wastewater is not subject to the provisions of

the Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under the authority of said Act.

Owner or Owners means any person or persons who alone or jointly or severally with others has: 1) Legal title to any premises, facilities or equipment affected by this Section; and/or 2) Actual physical control of any premises, facilities or equipment affected by this Section pursuant to an agreement, expressed or implied from the circumstances, with the owner or owners.

Operator or Operators means any person who alone or jointly or severally with others conducts, directs, manages, or supervises the operation and/or maintenance of any premises, facilities, or equipment affected by these Rules and Regulations.

Parish means the unincorporated portion of St. Tammany Parish.

Permit means a written document issued by the State Health Officer, which authorizes the installation, construction and operation of an individual mechanical plant, individual sewage system or marine sanitation device or a modification of the existing system, which affects the performance of the system.

Permittee means a person issued a permit under this article, including any agent, servant, or employee of the permittee.

Person means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state or local governmental entities.

pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Political Entity means any agency, board, commission, department or political subdivision of the State of Louisiana, or of the governing authority of the Parish of St. Tammany, or any agent thereof

Premises mean any structure or dwelling of any construction whatsoever in which a person may live, work or congregate.

Pretreatment means application of physical, chemical and/or biological processes to reduce the amount of pollutants in, or to alter the nature of, the pollutant properties in a wastewater so as to render that wastewater amenable to normal domestic waste treatment practices prior to discharging such wastewater into the sanitary sewerage system.

Pretreatment Standards means all applicable federal rules and regulations implementing section 307 of the Clean Water Act as well as any non-conflicting state or

parish standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

Private Person means any individual, group of individuals, firm, corporation, association, partnership, private entity or other legal entity, or any agent thereof.

Private Sewage Disposal System means any privately owned or operated devices, facilities, structures, equipment or works used for the purpose of transmission, storage, treatment, recycling, and reclamation of industrial and domestic waste.

Private Sewer means a sewer privately owned and not directly controlled by the parish.

Public Sewer means a sewer in which all owners of abutting properties have equal rights, and is controlled by the parish.

Pump Station or Lift Station means a structure housing pumps and their appurtenances which conveys wastewater to either a privately owned or publicly owned sanitary sewer or treatment works.

Receiving Stream means any bayou, canal, stream, river, pond, lake or estuary into which a liquid waste ultimately flows, irrespective of intervening treatment or conveyance processes.

Residence means any structure occupied customarily or most of the time as a dwelling, a place of primary residence.

Responsible Person means the operator or operators of an on-site sewage disposal system, the owners or owners of an on-site sewage disposal system, the owner or owners of the property on which an on-site sewage disposal system is located, or any or all of them.

Sanitary Sewage means human, domestic, or acceptable industrial waste, except refuse, including liquid from residences, businesses, buildings, industrial establishments or other places, together with such ground water, surface water, storm water, and other wastes as may be present.

Sanitary Sewerage System means any devices, facilities, structures, equipment or works owned or used by the parish for the purpose of transmission, storage and treatment of sanitary sewage and any other compatible industrial and domestic waste, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof.

Sanitary Sewer means any sewer designed to carry sanitary sewage or compatible industrial wastes or a combination of both, and to which storm, surface and groundwater are not intentionally admitted.

Secondary Treatment Standard means a sewage affluent water quality standard which prescribes a maximum thirty-day average concentration of biological oxygen demand (five-day) of thirty milligrams per liter (30 mg/l), a maximum seven-day average concentration of biological oxygen demand (five-day) of forty-five milligrams per liter (45 mg/l), and a maximum daily average concentration of biological oxygen demand (five-day) of sixty milligrams per liter (60 mg/l). The daily average concentration shall be based on at least three (3) affluent portions collected at time intervals no shorter than one (1) hour each and combined in a flow-weighted composite. The thirty (30) day average, seven-day average, and the daily average are the arithmetic means of the values for all effluent samples collected in each period.

Septage shall mean a mixture of sludge, fatty materials, and wastewater removed during the pumping out of a septic tank or similar device.

Septic Tank means any water tight tank designed and constructed to: (1) receive sanitary wastewater; (2) separate solids from wastewater; (3) store the separated solids; (4) provide limited biological degradation; and (5) allow the clarified liquid to be discharged for further treatment and disposal.

Septic Tank Waste means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service Vehicle means any vehicle used by a hauler in the process of cleaning, pumping or otherwise servicing individual on-site treatment systems which accumulates septage or sludge, and/or handling, transport, and disposal of septage or sludge.

Sewage means human or domestic waste, except household consumer refuse, including conveying liquid from residences, buildings, industrial establishments, or other places, together with such groundwater, surface water, storm water, and other wastes as may be present.

Sewage sludge means sludge resulting from treatment of waste water from publicly or privately owned or operated sewage treatment plants

Sewage System means any or all of the various components, including piping, plumbing, pumping and treatment facilities comprising a system designed for the collection and/or treatment and/or disposal of sewage.

Sewer means any pipe or other conduit outside a building for conveying sewage.

Sewerage System means any or all of the various components, including piping and pumping and treatment facilities, comprising a system designed for the collection and/or treatment and/or disposal of sanitary sewage. A sewerage system may be owned, operated, and/or maintained by a political entity or private person.

Shall is mandatory; may is permissive or discretionary.

Significant Commercial User means any nonresidential user of the Parish sewerage and water system which has:

A A discharge flow of ten thousand (10,000) gallons or more per day during any day of any calendar year; or

B A dis

SEC. 23-950.03 Effective Date

All rules and regulations contained herein shall be in full force and effect on June 1, 2006. However, the effective date of these rules and regulations as they apply to existing owners of Septage and Sludge producing systems shall be October 1, 2006. Furthermore, the effective date of these rules and regulations as they apply to those persons hauling and/or treating Septage and Sludge and treating wastewater from Septage and/or Sludge shall be October 1, 2006. This period of time will be necessary for said owners, haulers and operators to review and come into compliance herewith. (Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.04 Severability

If any provision of this Ordinance shall be held to be invalid, such invalidity shall not effect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.05 General Septage/Sludge Use Requirements

Applicability of Rules and Regulations: Whenever relevant and appropriate, the provisions of the Rules and Regulations contained in this Ordinance shall apply to any individual, private, public, profit, non-profit, or not-for-profit Septage and/or Sludge generating system or treatment facility located in the Parish.

(Ord. 06-1322, adopted 06/01/2006)

Applicable Operating Requirements: Every Septage and/or Sludge producing system located within the Parish shall be operated in accordance or compliance with applicable law, which shall include, but not be limited to, all applicable ordinances of the Parish, and the rules and regulations of any state or local agency having jurisdiction over Septage and/or Sludge producing systems in the Parish.

Nothing in these rules and regulations shall be construed to preclude or stay the responsibility of any person from complying with the lawful requirements of any other federal, state, or local agency having jurisdiction over the surveying, construction,

operation and monitoring of Septage and/or Sludge producing systems or treatment facilities.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.06 Violations and Penalties

Violations and Penalties:

A Except as otherwise provided in this Section, the violation of any provisions of this Ordinance, shall be punishable by a fine of not less than \$100.00 nor more than \$500.00, provided that each day a violation exists shall constitute a separate offense with violations for the second day and each following day punishable by an additional fine of not less than \$10.00 and not more than \$200.00.

B Violation of any of the provisions of this Ordinance may result in the revocation of the license and/or authority to operate any Septage and/or Sludge system, or treatment facility or any Sludge and/or Septage hauler. Applicants for licensing or authority to own and/or operate a Septage/Sludge system, treatment facility or Septage/Sludge hauling operation who have had a similar license or authority revoked under this Section shall not be considered for a period of ninety (90) days from the date of such revocation. Any person who has had a license and/or authority revoked under this Section on two or more occasions shall be ineligible for a license and/or authority to operate a Septage/Sludge Treatment Facility or a Septage/Sludge hauling operation for a period of two (2) years from the date of the last such revocation.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.07 General Standards for Septage/Sludge

Specific Guidelines for Individual On-Site Sewage Treatment Systems and Port-a-Lets:

A. Permitted On-Site Treatment Systems ("OTS") shall be serviced a minimum of every three (3) years.

1. Such servicing records must be kept by the owner and/or operator of the OTS. It must be provided upon request by the Department. Such records shall be kept for a period of not less than five (5) years.

2. OTS owners and/or operators will be subject to fines and penalties as set forth in this Ordinance, including, but not limited to, Section 6.3 above.

3. The Department or its designee may inspect any and all OTS subject to informing the owners and/or operators of their intent to do so with written notice to said owners and/or operators not fewer than fifteen (15) days prior to such inspection This section is meant

to mirror and augment the powers established by St. Tammany Parish Code of Ordinances Section 23-301.00(A).

B. An owner or operator of a OTS shall be required to insure that the wastewater or other discharge from said system shall meet the applicable discharge requirements as set for by the LDEQ.

C. Chemical Toilet/Port-o-Potty. Owners and operators of port-a-lets shall be required to properly dispose of any and all extracted waste therefrom in accordance with the provisions of this Ordinance.

D. Any and all Septage or Sludge from OTS and/or port-a-lets within the Parish shall be disposed of at a Septage Treatment Facility duly approved and recognized by the Department and properly permitted by the LDEQ or other appropriate governmental regulatory agency for the acceptance and treatment of Septage and Sludge.

(Ord. 06-1322, adopted 06/01/2006)

Specific Guidelines for Commercial and/or Community Sewage Treatment Systems:

A. Any and all facilities creating or accumulating Sludge within the Parish shall pump the Sludge from said facilities on a regular schedule so as to remain compliant with any and all state and federal regulations pertaining to accumulated biosolids.

1. The records of such pumping must be kept by the owner and/or operator of the sludge producing and/or accumulating facility and must be provided upon request by the Department. Such records shall be kept for a minimum of five (5) years.

2. Sludge producers and/or accumulators will be subject to the fines and penalties as set forth in this Ordinance, including, but not limited to, those set forth in Section 6.3 above.

3. The Department may inspect any and all Sludge producing facilities or such facilities as accumulate Sludge at any reasonable time as set forth in St. Tammany Parish Code of Ordinances, Section 23-301.00(A).

B. Sludge producers and/or accumulators shall meet the discharge requirements of the LDEQ for such facilities and those standards as may be set forth by the Department from time to time.

C. Any and all Sludge produced or accumulated within the Parish shall be disposed of at a Septage/Sludge Treatment Facility duly approved and recognized by the Department and properly permitted by the LDEQ, EPA, or other appropriate governmental regulatory agency for the acceptance and treatment of Sludge.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.08 Development Standards

The Septage and Sludge Treatment Facility within the Parish shall comply with all of the provisions of the Louisiana Department of Health and Hospitals, hereinafter referred to as DHH or its successor agency, the Sanitary Code of the State of Louisiana and the Department of Environmental Quality, hereinafter referred to as "LDEQ" or its successor agency, and the Water Quality Control Standards of the State of Louisiana. (Ordinance No. 86-630 adopted 6-19-86.)

A. Plans and Specifications: The proposed owner/developer of a Septage/Sludge Treatment Facility shall be required to submit to the St. Tammany Department of Environmental Services (DES) a complete set of plans and specifications along with the completed "Design Summary Package", as required by DHH, detailing the type of Septage/Sludge Treatment Facility to be installed. Such plans and specifications shall be certified by a registered professional engineer of the State of Louisiana and submitted in triplicate. Upon review and approval of the plans and specifications by the DES, the plans and specifications will be forwarded to the DHH for their approval.

B. Construction Time Limitations: The owner/developer must comply with the time limitations as provided by DHH with respect to their approval, and those of LDEQ concerning the discharge permit.

C. Operation and Maintenance: The owner/developer shall be responsible for the operation and maintenance at his, her or their expense, of the Septage/Sludge Treatment Facility and further compliance with all requirements of this Ordinance and with federal and state laws and regulations. This may include hiring of a certified operator, or a consultant that provides such a service, and adhering to the instructions and limits as laid out in the LDEQ discharge permit. Initial start-up of operations at newly constructed facilities shall not commence until the DES has been provided with as-built drawings certified by a licensed engineer and a copy of the final DEQ discharge permit.

D. Management of Facilities and Transfer of Ownership: The owner/developer of a Septage/Sludge Treatment Facility may transfer the ownership rights to another party if so desired. However, in any case, the owner/developer shall establish and submit to the director of the Department, a "Management Declaration" which shall establish the responsibility of the owner/developer or the transferee for the operation and maintenance and funding requirements for the Septage/Sludge Treatment Facility. The owner/developer must satisfy the concerns of the Parish and of DHH that said transferee is valid, solvent and capable of meeting all applicable rules and regulations.

E. Posting of Bonds/Letters of Credit Required: Once the Septage/Sludge Treatment Facility has been installed, the developer and/or owner shall contact the Department. An onsite inspection to insure that the facility has been installed, and is operable, will be

initiated. If upon inspection, the Department determines that such facility is not found to be built according to the plans and specifications, the owner/developer shall be required to make the appropriate corrections at its expense and shall not be allowed to continue any further commercial activities related to the facility until said corrections have been made and certified as being correct by the Department. Subsequently, the director of the Department or the Parish Engineer shall establish a warranty obligation in the form of a Warranty Bond/Letter of Credit for a period of not less than one (1) year in order to insure the adequate operation and maintenance of the facility. The director shall submit his bond recommendation for approval to the Parish Council.

All Warranty Bonds/Letters of Credit shall be obtained by the owner/developer from an accredited financial institution recognized in good standing by the Parish. The release of Warranty Bonds/Letters of Credit shall follow established Parish procedure.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.09 Inspection of Septage/Sludge Treatment Facilities

An inspection of a Septage/Sludge Treatment Facility conducted pursuant to the provisions of this Section is for the use and benefit of the Department and shall not be considered as an affirmation that the operation of the inspected Septage/Sludge Treatment Facility is in accordance and in compliance with applicable law.

Frequency and Manner of Inspection

A. The Department shall be authorized to inspect every governed Septage/Sludge Treatment Facility in the Parish.

B. In conducting an inspection of a governed Septage/Sludge Treatment Facility, the Department shall conform to the relevant and appropriate practices and procedures of the LDEQ and the DHH as such practices and procedures relate respectively to the inspection of said Septage/Sludge Treatment Facilities.

C. The Department may provide for any immediate inspection of any Septage/Sludge Treatment Facility as follows:

1. Upon the voluntary request of the responsible person for the facility to be inspected;
or

2. At any reasonable time the Department determines in its sole discretion any inspection is necessary or required.

Report of Deficient Condition: Whenever an inspection of a Septage/Sludge Treatment Facility discloses that the facility is not being operated in accordance or compliance with applicable law, the Department shall cause to be served upon the responsible party, a written notice of the condition, and such notice shall direct the responsible person to

perform at his/her/its expense all work necessary to assure that the operation of the facility is in accordance and compliance with applicable law, and give the responsible person an opportunity within a reasonable period of time to remedy the deficient condition but in no event less than the time provided by LDEQ for the completion of such remedial work and to otherwise conform with applicable law.

Remedial Action: Upon the expiration of the time prescribed in the written notice issued pursuant to Section 9.2 above, a reinspection of the Septage/Sludge Treatment Facility shall be conducted to determine if the deficient condition noted during the original inspection has been remedied. If the deficient condition still exists, the Department may perform all necessary work to remedy the deficient condition and assess the responsible person with the reasonable costs of such work. Should the responsible person fail to pay such costs, the Department shall file an affidavit of lien on the property or facility specifically identifying the property or facility affected, and the amount of any and all costs, fees and delinquent payment charges to date of filing and that may be accruing. Any lien which is filed against real property and not paid timely shall be added to the annual ad valorem tax bill of the owner or owners of such property.

Monitoring of Governed Septage/Sludge Treatment Facilities: Every governed Septage/Sludge Treatment Facility shall make available to the Department for its review, upon the Department's request, all monitoring data required to be furnished to the LDEQ as set forth in the discharge permit issued by the LDEQ for the Treatment Facility in question. Such monitoring data shall be reported on a Discharge Monitoring Report "DMR", form (EPA No. 3320-1 or any approved substitute). For inspection purposes, copies of all such monitoring reports shall be kept on site at, or in reasonable proximity to the permitted treatment facility for a period of not less than three (3) years from the date of the sample, measurement, report or application.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.10 Inspection of Individual On-Site Sewage Treatment Systems

The inspection of individual on-site sewage treatment systems will be conducted in accordance with the procedures set forth in St. Tammany Parish Ordinance No. 2445, Ordinance Calendar Series No. 02-0538.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.11 Service Vehicles

License Required: No person shall engage in the business of cleaning, pumping or otherwise servicing OTS or any other facility or apparatus which accumulates septage or sludge without first obtaining a license from the Parish or its designee for each service vehicle to be used in such business. A license shall be issued on or after the service vehicle has been inspected and certified as satisfactory by the Parish health unit or the designee of the Parish.

No license for the cleaning, pumping or otherwise servicing any OTS, or any other facility or apparatus which accumulates septage or sludge or any other liquid or dewatered waste shall be granted by the Parish until the applicant furnishes to the Parish a certificate of registration evidencing that the applicant is a registered user of a Parish designated , LDEQ or other appropriate governmental regulatory agency permitted Septage/Sludge Treatment Facility.

Granting of the license shall be evidenced by a sticker furnished by the Parish or its designee which shall be placed on the lower right side of each service vehicle s windshield. The fee for the license shall be \$50.00 per annum per service vehicle. The license may be revoked or suspended if the person ceases to meet requirements for the license or violates any provisions of this Section.

Insurance Required: No license for the cleaning, pumping or otherwise servicing of septage, sludge or any other liquid or dewatered waste shall be granted by the Parish or its designee until the applicant furnishes to the appropriate party a certificate of insurance evidencing that the applicant has in force contractor s public liability insurance covering the hauling and disposal of such waste by the applicant, covering the applicant, the Parish and any designee thereof with a policy limit of not less than \$300,000.00. The policy must be issued by an insurance company authorized to do business in the State of Louisiana and shall name the Parish and any designee as an additional insured and shall not expire prior to the expiration date of the Parish license and shall provide that it cannot be cancelled without thirty (30) days written notice to the Parish.

Required Capacity and Inspection: Service vehicles regulated by this Section shall be required to have capacities of not less than 1,300 gallons and shall be equipped with an operable sludge or vacuum type pump, provided however, that vehicles engaged exclusively in servicing commercially supplied individual toilets for temporary usage (port-a-let) shall be required to have capacities of no less than 500 gallons. Such vehicles shall be required to be filled with water at the time of inspection by the Parish health unit or other inspector, and no license shall be issued if any leaks are found. Vehicle inspections shall be conducted at the owner s place of business or a site specified by the inspector within the Parish.

(Ord. 06-1322, adopted 06/01/2006)

Deposit of Waste by Operators Limited to Permitted Locations: Operators of service vehicles regulated pursuant to this Section shall be prohibited from depositing any sewerage, septage or sludge, including any liquid or dewatered waste except in Parish recognized LDEQ permitted Septage/Sludge Treatment Facilities in any location. Moreover, operators of such service vehicles must maintain and make available to the Department written service logs which represent the following:

A. Each customer or operator which owns or operates an individual sewage/septic disposal system or any other facility or apparatus which accumulates septage or sludge

B. The dates service was provided for such customers and the corresponding wastewater, septage or sludge volumes pumped and hauled for such customers; and

C. The dates and wastewater, septage or sludge volumes delivered to aforementioned Parish designated, LDEQ permitted Septage/Sludge Treatment Facilities.

D. In order for any Hauler to achieve compliance herewith, the volumes reported pursuant to Sections (B) and (C) must be equal.

Disposal of Hazardous Waste and Certain Other Types of Waste Prohibited: The disposal in the Parish by any person of liquid or dewatered waste which is infectious, (other than sewage, septage or sludge) flammable or volatile, or hazardous waste as described in the current Louisiana solid waste rules and regulations shall be prohibited. This includes, but is not limited to petroleum based products and/or antifreeze.

Rescission of License: The director of the Department may revoke the license for a any hauler or service vehicle regulated pursuant to this Section for violations of the provisions of this Section or other ordinances or the failure to obey any order of an authorized Parish personnel or failure to pay assessed fees, surcharges or fines.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-950.12 Enforcement and Penalties

Provisions of this Ordinance shall be enforced by the Department and/or its designated representative. Any violation hereof shall constitute a misdemeanor and shall be punishable as provided in Section 1-008.00 of the Code of Ordinances of St. Tammany Parish, Louisiana.

Misdemeanor: Any person within the Parish who violates this Ordinance, or who shall permit such a violation to exist on the premises under his control, or who shall fail to take action to abate the existence of the violation, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable therefore, provided by law. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Equitable Relief: In the event a violation exists or there is a threat of a violation of the Ordinance, the Department, or their designees, may take appropriate action to enforce the Ordinance. Such action may include application for injunctive relief, action to compel performance, including revocation of any license or other appropriate action in court if necessary to prevent, restrain, correct or abate such violation or threatened violations. Such remedies are cumulative in nature.

Civil Action or Cost as Special Tax: If a person fails to comply with the provisions of this Ordinance, the Parish may recover cost incurred for corrective action in a civil action in any court of competent jurisdiction or, at the discretion of the St. Tammany Parish

Government, the cost may be certified to the Parish auditor as a special tax against the real property.

Citation: The Department, or their designees, may issue citations for violations of the Ordinance. The citation shall be issued to the person charged with the violation, or in the case of a corporation or municipality, to the supervisor at the site of the violation or any officer of any agency express or implied to authorize such issuance.

Inspection: All property affected by this Ordinance shall be subject to inspection by the Department or their designees, in accordance with this Ordinance. No person shall refuse to permit the Department, or their designees, to inspect any premises or interfere with or resist the Department, or their designees in the discharge of their duty to protect the public health and safety and the protection of the environment.

Abatement: The St. Tammany Parish Government, upon recommendation of the Department, may declare a violation of this Ordinance to be public nuisance and order abatement to be made initially at Parish expense. The Department shall present by certified mail an itemized statement for corrective action expenses to the owner of the real property where such abatement has been conducted. Such expenses for corrective action may also be recovered in civil action or the cost may be certified to the Parish auditor as a specific assessment against the real property as provided by law.

Justice of the Peace: A Justice of the Peace shall have concurrent jurisdiction over the sewage, Septage and sludge violations occurring in the Parish. In addition, a Constable may issue summons and service subpoenas anywhere in the Parish all in accordance with LSA-R.S. 13:2586. A prosecution of the sewage, Septage and sludge violations and compensation in criminal cases of a Justice of the Peace and Constable shall be in accordance with LSA-R.S. 13:2587.1 and LSA-R.S. 13:2589.

(Ord. 06-1322, adopted 06/01/2006)

SEC. 23-810.00 Schedule of Environmental Service Rates

A. BEN THOMAS ROAD & ALTON AREA SERVICE FEES

MONTHLY WATER SERVICE

Residential \$ 12.50

Small Commercial \$ 50.00

Large Commercial \$ 150.00

MONTHLY SEWERAGE SERVICE

Residential \$ 20.00

Small Commercial \$ 75.00

Large Commercial \$ 150.00

TIE-IN FEE \$ 300.00

CONNECTION FEE \$ 25.00

DEPOSIT

Residential \$ 25.00

Small Commercial \$ 60.00

Large Commercial \$ 300.00

SERVICE CALL \$ 35.00

LATE PAYMENT CHARGE \$ 2.00 per month

NSF CHECK CHARGE \$ 25.00

STATE SALES TAX 3% of water service billing

(Commercial Customers Only)

PARISH INSPECTION FEE \$ 0.30

B. ST. TAMMANY PARISH ADMINISTRATIVE COMPLEX WATER AND SEWERAGE SERVICE FEES

MONTHLY WATER SERVICE

First 4000 gallons or portions thereof \$ 23.00

Each Additional 1000 gallons or portion thereof \$ 1.84

MONTHLY SEWERAGE SERVICE

90% of water service billing \$ 15.00 (minimum)

SERVICE CALL \$ 35.00

LATE PAYMENT CHARGE 5% of the unpaid balance

C. OAKWOOD ESTATES SEWERAGE SERVICE FEES

MONTHLY SEWERAGE SERVICE

Residential \$ 38.00

TIE-IN FEE \$ 300.00

CONNECTION FEE \$ 25.00

DEPOSIT \$ 50.00

LATE PAYMENT CHARGE \$ 2.00 per month

NSF CHECK CHARGE \$ 25.00

D. ST. TAMMANY PARISH - DIVERSIFIED FOODS AND SEASONINGS WATER AND SEWERAGE SERVICE FEES

MONTHLY WATER SERVICE

First 54,000 gallons or portions thereof \$ 212.00

Each additional 1000 gallons or portion thereof \$ 3.00

MONTHLY SEWERAGE SERVICE

150% of water service billing

LATE PAYMENT CHARGE 5% of the unpaid balance

E. CROSS GATES UTILITY – WATER AND SEWERAGE SERVICE FEE

MONTHLY SERVICE FEE

Residential \$ 2.50 per customer

Commercial \$ 2.50 per customer

PARISH DEPOSITS

Residential \$ 50.00

Commercial

Small \$100.00

Medium \$150.00

Large \$300.00

F. NORTHSORE BEACH AREA SEWERAGE SERVICE FEES

Residential \$ 19.50

Commercial \$ 50.00

TIE-IN FEE* \$ 300.00

CONNECTION FEE* \$ 25.00

DEPOSIT

Residential \$ 50.00

Commercial \$ 100.00

LATE PAYMENT CHARGE \$ 2.00 per month

NSF CHECK CHARGE \$ 25.00

*Note: Pertains to new tie-ins only.

G. I-59 & 1-10 REST AREA

MONTHLY WATER SERVICE

First 5,000 gallons or less \$ 16.50

All additional usage \$ 2.00 per 1,000 gallons

MONTHLY SEWER SERVICE

90% of the Water Bill

\$ 16.00 minimum

Monitoring and Maintenance Fee - up to \$150.00

H. TAMMANY UTILITIES

MONTHLY WATER SERVICE

RESIDENTIAL FLAT RATE

Flat Rate Residential per month	\$ 21.15
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METERED RATE

RESIDENTIAL & APARTMENT COMPLEXES WITH INDIVIDUAL METERS

First 4,000 gallons or less	\$ 18.26 (Minimum)
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Each additional 1,000 gallons or portion thereof	\$ 2.78 per 1,000 gallons
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APARTMENT COMPLEXES WITH MASTER METERS

First 4,000 gallons or less	\$ 36.24 (Minimum)
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Over 4,000 gallons up to 500,000 \$ 2.83 per 1,000 gallons

All Additional 1.78 per 1,000 gallons \$

COMMERCIAL FLAT RATE

Flat Rate Commercial \$ 29.42

Commercial Flat Rate (Zen-Noh) \$ 411.92

Commercial Flat Rate (C18) \$ 150.96

Flat Rate Apts (WT2) \$ 279.72

Flat Rate Apts (R08) \$ 217.56

METERED RATE

0-4,000 gallons \$ 40.02

All additional 3.22 per 1,000 gallons \$

Size of Meter

Min. Usage Minimum Bill

3/4" x 5/8" 4,000 gallons \$ 40.02

1" 8,000 gallons \$ 53.45

1 1/2" 18,000 gallons \$ 85.86

2" 26,000 gallons	\$ 111.78
3" 35,000 gallons	\$ 140.97
4" 44,000 gallons	\$ 170.11
6" 54,000 gallons	\$ 234.93

All
Additional \$
3.22 per 1,000 gallons

CAPACITY RESERVATION
FEE Not to exceed 2.35 per
gallon

TAP-IN-FEE

3/4"
Service \$ 44
4.00

1"
Service \$ 4
99.50

1 1/2"
Service \$ 571
.65

2"
Service \$ 8
60.25

Above 2"
Service \$ 444.00
(plus

actual cost of meter &

all necessary fittings)

CONNECTION FEE \$ 22.20

RE-CONNECT FEE \$ 38.85

DEPOSIT

2 ½ times average monthly bill, \$ 40.00 minimum \$ 40.00

(Minimum)

SERVICE CHARGE \$ 49.95

This charge shall cover the cost of utility employee sent to a consumers premises at the customer's request when the trouble is found to be in the consumer's house piping.

TAMPERING \$ 166.50

This fee applies to anyone who illegally taps into the system or in anyway destroys or tampers with the system; including meters, meter boxes, lines, valves, etc.

MONTHLY SEWERAGE SERVICE

RESIDENTIAL Residential
Customers 115% of water bill

\$ 27.42 (Minimum)

\$ 55.83 (Maximum)

COMMERCIAL
Customers 115% of water bill

Commercial

60.00 (Minimum)

\$

No Maximum)

(

Commercial Flat Rate (Zen Noh
Apts)

\$ 413.03 (Average)

CAPACITY RESERVATION FEE Not to
exceed

\$4.70 per gallon

TAP-IN
FEE

\$ 499.50

This charge will include all labor and materials and any other cost
associated with initially establishing service.

CONNECTION
FEE

\$ 38.85

RE-CONNECTION
FEE

\$ 33.30

This charge is for re-establishing service after disconnection for
non-payment, failure to make deposit, fraudulent or seasonal use.

SERVICE
CHARGE

\$ 49.95

This charge shall cover the cost of a utility employee sent to

a customer's premises at the customer's request when the trouble is found to be in the customer's house piping.

DEPOSIT

monthly bill, \$40.00 minimum. 2 ½ times the average

0 (Minimum)

\$ 40.0

TAMPERING
FEE

\$ 166.50

APPENDIX B CHAPTER 40 SUBDIVISIONS

The Parish Subdivision Regulations may be viewed at the following Parish Webpage: <http://www.stpgov.org/departments/planning> .

Ord. No. 499 is the Subdivision Regulatory Ordinance which establishes the regulations under which a developer of real estate located within the Parish of St. Tammany must obtain the approval of the St. Tammany Parish Planning Commission of said parish before dividing, recording and/or marketing said real estate; defining the terms used in the regulations, further setting forth the requirements that must be met by said developer in order to obtain such approval, and providing penalties for the violation of the provisions of these regulations and the amendments thereto.

(Ordinance 499 was adopted by the St. Tammany Parish Police Jury May 1, 1970 by authority of LSA R.S. 33:101 - 33:120)

APPENDIX C UNIFIED DEVELOPMENT CODE

The Parish Zoning and Land Use Regulations may be viewed at the following Parish Webpage: <http://www.stpgov.org/departments/planning> .

APPENDIX D BUILDING CODE

CHAPTER 1 ADMINISTRATION

SECTION 101 TITLE AND SCOPE

101.1-Title

These regulations shall constitute and be known and cited as THE BUILDING CODE OF ST. TAMMANY PARISH, hereinafter referred to as, "this Code" , amending The St. Tammany Parish Code of Ordinances Chapter 5 Building and Construction, by repealing article 1 and replacing with The Building Code of St Tammany Parish, and to the extent that any existing ordinances are contrary they are repealed in that respect only.

101.1.1 Purpose

The administration and enforcement of any construction which occurs, or which is to occur, in the unincorporated portion of St. Tammany Parish shall be at all times subject to the provisions of the Louisiana State Uniform Construction Code. The following is adopted by reference and made a part of Appendix D (Building Code) of St. Tammany Parish Code of Ordinances to wit:

A. The Louisiana State Uniform Construction Code, which is provided for in Louisiana Revised Statutes 40:1730.21 through 40:1730.40, and which may be amended from time to time.

Any code or appendix set forth heretofore may be cited individually or collectively as "this Code". Inspections conducted by St. Tammany Parish pursuant to this Code shall occur within the unincorporated area of St. Tammany Parish, and may be amended from time to time, by an ordinance of the St. Tammany Parish Council.

101.2 Intent

The purpose of this Code is to establish the minimum requirements and to secure the beneficial interests and purposes thereof-which are to safeguard the public health, safety and general welfare-through structural strength means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment. These purposes are applicable to all buildings and structures including additions, alterations, repairs, removal demolition, use and occupancy of buildings and structures or premises and by regulating the installation and maintenance of all electrical, gas, mechanical and plumbing systems, which may be referred to as service systems.

101.2.1 Permitting and Inspection.

The inspection or permitting of any building, structure, service system or plan by the Parish of St. Tammany, under the requirement of this Code shall not be construed in any court as a warranty of the physical condition of such building, structure, service system or the adequacy of such plan. Neither the Parish of St. Tammany, nor any employee thereof shall be liable in tort for damages for any defect or hazardous or illegal condition or inadequacy in such building, structure, service system, or plan, or for failure of any component of such, which may occur subsequent to such inspection or permitting. Nothing contained in this Code shall be construed to relieve or lessen the responsibility or liability of any person for injury or damage to persons or property caused by or resulting from any defects of any nature in any work performed by said person or in any equipment owned, controlled, installed, operated or used by him, nor shall the Parish of St. Tammany, or any agent or employee thereof incur, or held assume any liability by reason or in consequence of any things done or acts performed pursuant to any provisions of the adopted codes.

SECTION 102 APPLICABILITY

102.1 General.

Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other Laws.

The provisions of this Code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of References.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this Code.

102.4 Referenced codes and standards.

The codes and standards referenced in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this Code shall apply.

102.5 Partial invalidity.

In the event any part or provision of this Code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

SECTION 103 DEPARTMENT OF PERMITS AND REGULATORY

103.1 General

The Department of Permits and Regulatory is hereby created and the person in charge shall be known as the **Director of the Department of Permits and Regulatory**, hereinafter known as the “Director” is the agency responsible for the administration and enforcement of this Code. The Director is hereby authorized and directed to enforce the provisions of this Code.

SECTION 104 DUTIES AND POWERS OF THE DIRECTOR

104.1 General

The Director shall have the authority to render interpretations of this Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Code.

104.2 Employees

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Director shall have the authority to appoint a deputy Director, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have the powers as delegated by the Director.

104.3 Records

The Director shall keep, or cause to be kept, a record of the business of the department in accordance with the public record law of the State of Louisiana. The records of the department shall be open to public inspection.

104.4 Applications and Permits

The Director, or his designee, shall receive application, review construction documents and issue permits for the erection, and alteration demolition and moving of a building and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

104.5 Notices and Orders

The Director shall issue all necessary notices or orders to ensure compliance with this Code.

104.6 Inspections

The Director shall make or cause to be made all of the required inspections. The Director shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by an officer of such approved agency or by the responsible individual. The Director is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.7 Identification

The Director shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

104.8 Right of Entry

Where it is necessary to make an inspection to enforce the provisions of this Code, or where the Director 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 this Code which makes the structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the Director 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 Director shall have recourse to the remedies provided law to secure entry.

104.9 Liability

The Director, Members of the Board of Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this Code or other pertinent law or ordinance, shall not thereby be rendered liable personally 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 of omission in the discharge of official duties. Any suit instituted against an officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Director or any subordinate shall no be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Code

104.10 Stop Work Orders

Upon notice from the Director, work on any building, structure, electric, gas, or mechanical system that is being done prior to the securing of the required permit and/or contrary to the provisions of this Code or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property or to his agent, or to the person doing the work, and shall state the conditions

under which work may be resumed. Where an emergency exists, the Director shall not be required to give a written notice prior to stopping the work.

104.11 Revocation of Permits

The Director may revoke a permit or approval, issued under the provisions of this Code, in the event that there has been any false statement or misrepresentation or upon failure to execute said work in accordance with said application, plans or specifications or which has been issued in violation of the Zoning or Building Code

104.12 Approved Materials and Equipment

Materials, equipment and devices approved by the Director shall be constructed and installed in accordance with such approval.

104.13 Requirements Not Covered by Code

Any requirements necessary for the strength or stability of an existing or proposed building or structure, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the Director. Wherever there are practical difficulties involved in carrying out the provisions of this Code, the Director shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Director shall first find that special individual reason makes the strict letter of this Code impracticable and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The application for modification and the approval of the Director shall be in writing. The details of action granting modifications shall be recorded and entered in the permanent records of the Department of Permits and Regulatory.

104.14 Tests

Whenever there is insufficient evidence of compliance with the provisions of this Code, or evidence that a material or method does not conform to the requirements of this Code, or in order to substantiate claims for alternative materials or methods, the Director shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this Code or by other recognized and accepted test standards. In absence of recognized and acceptable test methods, the Director shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Director for the period required for retention of public records.

SECTION 105 PERMITS

105.1 Required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, mechanical, plumbing, or gas system, the installation of which is regulated by this Code, or cause any such work to be done, shall first make application to the Director and obtain the required permit.

105.2 Work Exempt from Permit.

Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One story detached accessory structures, accessory to one and two family dwellings, used as tool, storage sheds, playhouses and similar uses provided the floor area does not exceed 100 square feet.
2. Fences not over 6 feet high.
3. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
4. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
5. Swings and other playground equipment accessory to one and two family dwellings.
6. Movable cases, counters and partitions not over 5 feet 9 inches tall.
7. Oil derricks
8. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
9. Prefabricated swimming pools accessory to single family dwellings that are less than 24 inches deep.
10. Window awnings supported by an exterior wall which do no project more than 54 inches from the exterior wall and do not require additional support.

Electrical:

1. Repairs and Maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but does apply to equipment of wiring for power supply, the installation of owners and antennas.

Mechanical:

1. Portable appliance.
2. Portable ventilation appliances/equipment.
3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporator cooler.
7. Self contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less
8. Residential portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace same with new material, such work shall be considered as new work and a permit shall be obtained and inspections made as provided in this Code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

105.2.1 Emergency Repairs

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within 24 hours/next working business day of the repair to the Director.

105.2.2 Repairs Application

Notice to the Director is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include the addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer drain, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.

105.3 Application for Permit

To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the Department of Permits and Regulatory for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Provide an assessment or parcel # from the Parish Assessor's Office.
3. Describe the land on which the proposed work is to be done by legal description.
4. Provide clear and concise directions to the land on which the proposed work is to be done.
5. Indicate the use and occupancy for which the proposed work is intended.
6. Be accompanied by construction documents and other information as required by Section 106.1.
7. State the valuation of the proposed work.
8. Be signed by the applicant, or the applicant's authorized agent.
9. Completed lot fill form
10. Completed Sheriff's job registration form
11. L.H.S.47 (if using an individual sewerage system)
12. State highway department approval form (if accessing from a state controlled road)
13. Approved conditional use/Administrative Permit (if required)
10. Approved land clearing permit (5 acres or greater)
11. Approved sign review permit (commercial signs)
12. State Fire Marshall review letter (commercial only)
13. List of subcontractors. Copies of contracts if commercial.
17. Be accompanied by permit fees and any other fees as required in section 108.2
18. Provide such other data and information as required by the Director.

105.3.1 Action on application

The Director shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of the pertinent laws, the Director shall reject such application in writing, stating the reasons therefore. If the Director is satisfied that the proposed work conforms to the requirements of this Code and laws and ordinances applicable there to, the Director shall issue a permit therefore as soon as possible.

105.3.2 Time limitation of application

An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Director is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 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 provisions of this Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel provisions of this Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Director from requiring the correction for errors in the construction documents and other data. The

Director is also authorized to prevent occupancy or use of a structure where a violation of this Code or of any other ordinances of this jurisdiction.

105.5 Expiration

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced or is not completed within two (2) years of the issuance of the permit. A new permit shall be applied for, work cannot commence again until the new permit has been issued. The Director is authorized to grant, in writing, one or more extensions of time, for periods not more than 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.6 Suspension or Revocation

The Director is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of any ordinance or regulation or any provisions of this Code.

105.7 Placement of permit placard

Work requiring a permit shall not commence until the permit has been issued and the placard is posted on premises. The building permit placard shall be kept on the site of work until a certificate of occupancy, or a certificate substantial completion has been issued, by the Director. It shall be placed in a conspicuous manner, as to be seen from the road, and made available to the Director or representative to conveniently make any required entries thereon.

105.8 Owner's Responsibility

It shall be the duty of owner who shall perform work for the installation or repair of buildings, structures, electrical, mechanical, plumbing or gas systems, for which this Code is applicable, to comply with this Code.

105.9 Contractor's Responsibility

It shall be the duty of every contractor who shall make contracts for the installation or repairs of buildings, structures, electrical mechanical, plumbing and gas systems, for which a permit is required, to comply with state or local rules and regulations concerning licensing which the applicable governing authority may have adopted.

SECTION 106 CONSTRUCTION DOCUMENTS

106.1 Submittal Documents.

Construction documents, special inspection and structural observation programs, and other data shall be submitted in two or more sets with each application for a permit. The construction documents shall be prepared by a certified design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the Director is authorized to require additional construction documents to be prepared by a certified design professional.

EXCEPTION: The Director may waive certification requirements, if he finds that the nature of the work applied for is such that certification of plans is not necessary to obtain compliance with this Code.

106.1.1 Information on Construction Documents.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Director. Construction documents 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 this Code and relevant laws, ordinances, rules and regulations, as determined by the Director.

106.1.2 Manufacturer's Installation Instructions.

Manufacturer's installation instructions, as required by this Code shall be available on the job site at the time of inspection.

106.1.3 Construction in Areas Prone to Flooding.

For buildings and structures in flood hazard areas construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation is as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and
3. The elevation of the bottom of the lowest horizontal structural member in a coastal high hazard areas (V zones); and
4. If the design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the Director and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

106.2 Site Plan.

A site plan drawn at a legible scale which shall include the size and location of new construction and every existing structure on the site and distances from the lot/property lines. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site of plot.

106.3 Boundary Line Survey.

A boundary line survey prepared by a licensed surveyor shall accompany any request for new construction, additions, mobile home placement and accessory structures. The survey shall indicate flood zone information and delineation of flood hazard areas.

106.4 Examination of Documents.

The Director shall examine or cause to be examined construction documents for code compliance.

106.4.1 Approval of Construction Documents

When the Director issues a permit, the construction documents shall be approved, in writing or by stamp. One set of construction documents so reviewed shall be retained by the Director. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the Director or a duly authorized person.

106.4.1.2 Previous Approvals.

This Code shall not require Changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued otherwise lawfully authorized, and the construction of which has been commenced and pursued in good faith within 180 days after the effective date of this Code and has not been abandoned.

106.4.1.3 Amended Construction Documents.

Work shall be installed in accordance with the reviewed construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

106.4.1.4 Phased Approval.

The Director is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this Code. The holder of such a permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.5 Retention of Construction Documents.

One set of approved construction documents shall be retained by the Director for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws.

SECTION 107 BUILDING PERMIT FEES

107.1 Payment of Fees.

A permit shall not be valid until the prescribed fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

107.2 New Construction, Additions, Accessory Structures.

The applicant for a permit for new construction, additions, and accessory structures shall provide in writing, the total square footage at the time of the application. Permit square footage shall include any square footage under beam. If in the opinion of the Director, the total square footage is not reported accurately on the application, the permit shall be denied. Final building permit square footage shall be determined by the Director.

107.3 Building Permit Valuations.

The applicant for a permit for renovations, remodeling, build outs, and commercial electrical, mechanical, plumbing and gas systems shall provide a signed contract or proposal estimating the value in writing at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Director, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Director. Final building permit valuation shall be set by the Director.

107.4 Work Commencing before Permit Issuance.

Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an additional fee of 100% of the usual fee that shall be in addition to the required permit fees.

107.4.1 Licensed Parks

- \$25.00 non-refundable application fee + \$5.00 electrical connection.

107.5 Related Fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the payment of other fees that are prescribed by law.

107.6 Application Fees.

Application fees are not refundable

107.6 Refunds.

Building permit fees, once a permit has been issued, shall not be refunded or transferred.

107.7 Schedule of Permit Fees.

On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required. The fees shall be in accordance with the following schedule:

107.7.1 BUILDING

107.7.2. Building Commercial

- New Construction- \$140.00 non- refundable application fee + .21 per sq. ft.
- Additions - \$100.00 non-refundable application fee + .21 per sq. ft.
- Remodel /Build outs - \$85.00 non-refundable application fee + \$5.00 per thousand or fraction thereof (Contract Amount)
- Plan Review-\$150.00 + .01 per sq. ft.(Non- refundable)(Projects above \$2,000,000 may be subject to a \$150.00 base fee and current ICC Plan Review fees.)

107.7.3. Building Residential

- New Construction- \$105.00 non-refundable application fee + .10 per sq ft.
- Additions - \$80.00 non-refundable application fee + .10 per sq. ft
- Remodel - \$75.00 non-refundable application fee + \$5.00 per thousand or fraction thereof Contract amount /no contract .50 per sq ft + base charge).
- Plan Review-\$50.00 + .01 per sq. ft.(Non- refundable)

107.7.4. Mobile Homes Residential

- Mobile Homes -\$80.00 non-refundable application fee + .10 per sq. ft. + \$5.00 electrical connection

107.7.5. Miscellaneous

Seasonal retail tents, temporary structures, and pre-fab units \$140.00 + .10 per sq. ft.

- Towers(commercial)..... \$2000.00
- Co-location on towers(commercial).....\$1000.00
- Land Clearing\$ 150.00
- Residential Demolition..... \$ 20.00
- Commercial Demolition.....\$ 40.00
- Tennis Courts.....\$40.00
- Tanks.....\$40.00

- Tents.....\$40.00

107.8 ELECTRICAL

107.8.1. Electrical Commercial

(1%) One percent of the electrical contract

- Non-refundable Application Fee..... \$40.00
- Electrical Connection Permit..... \$10.00

107.8.2. Electrical Residential

\$40.00 Non refundable Application fee + \$2.00 per circuit

- Minimum Fee..... \$40.00
- Electrical Connection Permit..... \$ 5.00

107.8.3. Mobile Home Meter

- Construction Test Meter.....\$25.00

107.8.4. Construction Test Meter Renewals

- 30 Day...\$ 5.00
- 60 Day...\$10.00

107.9 MECHANICAL

107.9.1. Mechanical Commercial

(2%) Two percent of the mechanical contract up to \$200,000 + (1%) one percent of the mechanical contract over \$200,000

- Non-refundable Application Fee.....\$40.00

107.9.2. Mechanical Residential

\$40.00 Non-refundable Application + \$3.00 per ton of A.C

- Minimum Fee.... \$40.00
- Change Outs....\$20.00 per unit/component.

107.9.3. Mechanical Miscellaneous

Elevators, builder's hoists, and moving stairs are based on number of floors served.

- 2 to 4 floors.....\$ 40.00
- 5 to 10 floors.....\$ 75.00

- Over 10 floors.....\$100.00
- Dumbwaiters..... \$ 40.0

107.10 PLUMBING

107.10.1 Plumbing Commercial

(2%) Two percent of the plumbing contract up to \$200,000 plus (1%) one percent of the plumbing contract over \$200,000

- Non-refundable Application Fee \$40.00

107.10.2 Plumbing Residential

\$40.00 Non-refundable Application fee + \$1.00 per fixture

- Minimum Fee \$40.00

107.11 GAS

107.11.1 Gas Commercial

(2%) Two percent of the gas contract up to \$200,000 plus (1%) one percent of the gas contract over \$200,000

- Non-refundable Application Fee \$40.00

107.11.2 Gas Residential

\$20.00 Non-refundable Application fee + \$1.00 per drop

- Minimum Fee \$20.00

107.12 REINSPECTION FEES

107.12.1 Reinspection

- 1st Reinspection.....\$ 50.00
- 2nd Reinspection....\$100.00
- 3rd Reinspection.....\$ 150.00
- 4th Reinspection.....\$ 200.00
- 5th Reinspection citation for failure to comply shall be issued.

107.12.2 Incomplete Reinspection.

- 1st.....\$ 50.00
- 2nd.....\$100.00
- 3rd.....\$150.00
- 4th.....\$200.00

107.13 SPECIAL INSPECTION FEES

107.13.1 Special Inspections

- Special Inspections Monday thru Friday.....\$50.00
- Special Inspections Saturdays and Sundays...\$50.00
- Special Inspections Holidays.....\$75.00

107.14 REGISTRATION FEES

107.14.1 Initial Contractor Registration

- Building.....\$55.00
- Electrical.....\$55.00
- Mechanical.....\$55.00
- Plumbing.....\$55.00
- Gas.....\$25.00
- Siding.....\$55.00
- Roofing.....\$55.00
- Swimming Pool.....\$55.00
- Remodeling (nonstructural)...\$55.00

107.14.2 Annual Registration Renewal.

- Building \$55.00
- Electrical \$55.00
- Mechanical \$55.00
- Plumbing \$55.00
- Gas \$25.00

107.14.3 Inactive registration fee

- \$10.00

107.14.4 Delinquent Registration Fees.

A fee will be assessed monthly for any registration received after Jan 1st thru March 31st. Registrations that have not been renewed by March 31st shall be revoked.

- \$10.00

SECTION 108 INSPECTIONS

108.1 General.

Construction or work for which a permit is required shall be subject to inspection by the Director and such construction work shall remain accessible and exposed for inspection purposes until approved. Upon notification from the permit holder or his agent, the Director, shall make or cause to be made any necessary inspections and shall either

approve that portion of the construction as completed or shall notify the permit holder or his agent wherein fails to comply with this Code. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Code or of other ordinances of St. Tammany Parish. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Director nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

108.1.1 Inspection Requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Director when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work for any inspections that are required by this Code.

108.1.2 Approval Required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Director. The Director, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, shall notify the permit wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Director.

108.2 Preliminary Inspection.

Before issuing a permit, the Director is authorized to examine or cause to be examined buildings, structures and sites for which a permit application has been filed.

108.3 Required Inspections.

The Director, upon notification, shall make or cause to be made the inspections set forth in Sections 108.4 Drainage; 108.5 Building;

108.4 DRAINAGE INSPECTIONS

108.4.1 Preliminary Grade Inspection Slab on Grade.

Prior to a foundation inspection the preliminary grade inspection shall be made after forms erected, and prior to plumbing or electrical piping installation. All fill material shall meet appropriate standards. All Ditch/ culvert/silt fencing shall be in place. If necessary, drainage swales must be constructed. Any fill placement can not block drainage flow.

108.4.2 Preliminary Grade Inspection for piling/pier Construction.

The preliminary grade inspection shall be after site/grade preparation and immediately after installation of piling/pier and prior to any other construction.

108.4.3 Swimming Pools Preliminary Grade

Preliminary drainage inspection shall be made after the initial dig, before gunite/shell, and after the fill from the dig has been removed or redistributed. Silt fencing shall be required to protect adjacent properties or drainage easements as necessary.

108.5 BUILDING

108.5.1 Underground Inspections

108.5.2 Footing or Foundation Inspection.

Footing and foundation inspections shall be made after excavations for footing are complete and any required reinforcing steel is in place, 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. Footing and foundation inspections shall be made after an approved preliminary grade inspection and underground plumbing inspection if plumbing is in the foundation.

108.5.3 Concrete slab or under -floor inspection.

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 sub floor.

108.5.4 Rough in Inspections

108.5.5 Framing Inspections

108.5.6 Fire-resistance-rated Commercial Construction inspection.

Where fire-resistance-rated construction is required between dwelling units due to location on property, the Director shall require an inspection of such construction after all lathing and /or wall board is in place, but before any plaster is applied, or wallboard joints and fasteners re taped and finished.

108.5.8 Fire-resistant Penetrations (commercial)

Protection of joints and penetrations in fire-resistant-rated assemblies shall not be concealed from view until inspected and approved.

108.5.9 Final Inspections.

Final inspections for all electrical, mechanical plumbing and gas systems shall be made after the electrical, mechanical, plumbing and gas systems are complete. The final

grade inspection shall be made prior to the final building inspection. The final building inspection shall be made after the building is completed and ready for occupancy. Municipal addresses shall be posted on the property and visible from the street. Construction test meters shall be energized prior to scheduling of any final inspection.

108.5.10 Minimum Finished Floor Elevations

A. Minimum finished floor elevations for residential structures in flood zone "C" shall be no less than twelve (12) inches above the centerline of street or top of curb fronting the home, whichever is greater. For residential structures located in flood zone "A", the minimum finished floor elevation shall be at the base flood elevation or twelve (12) inches above the centerline of street or top of curb fronting the home, whatever is greater. For residential lots less than 90 feet wide in all flood zones, structures shall be raised if more than 24 inches of fill is required to satisfy this ordinance. The Department of Engineering shall have the ability to grant variances for lots less than 90 feet wide in subdivisions with approved fill plans. Fill required for all lots in flood zone "A" or in "critical drainage areas" shall be mitigated in accordance with Chapter 7 of the St. Tammany Parish Code of Ordinances.

B. When determining the elevation required above, the centerline of street or top of curb elevation where the grade is highest along the front width of the lot shall be the baseline elevation. For the case where a lot is at the corner of two (2) streets, the centerline of street or top of curb elevation where the grade is the highest along the front and side of the lot adjacent to the corner shall be the baseline elevation.

C. The Department of Permits or Department of Engineering may require the building permit applicant to submit an elevation certificate by a professional land surveyor noting the highest street centerline or top of curb elevation along the front width of the lot in addition to the top of form board elevation representing the finished floor elevation, if the requirements set out in sections A and B stated above are not clearly met. Elevations shall be tied to the NAVD88 vertical datum. In such cases, the elevation certificate shall be received by the Permit Department prior to approval of a preliminary drainage inspection. For the case where a home is raised, the elevation certificate shall be required prior to the framing inspection.

D. The Department of Engineering may grant variances where existing topography makes it impractical to raise structures above the street centerline/top of curb and/or negatively impacts drainage for surrounding lots.

(Established by Ord. No. 07-1595, adopted 07/05/2007; amended by Ord. No. 14-3084, adopted 02/06/2014).

108.6 Inspections for Structures Located in a Floodplain.

108.6.1 Lowest Floor Elevations.

For construction in areas prone to flooding as established by the International Residential Code Table R301.2 (1), upon placement of the lowest floor, including basement and prior to further vertical construction, the Director shall require submission of documentation, prepared and sealed by a registered licensed engineer, of the elevation of the lowest floor, including basement, as required in the International Residential Code Section R323. For residential structures located in flood zone "A", the minimum finished floor elevation shall be at base flood elevation or twelve (12) inches above the centerline of the street or top of curb fronting the home, whichever is greater. The centerline of street or top of curb elevation shall be taken where the grade is highest along the front width of the lot. For the case where a lot is at the corner of two (2) streets, the centerline of street or top of curb elevation shall be taken where the grade is the highest along the front and side of the lot adjacent to the corner.

(amended by Ord. No. 07-1595, adopted 07/05/2007).

108.6.2 Lowest floor elevation.

The elevation certification as required in the International Building Code Section 1612.5 shall be submitted to the Director prior to the placing of concrete. The certificate shall be prepared and sealed by a licensed registered engineer

108.7 Other Inspections.

In addition to the inspections specified above, the Director is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this Code and any other laws that are enforced by the Department of Permits and Regulatory.

108.8 Construction Test Meter.

A Construction test meter shall be energized prior to scheduling any building, electrical, mechanical or plumbing final.

108.9 Inspection Agencies.

The Director is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

CHAPTER 2 REGISTRATIONS

SECTION 201 GENERAL

201.1 Scope.

Any contractor or subcontractor who desires to construct enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure or to erect, install, enlarge, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system,

the installation of which is regulated by the technical codes shall first make application to the Director, and obtain the required registration for the appropriate trade. Each Registration issued shall specify the name of the person, firm or corporation registered, who shall be known as the holder of the registration, and shall specify the name of the person who has passed the State requirements, and such person shall be designated in the registration as the supervisor of all work to be done under the registration. The person designated as the supervisor may be a person in the employ of the holder of the registration or, if the holder is a person, may be the holder himself or; if the holder is a firm, may be member of the firm; or, if the holder is a corporation, may be an officer of the corporation. The same person shall not be designated as the supervisor in two or more registrations issued to different persons, firms or corporations. In the event that the business association with or employment of the supervisor by the holder the registration shall terminate, said registration shall become null and void one hundred eighty (180) days after such termination.

201.1.1 Registrations and Renewals.

Initial registrations for building, electrical, mechanical plumbing and gas shall be valid until the end of the calendar year registration is applied for. Notice of renewal shall be mailed to each registered contractor/subcontractor each November. Renewal fees shall be due by January 1st. Registration renewals received after January 1st shall be charged a delinquent for every month delinquent until March 31st, after March 31st the registration shall be revoked.

SECTION 202 REQUIREMENTS

202.1 Commercial Builder Registration Requirements.

Any person may apply for a Commercial Builder's registration who meets the following requirements:

1. Current State of Louisiana General Contractor's License (Building Construction)
2. Current Certification of Resident Contractor Status

202.2 Residential Builder Registration Requirements.

Any person may apply for a Residential Builder's registration who meets the following requirements:

1. Current State of Louisiana Residential Building Contractor's License
2. Current Certification of Resident Contractor Status

202.3 Electrical Registration Requirements.

Any person may apply for an electrical registration who meets the following requirements:

1. Current State of Louisiana Electrical License
2. Current Certification of Resident Contractor Status

202.3 Gas Registration Requirements.

Any person may apply for a gas registration who meets one of the following requirements:

1. Current St. Tammany Parish Plumbing Registration
2. Current St. Tammany Parish Mechanical Registration
3. Current Louisiana Liquefied Petroleum Gas Commission License
4. Current Certification of Resident Contractor Status

202.4 Mechanical Registration Requirements

Any person may apply for a mechanical registration who meets the following requirements:

1. Current State of Louisiana Mechanical License
2. Current Certification of Resident Contractor Status

202.5 Plumbing Registration Requirements

Any person may apply for a plumbing registration who meets the following requirements:

1. Current State of Louisiana Plumbing License
2. Current Certification of Resident Contractor Status

SECTION 203 EXCEPTIONS

203.1 Registration Prior to May 21, 1998.

Any Person having a valid St. Tammany Parish Electrical, Mechanical or Gas Contractor's registration prior to May 21, 1998 are exempt from the Parish of St. Tammany's requirements of a Louisiana State License, providing the registration has not lapsed.

203.2 Home Owners Clause.

Whenever the owner of a single family dwelling builds, repairs or remodels their own personal residence without the benefit of a general contractor, subcontractor, architect, or engineer or any other individual who receives a fee for employment or direction of any labor or any work beyond the normal architectural or engineering services, with the intent to occupy such as a primary residence, and provided the homeowner does not build more than one personal residence in a two (2) year period, the Director shall have the authority waive the registration provisions of this Code.

203.2.3 Agricultural Buildings

Agricultural buildings located in applicably zoned areas, which do not have habitable spaces, shall be exempt from building inspections. Permits and inspections shall be required when electrical, mechanical, plumbing and gas systems are installed. When an owner subcontracts any work on electrical, mechanical, plumbing or gas systems, the subcontractor must possess a current registration with St. Tammany Parish.

203.3 Owner Acting as Contractor.

Owners of property who supervise, superintend, oversee, direct or in any manner assume charge of the construction, alteration, repair, improvement, movement demolition, putting up, tearing down, of their personal residence, building or structure or to erect, install, enlarge, alter, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the technical codes, shall first make application to the Director for a waiver of contractor requirements. Testing shall be required to substantiate the owners' qualifications to do electrical and mechanical work. The owner shall be required to file for all permits, request all inspections, the work of which shall be in compliance with all the provisions of this Code, inspected and approved in the usual manner.

203.4 Portable Accessory Structures Under 200 sq ft.

Parish registration is not required for a builder who constructs a residential accessory structure under 200 square feet, that is designed and built to be a portable unit and not affixed to a permanent foundation. All necessary permits are required for the structure, and for any electrical, mechanical or plumbing systems that may be installed. All work shall be in compliance with all provisions of this code, inspected and approved in the usual manner. When an owner subcontracts any work on electrical, mechanical, plumbing or gas systems, the subcontractor must possess a current registration with St. Tammany Parish

SECTION 204 REVOCATION

204.1 Revocation of Parish Registrations

Any St. Tammany Parish registration granted under this section may be suspended or revoked by the Director, if the holder or the registration violates any ordinance or law relating to the technical codes or is guilty of construction which is dangerous to life or property, or for transferring or allowing directly or indirectly, firms or persons or corporations other than the lawful holder to operate, or to obtain permits to work under said registrations, provided the holder of the registration be found guilty of such violations. Appeals may be filed within ten (10) days to the Board of Standards and Appeals, upon recommendation of the Director. All appeals to the Board of Standards and Appeals must be submitted with any fees associated with the appeals filing.

CHAPTER 3 BOARDS

301 GENERAL

301.1 Scope

Building, Electrical, Mechanical and Plumbing (Gas) these Boards are established for the purpose of communication between inspectors and contractors. Quarterly scheduled meetings may be held for this purpose.

302 BUILDING BOARD

302.1 Appointment

There is hereby established a Board to be called the Board of Building Construction, which shall consist of eight (8) members and two (2) alternates. Six (7) members and two(2) alternates appointed by Parish Council and one member appointed by the Parish President. All of whom shall be residents of St. Tammany Parish.

302.2 Membership

The Board should consist of eight (8) members. Such Board members should be composed of individuals with knowledge and experience in the technical codes, such as design professionals, contractors or building industry representatives. In addition to the regular members, there should be two (2) alternate members, one member at large from the building industry and one member at large from the public. A Board member shall not act in a case in which he has a personal or financial interest. The criteria for a building professional are any individual who is a resident and registered voter in St. Tammany Parish; and has experience and/or knowledge of building construction. The domicile used for such building professionals shall be the physical location of their primary residence.

302.3 Terms

The Director shall serve on the Board for the length of his employment. The terms are to coincide with those of the Parish Council/Parish President, with the exception of the Parish employee who serves until termination of employment. Any member may, per cause, be removed from office at any time by the said governing authority. Whenever any member shall cease to be a resident of St. Tammany Parish, his membership shall automatically be terminated. Vacancies shall be filled by the St. Tammany Parish Council. A Chairman will be elected by the Board each year.

Secretary of Board: The Director shall act as secretary of the Board and shall make or cause to be made a detailed record of all its proceedings.

303 ELECTRICAL BOARD

303.1 Appointment

There is hereby established an Electrical Board which shall consist of five (5) members; one (1) Chief Electrical Inspector, three (3) St. Tammany Parish registered electrical contractors and one (1) licensed Electrical Engineer. Four members appointed by Parish Council and One member appointed by the Parish President. All of whom shall be residents of St. Tammany Parish.

303.2 Terms

The Chief Electrical Inspector shall serve on the Board for the length of his employment. The terms are to coincide with those of the Parish Council/Parish President, with the exception of the Parish employee who serves until termination of employment. Any member may, per cause, be removed from office at any time by the said governing authority. Whenever any member shall cease to be a resident of St. Tammany Parish, his membership shall automatically be terminated. Vacancies shall be filled by the St. Tammany Parish Council.

304 MECHANICAL BOARD

304.1 Appointment.

There is hereby established a Mechanical Board which shall consist of five (5) members; one (1) Chief Mechanical Inspector, three (3) St. Tammany Parish registered mechanical contractors and one (1) licensed Mechanical Engineer. Four members are appointed by Parish Council and One member is appointed by the Parish President. All of whom shall be residents of St. Tammany Parish.

304.2 Terms.

The Chief Mechanical Inspector shall serve on the Board for the length of his employment. The terms are to coincide with those of the Parish Council/Parish President, with the exception of the Parish employee who serves until termination of employment. Any member may, per cause, be removed from office at any time by the said governing authority. Whenever any member shall cease to be a resident of St. Tammany Parish, his membership shall automatically be terminated. Vacancies shall be filled by the St. Tammany Parish Council.

305 PLUMBING/ GAS BOARD

305.1 Appointment.

There is hereby established Plumbing Board which shall consist of five (5) members; one (1) Chief Plumbing Inspector,) one (1) Journeyman Plumber, two (2) Master Plumbers 1 Allied Plumbing, Gas or Engineering Trade or Profession. Four members are appointed by Parish Council and one member is appointed by the Parish President. All of whom shall be residents of St. Tammany Parish.

305.2 Terms.

The Chief Plumbing Inspector shall serve on the Board for the length of his employment. The terms are to coincide with those of the Parish Council/Parish President, with the exception of the Parish employee who serves until termination of employment. Any member may, per cause, be removed from office at any time by the said governing authority. Whenever any member shall cease to be a resident of St. Tammany Parish, his membership shall automatically be terminated. Vacancies shall be filled by the St. Tammany Parish Council.

CHAPTER 4 FINES

401 Occupying Without Certificate of Occupancy:

The Contractor of record shall be subject to a daily fine of \$100.00 for each day until compliance Stop work orders shall be issued on all active permits until compliance is achieved.

402 Pouring Foundations without Approved Inspections

- First offense-\$500.00
- Second offense-\$1000.00 and /or removal of foundation

Stop work orders shall be issued on all active permits until compliance is achieved. This offense shall also require a sworn affidavit from an architect or engineer, legally registered under the laws of this state regulating the practice of architecture or engineering, stating that the foundation poured without inspection conforms to the requirements of the technical codes as to strength, stresses, strains, loads and stability. The architect or engineer shall assume full responsibility for the compliance with all provisions of the technical codes and other pertinent laws or ordinances.

403 Failure to Provide Sanitary Facilities on Job Site:

The Contractor of record shall be subject to a daily fine of \$50.00 for each day until compliance Stop work orders shall be issued on all active permits until compliance is achieved.

CHAPTER 5 BUILDING

501 Title

The provisions of the following chapter shall supersede, amend and supplement the 2003 International Residential Code and the 2000 International Building Code and be known as The Building Code of St. Tammany Parish hereinafter referred to in this chapter as "This Code".

502 Residential Foundations

All structures shall be supported on continuous solid or fully grouted masonry or concrete footings or other approved structural systems which shall be of sufficient design to accommodate all loads and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Foundations shall be supported on undisturbed natural soils or engineered fill.

503 Carports.

Carports sharing a common attic space with a residence shall be protected with a minimum of ½" gypsum board. Carports with habitable areas above the carport shall be protected with 5/8" type X gypsum board.

CHAPTER 6 ELECTRICAL

601 Title

The provisions of the following chapter shall supersede, amend and supplement the 2002 National Electrical Code and be known as The Electrical Code of St. Tammany Parish hereinafter referred to in this chapter as "this Code"

602 Display of Electrician's Sign

Every place where work of an electrical nature is being done shall have displayed on a conspicuous place in front, a sign containing the Parish registration number, the State license number (if applicable), the name, address and telephone number of the person, firm or corporation doing the work in letters not less than (2") high. False misleading or deceptive advertising shall constitute an attempt to circumvent the general health, welfare and safety of the public and shall constitute a violation of this code.

603 Commercial Conduit Inspections.

Conduit inspections shall require trenches to be uncovered on both ends of the conduit and the middle for any underground inspection all other areas can be covered.

604 Final Inspections.

For all new construction a construction test meter shall be energized prior to scheduling any electrical, mechanical, plumbing/gas, or building final inspections.

605 Service Grounding Electrode Conductor.

Service grounding electrode conductor (GEC) connections shall be made within five feet (5') of the metal water service entry into the building or in any accessible location where the water pipe emerges from the slab providing the connection is within five feet (5') from the point where the slab (in order to prevent future addition of plastic plumbing

pipng interrupting the ground path). The connection location shall be accessible upon completion of the building.

606 Smoke Alarm Systems

All dwelling units shall have a smoke alarm system installed which complies with the NFPA 72, supplemented by at least one 120V hardwired smoke alarm or Smoke alarms installed throughout the dwelling (in each sleeping room, outside each separate sleeping area in the immediate vicinity of the bedrooms and on each story of the dwelling which are all 120V interconnected, with battery back-up. All detectors shall be approved and listed and shall be installed in accordance with the manufacturer's instructions. Smoke alarm systems shall be completely installed prior to the final building inspection.

607 Electrical Wiring in Buildings Located in a Flood Hazard Zone V.

1. Electrical wiring shall not be allowed in a breakaway wall.
2. Any electrical wiring located below the base flood elevation (BFE) shall be fed from the first floor above base flood elevation (BFE) downward; horizontal feeders and branch circuits shall not be allowed.
3. Fuses and circuit breakers shall not be allowed below the base flood elevation (BFE).
4. Electrical wiring installed below the base flood elevation (BFE) shall be installed no less than five feet (5') above ground level. The maximum number of electrical outlets, receptacles and fixtures allowed below the base flood elevation shall be as follows:
 - o 2 GFCI outlets (one front one rear)
 - o one meter pan and feeder,
 - o two light fixtures,
 - o two switches
5. Meter pans shall be fastened to a post or column and the service entrance conductor conduit shall feed upward to the service disconnect which shall be located above base flood elevation (BFE) the service disconnect shall be located at the nearest point of entry of the service entrance conductor. Service entrance conduit shall remain outside of the building traveling vertically.
6. Underground portions of service laterals near the meter shall be installed a minimum depth of 24".

608 Temporary Power

608.1 Commercial Test Meter Warning Notice.

It shall be the responsibility of the Electrician of record to post a warning notice at the front entrance of the structure. The Notice shall state, "The Electrical system in this occupancy may now or soon be energized. Turn circuit breakers off before working on electrical system, appliances or equipment before cutting into walls, ceilings, etc, hazard of electrocution exists.". Warning notices shall be issued by the Department of Permits

and Regulatory, to the Electrician of record when he signs a request for temporary power. Temporary power shall be released by the Department of Permits and Regulatory upon such request.

608.2 Temporary Power to Water Wells

Any time a temporary wire is run to a water well, it shall be raised a minimum of 7 1/2 ' from grade level, on 2x4 Tees at intervals maintaining a height of 7 1/2' from grade level.

608,3 Special Events Wiring.

A Special Event includes but is not limited to fairs, festivals, carnivals, circuses, road shows, tradeshow, concerts, displays, expositions, and such other functions with a temporary status generally taking place outdoors and indoors at a permanent location or building utilizing the electrical service at that location or building for electrical to support the Special Event. This includes the temporary installation of wiring or electrical equipment of any description to be powered by the use of any self generated power equipment rented or owned by any of the types of Special Event. A permit is required for the Special Event temporary installation wiring or electric equipment of any description. All Certificates of Approval issued for Special Events wiring or electrical equipment of any description may be revoked at the discretion of the Director if the continued use of such writing or electrical equipment for the Special Event is deemed unsafe and not in the interest of the safety , health and welfare of the general public for which the event was initially allowed . All permits shall automatically expire at the end of ninety (90) days.

609 Meter Pans

609.1 Meter Pan Lugs.

Any time a lug is changed within a meter pan, a licensed electrician shall be required to file an electrical permit.

610 Exemptions.

The provisions in this chapter do not apply to companies regulated by the Louisiana Public Service Commission, with the following exceptions. (a) Telephone and telegraph companies-a permit is required where electrical work is performed on the primary side of the source of power from the Utility Company at a voltage over fifty (50) volts and which consumes more than five hundred (500) watts of energy. (b) Utility Company_ a permit is required where electrical work is performed on the secondary side of the source of power from the Utility Company.

CHAPTER 7 MECHANICAL

701 Title

The provisions of the following Chapter shall supercede, amend and supplement the 2000 International Mechanical Code and be known as the Mechanical Code of St. Tammany Parish hereinafter referred to in this Chapter as "this Code"

702 Condensers

The following provisions shall apply to the installation of condensers:

- a). Shall be required to have fusible disconnects.
- b). Shall not be located within six (6') feet of any dryer vent outlet.
- c). Shall have a minimum of twenty four (24") inches clearance on all sides from any structure.
- d). Shall not be located within thirty (30") inches of an electrical meter, gas meter or any swimming pool equipment.
- e). Condensers installed on raised platforms shall have a minimum of thirty (30") inches of working space on the service side of the unit and a minimum of 24 inches of work space on all other sides.

703 Return Air Grills

Return air grills shall be a minimum of one square foot for each 400cfm of air movement, or one square foot per ton of conditioned air.

704 Return Air Chases

Return air chases shall be lined with sheetrock, or one inch standard duct board.

705 Secondary Condensate drain lines

Shall be piped to the outside of a structure in a conspicuous location, allowing for overflow.

706 Primary Condensate Drain Line

The first six (6') feet of the primary condensate line shall be insulated.

707 Heater KW Identification

Units shall be marked with a permanent black marker to indicate kilowatts of heat.

708 Display of Mechanics Sign

Every place where work of an mechanical nature is being done shall have displayed on a conspicuous place in front, a sign containing the Parish registration number, the State license number (if applicable), the name, address and telephone number of the person, firm or corporation doing the work in letters not less than (2") high. False misleading or

deceptive advertising shall constitute an attempt to circumvent the general health, welfare and safety of the public and shall constitute a violation of this code.

CHAPTER 8 PLUMBING AND GAS

801 Title

The provisions of the following Chapter shall supercede amend and supplement the 2000 State Plumbing Code and be known as the Plumbing Code of St. Tammany Parish hereinafter referred to in this Chapter as "this Code".

802 Drains

8021 Main Building Drain.

Main building drain shall stay full size from main clean out to end of building line.

802.2 Kitchen Sink Drains.

All building drains on kitchen sinks to be 3" with a clean out.

802.3 Relief Lines and Pan Drains

All discharge lines from relief valves and pan drains shall terminate separately outside of the building with 90 degree ells no less 6" above grade or greater than 24" above finished grade.

802.4 Clean Outs

All clean outs shall be cut to grade for final inspections.

803 Underground

803.1 Underground Plumbing.

All Underground plumbing shall have long sweeps in slab.

803.4 Underground Piping and Fittings.

All fittings shall be uncovered with piping spot filled every 10' for all underground inspections. Underground installations shall be completed and marked prior to scheduling underground inspections.

803.5 Pex Tubing

Any Pex tubing passing through concrete shall be sleeved in schedule 40 pipe.

804 Island Sink Installations

A combination waste and vent system shall be allowed where the fixtures are not adjacent to walls or partitions. It shall consist of the installation of waste piping in which the trap of the fixture is not individually vented.

805 Tubs

All tubs shall be poured prior to scheduling top out inspections.

806 GAS

806.1 Fireplace shutoff valves

All gas piped fireplaces shall be equipped with a separate shutoff valve. The shutoff valve shall be located in the same room as the fireplace, not further than 6 feet (1829mm) from the fireplace.

806.2 Gas Lighting

All gas lighting shall be complete with gas test prior to scheduling a final inspection.

APPENDIX E PARISH PERSONNEL POLICIES ORDINANCE

Ordinance CS No. 00-0174 7/06/00

Revised 2/18/2005 OCS No. 05-1049

Revised 10/06/2005 OCS No. 05-1199

Revised 7/03/2008 OCS No. 08-1853

Revised 3/05/2009 OCS No. 09-2012

Revised 8/07/2014 OCS No. 14-3167

Revised 11/06/2014 OCS No. 14-3229

Revised 01/08/2015 OCS No. 15-3262

Revised 12/03/2015 OCS No. 15-3425

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GENERAL PROVISIONS

SUBJECT: POLICIES AND PROCEDURES

PURPOSE: The St. Tammany Parish Personnel Policies (hereinafter referred to as "these Policies") is enacted by St. Tammany Parish (hereinafter referred to as the "Parish") to further the following goals:

1. To provide a uniform system of personnel administration;
2. To ensure that the recruitment, selection, placement, promotion, retention, and separation of employees are based upon the employee's qualifications and fitness and meet Federal and state requirements;
3. To assist the Parish President, CAO and Department Heads in the development of sound management practices and procedures, and to make effective use of human resources.
4. To promote communication between management and staff;
5. To ensure, protect, and clarify the rights and responsibilities of employees; and
6. To reinforce employee values which relate to a constant sense of public service, the pursuit of excellence, a positive response to change, and respect for all individuals.

SCOPE: To the extent provided herein, these Policies shall apply to the employees of St. Tammany Parish and participating agencies. In the event of conflict between these Policies and a professional services contract, ordinance, or state or federal law, the terms and conditions of such contract, ordinance or law shall prevail. In all other cases, these Policies shall apply. In the event of the amendment of any ordinance, policy or law incorporated in this document or upon which these provisions rely, these Policies shall be deemed amended in conformance with those changes.

FAMILIARITY WITH THESE POLICIES: It shall be the responsibility of every employee to know and be familiar with the provisions of these Policies.

DISCLAIMER: The Parish specifically reserves the right to repeal, modify or amend these Policies at any time, as may be set forth by law, or ordinance. None of these provisions shall be deemed to create a vested contractual right of any employee nor to limit the power of the Parish or the Parish President to interpret or apply these Policies. These Policies are not to be interpreted as promises of specific individual treatment.

CONTINGENCY POLICY: Whenever facts and circumstances exist which would require an immediate addition, deletion, or revision to these Policies, the Parish President is authorized to establish such addition, deletion, or revision, the effective date of which shall occur upon the promulgation of such to all affected employees and the term of which shall be for no more than sixty (60) days from said effective date.

SUBJECT: DEFINITIONS, APPLICATIONS, AND GUIDELINES

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

1. "Anniversary date" shall mean the annual recurrence of the date on which an employee receives benefits. An anniversary date is not necessarily an employee's date-of-hire, which is the actual date on which an employee is hired.
2. "Benefits" shall mean any or all of the customary emoluments, perquisites, supplements, and advantages which are provided to an employee by virtue of, or as a condition of his/her employment, all subject to applicable eligibility requirements, provisions, and time periods. It is the policy of the Parish that only a permanent employee shall be entitled to receive benefits, and in no event shall an employee whose classification or position is characterized as part-time or any contract employee be entitled to receive benefits.
3. "Classified" shall mean at all times and in any manner subject to a strict and uncompromising application of the provisions of these Policies. Employee positions are categorized as classified, contractual, or unclassified.
4. "Compensation" shall mean the monetary consideration or remuneration, or other consideration mutually agreed upon by the Parish and the employee, which is stated in terms of monthly salary or hourly wage, or other settlement, and provided to an employee in accordance with the schedule for such which is approved by the Parish.
5. "Good standing" shall mean absent any pending or effected disciplinary action which could result or has resulted in the discharge of an employee.
6. "Immediate family member" shall mean an employee's spouse, child, parent, brother, sister, grandparents, parent-in-law, daughter-in-law, son-in-law,

or grandchildren, or any person related by blood or marriage who resides with the employee.

7. "Permanent employee" shall mean a regular full-time employee who has completed his/her probationary period to the satisfaction of the CAO, or an unclassified employee. It is the policy of the Parish that only permanent employees and certain other employees who may be serving a probationary period shall be entitled to receive benefits.
8. "Probationary" shall mean subject to a period of testing and trial to ascertain an employee's fitness for the position to which he or she is assigned. Except as provided hereafter, whenever the Parish CAO determines during the probationary period that an employee is not capable, competent, or qualified to perform in the position to which he or she is assigned, said employee shall be discharged.
9. "Probationary period" shall mean the period a classified employee serves in a probationary status. Except as otherwise provided herein, a probationary period shall be mandatory and be for ninety (90) days commencing on the date of hire, but may be extended whenever the CAO determines that facts and circumstances exist which warrant a defined extension of the probationary period. As such relates to an employee whose classification or position is characterized as temporary, his/her term of employment shall be considered a probationary period. It is the policy of the Parish that during the probationary period an employee is not entitled to receive benefits unless the employee is receiving benefits prior to the probationary period.
10. "Department Head" shall mean the director of a department of Parish government, and as applicable and appropriate, a Department Head shall mean any of the unclassified employees as defined elsewhere in these Policies, or an employee who has been designated by a Department Head to exercise a certain supervisory function(s) as set forth on the organizational table for the Parish.
11. "Personal Time" shall mean the time allotted to an employee, during a regular scheduled work day, to be used as the employee deems necessary.
12. "Continuous Service" an employee's uninterrupted classified and permanent unclassified service from the most recent date of employment, except that service shall not be interrupted by an approved leave of absence without pay in excess of thirty (30) days.
13. "Demotion" shall mean a change of a regular employee in the classified service from a position of one class to a position of another class for which a lower pay range is prescribed.
14. "Dismissal or Removal" the termination of employment for cause.
15. "Merit Increase" a merit increase is a percentage increase awarded to eligible employees.
16. "Promotion" shall mean a change of a regular employee in the classified service from a position of one class to a position of another class for which a higher pay range is prescribed.

17. "Reinstatement" the re-appointment of a permanent employee who had been separated from his position for reasons other than fault or delinquency on his part, to a position of the same class.
18. "Suspension" the enforced leave of absence without pay of an employee as a result of disciplinary purpose; or during an investigation of alleged misconduct by the employee.

SUBJECT: TYPES OF EMPLOYMENT

1. Regular Full-Time Employee: A classified employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule which totals no less than 28 hours per week.
2. Regular Part-Time Employee: A classified employee who is assigned to a position which is expected to continue for an indefinite duration, and who works a schedule of 5 hours or more, but less than 28 hours per week.
3. Temporary Full-Time Employee: A classified employee whose work assignment is limited in duration to four months or less, and who works a schedule which totals no less than 28 hours per week.
4. Temporary Part-Time Employee: A classified employee whose work assignment is limited in duration to four months or less, and who works a schedule of 5 hours or more, but less than 28 hours per week.
5. Contract Agent: An individual who is assigned to a position which is expected to continue for an indefinite duration, and who works a regular schedule which is less than 28 hours per week, or which may vary from week to week.
6. Student Intern Employee: A classified employee who is regularly enrolled as a student in a recognized educational institution and is assigned to a temporary or part-time position which, in the case of post-secondary students, is related to the student's course of study, and which continues for no longer than the current semester or term at the student's school; provided, however, that subsequent work assignments may be made for the same student for periods which correspond to the student's subsequent semester or term.
7. Summer Student Intern Employee: A classified employee who would otherwise be considered a student intern employee, but that the term of employment occurs during a recognized semester break which may include the summer break.
8. Unclassified Employee: An unclassified employee who would otherwise be considered a regular full-time employee but is appointed by the Parish President or Parish Council or participating governing authority, for a specific supervisory or management function. This individual is subject to all aspects of these Policies except for applicable provisions which are appropriately administered by the Parish President or Parish Council, such to be hours of work, annual leave, and compensation/benefits. An unclassified employee is appointed for a specific term and as an executive is deemed to have responsibilities, benefits and authority greater than a classified employee. Although provisions are provided for the direct supervision of all unclassified employees, any such employee may be demoted or discharged only by the respective appointing authority. The

employees deemed to be unclassified are those positions shown in Section 2 of St. Tammany Parish Code of Ordinances.

SUBJECT: AMERICANS WITH DISABILITIES ACT

It is the policy of the Parish that it shall provide a bias-free environment for disabled employees or for disabled persons who seek employment with the Parish. Recruitment and selection processes shall grant equal opportunity for employment to qualified applicants and shall not discriminate on the basis of disability. Reasonable accommodation shall be provided upon request during an application/interview process.

The Parish shall ensure equal opportunities for disabled employees. Every reasonable effort shall be made to provide an accessible work environment and additional accommodations, including auxiliary aids and services. Employment practices (e.g., hiring, training, testing, reassignment, promotion, compensation, benefits, termination, etc.) shall be administered in such a manner as to abate any discrimination of disabled employees. Employees shall be trained to ensure that disabled persons may participate in and benefit from Parish programs, services, and activities.

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the Parish to ensure equal employment opportunity for all employees and appointed representatives. This commitment includes a mandate to promote and afford equal treatment and services to all citizens and employees, and to assure equal employment opportunity based on ability and fitness to all persons regardless of race, religion, color, creed, national origin, sex, marital status, age, or the presence of any sensory, mental, or physical disability unless such disability effectively prevents the performance of the essential duties required of the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.

The goals and objectives of the Equal Employment Opportunity policy are to:

1. Ensure fair treatment and non-discrimination in hiring and employment.
2. Provide compliance with State and Federal equal opportunity requirements and regulations.
3. Provide a basis for encouraging those who do business with the Parish to practice equal employment opportunity.

PROGRAM RESPONSIBILITY Unless otherwise designated by the Parish, the CAA Director shall serve as the Equal Employment Opportunity Officer to carry out the Equal Employment Opportunity policy and program. The Officer shall be the focal point for the

Parish's equal opportunity efforts and shall advise and assist staff and management personnel in all matters regarding implementation of and compliance with the Equal Employment Opportunity policy, and be responsible for the successful execution of the program, utilizing the assistance of appropriate State and community agencies. An employee should contact the EEO Officer if they have any questions or concerns.

EQUAL EMPLOYMENT OPPORTUNITY PRACTICES The Equal Employment Opportunity Officer shall perform the following actions to assure equal employment opportunities:

1. Reviews all position qualifications and job descriptions to insure requirements are relevant to the tasks to be performed. Make recommendations as needed to delete requirements not reasonably related to the tasks to be performed.
2. Assures that pay and fringe benefits depend upon job responsibility and, along with overtime work, are administered on a non-discriminatory basis.
3. Informs and provides guidance to staff and management personnel who make hiring decisions so that all applications for selection or promotion, including those of minorities and women, are considered without discrimination and all applicants be given equal opportunity regardless of race, creed, color, national origin, gender, marital status, age, or the presence of a sensory, mental, or physical disability unless such disability effectively prevents the performance of essential duties and functions required by the position and which are bona fide occupational qualifications which cannot be accommodated without undue hardship.
4. Reviews procedures and actions to ensure equal employment opportunity in hiring.
5. Provides information to existing and new employees which emphasizes how the Parish assures equal opportunity.

EMPLOYMENT

SUBJECT: HOURS OF WORK

Except for unclassified employees, the working hours for an employee under Pay Plan A is seven and one-half (7.5) hours, from 8:00 a.m. to 4:30 p.m., with a one-hour unpaid lunch period. Under Pay Plan B, the working hours for an employee are eight (8) hours, from 7:00 a.m. to 3:30 p.m. with 0.5-hour unpaid lunch period. An employee is expected to be at his/her work location and ready to begin work at the beginning of their work schedule. The lunch period shall be scheduled by the Department Head to allow for continuous staffing of all offices with at least one person.

Occasions may arise when service to the public can be improved through the adjustment of an employee's work hours. The Department Head shall obtain approval of the CAO for any adjustment in work hours. Individual requests for adjustment of

working hours for personal reasons shall require approval by the Department Head, with concurrence of the CAO.

Hours for part-time and certain employees may vary from the normal office hours noted above due to the nature of their duties and shall be determined by the Department Head, with concurrence of the CAO.

An employee is expected to provide his/her Department Head with a notice of anticipated and/or unavoidable tardiness as early as possible. Failure to do so shall be construed as an unexcused absence, and the time missed shall not be paid. If approved by the Department Head, tardiness may be made up during the Payroll Period in which it occurs. Notification by another employee or other person is not considered proper procedure except in an emergency situation whereby the employee is physically unable to make the notification.

The following action shall be taken if employee's explanation for being tardy is unacceptable to the Department Head:

1. The employee shall receive counseling or a warning and a reduction in pay in ½-hour intervals based upon the time of arrival.
2. If an employee is tardy on two (2) occasions within a Payroll Period, a reprimand shall be issued.
3. On the occasion of a third reprimand, the employee shall receive a three-day suspension, after which the employee may be subject to further disciplinary action if tardiness continues.
4. Consideration shall be given as "justifiable" tardiness for reasons determined by the Department Head to be unavoidable, which may include, but are not limited to the following: unanticipated automobile trouble, unforeseen traffic, severely inclement weather, illness, or family medical leave issues. However, excessive use of "justifiable" excuses for tardiness, as determined by the Department Head, shall not be allowed and shall result in disciplinary action.

Daily attendance records shall be maintained by each department including date and time absent and reason for absence. Attendance shall be a consideration in determining promotions, reassignment, satisfactory completion of a probationary period and continued employment. Frequent tardiness or other attendance irregularities shall be cause for disciplinary action.

SUBJECT: FLEXIBLE SCHEDULES, TELECOMMUTING

The Parish recognizes that in the modern workplace there are positions in which face-to-face contact with co-workers or customers is not necessary. A telecommuting arrangement that is suitable to both employee and his/her supervisor, and authorized by the CAO, and meets the following requirements, may be entered into:

1. A position and/or project that can be handled by one person, with limited input from others (and with that input working efficiently by telephone or electronically).

2. The nature of the work and/or project should be clearly defined and easily measured so that the supervisor will be able to assess if performance is adequate.
3. The potential telecommuter is comfortable working essentially alone, without office social contacts; being able to schedule tasks and hold to a schedule; being able to complete said tasks whatever the demands of family; and having exemplified the discipline to perform without a supervisor.
4. Any employee being considered for such a position is an employee who, during their years of service, has consistently attained either a "commendable" or "meritorious" rating on annual personnel performance evaluations.
5. The supervisor of said employee is able to enter into such an arrangement without creating more work for those employees still working the affected department.
6. Ensure that said employee takes care to safeguard electronic devices and information. Telecommuting employees are required to back up data frequently, to have an uninterruptible power source to allow them to save work before the computer goes down, and keep back-up disks and other media in a safe location, if necessary.
7. Ensure that telecommuting employee has homeowner's insurance that covers the computer equipment against theft and damage if said equipment is supplied by the Parish.

A formal agreement between the Parish and the telecommuting employee will be necessary that specifies the following: how often they will be expected to appear at the office; how much notice they need to be called to the office at other times; how many hours they will work; what their schedules will be; whether telecommuting is expected to be temporary or permanent; who the employee reports to; what the promotion possibilities are; the rate of pay; whether or not they will receive benefits, (i.e., health/retirement, holiday/overtime pay, sick/annual leave accrual).

This formal agreement may be terminated either by the employee or employer, at any time.

SUBJECT: PERSONAL TIME

A Regular Full-Time Employee in an administrative position may receive one ten (10) minute break during each four hour work session (8 a.m. - 12 noon being the "morning session" and 1 p.m. - 4:30 p.m. being the "afternoon session"). All Regular Part-Time employees may receive one five (5) minute break during each four hour work session. Temporary Full-Time and Temporary Part-Time employees in administrative positions may receive personal time, but said time will only be given at the discretion of their supervisor. In some departments these breaks are scheduled by the supervisor; in other areas they may be taken at the employee's discretion. Breaks may not be combined into one twenty (20) minute period, added to the lunch break, saved up from day to day, or used to offset arriving at work late or leaving early.

SUBJECT: POSITION DESCRIPTIONS / CLASS

Position descriptions and specifications shall be maintained by the Personnel Office for all regular full-time and regular part-time positions. An employee's position description shall be maintained as part of his/her personnel file. The position description shall include: Classification Number, Position Title, Pay Plan Designation, Labor Grade, Position Description, Qualifications, Example of Duties, Special Requirements, Revision Date, and any other relevant information which may be required.

The position description does not constitute an employment agreement between the Parish and the employee and is subject to change as the needs of the Parish and the requirements of the job change. Examples of duties listed in the position description are intended only as illustrations of the various types of work to be performed. The omission of specific examples of duties does not exclude other duties from the position if the work is similarly related or is a reasonable assignment for the position, all as determined by the Department Head.

SUBJECT: PARISH ASSIGNED VEHICLES

Parish owned vehicles shall be assigned based upon the job duties of each position by the Parish President. An employees position and out of office responsibilities shall determine if the vehicle can be taken home or if it is to be retrieved from a designated lot. Parish vehicles are to be used for official business only and the employee is responsible to insure that the vehicle is locked and parked in a safe place when not in use.

SUBJECT: HIRING PROCESS

EMPLOYEE NEW-HIRE PROCESSING AND ORIENTATION A new regular full-time or regular part-time employee shall be scheduled to meet with the Personnel Office for general orientation. Upon arrival, the Personnel Office shall distribute and explain the various enrollments forms, etc., that must be prepared. The new employee shall be provided with information on benefits, these Policies, and other orientation subjects.

The Personnel Office shall also provide information to the new employee as such relates to their employment, and shall also perform the following:

1. Drug and Alcohol policy.
2. Duties of the position.
3. Hours of work, time cards or reports, leave requests.
4. Schedule for lunch and breaks.

5. When and to whom to report absence from work.
6. Who is responsible for performance planning and review.
7. Work standards and regulations.
8. Safety rules and procedures, location of safety or protective equipment.
9. Tour of the work area, including location of equipment, supplies, etc.
10. Introduction to co-workers.

APPLICANT/CANDIDATE EXPENSES Unless approved by the CAO, the Parish shall not reimburse any applicant/candidate for travel costs in conjunction with the hiring process. Relocation costs shall be paid in full by the employee unless otherwise approved by the CAO. The applicant/candidate shall be advised of these provisions prior to reporting for the interview.

TEMPORARY HELP Steps 1-8 listed under Recruitment Section of this policy are not required in the recruitment of temporary or part time help. The affected department shall maintain responsibility for screening applications, testing, interviews, reference checks, applicant notification, appointments, and preparation of any necessary Personnel Action Forms. These steps shall be accomplished in accordance with the guidelines listed above.

REEMPLOYMENT A former regular full-time employee who has at least five (5) years of service with the Parish and is separated from employment with the Parish in good standing is eligible for reemployment within two years of such separation. Such employee interested in reemployment shall file an application with the Personnel Office and shall be subject to the regular hiring process with other applicants as described in the Hiring Process policy.

An individual reemployed in his/her former position may be paid at his/her former pay grade and level. The compensation of an employee rehired to a position other than the former position shall be subject to provisions for new hires. Annual leave accrual shall be based on previous service with the Parish. Reinstatement in the retirement system shall be made in accordance with the rules and regulations set by the State Retirement system.

NEPOTISM It is the policy of the Parish that an "immediate family member" shall not be employed in regular full-time or regular part-time positions whenever:

1. One immediate family member would have the authority to supervise, appoint, remove, discipline, or evaluate the performance of the other.
2. One immediate family member would be responsible for auditing or inspecting the work of the other.

3. Other circumstances exist which would place the immediate family members in a situation in which there is an actual or reasonably foreseeable conflict between the interest of the Parish and their own.
- 4.

SUBJECT: SPECIAL EMPLOYMENT PROGRAMS

The Personnel Office is responsible for the coordination of all special employment programs funded by an external agency (e.g. Youth Training Program, Job Training Partnership Program, University Internships, Work Training Programs, etc.).

The Department Head shall forward all requests for participation in special employment programs to the Personnel Office for coordination with the appropriate agency. The Personnel Office, in cooperation with the requesting department, shall develop a scope of work and qualifications statement to be used in the recruitment and selection of an employee and in the definition of tasks to be performed during the period of employment. The provider agency shall review scope of work, qualifications, training, level of supervision, and safety for appropriateness.

The Personnel Office shall maintain records on program participants including the contractual agreement between the Parish and provider agency, scope of work and qualifications statement, and personal emergency data. The Department Head shall be responsible for performance evaluations on program participants as required.

SUBJECT: SPECIAL LICENSES AND MEMBERSHIP FEES

The Parish shall reimburse an employee who is required by ordinance, or state or federal law to be a member of a professional organization, or who must maintain current a particular certification or license as a condition of employment. Payment shall be made upon approval by the CAO. An employee who belongs to a professional organization that promotes individual professional growth, competence, and effectiveness in functioning as an employee shall be allowed time off with pay to attend local, state, and national meetings, all subject to the approval by the CAO. Membership in any such organizations shall be in the name of the Parish whenever possible.

SUBJECT: PERSONNEL RECORDS

The Personnel Office shall be responsible for establishing and maintaining an official personnel file for each employee. Department Heads shall be responsible for the forwarding of documents for inclusion in the Personnel files of those employees assigned to their respective department. Each employee shall be responsible for the verification of information contained in the personnel file. A representative of the

Personnel Office shall be present whenever an employee reviews his/her file. Only the Personnel Office may remove an item from a personnel file with notification to the respective Department Head. Any review of an employee's file shall be scheduled by the subject employee with the Personnel Office. The purpose of any such review shall be to examine the contents of the file for accuracy and completeness. Identification of information to be included in the employee's personnel file shall be:

1. Permanent Documents - Documents retained in an employee's file throughout his/her employment:
 - a. Employee application.
 - b. Position description and specification information.
 - c. Job performance ratings and evaluations.
 - d. Education / training information.
 - e. Personnel data card.
 - f. Personnel action forms.

2. Temporary Documents - Documents which have limited retention of three (3) calendar years or less, such as:
 - a. Administrative correspondence relating to leave/vacation requests.
 - b. All other administrative documents of limited informational life span.
 - c. Letters of appreciation, commendation, or disciplinary action.

The Personnel office shall treat as confidential all employee information except when requested to verify information relating to position title and status (e.g. regular full-time, etc.), current salary, and date or period of employment. Otherwise, information contained in the personnel file shall not be released without the written permission of the subject employee. Employee records shall be maintained during the tenure of the employee and for five years thereafter.

SUBJECT: PROMOTION

Following a policy of upward mobility whenever possible, the Parish shall attempt to fill an available position with a qualified employee before advertising the vacancy to the general public. Every employee is encouraged to apply for any vacancy for which he/she may qualify in accordance with these Policies, all as set forth in the section entitled HIRING PROCESS. Selection of an employee for a promotion shall be based upon his/her record of performance, qualifications, academic standing, and the knowledge, skill, and abilities specific to the advanced position.

In a situation where only one employee applies for a position and his/her qualifications are known to the Department Head, the formal selection process may be dispensed with upon concurrence by the CAO.

A temporary appointment may be made by the Department Head as necessary. Such an appointment is made on an "acting" basis and the employee shall return to his/her

prior position upon completion of the assignment. The actual salary for an "acting" appointment shall be set by the CAO.

An employee promoted to an advanced position shall be subject to a probationary period, unless such is specifically waived by the CAO. An employee who is promoted shall maintain his/her initial anniversary date.

SUBJECT: DEMOTION

An employee demoted to a position in a lower classification due to disciplinary action, departmental reorganization, or in lieu of a layoff may receive a reduction in pay commensurate with the nature of the demotion as determined by the CAO. An employee shall not be demoted to a position for which he or she does not possess the minimum qualifications.

A demotion in lieu of a layoff may be rescinded by the CAO if the employee's prior position is reopened within a six-month period.

An employee who is demoted shall be subject to a probationary period in the new position, unless such is specifically waived by the CAO. An employee who is demoted shall maintain his/her existing anniversary date.

SUBJECT: REASSIGNMENT

A reassignment of duties, voluntary or otherwise, shall occur only when the best interest of the Parish and the employee is served, all as determined by the CAO. If such is an interdepartmental reassignment, the terms and conditions for such shall be agreed upon by the affected Department Heads and the CAO. An employee who wishes to be reassigned shall request such in writing to the appropriate Department Head. If an interdepartmental reassignment is contemplated, the employee shall provide a copy of the request to his/her Department Head upon or before the submittal of said request.

To be eligible for reassignment, the current salary of the subject employee must be consistent with the salary of the intended position. Whenever an employee's qualifications meet only the minimum requirements for the intended position, the employee's salary shall be at the entry level grade for the intended position irrespective of the employee's current salary. Whenever an employee's qualifications exceed the minimum requirements for the intended position, the employee's salary may be set at a salary consistent with the employee's knowledge, skill, and abilities.

An employee who is reassigned to a position shall serve a probationary period, unless such is specifically waived by the CAO. A reassignment does not change an employee's anniversary date.

SUBJECT: POSITION RECLASSIFICATION

The revision of a position description within the classification plan shall be made as often as is necessary to provide current information on the positions and classifications. When the duties of an existing position substantially change, the Department Head shall submit a written request to the CAO to reclassify the position, which shall include a full explanation and justification for the reclassification. Said request shall be reviewed by the CAO and Personnel Office. The CAO shall then decide if the position is to be reclassified.

An employee who considers his/her position improperly classified shall first submit a request in writing for reclassification to his/her Department Head who shall review the request and transmit it with written comment and/or recommendations to the CAO.

In the event that the salary for a position which is reclassified results in an increased salary grade for the position, the affected employee shall remain at his/her current salary at the appropriate step within the advanced grade, or the employee shall assume the entry level step of the advanced grade, whichever is greater.

In the event that the salary for a position which is reclassified results in a decreased salary grade for the position, the affected employee shall remain at his/her current salary at the appropriate step within the decreased grade, or the employee shall assume the maximum level step of the decreased grade, whichever is less.

SUBJECT: EMPLOYEE SEPARATION AND OUT-PROCESSING

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

"Service Retirement" or "Disability Retirement" shall mean the voluntary termination of employment under terms and conditions set forth by and satisfactory to the state retirement system.

"Resignation" shall mean voluntary termination for any reason other than retirement. An employee who wishes to resign in good standing shall provide a written resignation to his/her Department Head no less than ten (10) working days prior to the effective date of resignation. The resignation letter shall include the reason for leaving as well as the proposed effective date. Such notice is understood to mean that the resigning

employee shall be available for work during this time so as to aid in the training of a replacement. An exception to the time limit requirement may be granted by the CAO.

"Discharge" shall mean the involuntary termination of employment.

An employee shall receive pay for work performed through the last hour worked and for unused benefits as stipulated by policy and laws governing such payments.

The employee's final pay check shall be reduced by any authorized legal deductions; authorized pension plan; credit union, tax sheltered annuity; United Way; and any other amounts specifically agreed upon by the employee and the Parish. Before the final paycheck is issued to the employee, the employee shall be required to complete the clearance process.

An employee on layoff interested in re-employment, shall keep the Parish informed of the address and telephone number where he/she can be contacted for a period of one year. If the Parish is unable to contact the employee within seven (7) calendar days, consideration to recall the employee shall cease.

Special questions may also be developed by the Personnel Office and/or Department Head for the Exit Interview. Copies of the completed Exit Interview shall be distributed to the appropriate Department Head and the CAO. The Department Head may respond in writing to statements made in the Exit Interview. The response shall be reviewed by the Personnel Office and filed together with the Exit Interview report. The Exit Interview shall be maintained separately from the employee's official personnel file.

SUBJECT: PERFORMANCE EVALUATIONS

Employee evaluation is a positive process with emphasis on the further development of the individual, the potential for assuming additional responsibility, and an organized program to increase productivity. It is a healthy and on-going process of relating performance to realistic standards, recognizing individual achievements, measuring degrees of improvements, and providing guidance for self-improvement. Ideally, the program will motivate the truly outstanding performers, and inspire those requiring further individual development.

All performance evaluations shall be done in accordance with Employee Performance Evaluation Manual.

COMPENSATION

SUBJECT: EMPLOYEE COMPENSATION

It is the policy of the Parish to establish a compensation plan which allows the Parish to effectively compete for qualified personnel and which ensures that salaries are equitable and commensurate with the duties performed by each employee.

CLASSIFICATION PLAN

Jobs with similar duties and responsibilities are assigned to the same salary grade. The CAO shall conduct a review of a position whenever there is an indication that an employee is working above or below the established responsibilities for the position. This review shall be initiated at the request of a Department Head and shall be conducted in accordance with the policy on POSITION RECLASSIFICATION.

SALARY GRADES AND STEPS

The schedules of salary grades and steps (Plan A and Plan B) adopted by the Parish shall apply to all employees not covered by a professional contract.

The Parish shall post annually, in April, on its website, the current Labor Grade - Step schedule in force for that year.

INCREMENTAL STEP INCREASE

In order to retain quality personnel by implementing a competitive salary schedule, a procedure for the granting of incremental pay increases is hereby established. Accordingly, it is the policy of the Parish that an employee's rate of pay shall increase in direct relation to his/her professional growth and achievement through evaluation of performance, all in conformance the schedule of salary grade and steps.

It is the responsibility of the Department Head to monitor the job performance of each employee under his/her supervision or control. Whenever an employee over a defined and extended period of time (generally one year) consistently demonstrates his/her competence and effectiveness, the employee's Department Head shall report such in writing to the CAO by means of the Management Report Form. Attached thereto shall be a copy of the employee's most recent Personnel Performance Evaluation Form (the "Evaluation").

It is the responsibility of the CAO to review and consider said Management Report Form and Evaluation. (It should be noted that an Evaluation, regardless of how commendable it reports the employee's job performance to be, shall not by itself initiate or support a pay increase for the employee. Rather, an outstanding Evaluation may be used to sustain the findings and recommendation of the Department Head.) The CAO may determine that the employee warrants an increase in his/her rate of pay, and may order a one-step pay increase. This determination shall be conclusive and not subject the grievance procedure.

COST-OF-LIVING ADJUSTMENT

A cost-of-living adjustment may be granted by the Parish, but shall apply only to the employees of the St. Tammany Parish Government (other parochial agencies are excluded). If granted, such increases are generally effective beginning on the first full Payroll Period of the following year.

MAINTENANCE OF THE COMPENSATION PLAN

The Personnel Office shall be responsible for the continuous maintenance and administration of the compensation plan. The review shall include an analysis of prevailing rates of pay for similar positions in comparable labor markets and organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the CAO shall recommend changes to the Parish President in the salary plan which would result in a more uniform and equitable compensation plan.

It is the policy of the Parish to establish a compensation plan which allows the Parish to effectively compete for qualified personnel and which ensures that salaries are equitable and commensurate with the duties performed by each employee.

The Parish shall post annually, in April, on its website, the salaries of all employees for the prior year to include the department, job classification, annual salary, over time pay and years of service.

SUBJECT: OVERTIME

FAIR LABOR STANDARDS ACT (FLSA) This policy shall not contravene the provisions of the FLSA pertaining to the minimum rate of compensation for work performed by an employee beyond the hours in a standard work week (Sunday through Saturday).

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

1. "Overtime" shall mean all work which is authorized by the Department Head and which is performed beyond an employee's regularly scheduled hours.
2. "Overtime rate" shall mean the rate of pay an employee receives for working overtime, such to be calculated at one and one-half times the hourly rate of the employee. It shall be noted, however, that the overtime rate shall be paid only when the overtime hours an employee actually works (compensatory leave and holiday pay included) exceed forty (40) or thirty-seven point five (37.5) hours in a standard work week. Otherwise, the rate of pay an employee receives for working overtime shall be at the regular rate.
3. "Compensatory leave" shall mean the unpaid compensation provided salaried employees for working overtime (see the section regarding compensatory time)

4. "Employee" shall mean any regular full-time employee or regular part-time employee who is not a salaried employee.
5. "Salaried employee" shall mean any employee whose classification or position is characterized as full-time and who is not normally eligible to earn overtime pay unless said employee performs duties above and beyond the normal scope of their job description during a declared emergency or in order to complete an important project in a timely manner (as approved by either a Department Head or CAO).

RESPONSIBILITIES

1. It shall be the responsibility of the Department Head to administer the provisions of this policy.
2. Only the Department Head/CAO is authorized to approve overtime.
3. The Department Head who authorizes overtime shall ensure that the overtime is recorded promptly on the employee's time sheet.
4. The Department Head shall exercise extreme discretion in the utilization of overtime. Temporary adjustments in working hours or realignment of duties within the department shall be considered as alternatives to overtime. Overtime shall be considered necessary only when additional effort is needed to complete a critical task in a timely manner.

SUBJECT: COMPENSATORY LEAVE

Compensatory Time is that time which is earned and accrued by an employee in lieu of immediate cash payment for employment in excess of normal work hours and/or employment above an employee's position description.

Compensatory time will be earned at a rate of one and one-half hours for each hour of work completed in excess of normal work.

Request for approval of compensatory time accrual will be handled by the CAO or designee; once approval for accrual is granted the time is to be logged with the Personnel office and the department's payroll clerk; request to use compensatory time requires approval by CAO or designee.

No employee shall be allowed to accumulate compensatory time in excess of the limit imposed by the Fair Labor Standards Act (FLSA).

CONDITIONS FOR USE: An employee shall be permitted to use compensatory time if such requested use does not unduly disrupt the customary work practices of the department in which said employee works. Such work practices include but are not limited to (a) the normal schedule of work, (b) anticipated peak workloads on past experience, (c) emergency requirements for staff and services, and (b) the availability of qualified substitute staff.

TERMINATION OF EMPLOYMENT: An employee shall receive payment of unused accumulated compensatory leave.

SUBJECT: ON-CALL POLICY

The following rates are established as “On-Call” pay for those persons within the Department of Public Works in supervisory positions, as designated through separate schedule, within the guidelines reflected below:

Weekend “On Call”	\$50.00 per weekend (3:30 p.m. Friday thru 7:00 a.m. Monday)
Holiday “On Call”	\$25.00 per day
Trace Ranger “On Call”	\$ 5.00 per day - closes at 6:00 pm \$ 8.00 per day - closes at 8:00 pm

(For hours of operation that Trace is open over the normal workday – including pre-work hour from 6:00 am to 7:00 am)

Each Maintenance Area shall designate one (1) employee to be “On Call” for each weekend and holiday. These employees shall be required to be available by beeper to review and appraise emergencies within his or her respective area. These employees shall be paid the “On Call” pay regardless of whether they are called out or not, and shall either receive overtime, or compensatory time (if allowed), for all time that they are required to work over and above their normal work week. These employees shall be responsible and will be authorized to call out parish crews, as needed, to address emergency situations within their respective area. Employee “On Call” is to make sure that his or her beeper is operating at all times during the “On Call” period.

The following rates are established as “on-Call” pay for Animal Control Officers within the Department of Animal Services:

Weekend “On-Call” -	\$50.00 per weekend (4:30 p.m. Friday thru 8:00 a.m. Monday)
Holiday “On-Call” -	\$25.00 per day
Weekday “On-Call” -	\$5.00 per day (4:30 p.m. thru 8:00 a.m. Monday thru Thursday)

One Animal Control Officer shall be designated to be “On-Call”. This employee shall be required to be available by beeper to review and appraise emergencies. These employees shall be paid the “On-Call” pay regardless of whether they are called out or not, and shall either receive overtime, or compensatory time (if allowed), for all time that they are required to work over and above their normal work week. Employee “On-Call”

is to make sure that his or her beeper is operating at all times during the "On-Call" period. Employee "On-Call" shall remain in St. Tammany Parish and be able to be in route for emergency calls within 10 minutes from the time the call is received.

Animal Control Officers will respond to emergency calls after hours including but not limited to: Humans in danger; Animals in peril, or Request by law enforcement.

When a law enforcement agency calls and requests animal control the on-call officer must speak with the officer requesting assistance and with the complainant before responding to the complaint. Animal control officers will not base their decision on the information given to them by dispatchers. On-call animal control officers will not respond to any animal control complaints after dark without a law enforcement officer present for back up

Effective 2/09/09 the on-call officer will work 10:30 - 7:30 pm or 11:00 - 7:30 pm. The on-call officer will respond to routine calls until 6pm. After 6pm calls will be handled on an emergency basis allowing time for all paperwork to be completed and the officer to be off duty by 7:30 pm. All overtime must be approved in advance by the assistant director or director.

SUBJECT: UNIFORM POLICY - PUBLIC WORKS FIELD PERSONNEL

The Parish will provide shirts, jackets and safety equipment to all permanent field employees of the Department of Public Works. Employees shall be required to provide and wear their own steel toe boots and pants, as follows:

Pants - Blue or Black pants or jeans. Pants should be in an acceptable condition and free of large holes or tears.

Steel Toe Boot - Black or Brown in accordance with ANSI Z41-1991

Each permanent Public Works Field Employee will be eligible to receive a uniform allowance, in the amount of \$25.00 gross pay (\$300.00 gross pay per year), on the last check of each month, as follows:

On the last payroll of each month all permanent Public Works Field Employees, who in the determination of the supervisor have been in complete uniform for the previous month will receive a gross pay add-on of \$25.00 on the last paycheck of each month. If in the determination of the immediate supervisor an employee has not met his/her obligation to report to work and perform his/her duties on a daily basis in complete uniform, same shall be so noted on the time sheet and through written reprimand and the uniform allowance shall be suspended for that month.

Complete uniform shall mean boots, pants and Parish issued shirt, as well as safety equipment issued by the Parish. (Field Clerks are exempt from wearing steel toe boots)

Any employee who terminates employment for any reason, prior to the 20th of each month, shall not be eligible for the uniform allowance.

Temporary Public Works Field Employees shall be responsible to furnish their own attire, which shall include long pants, shirt and steel toe boots that meet the above guidelines. Safety equipment will be provided by the parish to temporary employees.

For the purpose of this policy, Public Works Field Employees shall include the following: All employees within GMRR (including Field Clerks), Maintenance Barns, Drainage (except pump operator), Tammany Trace Maintenance and Vehicle Maintenance.

It shall be the responsibility of any terminated employee to return all parish issued uniforms and safety equipment to the supervisor on the last date of their employment.

SUBJECT: TIME SHEETS/PREPARATION OF PAYROLL

The Department Head shall be responsible for preparing the time sheet which is provided by the Personnel Office. The time sheet shall include a complete listing of all employees assigned to the subject work group. The Personnel Office shall be responsible for the computation of all earnings, deductions, etc. Payroll records (time sheet data) shall be maintained by the Personnel Office for seven years. Falsification of time records by any employee shall be cause for disciplinary action.

SUBJECT: PAYROLL PERIODS AND PAYCHECKS

1. There shall be approximately 26 Payroll Periods in a calendar year.
2. Paychecks shall be issued on the first Wednesday after the close of a Payroll Period. If such day falls on a holiday, paychecks shall be issued on the last working day proceeding said Wednesday.
3. Paychecks shall be distributed by the Personnel Office only to the appropriate Department Head by noon on the subject Wednesday.
4. An employee's paycheck may be released only by the Department Head to an employee's spouse, family member, or any other person, but only if authorized in writing by the employee.
5. With each paycheck, an employee shall receive a statement of earnings and any deductions made, as well as appropriate cumulative totals of all leave.
6. An employee shall cash and/or deposit his/her paycheck on personal time.

SUBJECT: PAYROLL DEDUCTIONS

The following items are required to be deducted from each paycheck:

1. Federal Income Tax withholding.
2. Social Security (eligible employees only).
3. Medicare
4. Retirement contributions (eligible employees only).
5. Certain health insurance premiums.
6. Deductions specifically required by a court order, e.g. garnishment.

Additional deductions, which are optional, include:

1. United Way contributions.
2. Payment to a Parish-approved credit union.
3. Deferred compensation.
4. Payment of supplemental health/life insurance premium (if applicable).
5. Savings Bonds.

It is the responsibility of each employee to maintain current payroll deduction information with the Personnel Office.

SUBJECT: GARNISHMENT

"Garnishment" shall mean a deduction from an employee's pay, the purpose of which is to satisfy a debt. The Parish may deduct all funds associated with the garnishment disbursement per a judgment, all as required by a court order, together with all employer fees permitted by law. The Personnel Office shall be immediately notified of any subject court order and shall effect the deduction from the employee's wages. The amount of said deduction shall be forwarded as directed in the court order.

BENEFITS

SUBJECT: LEAVE-GENERAL

The terms defined in this section shall have the following meanings and applications unless the context or use thereof clearly indicates otherwise or more explicit definitions are referenced.

1. "Leave" shall mean that period of time, used in no less than one-half hour increments, that an employee is absent from his/her work place or assignment, but shall

not mean that period of time when an employee is off-duty (which shall include regular day off, holiday, etc.) or is on his/her lunch break. Unless otherwise provided for in this Section, it shall be the responsibility of the Department Director to approve any request for the use of any annual or sick leave by an employee.

2. “Employee” shall mean at all times and in all circumstances full-time regular employees (or a full-time regular employee serving a probationary period), or any other employee for which it is determined by the CAO that the provisions of this Section shall apply.

3. “Work Day” shall mean the period or amount of time (usually expressed in hours) in which the employee is required to work according to his/her salary plan (e.g. 7.5 hours per Work Day, 8 hours per Work Day) Hence, an employee’s payroll period is the cumulative number of hours the employee is required to work according to his/her pay plan (e.g. 75 hours, 80 hours).

4. “Duty” shall mean all of the responsibilities, obligations, and requirements of an employee’s position.

5. “Years of Service” shall mean the number of years of service as a full-time regular employee, either classified or unclassified, with St. Tammany Parish. “Years of Service” for an employee who transfers from another governmental agency and transfers their eligible service to the Parochial Retirement System shall be calculated based upon their most recent continuous starting service date in the Parochial Retirement System.

SUBJECT: AWARDED ANNUAL LEAVE

“Annual Leave” shall mean that paid leave which is awarded to an employee and used typically as vacation leave. The use of Annual Leave for rest and recreation is encouraged. It shall be the responsibility of the employee to request the use of Annual Leave at least five days prior to the requested leave period. Annual Leave must be approved prior to use by the Department Director. When authorized and applicable, Annual Leave shall be utilized in lieu of sick leave whenever the employee no longer has unused accumulated sick leave.

Annual Leave shall be awarded in accordance with the following rate schedule:

Years of Service on January 1*	Annual Leave Awarded in Days	Annual Leave Awarded in Hours (75 Hr. Schedule)	Annual Leave Awarded in Hours (80 Hr. Schedule)
Less than 2	10	75	80
2 through 5	13	97.5	104
6 through 11	17	127.5	136
12 through 17	21	157.5	168

18 or more	23	172.5	184
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*Employees will be awarded a prorated amount of Annual Leave upon successful completion of probation during their first year of employment. See below.

The awarding of Annual Leave shall begin on January 1 or upon the successful completion of the employee's probationary period. After completion of the probationary period, Employees with less than one (1) year of service shall be awarded one (1) day for each month remaining in that calendar year ending December 31, up to a maximum of nine (9) work days. Partial months shall not be included in the calculation.

Annual Leave should be used in the calendar year it is awarded. If Annual Leave is not used in the calendar year it is awarded, it may be converted to accrued leave and carried over from year to year, up to a total of 240 accumulated hours, including previously accrued annual leave. Any remaining unused Annual Leave that exceeds the 240 hour cap is forfeited.

The employee must schedule all awarded Annual Leave no later than March 31 of the year it is awarded, unless the employee's probationary period is successfully completed after that date. Awarded Annual Leave is not considered an earned wage. Unused awarded Annual Leave that has been accrued may be paid out upon separation from employment. Employees must exhaust all awarded Annual Leave prior to using any leave time accrued under the previous policy.

Each Department Director is authorized to develop and implement additional procedures and policies which relate to the scheduling of Annual Leave which are not inconsistent with the guidelines set forth herein. It is the policy of the Parish that each employee with three or more years of service schedule Annual Leave from his/her work place or assignment for five consecutive Work Days.

In no event is this policy intended to affect the accrual of leave prior to the effective date of this policy or the nature of any such accrued leave as compensable.

PAY OUT: Employees who accumulated more than 240 hours of Annual Leave under the previous policy as of November 1, 2014 received (or shall receive) payment for the Annual Leave that had accrued above the 240 hours limit.

TERMINATION OF EMPLOYMENT: An employee shall receive payment for any Annual Leave accrued up to the maximum of 240 hours. Employees with ten (10) or more years of service may choose to transfer all or part of the balance of their unused accrued Annual Leave to the Post Employment Health Plan under the terms contained in these policies.

SUBJECT: SICK LEAVE (TWO TIERS)

“Sick leave” shall mean that paid leave which is earned by an employee and used typically when an employee is unable to perform his or her duties due to any of the following:

1. Personal illness, injury, or any other type of physical or mental disability including on the job injuries up to the date workers compensation commences.
2. Serious illness in the employee’s immediate family, such as defined under the Family and Medical Leave policy.

It shall be the responsibility of the employee to request the use of sick leave as soon as the employee determines that he/she will be absent from his/her work place or assignment, and in no event shall such request be made after the first hour of a subject absence.

FIRST TIER (applicable to sick leave accrued prior to January 1, 2015)

Sick leave which has been accrued prior to January 1, 2015 shall be considered compensable and capped as of December 31, 2014 (hereinafter called “compensable sick leave.”). Any employee who has accrued compensable sick leave as of December 31, 2014 shall be required to use said compensable sick leave when, and if, sick leave is requested. Any compensable sick leave which is unused when an employee is separated from employment, regardless of the reason for the separation, shall be paid to the employee or into PEHP if eligible. All accrued compensable sick leave shall be counted towards the sick leave ceiling set forth in the Second Tier. As of January 1, 2015, no further sick leave will be accrued on a compensable basis.

PAY OUT: Employees who accumulated more than 240 hours of compensable sick leave as of November 1, 2014 received a one-time option to be compensated for the sick leave that had accrued (above the 240 hour limit). Any future pay outs will be in accordance with the current policies.

SECOND TIER (applicable to sick leave accrued from January 1, 2015 forward)

Sick leave (SL) shall be accrued, from January 1, 2015 and thereafter, in accordance with the following accrual rate:

Sick Leave	Sick Leave Each Pay Period (75 Hr. Schedule)	Sick Leave Each Pay Period (80 Hr. Schedule)	Total Sick Days Earned Per Year
0.0346154 per hour	2.5961538	2.7692308	9

The accrual of sick leave shall begin on the first day the employee is eligible to receive benefits. Unused sick leave may be accumulated from year to year up to a ceiling of 240 total hours. This ceiling shall apply to the combined amount of compensable sick leave (First Tier) and sick leave accrued under the Second Tier. In no case can an employee accrue sick leave above the ceiling of 240 total hours. Sick leave which is accrued under the Second Tier shall not be considered an earned wage and shall be forfeited upon employment separation.

The amount of sick leave to be used by an employee may be rounded up to the next whole hour increment. Sick leave accrued from January 1, 2015 and thereafter shall not be considered an earned wage.

Unless specifically waived by the Director of Human Resources, an employee who has requested sick leave for a period in excess of three (3) Work Days or who calls in sick on the day before or after a designated holiday, prior to being compensated therefore, shall provide, no later than his/her return to duty, his/her Department Director with a report from a qualified doctor which shall contain said doctor's authorization for the employee to return to duty. Failure to do so on the part of the employee shall result in loss of pay for the holiday and the day(s) for which sick leave was requested and/or in disciplinary action. "Qualified doctor" shall mean a licensed doctor of medicine.

TERMINATION OF EMPLOYMENT: All sick leave accrued under the Second Tier after December 31, 2014 shall not be considered an earned wage and such unused sick leave shall not be paid, and shall be forfeited, upon separation from employment, regardless of the reason for the separation.

SUBJECT: SICK LEAVE SHARING

A regular full-time employee with five years of service shall be entitled to receive sick leave which is voluntarily donated by another employee, as set forth in the terms and conditions hereinafter cited,

The CAO may permit a regular full-time employee to receive a donation of unused sick leave accrued by and donated from other qualified employees under this subsection if all of the following facts and circumstances exist:

1. The employee suffers from an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to:
 - a. Assume leave without pay status, or
 - b. Terminate employment;
2. The employee's absence and the use of shared sick leave are justified;
3. The employee has depleted or shortly will deplete his/her annual and sick leave reserves;
4. The employee has abided by these Policies relating to the use of sick leave.

The CAO shall determine the amount of sick leave, if any, which an employee may receive under this section. However, an employee shall not receive in donations an amount which equals more than 90 days of donated sick leave.

Donated sick leave shall be utilized in the order in which it is received by the CAO. Such leave shall be donated in one-day increments as is required by the Pay Plan of the recipient employee. However, no employee may donate more than five days of sick leave in a calendar year or donate any amount of sick leave if the balance of his/her sick leave is, or would result in, less than thirty days of sick leave.

The amount of unused accumulated sick leave which is donated under this provision shall be returned to the donor employee(s) whenever the CAO determines that the leave is no longer needed or will not be needed at a future time in connection with the illness or injury for which the leave was donated.

SUBJECT: CIVIL LEAVE

“Civil Leave” shall be when an employee is granted time off without loss of pay when:

1. Summoned to appear before court, grand jury, or other public body of commission, except as a plaintiff or defendant.
2. Department head determines employee(s) is prevented from performing duty by an act of God (i.e., flood, hurricane).
3. The employee is a member of reserve component of the Armed Forces of the United States or the National Guard and is ordered to active duty because of a national, state, or local emergency, act of God, civil or criminal insurrection or disobedience, or similar occurrences which threaten or affect the peace or property of the public.

SUBJECT: JURY DUTY

If a non-exempt employee is required to be absent from work because of jury duty or testimony in official proceedings, the employee will be paid one day's wages for the resulting absence at the employee's straight time hourly rate for up to eight (8) hours. Only one day's wages will be paid, regardless of the actual length of jury duty service. St. Tammany Parish will comply in all cases with the requirements of La. R.S. 23:965.

SUBJECT: MILITARY LEAVE

“Military Leave” - Employees who are members of a reserve component of the Armed Forces of the United States or the National Guard shall be granted a leave of absence without loss of pay, time, accumulated leave, or service rating when ordered to annual training by official written military orders for a period not to exceed fifteen (15) days in any calendar year. Military Leave Pay will not be granted for weekend drill or make-up drills. Time off for such sessions shall be granted but shall be charged to leave without pay or annual leave at the option of the employee.

An employee requesting military leave shall submit with his/her written request for military leave his/her orders as soon as said orders are available. An employee who exceeds the fifteen (15) days of military leave shall be coded "Military Time w/o Pay".

Employees who are inducted or ordered to active duty with the Armed Forces of the United States or National Guard for indefinite periods in excess of their annual training shall be placed on military leave without pay for the period of active military pay plus no more than thirty (30) days.

Leave/Benefit rights and reinstatement shall be afforded in accordance with all federal and state laws. (USERA - Uniformed Services Employment & Reemployment Rights Act of 1994 and MSRA - Military Service Relief Act).

SUBJECT: FAMILY MEDICAL LEAVE

Under the Family and Medical Leave Act, employees who have been employed for at least 12 months (continuous or noncontinuous), and have worked 1,250 hours of service during the previous 12 month period preceding the start of the leave, are eligible for up to 12 weeks of unpaid leave of absence during each rolling 12 month for one or more of the following reasons: 1. Birth of the employee's child, and to care for the child within 12 months of birth; 2. Placement of a child with the employee for adoption or foster care; 3. If the employee is needed to care for a child, spouse, or parent of the employee who has a “serious health condition”; 4. Inability of the employee to perform the functions of his or her position due to a “serious health condition” of the employee; 5. Pregnancy or prenatal care.

Management may require medical certification on a form provided by management if leave is to care for a child, spouse, or parent with a serious health condition, or due to illness or injury of the employee. Management may also request at their discretion that a second medical opinion be secured. Should the first and second opinion differ, a third opinion may be obtained. Subsequent medical re-certifications may be required at reasonable intervals.

If the need for family or medical leave is foreseeable, the employee must provide management with at least thirty (30) days' notice. If unforeseeable, as much notice as practicable should be given. Failure to provide required notice may result in denial or delay of the requested leave.

If medically necessary, intermittent or reduced leave may be available under certain circumstances, provided an attempt to schedule leave is made so as to not disrupt operations.

An employee who wishes to maintain dependent group coverage during the leave must continue to pay his or her portion of the premium for coverage.

An employee taking medical or family leave of absence will be required to use during the leave all available paid leave. The remainder of the FMLA leave will be unpaid.

An employee returning from a medical leave of absence is to obtain and present a current medical certification that the employee is able to return to resume work. Such certification must be provided prior to return to work. Copies of the FMLA Fact Sheet are available in the Personnel office.

SUBJECT: PERSONAL LEAVE

Depending upon the circumstances after the FMLA leave expires or in cases where FMLA leave is inapplicable; the Parish may grant personal leaves of absences, without loss of seniority for an employee. The length of the leave will be determined based upon the employee's seniority, work performance, the reason for the leave and accrued leave balance. An employee on a personal leave of absence may not engage in other gainful employment.

If the personal leave of absence is for medical reasons, the employee must submit a written report from his (her) physician stating the nature of the medical condition and the anticipated time period necessary to recover.

If a personal leave of absence for medical reasons is granted, regular written statements from the employee's physician describing the employee's condition may be required by Parish management. No individual will be resumed to active employment until a written statement clarifying the employee's condition is presented.

The Parish retains the ultimate right to grant or deny a personal leave of absence. A COBRA notice may be issued to the employee at any time during the personal leave in accordance with applicable state and federal laws or when an employee's leave balance is exhausted.

Depending upon business needs, the Parish may attempt to reinstate an employee to his or her previous position or a similar job, if the position has not been filled. No employee who completes a personal leave of absence is guaranteed re-employment.

SUBJECT: BEREAVEMENT LEAVE

"Bereavement Leave" shall mean that leave which is allotted to an employee whenever an immediate family member (as defined elsewhere in these Policies) of the employee is taken by death. An employee shall request as early as possible the use of bereavement leave. The amount of such leave with pay shall not exceed two (2) Work Days in a calendar year and is used typically to arrange and/or attend funeral activities. Bereavement leave in excess of two (2) Work Days shall be charged to the employee's annual leave balance; and if such is not available, charged to the employee's sick leave balance; and if not available be coded, as "Leave w/o Pay". The employee shall request bereavement leave from his/her Department Head. An employee who fails to return to work on the date and time set by the Department Head without receiving an appropriate extension shall be subject to disciplinary action.

SUBJECT: UNPAID LEAVE

1. "Unauthorized Leave Without Pay" shall mean that leave which is allotted to an employee whenever the employee is without the benefit of some other leave and/or cannot provide a valid reason to the satisfaction of the Department Head for his/her (the employee's) absence. The use by an employee of any amount of Unauthorized Leave Without Pay shall result in disciplinary action.

2. "Leave without pay" shall mean that leave which is allotted to an employee whenever the employee is without the benefit of some other leave, but has provided a valid reason to the satisfaction of the Department Head for his/her (the employee's) absence.

3. "Administrative leave" shall mean that unpaid leave which is allotted to an employee whenever facts and circumstances exist whereby it is in the best interest of the Parish as determined by the Department Head that the employee be removed or absents himself/herself from the work place or assignment. Use of administrative leave is rare and shall be reserved for an extraordinary situation, instance, or incident (e.g. disciplinary investigation, criminal investigation, leave of absence, other extraordinary or emergency situation, instance, or incident; immediate removal of an employee from his/her work place or assignment shall be warranted in instances involving serious insubordination, theft, destructive or serious illegal acts while on the job, or other substantial reason for immediate removal deemed appropriate by the Department Head). It is the policy of the Parish that administrative leave be unpaid, however, the CAO may authorize the payment for said leave whenever facts and circumstances justify such.

SUBJECT: HOLIDAYS

The Holidays observed by the Parish are:

New Year's Day*

Martin Luther King's Birthday*
President's Day*
Mardi Gras*
Good Friday
Memorial Day*
Independence Day*
Labor Day*
Columbus Day*
Veteran's Day*
Thanksgiving Day* and the Friday thereafter
Christmas Eve
Christmas Day*
New Year's Eve

Any other Holiday which may be declared from time to time by the Parish.
(* denotes locally observed Federal, Bank, and Postal Holiday)

Whenever a Holiday occurs on a Sunday, the first Work Day thereafter shall be the day on which the Holiday is observed; and whenever a Holiday occurs on a Saturday, the Work Day immediately preceding such shall be the day the Holiday is observed.

The Parish President shall have the right to establish "reduced work force days". A "Reduced Work Force Day" may be designated when a holiday or event occurs such that reduced work force can adequately handle the daily operation and response of parish services. Each Department Head with concurrence of the CAO shall establish in advance a schedule of employees' work schedules within their respective department for the days designated. At no time shall the said departments operate at a staff level less than half normal operations. Employees scheduled to work on a reduced work force day will not be allowed to use annual leave on that day.

Only regular full-time, affected regular part-time employees, and affected probationary employees in such positions shall be entitled to receive payment for a Holiday, all subject to the terms and conditions set forth in these Policies. A Holiday shall not be counted for purposes of determining the use of paid leave.

SUBJECT: CREDIT UNION

Employees are eligible to participate in the ASI Federal Credit Union. The credit unions offer a number of services to members, including savings programs, share draft checking, money market accounts, certificates of deposit, individual retirement accounts, loans, check cashing, loan protection insurance, and member account insurance. All contributions are financed 100% by the employee. Employees may arrange to have payroll deductions from their paycheck or they may make a direct deposit or payment to their credit union account.

SUBJECT: GROUP MEDICAL PLAN

Health Insurance Coverage --- Active Employees Who Are Eligible For Participation In the Parochial Retirement System

Employees who are actively employed and their qualified dependents are eligible for health insurance coverage on the first day of the month following the date of permanent, full time employment status. Full time employment is defined as a minimum of 30 hours per week.

The Parish shall pay 100% of the premium for health insurance coverage on those employees electing single coverage. The Parish shall subsidize the cost of family coverage for those employees electing family coverage who were hired prior to October 19, 1990. There is no Parish subsidy for family coverage for employees hired after October 18, 1990.

Health Insurance Coverage - Terminated/Retired Employees

Please check with the Personnel Department to see what options are available to you.

General

A retiree or former employee who cancels coverage may not reinstate said coverage at a later date.

All coverages and benefits available and payable under the Health Insurance Plan are further defined in the Plan Document.

Definition

Retiree is defined as a former Parish employee who, at the date of termination of service from the Parish is vested in the Parochial Retirement System and has met the qualifications to receive immediate or delayed retirement benefits under the Parochial Retirement System and whose employment is terminated in good standing. It is not the desire of the St. Tammany Parish to preclude any Retiree of the Parish, as defined herein, from making the election to withdraw his/her contribution from the Parochial Retirement System upon termination of employment. Therefore, it shall not be required that the former employee/retiree actually receive the monthly retirement benefits from the Parochial Retirement System. Coverages allowed for Retirees, as defined herein, are based upon service to the Parish and not upon the receipt of monthly retirement benefits from the Parochial Retirement System.

Retiree is also defined as a person under the employment of the District Attorney's Office, hired prior to 1/01/98, who at the date of termination of service from the Parish is vested in the District Attorney's Retirement system and has met the qualifications to receive immediate or delayed retirement (when the normal date of retirement is later than the date of separation). Any retiree who chooses to retain health insurance

coverage under this definition shall be responsible to pay the full cost of the health insurance premium and no subsidy by the Parish shall be provided.

SUBJECT: POST EMPLOYMENT HEALTH PLAN

A Post Employment Health Plan is hereby established for the benefit of public employees who have separated from service. The purpose of the Plan is to provide reimbursement of qualified post employment expenses for medical premium payments incurred during the Post Employment Period. The following shall comprise the Post Employment Health Plan for employees hired under St. Tammany Parish Government.

All full time employees employed with St. Tammany Parish Government and Council (District Attorney, 22nd Judicial District Court excluded) with three (3) or more years of service are eligible to participate. Starting on the employees' 3rd Anniversary of employment, the Parish will begin funding a percentage of the employee's annual salary into the PEHP with the employee directing the funds into optional investments that are available. Every quarter and upon resignation or retirement, the employee will be notified of their account balance. The money in the employee's account can be used solely for payment of medical premiums incurred after employment ceases.

In addition, the following shall apply to all eligible full time employees with ten (10) or more years of service with St. Tammany Parish upon termination of employment:

1. Remaining 2/3 of **sick leave** not paid out, will be deposited into PEHP account.
2. Employee may elect to rollover their **annual/comp leave** into the PEHP account in lieu of receiving annual/comp leave pay outs. **(Employee will be required to sign an affidavit requesting this option).**

Employees hired prior to 01/01/98, who retire with the following years of service, will be subject to the below scale:

At least 10 and less than 15 yrs. of service with STPG, retiree pays 75% of the premium.

At least 15 and less than 20 yrs. of service with St. Tammany Parish, retiree pays 50% of the premium.

20 yrs. or more of service with the St. Tammany Parish, retiree pays 25% of the premium.

Permanent employees hired after 01/01/98, will **not** be subject to the retiree scale, and will rely solely on the money that is funded into their accounts over a period of time, along with any benefit time rolled into accounts at the time of their retirement.

SUBJECT: DEFERRED COMPENSATION

The Parish provides an option to an eligible employee to invest a portion of his/her present earnings in a deferred compensation plan. Enrollment by an eligible employee can be arranged through the Personnel Office.

SUBJECT: RETIREMENT SYSTEM

All regular full-time employees shall participate in the Parochial Employees' Retirement System, all as set forth in those policies, standards, and guidelines which relate to such as promulgated in a supplement to these Policies, a copy of which shall be provided to each employee.

Retirement benefits accrue from both employee and employer contributions. Contributions to the retirement system are mandatory and are deducted from the employee's salary each Payroll Period. Said retirement system provides for retirement benefits and disability protection when the employee meets the plan requirements.

Upon termination of employment without retiring, the accumulated contributions of the employee are refunded upon his/her request. Employer contributions, however, are not refunded under any circumstances.

Enrollment and benefit forms are available through the Personnel Office and it is the responsibility of the employee to maintain information on file up-to-date as such relates to his/her retirement account (e.g. name, address, beneficiary, etc.).

SUBJECT: SOCIAL SECURITY

Any employee who is not subject to the RETIREMENT SYSTEM policy set forth herein shall pay Social Security (FICA) tax.

SUBJECT: COMPREHENSIVE BUDGET RECONCILIATION ACT

Those policies, standards, and guidelines which relate to COBRA benefits for employees shall be established in a supplement to these Policies, a copy of which shall be provided to each employee.

CONDUCT

SUBJECT: EMPLOYEE CONDUCT

It shall be the duty of every employee to maintain high standards of cooperation, efficiency, and integrity in his/her work, and to effect his/her conduct in accordance with these Policies. In particular, but not exclusive of any other prohibited or proscribed conduct, an employee shall not:

1. Report to work under the influence of intoxicants or unprescribed/illegal drugs, or use or possess such substances while on Parish property or while on duty.
2. Fail to follow the orders of a supervisor, or fail to comply with any requirement which may be set forth in these Policies or other policies, standards, or guidelines set forth by the Department Head, CAO and Parish President.
3. Be absent from work without permission or fail to report such to the Department Head as set forth elsewhere in these Policies.
4. Be habitually absent or tardy.
5. Fail to perform his/her duties and responsibilities in an efficient and/or effective manner.
6. Act wasteful or abuse, misuse, misapply, or misappropriate material, property, or working time.
7. Fail to work along or be contrary with fellow employees, the result of which is work performed in an inefficient and/or ineffective manner.
8. Fail to observe proper security procedures.
9. Engage in fighting or provoking or instigating a fight, or engage in any other conduct on the job which violates standards of common decency or morality.
10. Commit any unlawful act, or fail to comply with any law, ordinance, or rules and regulations which may be required in the performance of an employee's duties.
11. Violate any safety rule and regulation, procedure, process, or guideline.
12. Express in any way critical or derogatory remarks towards any person or make false or unfounded accusations, the result of which would likely discredit another employee, or a supervisor, Department Head, or any other public employee or official.
13. Remove without permission, misappropriate or misapply any money, merchandise, or property, which may include any property in the custody of the Parish and any property of the Parish.
14. Lie to a supervisor as such relates to the duties or responsibilities of the employee.
15. Act dishonestly, which shall include intentionally giving false information, falsifying records, or making other false statements.
16. Be on the premises of any Parish property during non-working hours without permission of the Department Head.
17. Divulge or misuse confidential information, which shall include the removal from Parish premises without proper authorization of any employee list or record, or design, drawing, computer record or program, or other confidential information of any kind.
18. Accept a fee, payment, gift, or any other item of value, privilege, or benefit for the performance of the employee's official duties.
19. Act unwilling or reluctant to perform a task which is assigned by a supervisor.
20. Falsify a time record or any other record or account of the Parish.
21. Abuse any leave benefit (e.g. reporting sick when not sick).

22. Use profane or abusive language towards or in the presence of another employee or member of the public.
23. Lobby before the legislature or other governmental agency or organization, or represent the interest of the Parish to any person or entity, without specific authorization from the Parish President and as such relates to the mission or operations of the Parish.
24. Without specific authorization from the respective Department Head, use during the Work Day a television, radio, headset-type radio or recorder, or any other similar electronic amusement device. More specifically, an employee shall not use any such device in the presence of the public or whenever it is foreseeable that such use could occur in the presence of the public.
25. Without specific authorization from the respective Department Head, use any computer program, software, electronic file, peripheral device, etc. More specifically, an employee shall not use or engage in the use of any computer game of any nature whatsoever during the Work Day and whenever in the presence of the public or whenever it is foreseeable that such use could occur in the presence of the public.
26. Without specific authorization from the respective Department Head, peddle or solicit a donation or sale of an item, service, or contribution of any kind whatsoever while on duty or in the work place or in the presence of the public.
27. While on duty engage in, conduct, effect or attempt to engage in, any campaign activity or effort whatsoever for any candidate who has qualified as a candidate for an elected public office.
28. Intentionally participate with any other employee or private person in any act listed above.
29. Order from a company or catalog (i.e. ABC, LTC etc) any personal item which will result in an invoice being issued under the parish's name.
30. Unwillingness or failure to perform the duties of his/her position in a satisfactory manner.
31. The deliberate omission of any act that it was the employee's duty to perform.
32. The commission of any act or acts detrimental to the departmental service, or contrary to public interest.
33. Insubordination.
34. Conduct of a discourteous or offensive nature toward the public, any parish official or employee; including any dishonest, disgraceful, immoral, or prejudicial behavior.
35. Drinking alcoholic beverages while on duty or reporting for duty while under the influence of these.
36. Using, or promising to use, his/her influence or official authority to secure appointment to, or eligibility for, a position within the classified service for any reason other than qualified merit.
37. Soliciting or receiving any money, goods, or service from any person or group of persons, for any political party or political purpose.
38. Any act or failure to act that sufficiently indicates that the offender is unsuitable or unfit to be employed in the respective service.

SUBJECT: DISCIPLINARY ACTION

It shall be the policy of the Parish to effect disciplinary action in a fair, reasonable, and impartial manner, all for the purpose of assuring and promoting efficient and effective service to the public. Consequently, the primary purpose of disciplinary action is not punitive in application, but rather is affected to maintain the competency and integrity of Parish service. Disciplinary action shall include counseling, warning, reprimand, suspension, demotion, and discharge.

Whenever the conduct of an employee falls below acceptable standards or is not in accordance with these Policies, he/she shall be subject to disciplinary action. It is the responsibility of the Department Head to thoroughly and objectively evaluate the facts and circumstances which relate to the cause for disciplinary action when initiating such. The nature and severity of the infraction and the employee's record shall be considered in the assignment of disciplinary action.

The disciplinary action effected for an employee's conduct and the pertinent information which relates to such disciplinary action shall be reviewed in private with the employee and shall include the following: the cause for the disciplinary action, the facts and circumstances which relate to the cause, the disciplinary action to be imposed, the effective date of such action, and the right of the employee to air a grievance on the matter if such is authorized in these Policies (see GRIEVANCE PROCEDURE).

Note: Immediate removal of an employee from his/her work place or assignment shall be warranted and effected in instances involving serious insubordination, theft, destructive or serious illegal acts while on the job, or other substantial reason for immediate removal deemed appropriate by the Department Head.

In every case of disciplinary action an employee in the classified service, the department head shall, within three (3) working days, furnish the employee and Personnel Administrator a written statement giving the complete reasons therefore. The Personnel Administrator shall notify the employee in writing at his last known address informing the employee of the action, grounds for the action, and his/her right to make an appeal in writing. Upon receipt of an appeal the Personnel Administrator shall make an investigation and thereafter process the appeal.

Disciplinary action shall include the following:

COUNSELING This type of disciplinary action shall be applied to infractions of a fairly minor degree. The Department Head shall verbally counsel an errant employee 1) as to the subject infraction, 2) as to the proper conduct which is required, and 3) if the condition is not corrected, the employee shall be subject to more severe disciplinary action. At the option of the Department Head, a letter of instruction to the employee may accompany or follow the counseling meeting.

WARNING This type of disciplinary action shall be applied to infractions of a relatively minor degree. The Department Head shall verbally inform the employee that the Department Head is issuing a warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the employee

shall be subject to more severe disciplinary action. The Department Head who issues a warning shall report such in a brief summary or in a letter of instruction to the employee and cause such to be placed in the employee's personnel file.

REPRIMAND This disciplinary action shall be effected in the event the employee continues to disregard a warning or warnings, or if the infraction is severe enough to warrant a reprimand. Upon learning of the infraction, the Department Head shall issue a written reprimand within three (3) Work Days. The reprimand shall state the nature of the infraction in detail and what corrective action which must be taken by the employee to avoid further disciplinary action as set forth below.

SUSPENSION This disciplinary action shall be effected in the event the employee's conduct continues to warrant the issuance of a subsequent reprimand, or if the infraction is severe enough to warrant a suspension of the employee from his/her duties and responsibilities. While on suspension for five or less Work Days, the employee shall not be entitled to paid compensation, but shall retain his/her benefits or the accrual thereof. While on suspension for more than five Work Days, the employee shall not be entitled to paid compensation nor the use or accrual of benefits. Any period of suspension may be effected in a "part work/part suspension" arrangement (e.g. the suspension is affected for part of the Work Day(s), or on certain days the suspension is in effect).

DEMOTION Demotion may be used in those instances in which an employee's conduct is of such degree that his/her removal from the duties and responsibilities associated with the position is warranted, but discharge is unwarranted. (See policy on DEMOTION)

DISCHARGE This disciplinary action shall be effected in the event the employee commits an infraction severe enough to warrant that his/her employment with the Parish be terminated, or in the event that the employee's conduct, after the issuance of lesser disciplinary action(s), continues to be not in compliance with or in violation of any provision of these Policies. An employee may be discharged after repeated infractions of a less serious nature if the infractions have been documented by supervisory staff and an appropriate behavioral change has not resulted from previous progressive disciplinary actions.

With the exception of counseling and a warning, whenever a disciplinary action has been instituted, the employee shall be provided with a copy of the report of disciplinary action at the time the Department Head (supervisor) reviews such with the employee. The employee shall sign said report to acknowledge receipt thereof and the original shall be placed in the employee's personnel file. If the employee refuses to sign the acknowledgment, the supervisor shall note on said report that the employee received a copy thereof, but refused to sign such. The superior of the supervisor shall then be made aware of such so that a proper and timely disposition of the matter can be made, which may include increased or escalated disciplinary action.

Although counseling or the issuance of a warning or reprimand cannot be appealed by an employee, a suspension, as a result of disciplinary action or termination may be appealed within five (5) days of the subject disciplinary action by the employee in writing to the CAO for his/her review and consideration.

SUBJECT: GRIEVANCE PROCEDURE

Every employee is not only permitted, but is encouraged, to air grievances that they may have with regard to their treatment or conditions on the job over which the Parish might be expected to have some control, all as set forth in these Policies. Punitive action shall not be taken against any employee for submitting a grievance in good faith. Any attempt by an employee to bypass a level of supervision in the grievance process shall be considered grounds for disciplinary action. Grievances may be filed for the following reasons:

1. Demotion or Reassignment that involves a decrease in salary.
2. Suspension
3. Discharge as a result of disciplinary action.

An employee who wishes to air a grievance (hereinafter referred to as the "grievant") shall first submit a written grievance outlining the specific and detailed facts to his/her immediate supervisor within five (5) working days after learning of the incident at issue. It shall be the responsibility of the immediate supervisor to study the grievance and attempt to resolve it within five (5) working days. If the grievant feels the immediate supervisor's actions are unsatisfactory or inadequate, there shall be a meeting between the grievant, the immediate supervisor, and the Department Head. The CAO shall also attend this meeting whenever possible. If the decision reached in this meeting is unsatisfactory to the grievant, the grievant may appeal to the Personal Board for the reasons previously noted. The Personal Office shall notify the Board, of time and date of meeting. Admittance to the meeting shall be limited. Notice of such meeting shall be given to the grievant at least ten (10) work days prior to the meeting by certified mail. A grievant shall have the right, but shall not be required, to be represented by counsel.

The Personal Board shall consist of 5 members in accordance of the provision of the St. Tammany Parish Home Rule Charter.

1. The Board shall decide appeals promptly, but in any event within thirty (30) days after completion of a hearing(s).
2. The Board shall make its decision on hearings on the facts presented by the appellants/parties concerned.
3. No hearing or meeting to investigate shall be held unless both the employee and appointing authority/ department head shall have been advised at least ten (10) days in advance of the date, time and place thereof. If either of the parties fails to appear at the place on the day and the hour fixed for such hearing, the Board may, at its discretion, decide the issue involved on the basis of the evidence presented.

4. The Board shall not be required to have the testimony taken at the hearing transcribed, but either the employee or the appointing authority may, at its own expense, make the necessary arrangements therefore.
5. The decision of the Board, together with its written finding of fact, if required, shall be certified in writing to the appointing authority and shall be forthwith enforced by appointing authority.
6. Any classified employee and any appointing authority shall have the right to appeal from any decision of the Board. This appeal shall lie direct to the court of original and unlimited jurisdiction in the civil suits for the parish of St. Tammany. Such appeal shall be taken by serving the Board, within thirty (30) days after entry of its decision, a written notice of appeal, stating the grounds thereof and demanding that a certified transcript of the record, and/or written findings of facts, and all papers on file in the office of the Board affecting or relating to such decision, be filed with the designated court. The Board shall, within thirty (30) days after filing such notice of appeal, make, certify and file such complete transcript or written findings of facts with designated court.
7. Refusal to testify: Any employee in the classified service who shall willfully refuse or fail to appear before any court or board properly authorized to conduct any hearing or inquiry, or if such employee having appeared, shall refuse to testify or answer any relevant question, except upon the grounds that their testimony or answers would incriminate them, shall, in addition to other penalties to which they may be subjected, forfeit their position and shall not be eligible for appointment to any position in the classified service for a period of six (6) years.
8. Oaths, Subpoenas, and Production of Records: The Board, each member of the Board, and the Personnel Administrator shall have the same power to administer oaths, subpoena witnesses, and compel the production of records and papers pertinent to any investigation or hearing. All applications for the issuance of subpoenas must be in the hands of the Board at least five (5) business days prior to the date established for the hearing and said application shall contain the full name and address of all persons to be subpoenaed.

SUBJECT: PERSONAL APPEARANCE AND HYGIENE

It shall be the responsibility of each employee that his/her personal appearance and hygiene best represents a favorable image of the Parish. Whenever possible, an employee shall be well-groomed and dressed in a manner suitable for the public service environment. It likewise shall be the responsibility of the employee to maintain a clean, orderly, and neat work place. Whenever necessary, the Department Head shall discuss in private any of the provisions of this subject with an employee.

SUBJECT: DRESS CODE

All personnel are required to report to work in appropriate attire based on their job class and duties. Administrative policies for specific dress code requirements shall be

developed to insure that all staff present to the general public an appropriate and professional appearance.

SUBJECT: TELEPHONE CALLS

A Parish telephone shall be used only for conducting the business of the Parish, but may be used for personal business on a restricted basis, as set forth herein. Personal telephone calls placed or received during business hours shall be held to both a minimum number and time limit and shall not interfere with the employee's work. Whenever a personal long distance call is to be placed by an employee, the call shall be billed to the employee's home number or personal calling card, or placed collect. It is the employee's responsibility to ensure that no cost to the Parish results from their personal telephone calls. Violation of this policy shall minimally result in cost reimbursement to the Parish and shall subject the employee to disciplinary action.

SUBJECT: VEHICLE FUEL USE

Fuelman cards will be restricted to the Purchase of Regular Fuel Only. If an employee notices a difference in the performance, or they accidentally put another gas in the Parish car/truck, they should notify the director who can then contact the Vehicle Maintenance Barn. Employee will be required to pay for cash for after hour mistakes.

SUBJECT: COMPUTER USE

A Parish computer shall be used only for conducting the business of the Parish, but may be used for personal business on a restricted basis, as set forth herein. Personal computer use during business hours shall be held to a minimum and shall not interfere with the employee's work. It is the employee's responsibility to ensure that no cost to the Parish results from his/her personal computer use. Violation of this policy shall minimally result in cost reimbursement to the Parish and shall subject the employee to disciplinary action.

Internet:

The Parish provides access to the Internet for business purposes only. The Internet represents a useful tool for the Parish in conducting its business, but like any other tool, it must be used properly. Any improper use of any internet tools; including the World Wide Web, FTP, Telnet and other communications programs, is strictly prohibited. The Parish does not permit the downloading or installation on Parish computers of application software from the Internet without authorization of Department of Information Services.

E-mail:

Employees are reminded that computers, computer networks, E-mail, telephone systems (including voice mail) and other electronic communication systems (and all communicates created, received, stored on or transmitted through those systems) are Parish property. The Parish reserves the right to inspect, examine, and monitor the use of its computers, computer networks, E-mail, telephone systems (including voice mail) and all other electronic communication systems at any time and without any notice. Accordingly, employees should have no expectation of privacy regarding any communications made through such systems.

Users often use E-mail for less formal correspondence. Because the E-mail system often feels like a less formal method of communication than paper, and it is not a face-to-face mode of communication, users may feel free to be less cautious or more candid in the contents of messages. However, the E-mail system is not a private mode of communication, and defamatory or inappropriate material or messages distributed through the E-mail system could expose the user to liability as well as disciplinary action.

SUBJECT: POLITICAL ACTIVITIES

While on duty, in the work place or on official assignment, employees of the classified service are prohibited from engaging in political activities as follows:

1. Participate or engage in political activity (“Political activity” means an effort to support or oppose the election of a candidate for political office or to support a particular political party in an election.)
2. Make or solicit contributions for any political party, faction or candidate.
3. Take an active part in the management of the affairs of a political party, faction, candidate, or any political campaign, except to exercise his/her right as a citizen to express his opinion privately, to serve as a commissioner or official watcher at the polls, and to cast his/her vote as desired.
4. No person shall solicit contributions for political purposes from a classified employee or use or attempt to use their position in the parish to service to punish or coerce the political action of a classified employee.

Any classified employee who qualifies with the Clerk of Court for any of the following elected positions shall be placed on administrative leave.

Parish President, Parish Council Member, State or Federal Office

In lieu thereof and if approved by the Department Head and CAO, an employee may use any accumulated annual leave.

Any employee who qualifies for and/or is elected to any other local elected position is prohibited from engaging in the following activities:

1. Campaigning during work hours.
2. Campaigning in parish vehicle.
3. Use of parish property and supplies for campaign related activities.
4. Use of parish position to influence a vote.
5. Conducting any business related to the elected position on parish time.

VIOLATIONS It shall be the duty of any employee or parish official to report promptly any violation of this provision to the Personnel Administrator, whose duty it shall be to make a preliminary investigation concerning the alleged violations and report findings to the CAO.

SUBJECT: EMPLOYEE ETHICS

The purpose of this policy is to establish guidelines for ethical standards of conduct which shall govern employees in the performance of business of the Parish and the duties of their respective jobs. This policy is intended to provide positive direction to employees in order to prevent potential conflicts of interest.

This policy is not intended to be all-encompassing in its application or its definition of conflict of interest. A "reasonable person" theory, as follows, shall apply: Any action or failure to act which may be deemed inappropriate by a reasonable person, whether or not such action or failure to act is specifically cited in this policy, shall be subject to inquiry.

An employee shall not act or fail to act, the result of which conflicts, or which creates an appearance of conflict, with the performance of the employee's official duties. An employee shall be deemed to have a conflict of interest whenever any of the following facts and circumstances is apparent:

1. The employee directly or indirectly solicits any gift or accepts or receives any gift - whether it be money, services, loan, travel, promise, or any other form - under the following circumstances: (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance his/her official duties; or (2) the gift was intended to serve as a reward for any official action on his/her part.
2. The employee invests or holds any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with his/her official duties.
3. The employee engages in, solicits, negotiates for, or promises to accept private employment or renders services for private interests or conducts a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of his/her official duties.
4. The employee represents any outside interest before any agency, whether public or private, except with the authorization of, or at the direction of, the Parish President.

5. The employee, acting in his/her role as an employee of the Parish, endorses a commercial product or service by agreeing to use his/her photograph, endorsement, or quotation in paid or other commercial advertisements, whether or not for compensation.
6. Except as may be specifically authorized by the Parish President, the employee requests, uses, or permits the use of Parish-owned vehicles, clothing, equipment, materials, or other property for unauthorized personal convenience, for profit, for private use, or as part of any secondary employment.
7. The employee uses Parish property or his/her on-duty time in any manner to promote any political issue or candidate, or to solicit funds for any political purpose or to influence the outcome of any election.
8. Subject to the opinion of the Louisiana Attorney General, the employee holds an elective office or appointed position in which the holding of such office or position would be incompatible or would substantially interfere with the discharge of the employee's official duties.

A request for an interpretation of any provision of this subject shall be directed in writing to the CAO.

SUBJECT: WORK PLACE SAFETY FROM SUBSTANCE ABUSE

It is the policy of the Parish that the consumption of alcohol or other prohibited substances (e.g. drugs, etc.) by an employee shall not be tolerated. The Department Head shall assure that the work place is free of any employee who is under the influence of alcohol or other prohibited substance while on duty, in the work place, or in the presence of the public, or whose job performance may be impaired by the use of alcohol or other prohibited substance while not on duty.

Policies, standards, and guidelines which relate to drug and/or alcohol screening for employees shall be established in a supplement(s) to these Policies, a copy of which shall be provided to each employee.

SUBJECT: HARASSMENT

UNLAWFUL HARASSMENT

This policy is intended to ensure an environment which respects the dignity and worth of each individual and is free from all forms of unlawful discrimination, including sexual harassment and harassment because of race, color, religion, gender, national origin, age, ancestry, disability, political affiliation or belief or activity, or any other characteristic prohibited by law. Discriminatory harassment, including sexual harassment will not be tolerated. This policy applies to all harassment occurring in the work environment whether in our offices or elsewhere. The policy covers all employees of the parish.

SEXUAL HARASSMENT

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
2. Submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Some examples of what may constitute sexual harassment are: threatening or taking adverse employment actions if sexual favors are not granted; demands for sexual favors in exchange for favorable or preferential treatment; unwelcome and reported flirtations, propositions or advances; unwelcome physical conduct; whistling, leering, improper gestures or offensive remarks, including unwelcome comments about appearance; sexual jokes or inappropriate use of sexually explicit or offensive language; and the display in the workplace of sexually suggestive objects or pictures. The above list is not intended to be all-inclusive.

OTHER PROHIBITED HARASSMENT

For purposes of this policy, other prohibited harassment is defined as either verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, ancestry, disability, or any other characteristic protected by law and that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work environment; or
2. Has the purpose or effect of unreasonably interfering with an individual's work performance.

Some examples of such harassment include but are not limited to: using epithets or slurs; threatening, intimidating or engaging in hostile acts that focus on a protected characteristic, including jokes or pranks; or circulating in the workplace written or graphic material that denigrates or shows hostility or aversion to a person or group because of a protected characteristic.

REPORTING HARASSMENT

The Parish requires the prompt reporting of all incidents or discriminatory harassment. If you believe you are being harassed or have observed harassment, you should promptly notify any Department Head, the CAO or the Personnel Administrator.

When a report of harassment is made, the parish will undertake a prompt and thorough investigation as may be appropriate under the circumstances. The steps to be taken during the investigation will vary depending upon the nature of the allegations. Confidentiality will be maintained throughout the investigatory process to the extent practical and consistent with the organization's needs. Upon completion of the investigation, the outcome will be communicated to the aggrieved party and the person(s) accused and remedial action will be taken, if appropriate.

Individuals who report harassment or are involved in the investigation of a harassment complaint will not be subject to reprisal or retaliation. Retaliation is regarded as a very serious violation of this policy and should be reported immediately.

The managers and supervisors of the parish will be held accountable for adhering to this policy, for reporting promptly any incident of harassment and for maintaining a positive and productive work environment. If any manager or supervisor receives a report of harassment or believes he or she has observed harassment, the manager or supervisor is required to promptly notify one of the individuals listed above. Failure to make the required notification may subject the manager or supervisor to discipline, up to and including discharge.

SUBJECT: WHISTLE BLOWER POLICY

The Parish strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state and local law. Accordingly, employees are encouraged to bring to the attention of the Parish any improper actions of its officials and employees. The Parish shall not retaliate against any employee who makes such a disclosure in good faith.

An employee is encouraged to utilize the administrative "chain of command" in reporting these actions. Should the employee feel intimidated or otherwise uncomfortable with such an approach, he/she should request a personal meeting with either the CAO, Parish President or the Administrative Attorney before proceeding with such an issue to any agency or entity outside the Parish government system.

Improper actions are actions undertaken by an officer or employee in the performance of his or her official duties which (a) are in violation of any federal, state or local law, (b) constitute an abuse of authority, (c) create a substantial and specific danger to public health or safety, or (d) grossly waste public funds. Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing and other disciplinary action.

TRAINING AND TRAVEL

SUBJECT: TRAINING PROGRAMS

It is the policy of the Parish to encourage and coordinate training opportunities for employees and supervisors in order that services rendered by employees shall be more efficient and effective. "Training" shall mean any work related program, seminar, conference, convention, course or workshop attended by an employee whose tuition and/or expenses are funded in whole or in part by the Parish or while the employee is in a paid status with the Parish.

ACADEMIC TRAINING Employees are encouraged to continue training for their respective position through participation in off-duty/non-working hours educational programs. Educational expenses incurred by such participation may be granted for job related courses with prior approval of the CAO, provided funds have been budgeted for. Successful completion shall be defined as receipt of a certificate of satisfactory completion or a grade of "B" (3.0 grade point) or better in the case of academically rated courses (or attainment of pass in a pass/fail grading system.) An employee who completes such course/program with less than a grade "B" (3.0 grade point, will be required to reimburse the Parish for the total cost of the tuition. Tuition expenses are for the course only; no expenses shall be allowed for books, lab fees, travel or material costs. Approval for tuition expenses shall only be allowed for courses offered by accredited colleges, universities or vocational training institutes.

Training expenses are generally available to an employee who has successfully completed their designated probation period. Consideration of an employee's request for tuition is dependent upon budgetary constraints and the recommendation of the employee's Department Head. Time spent in attendance at these courses shall be considered the employee's personal time and is not counted as time worked.

OTHER TRAINING Parish-sponsored and required training should be arranged during regularly scheduled work hours. A Department Head may change the standard work hours to accommodate or require attendance at such training activities. Such required training shall be recorded as time worked within the meaning of this policy. An employee who acquires training on his/her own time and expense is encouraged to notify the Personnel Office so the information can be noted in the employee's personnel file.

SUBJECT: TRAVEL

TRAVEL EXPENSES WHILE ON PARISH BUSINESS It is the policy of the Parish to reimburse employees for reasonable and necessary expenditures made by employees while on official and authorized business. Mileage shall be reimbursed at a rate per mile equal to the allowable IRS rate and all other allowable expenses on an actual cost basis. Claims for reimbursement of travel expenses, other than mileage, shall be accompanied by original invoices and/or receipts showing proof of payment of such claims.

Below are some General Principles related to Travel and Expense reimbursements. Other policies may be implemented by the Parish Council and Administration to remain consistent with statutory requirements and generally accepted accounting principles.

1. All expense reimbursements presented are to be approved by signature of the Department Head prior to submittal for payment.
2. All expense reimbursements of Department Heads are to be approved by signature of the CAO prior to submittal for payment.
3. Requests for travel advances must be submitted fourteen (14) days in advance of the travel date, and must be approved by signature of the Department Head (or CAO for Department Heads) prior to submittal.
4. All expense account reports detailing travel expenses must be submitted within thirty (30) days of the return to duty by the subject employee. Failure of the employee to submit proper documentation for the amount advanced within said 30-day period shall result in a garnishment of the employee's paycheck.
5. Special meals which are not a part of an employee's travel, but rather are incurred by the employee while performing Parish duties shall be reimbursed in full. When such an expense is incurred the employee must include the following information on the receipt; date, purpose of meal, all persons present for which the meal was incurred.

TRAVEL PRACTICES

1. The Department Head and the CAO shall approve in advance any request for out-of-state or overnight travel.
2. The employee, to the extent which is reasonable and practical, shall obtain lodging which is most economical (e.g. single room at a regular or discount rate).
3. If the employee elects to be accompanied by his or her spouse and/or children, the receipts for lodging and meal expenses shall be noted with the additional cost to be paid by the employee.
4. The cost of alcoholic beverages and bar tabs are not reimbursable expenses.

5. Mileage shall not be paid for commuting from an employee's residence to the work place. Mileage reimbursements for assignments within the Parish shall be subject to the CAO approval. The maximum mileage reimbursements to an employee who chooses to drive in lieu of air travel shall not exceed the lowest reasonable cost of an airline ticket to the same destination.

6. Reimbursement for meals shall be allowed only when the employee is attending a seminar or conference as a representative of the Parish, or when the employee's attendance at the event is attendant to the duties and responsibilities of the employee. Reimbursement shall not be allowed for meetings which are of a social nature.

7. Parking fees shall be reimbursed for actual cost and receipts shall be presented whenever possible.

NON-REIMBURSED EXPENSES

1. Laundry, cleaning, or valet services (except whenever the period of travel exceeds seven days).

2. Tobacco.

3. Alcoholic beverages.

4. Entertainment.

5. Personal telephone calls to home (limited to one per day).

6. First class travel accommodations whenever economy or coach class accommodations are available.

7. Meals and lodging in lieu of other meals and/or lodging which are included in a conference registration fee.

8. Fines, forfeitures or penalties.

9. Rental vehicles, if previously approved by the CAO.

10. Expenses of a spouse, child, and/or other non-employee.

11. Loss or damage to personal property.

12. Barber, beauty parlor, shoe shine, or toiletries.

13. Personal postage.

APPENDIX F COASTAL ZONE MANAGEMENT REGULATIONS

SECTION 1: GENERAL PROVISIONS

1.1 Title

This Ordinance shall hereafter be known, and cited as the "St. Tammany Parish Coastal Zone Management Ordinance", (hereinafter referred to as the "Ordinance".)

1.2 Purpose

The principal purpose of this regulation is to provide the authorities and procedures for implementing a unified coastal use permitting process. This regulation is based upon the policies, guidelines and procedures set forth in Act 361 of the Louisiana Legislature, in the Final Environmental Impact Statement of the Louisiana Coastal Resources Program, and the St. Tammany Parish Coastal Zone Management Plan.

This regulation provides procedures for local government determination of what activities require a coastal use permit, whether the activity is a use of state or local concern, and the process for issuance, denial, modification, suspension and/or revocation of coastal use permits and general coastal use permits for uses of local concern in St. Tammany Parish.

SECTION 2: DEFINITIONS

2.1 Usage

(1) For the purposes of this Ordinance, certain words, terms, numbers, and abbreviations used herein shall be used, interpreted and defined, as set forth in this section.

(2) Unless specifically defined in this section, 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.

(3) Words used in the present tense include the future tense; words used in the singular number include the plural, and the plural number includes the singular; the word "shall" is always mandatory; and the word "herein" means "in this Ordinance".

2.2 Words and Terms Defined

(1) "Activity" shall mean and include any and all lawful acts, projects, uses, developments and construction; public or private; industrial, commercial, residential, or recreational; for profit or not for profit. The term includes both the act of doing and the completed product.

(2) "After-the Fact Permit" shall mean a coastal use permit which is issued after the commencement of a use. Such a permit may only be issued after all legal issues resulting from the commencement of a use without a coastal use permit have been resolved.

(3) "Alternative access" shall mean methods of gaining access, ingress, and egress, other than by the dredging of canals into the wetlands for drilling, servicing, work over, or any other production of minerals activity.

(4) "Alternative access vehicle" shall mean any hover craft, helicopter, air cushion vehicle, or any other vehicle which does not require dredging.

(5) "Applicant" shall mean the owner of the property for which a CUP is requested or his agent; or someone specifically authorized in writing by owner to make application in connection with the proposed purchase, lease or development of owner's property.

(6) "Approved Local Program" shall mean a local coastal management program which has been and continues to be approved by the Secretary pursuant to Section 214.28 of the Act.

(7) "Alterations of Waters Draining in Coastal Waters" shall mean those uses or activities that would alter, change, or introduce polluting substances into runoff and thereby modify the quality of coastal waters. Examples include water control impoundments, upland and water management programs, and drainage projects from urban, agricultural and industrial developments.

(8) "Best Practical Techniques" shall mean those methods or techniques which would result in the greatest possible minimization of the adverse impacts listed in Guideline 1.7 above, and in specific guidelines applicable to the proposed use. Those methods or techniques shall be the best methods or techniques which are in use in the industry or trade or among practitioners of the use, and which are feasible and practical for utilization.

(9) "Coastal use permit" or "CUP" shall mean the permits required by R.S. 49:214.30 and shall not mean or refer to, and shall be in addition to, any other permit or approval required or established pursuant to any other constitutional provision or statute.

(10) "Coastal Water Dependent Uses" shall mean those which must be carried out on, in or adjacent to coastal water areas or wetlands because the use requires access to the water body or wetland or requires the consumption, harvesting or other direct use of coastal resources, or requires the use of coastal water in the manufacturing or

transportation of goods. Examples include surface and subsurface mineral extraction, fishing, ports and necessary supporting commercial and industrial facilities, facilities for the construction, repair and maintenance of vessels, navigation projects, and fishery processing plants.

(11) "Coastal water" shall mean bays, lakes, inlets, estuaries, rivers, bayous, and other bodies of water within the boundaries of the coastal zone which have measurable seawater content (under normal weather conditions over a period of years).

(12) "Coastal Zone" shall mean the coastal waters and adjacent shorelands within the boundaries of the coastal zone established in R.S. 49:214.24, which are strongly influenced by each other, and in proximity of the shorelines and uses of which have a direct and significant impact on coastal waters.

(13) "Coastal Zone Management Plan" shall mean the goals, objectives and policies set forth in the document prepared by Rod E. Emmer, Ph.D in cooperation with the St. Tammany Parish Department of Development, Gibb Farrish, Director of Planning, entitled "St. Tammany Parish Local Coastal Zone Program, Volume 1, dated May, 1992.

(14) "Contaminant" shall mean an element causing pollution of the environment that would have detrimental effects on air or water quality or on native floral or faunal species.

(15) "Cumulative Impacts" shall mean impacts increasing in significance due to the collective effects of a number of activities.

(16) "Department" shall mean the Department of Natural Resources.

(17) "Development Levees" shall mean those levees and associated water control structures whose purpose is to allow control of water levels within the area enclosed by the levees to facilitate drainage or development within the leveed areas. Such levee systems also commonly serve for hurricane or flood protection, but are not so defined for purposes of these guidelines.

(18) "Direct and Significant Impact" shall mean an impact which is a direct and significant modification or alteration in the physical or biological characteristics of coastal waters which results from an action or series of actions caused by man.

(19) "Endangered Species" shall mean any species which is in danger of extinction throughout all or a significant portion of its range.

(20) "Environmental Assessment Data Form" shall mean the form prepared and distributed by the St. Tammany Parish Department of Development for the purpose of obtaining environmental information and data.

(21) "Environmental Management Unit" shall mean an area which is distinguished by

certain common physical and cultural characteristics, such as geology, vegetation, drainage patterns, and uses. Each of these EMUs can be considered individually when setting goals, objectives and policies for planning, management, and regulatory functions.

(22) "Exempted use" shall mean any use specifically listed in this Ordinance as a use not requiring a coastal use permit.

(23) "Existing" as applied to any use, structure, or development includes the words "existing on the effective date of this Ordinance".

(24) "Expectable Adverse Conditions" shall mean natural or man-made hazardous conditions which can be expected or predicted to occur at regular intervals. Included are such events as 125 mile per hour hurricanes and associated tides, 100 year floods and reasonably probable accidents.

(25) "Fastlands" are lands surrounded by publicly-owned, maintained, or otherwise valid existing levees, or natural formations, as of January 1, 1979 or as may be lawfully constructed in the future; which levees or natural formations would normally prevent activities, not to include the pumping of water for drainage purposes, within the surrounded area from having direct and significant impacts on coastal waters.

(26) "Feasible and Practical" shall mean those locations, methods and/or practices which are of established usefulness and efficiency and allow the use or activity to be carried out successfully.

(27) "Governmental Body" shall mean any public department, agency, bureau, authority, or subdivision of the government of the United States or the State of Louisiana and shall include parishes and municipalities and subdivisions thereof and those governmental agencies constitutionally established.

(28) "Guidelines" shall mean those rules and regulations adopted pursuant to R.S. 49:214.27, as set forth in Volume 17, Title 43, Part I, Chapters 7 and 8, Sections 701 through 731 inclusive of the Louisiana Administrative Code, as same may be amended from time to time.

(29) "Habitat" shall mean the natural environment where a plant or animal population lives.

(30) "Hurricane or Flood Protection Levees" shall mean those levees and associated water control structures whose primary purpose is to prevent occasional surges of flood or storm generated high water. Such levee systems do not include those built to permit drainage or development of enclosed wetland areas.

(31) "Hydrologic and Sediment Transport Modifications" shall mean those uses and

activities intended to change water circulation, direction of flow, velocity, level, or quality or quantity of transported sediment. Examples include locks, water gates, impoundments, jetties, groins, fixed and variable weirs, dams, diversion pipes, siphons, canals, and surface and groundwater withdrawals.

(32) "Impoundment Levees" shall mean those levees and associated water control structures whose primary purpose is to contain water within the levee system either for the prevention of the release of pollutants, to create fresh water reservoirs, or for management of fish or wildlife resources.

(33) "Infrastructure" shall mean those systems which provide needed support for human social institutions and developments, including transportation systems, public utilities, water and sewerage systems, communications, educational facilities, health services, law enforcement and emergency preparedness.

(34) "In-lieu Permit" shall mean those permits issued in-lieu of coastal use permits pursuant to Section 214.31 of the SLCRMA.

(35) "Interested Person" shall mean the applicant, adjoining property owners as listed on the application submitted for the CUP, Police Jurors of the district and EMU where the property which is the subject of the permit application is located, and any person who identifies himself/herself in writing to the LCP Administrator as a party specifically affected by the proposed activity.

(36) "Levees" shall mean any use or activity which creates an embankment to control or prevent water movement, to retain water or other material, or to raise a road or other lineal use above normal or flood water levels. Examples include levees, dikes and embankments of any sort.

(37) "Linear Facilities" shall mean those uses and activities which result in creation of structures or works which are primarily linear in nature. Examples include pipelines, roads, canals, channels, and powerlines.

(38) "Local Coastal Use Permit" or "LCUP" shall mean the coastal use permit issued by the Parish of St. Tammany for uses of local concern.

(39) "Local Government" shall mean the St. Tammany Parish Police Jury, or its successor.

(40) "Local Program": Same as "Approved Local Program."

(41) "Local Coastal Program Administrator" or LCP Administrator shall mean the professional within the St. Tammany Parish Department of Development who is responsible for the administration of this Ordinance and the Local Coastal Zone Management Plan.

(42) "Local Coastal Program Advisory Committee" or LCP Advisory Committee shall mean a committee of not more than nine individuals, each of whom shall be appointed by the Police Jury, upon recommendation of the Parish Manager, and who represent users of coastal resources and shall include representation of users concerned with conservation and preservation of renewable coastal resources and users concerned with development of resources for commercial purposes. The LCP Advisory Committee shall assist the LCP Administrator and shall coordinate actions and activities with the Department of Development Director and the LCP Administrator.

(43) "Marsh" shall mean wetlands subject to frequent inundation in which the dominant vegetation consists of reed, sedges, grasses, cattails, and other low growth.

(44) "Minerals" shall mean oil, gas sulfur, geothermal, geopressured, salt, or other naturally occurring energy or chemical resources which are produced from below the surface in the coastal zone. Not included are such surface resources as clam or oyster shells, dirt, sand, or gravel.

(45) "Oil, Gas and Other Mineral Activities" shall mean those uses and activities which are directly involved in the exploration, production, and refining of oil, gas and other minerals. Examples include geophysical surveying, establishment of drill sites and access to them, drilling, on site storage of supplies, products and waste materials, production, refining, and spill cleanup.

(46) "Particular Areas" shall mean areas within the coastal zone of a parish with an approved local program which have a unique and valuable characteristics requiring special management procedures. Such areas shall be identified, designated, and managed by the local government following procedures consistent with those for special areas.

(47) "Person" shall mean any individual, partnership, association, trust, corporation, public agency or authority, or state or local government body.

(48) "Permit" shall mean a coastal use permit, or an in-lieu permit.

(49) "Permitting body" shall mean either the Department of Natural Resources or the St. Tammany Parish Police Jury, or its successor.

(50) "Plan" means the coastal vegetated wetlands conservation and restoration plan provided for in R.S. 49:213.6.

(51) "Program" means the coastal vegetated wetlands conservation and restoration provided for in R.S. 49:214 (Subpart B).

(52) "Public hearing", wherever required in this Ordinance, shall be a hearing announced to the public at least 30 days in advance, and at which all interested persons shall be afforded a reasonable opportunity to submit data, views, or arguments orally or

in writing. At the time of the announcement of the public hearing all materials pertinent to the hearing, including documents, studies, and other data in the possession of the party calling the hearing, shall be made available to the public for review and study. As similar materials are subsequently developed, they shall be made available to the public as they become available to the party which conducted the hearing. Not included in this definition is a hearing on an appeal, which shall be covered by other provisions of this Ordinance.

(53) "Radioactive Wastes" shall mean wastes containing source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (68 Stat. 923).

(54) "Secretary" shall mean the secretary of the Department of Natural Resources or his designee.

(55) "Sediment Deposition Systems" shall mean controlled diversions of sediment-laden water in order to initiate land building or sediment nourishment or to minimize undesirable deposition of sediment to navigation channels or habitat areas. Typical activities include diversion channels, jetties, groins or sediment pumps.

(56) "Shoreline Modifications" shall mean those uses and activities planned or constructed with the intention or directly or indirectly changing or preventing change of a shoreline. Examples include bulkheading, piers, docks, wharves, slips and short canals, and jetties.

(57) "Significant Public Opposition" shall mean opposition evidenced by a written petition signed by not less than 50 registered voters of St. Tammany Parish and submitted to the LCP Administrator within thirty (30) days after publication of the notice of application

(58) "SLCRMA": The State and Local Coastal Resources Management Act of 1978, Act 361 of 1978 as amended, R.S.49:214.21 - 214.40.

(59) "Spoil Deposition" shall mean the deposition of any excavated or dredged material.

(60) "State Director" shall mean the Director of Coastal Management Division, Louisiana Department of Natural Resources.

(61) "Subdivision" shall mean a portion or parcel of land that is to be sold, leased or rented, or offered for sale, lease or rent, in small portions or lots, for the purpose of future development for residential or commercial occupancy which portions or lots are, or are to be, identified either by numbers or letters or by metes and bounds; whether or not such portions or lots are in detail delineated on a plan of such subdivision.

(62) "Surface Alterations" shall mean those uses and activities which change the surface or usability of a land area or water bottom. Examples include fill deposition,

land reclamation, beach nourishment, dredging (primarily areal), clearing, draining, surface mining, construction and operation of transporations (sic), mineral, energy and industrial facilities, and industrial, commercial and urban developments.

(63) "Toxic Substances": Those substances which, by their chemical, biological, or radioactive properties, have the potential to endanger human health or other living organisms or ecosystems, by means of acute or chronic adverse effects, including poisoning, mutagenic, tetratrogenic, or carcinogenic effect.

(64) "Uplands": Lands of five feet or more above sea level, fastlands, or all lands outside the coastal zone.

(65) "Use" shall mean any use or activity within the coastal zone which has a direct and significant impact on coastal waters.

(66) "Uses of Local Concern" shall mean those uses defined and listed in R.S. 49:214.25A.(2) which directly and significantly affect coastal waters and are in need of coastal management but are not Uses of State Concern and which should be regulated primarily at the local level in accordance with the Ordinance.

(67) "Waste": Any material for which no use or reuse is intended and which is to be discarded.

(68) "Waste Disposal" shall mean those uses and activities which involve the collections, storage and discarding or disposing of any solid or liquid material. Examples include littering; landfill; open dumping; incineration; industrial waste treatment facilities; sewerage treatment; storage in pits, ponds or lagoons; ocean dumping and subsurface disposal.

(69) "Water or Marsh Management Plan" shall mean a systematic development and control plan to improve and increase biological productivity, or to minimize land loss, saltwater intrusion, erosion or other such environmental problems, or to enhance recreation.

(70) "Wetlands" means an open water area or an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, but specifically excluding fastlands and lands more than five feet above mean sea level which occur within the designated coastal zone of the state. Wetlands generally include swamps, marshes, bogs, and similar areas.

2.4 Area Normally Subject to Permitting

In St. Tammany Parish, the entire coastal zone will be subject to coastal use permitting.

2.5 Types of Uses

Uses of the coastal zone subject to the coastal use permitting program shall be of two types:

(1) Uses of state concern

Those uses, more specifically defined and listed in R.S. 49:214.25A.(1), which directly and significantly affect coastal waters and which are in need of coastal management and which have impacts of greater than local significance or which significantly affect interests of regional, state, or national concern. Uses of state concern shall include, but not be limited to:

- a. any dredge or fill activity which intersects with more than one water body;
- b. projects involving use of state-owned lands or water bottoms;
- c. state publicly-funded projects;
- d. national interest projects;
- e. projects occurring in more than one parish;
- f. all mineral activities, including exploration for, and production of, oil, gas, and other minerals, all dredge and fill uses associated therewith and all other associated uses;
- g. all pipelines for the gathering, transportation, or transmission of oil, gas, and other minerals;
- h. energy facility siting and development; and
- i. uses of local concern which may significantly affect interests of regional, state, or national concern.

(2) Uses of local concern

Those uses, more specifically defined and listed in R.S. 49:214.25A.(2), which directly and significantly affect coastal waters and are in need of coastal management, but are not uses of state concern, and which should be regulated by local government. Uses of local concern shall include, but not be limited to:

- a. privately-funded projects which are not uses of state concern;
- b. publicly-funded projects which are not uses of state concern;
- c. maintenance of uses of local concern;
- d. jetties or breakwaters;
- e. dredge or fill projects not intersecting more than one water body;
- f. bulkheads;
- g. piers;
- h. camps and cattlewalks;
- i. maintenance dredging;
- j. private water control structures of less than \$15,000 in cost; and
- k. uses on cheniers, salt domes, or similar land forms.

2.6 Activities not requiring a coastal use permit

(1) General

a. The following activities normally do not have direct and significant impacts on coastal waters; hence, a coastal use permit is not required, except as set forth in the following causes:

- i. Agricultural, forestry, and aquaculture activities on lands consistently used in the past for such activities.
- ii. Hunting, fishing, trapping, and the preservation of scenic, historic, and scientific areas and wildlife preserves.
- iii. Normal maintenance or repair of existing structures including emergency repairs of damage caused by accident, fire, or the elements.
- iv. Construction of a residence or camp.
- v. Construction and modification of navigational aids such as channel markers and anchor buoys.
- vi. Activities which do not have a direct and significant impact on coastal waters.

b. Uses and activities within the special area established by R.S. 49:214.29(c) which have been permitted by the Offshore Terminal Authority in keeping with its environmental protection plan shall not require a coastal use permit.

(2) Activities on Lands Five Feet or more Above Sea Level or Within Fastlands.

a. Activities occurring wholly on lands five feet or more above sea level or within fastlands do not normally have direct and significant impacts on coastal waters. Consequently, a coastal use permit for such uses generally need not be applied for.

b. However, if a proposed activity exempted from permitting in Subparagraph a., above, will result in discharges into coastal waters, or significantly change existing water flow into coastal waters, then the person proposing the activity shall notify the LCP Administrator or the Secretary and provide such information regarding the proposed activity as may be required by the LCP Administrator or the Secretary in deciding whether the activity is a use subject to a coastal permit.

c. Should it be found that a particular activity exempted by Subparagraph a., above, may have a direct and significant impact on coastal waters, the LCP Administrator or Department may conduct such investigation as may be appropriate to ascertain the facts and may require the persons conducting such activity to provide appropriate factual information regarding the activity so that a determination may be made as to whether the activity is a use subject to a permit.

d. The LCP Administrator or the Secretary shall determine whether a coastal use permit is required for a particular activity. A coastal use permit will be required only for those elements of the activity which have direct and significant impacts on coastal waters.

e. The exemption described in this section shall not refer to activities occurring on cheniers, salt domes, barrier islands, beaches and similar isolated, raised land forms in the coastal zone. It does refer to natural ridges and levees.

(3) Emergency Uses

a. Coastal use permits are not required in advance for conducting uses necessary to correct emergency situations

i. Emergency situations are those brought about by natural or man-made causes, such as storms, floods, fires, wrecks, explosions, spills, which would result in hazard to life, loss of property, or damage to the environment if immediate corrective action were not taken.

ii. This exemption applies only to those corrective actions which are immediately required for the protection of lives, property or the environment necessitated by the emergency situation.

b. Prior to undertaking such emergency uses, or as soon as possible thereafter, the person carrying out the use shall notify the Secretary and the LCP Administrator, and give a brief description of the emergency use and the necessity for carrying it out without a coastal use permit.

c. As soon as possible after the emergency situation arises, any person who has conducted an emergency use shall report on the emergency use to the LCP Administrator or the Secretary. A determination shall be made as to whether the emergency use will continue to have direct and significant impacts on coastal waters. If so, the user shall apply for an after-the-fact permit. The removal of any structure or works occasioned by the emergency and the restoration of the condition existing prior to the emergency use may be ordered if the permit is denied in whole or in part.

(4) Normal Maintenance and Repair

a. Normal repairs and the rehabilitation, replacement, or maintenance of existing structures shall not require a coastal use permit provided that:

- i. the structure or work was lawfully in existence, currently serviceable, and in active use during the year preceding the repair, replacement or maintenance; and,
- ii. the repair or maintenance does not result in an encroachment into a wetland area greater than that of the previous structure or work; and,
- iii. the repair or maintenance does not involve dredge or fill activities; and
- iv. the repair or maintenance does not result in a structure or facility that is significantly different in magnitude or function from the original.

b. This exemption shall not apply to the repair or maintenance of any structure or facility built or maintained in violation of the coastal management program.

c. Coastal use permits will normally authorize periodic maintenance including maintenance dredging. All maintenance activities authorized by coastal use permits shall be conducted pursuant to the conditional established for that permit. Where

maintenance is performed which is not described in an applicable coastal use permit, it shall conform to this section.

(5) Construction of a Residence or Camp

a. The construction of a residence or a camp shall not require a coastal use permit provided that:

i. The terms shall refer solely to structures used for non-commercial and non-profit purposes and which are commonly referred to as "single family" and not multiple family dwellings.

ii. The terms shall refer solely to the construction of one such structure by or for the owner of the land for the owner's use and not to practices involving the building of more than one such structure as in subdividing, tract development, speculative building, or recreational community development.

b. The exemption shall apply only to the construction of the structure and appurtenances such as septic fields, out buildings, walkways, gazebos, small wharves, landings, boathouses, private driveways, and similar works, but not to any bulkheading or any dredging or filling activity except for small amounts of fill necessary for the structure itself and for the installation and maintenance of septic or sewerage facilities.

(6) Navigational Aids

a. The construction and modification of navigational aids shall not require a coastal use permit.

b. The term shall include channel markers, buoys, marker piles, dolphins, piling, pile clusters, etc; provided that the exemption does not apply to associated dredge or fill uses or the construction of mooring structures, advertising signs, platforms, or similar structures associated with such facilities. All navigational aids constructed pursuant to this section shall conform to United States Coast Guard standards and requirements.

(7) Agricultural, Forestry and Aquaculture Activities

a. Agricultural, forestry and aquacultural activities on lands consistently used in the past for such activities shall not require a coastal use permit provided that:

i. The activity is located on lands or in waters which have been used on an ongoing basis for such purposes, consistent with normal practices, prior to the effective date of the Act 361 of 1978, January 1, 1979.

ii. The activity does not require a permit from the U.S. Army Corps of Engineers and meets federal requirements for such exempted activities, and,

iii. The activity is not intended to, nor will it result in, changing the agricultural, forestry, or aquacultural use for which the land has been consistently used for in the past to another use.

b. The exemption includes but is not limited to normal agricultural, forestry and aquacultural activities such as plowing; seeding; grazing; cultivating; insect control; fence building and repair; thinning; harvesting for the production of food, fiber and forest products; maintenance and drainage of existing farm, stock or fish ponds; digging of small drainage ditches; or maintenance of existing drainage ditches and farm or forest roads carried out in accordance with good management practices.

(8) Blanket Exemption

a. No use or activity shall require a coastal use permit if:

- i. The use or activity was lawfully commenced or established prior to the implementation of the coastal use permit process, October 1, 1980;
- ii. The secretary determines that it does not have a direct or significant impact on coastal waters; or
- iii. The LCP Administrator or the secretary determines one is not required pursuant to Section 725.G of these rules. (L.A.C.43:I.725.G)

SECTION 3: ADMINISTRATION AND ENFORCEMENT

3.1 Designation and Powers of the Local Coastal Program Administrator and Local Coastal Program Advisory Committee

(1) The St. Tammany Parish Police Jury shall appoint a Local Coastal Program Administrator (LCP Administrator) within the Department of Development and under the Director of the Department of Development.

(2) The LCP Administrator shall have the following enumerated powers:

- a. to issue, deny or modify permits for uses of local concern;
- b. to conduct any investigations he/she deems necessary to comply with the purpose of this Ordinance; and
- c. to inspect and/or investigate conditions relating to this Ordinance in cooperation with the parish administration.

(3) It shall be the duty of the LCP Administrator to implement this Ordinance. It shall also be the duty of all officers and employees of the parish to assist the LCP Administrator in the implementation of this Ordinance.

(4) The Police Jury may appoint a Local Coastal Program Advisory Committee (LCP Advisory Committee) of no more than nine members who represent users of coastal resources and shall include representation of users concerned with conservation and preservation of renewable coastal resources and users concerned with development of

resources for commercial purposes.

(5) The LCP Advisory Committee shall assist the LCP Administrator and shall coordinate actions and activities with the Department of Development Director and the LCP Administrator.

3.2 Coastal Use Permit Requirements

Any person seeking to commence any use not specifically exempted by Section 2, Subsection 2.6 of this Ordinance, within the St. Tammany Parish Coastal Zone must first obtain a Local Coastal Use Permit (LCUP).

3.3 Permit Application Procedure - Application Fees, Reports on Decisions

(1) All applications shall be made on the form(s) prescribed by the Secretary on hand at the office of the LCP Administrator.

(2) All applications shall be submitted to the LCP Administrator through the Department of Development or directly to the Louisiana Department of Natural Resources, Coastal Management Division in Baton Rouge. No application will be reviewed until all required supportive information as specified in this Ordinance is attached.

(3) All applications of local concern shall be accompanied by:

a. an application fee of \$50.00 or, if the application is for an after the fact permit, an application fee of \$550.00;

b. all information currently required by the Coastal Management Division of the Department of Natural Resources, including, but not limited to, the following:

i. Maps showing the actual location, size, and dimensions of the real property to be used;

ii. plans showing the exact location, size, and height of the buildings or structures to be developed;

iii. a list of all applications, approvals, and/or denials already made concerning the development to/by federal, state, or local agencies;

iv. a description of the extent to which any water course or natural drainage will be altered or relocated as a result of the proposed activity; and

v. if the development involves dredging, a description of:

A. the type, composition and quantity of material to be dredged;

B. the method of dredging; and

C. the site of the plans for the disposal of the dredged material.

(4) The Parish shall submit to the State Director and make available to the public an

annual written report within 30 days of the close of the calendar year. This report shall contain a list of the number, type (local or state concern), habitat (marsh type, etc.), frequency (number of applications per month), and the decision on all permit applications.

3.4 Permit Procedure - Administrative Action

(1) When an application for a permit is received, the LCP Administrator shall immediately assign it a number for identification, acknowledge receipt thereof, and advise the applicant of the number assigned to it.

(2) All applications shall be submitted to the LCP Administrator through the Department of Development or directly to the State Coastal Management Division in Baton Rouge. No application will be reviewed unless all required supportive information as outlined in this Ordinance is attached.

(3) Upon receipt of an application by the LCP Administrator, a determination will be made as to whether the application is for a use of local concern or a use of state concern. This determination shall be based on the criteria set forth in the State and Local Coastal Control Resource Management Act (SLCRMA), the state regulations and herein. The initial determination is made by the LCP Administrator and a brief written explanation of the rationale behind it shall be forwarded to the State Director in Baton Rouge within two (2) working days of receipt of the application. The State Director shall review the determination and rationale and shall let the decision of the LCP Administrator stand or reverse it. If the State Director reverses the determination, special notice shall be given to the LCP Administrator. Either Coastal Management Division, Department of Natural Resources or LCP Administrator, as determined by the State Director shall thereafter be responsible for the permit review process for the proposed use. The State Director's determination is binding unless, and until, reversed by the Secretary of the Department of Natural Resources. The following factors, as reflected in SLCRMA and the regulations, shall be used in making a determination as to whether a use is of local or state concern.

- a. The specific terms of the uses as classified in SLCRMA;
- b. The relationship of a proposed use to a particular use classified in SLCRMA;
- c. If a use is not predominantly classified as either state or local by the SLCRMA or the use overlaps two classifications, it shall be a use of local concern unless it:
 - i. is being carried out with state or federal funds;
 - ii. involves the use or has significant impacts on state or federal lands, water bottoms or works;
 - iii. is mineral or energy production or transportation related;
 - iv. involves the use of, or has significant impacts on barrier islands or beaches or any other shoreline which forms part of the baseline for Louisiana's jurisdiction;

- v. will result in major changes in the quantity or quality of water flow and circulation or salinity or sediment transport regimes;
- vi. has significant interparish or interstate impacts.

(4) If the proposed activity is determined to be of local concern, the appropriate processing procedure provided by state law and regulation and this Ordinance will be initiated.

(5) Public notice of all applications for coastal use permits shall be given by:

- a. mailing a brief description of the application, along with a statement indicating where a copy of the application may be inspected, to any person who has filed a request to be notified of such permit application and to all affected governmental bodies;
- b. by posting or causing to be posted a copy of the application at the location of the proposed site;
- c. by sending notice of the application to the media in St. Tammany Parish; and
- d. by causing the publication of notice of the application in the official journal of the parish.

(6) Public notice of all applications for coastal use permits of local concern will be issued within ten (10) days of filing of the completed application.

(7) The public notice shall state the nature of the proposed project and the location where such work is proposed. Said public notice shall indicate that all interested parties may make comments and/or suggestions to the LCP Administrator on said application within thirty (30) days of publication.

(8) A copy of the application will be sent to any person requesting it upon payment of a reasonable fee to cover costs of copying, handling, and mailing.

(9) The LCP Administrator shall consider comments received in response to the public notice in his/her subsequent actions on the permit application. Comments received will be made a part of the official file on the application. If comments received relate to matters within the special expertise of another governmental body, the LCP Administrator may seek advice of that agency. If necessary, the applicant will be given the opportunity to furnish his proposed resolution or rebuttal to all objections from government agencies and other substantive adverse comments before a final decision is made on the application.

(10) The decision to approve, approve with modification, or otherwise conditionally approve, or deny the LCUP shall be made within thirty (30) days after a public notice or within fifteen (15) days after a public hearing, whichever is the later. Permit and consistency decisions will be based upon the enforceable policies of St. Tammany Parish Local Coastal Program and Louisiana State Coastal Resources Program.

(11) The decision to approve, approve with modification, or otherwise conditionally

approve, or deny the LCUP shall be in writing and copies of the decision shall be sent to the applicant and all other interested parties.

(12) If the final decision is to issue a permit, the LCP Administrator shall forward two copies of the draft permit to the applicant for his signature. By signing the permit the applicant signifies his/her acceptance of the conditions of the permit, as well as the findings on the application. The applicant will return both signed copies to the parish for signature and dating by the LCP Administrator.

(13) If the final decision is to deny said permit, the LCP Administrator shall send the applicant a statement setting forth the reason(s) for denial.

(14) The LCP Administrator will issue a monthly list of permits issued or denied during the previous month. This list will be distributed to all persons who requested the public notices.

3.5 Public Hearings on Permit Applications

(1) A public hearing may be held in connection with the consideration of an application for a new permit and when it is proposed that an existing permit be modified or revoked.

(2) Any person may request in writing within the comment period specified in the public notice that a public hearing be held to consider material matters at issue in a permit application. Upon receipt of any such request, the LCP Administrator shall determine whether the issues raised are substantial and there is a valid public interest to be served by holding a public hearing.

(3) Public hearing(s) may be appropriate when there is a legislative request; a request from local governments or other local authorities; or in controversial cases involving significant economic, social, or environmental issues. Except as provided in paragraph 4 hereof, the LCP Administrator has the discretion to require hearings in any particular case. Failure to hold a hearing on an application may not be appealed.

(4) A public hearing shall be held when 25 registered voters from within the EMU make written requests within the comment period, or if there is significant public opposition to a proposed use. A public hearing shall also be held if the Parish Police Jury directs the LCP Administrator to do so on a proposed use not normally requiring a hearing or when expressly required by this Ordinance.

(5) If a determination is made, or if it is mandatory to hold a public hearing, the LCP Administrator shall promptly notify the applicant, set a time and place for the hearing, and give public notice.

(6) Public notice shall be given at least thirty (30) days in advance of any public hearing except that in cases of public necessity a shorter time may be allowed.

(7) Notice of the public hearing shall be sent to all persons requesting notices of public hearings and published in the official journal of the parish.

(8) The public hearing shall be conducted by the LCP Administrator before the LCP Advisory Committee in accordance with rules of procedure adopted by the LCP Administrator for the presentation of information and comment. The hearing shall remain open for a period of ten (10) days after the close of the public hearing for submission of written comments or other material. This time period may be extended by the LCP Administrator or Police Jury if additional important information or data are being prepared and will be submitted.

(9) The LCP Administrator shall make a decision to grant, deny or grant with modifications the LCUP within fifteen (15) days after the public hearing.

(10) Notification of the decision to grant, deny, or grant with modification the LCUP shall conform to Section 3, sub-section 3.4 of this Ordinance.

3.6 Criteria for Coastal Use Permit Approval

I. General Consideration

A. A Local Coastal Use Permit shall be approved by the LCP Administrator only after a full and fair consideration of all information contained in the record and after consultation with the St. Tammany Parish Planning Commission. The decision will be consistent with the SLCRMA, the regulations, the Guidelines and the Coastal Zone Management Plan; and will represent a balancing of social, environmental and economic factors. The LCP Administrator shall prepare a concise and clear statement describing the rationale for the decision and include one copy in the parish records, send one copy to the State Director, and one copy to the applicant. This document shall be dated and signed by the LCP Administrator.

B. Activities proposed on or near water bodies shall, to the maximum extent practicable, be water dependent.

II. Guidelines from the SLCRMA

A. Guidelines applicable to all uses

1. The guidelines must be read in their entirety. Any proposed use may be subject to the requirements of more than one guideline or section of guidelines and all applicable guidelines must be complied with. [Guideline 1.1]

2. Conformance with applicable water and air quality laws, standards and regulations, and with those other laws, standards and regulations which have been incorporated into the coastal resources program shall be deemed in conformance with the program except to the extent that these guidelines would impose additional

requirements. [Guideline 1.2]

3. The guidelines include both general provisions applicable to all uses and specific provisions applicable to only certain types of uses. The general guidelines apply in all situations. The specific guidelines apply only to the situations they address. Specific and general guidelines should be interpreted to be consistent with each other. In the event there is an inconsistency, the specific should prevail. [Guideline 1.3]

4. These guidelines are not intended to nor shall they be interpreted so as to result in an involuntary acquisition or taking of property. [Guideline 1.4]

5. No use or activity shall be carried out or conducted in such a manner as to constitute a violation of the terms of a grant or donation of any lands or waterbottoms to the State or any subdivision thereof. Revocations of such grants and donations shall be avoided. [Guideline 1.5]

6. Information regarding the following general factors shall be utilized by the permitting authority in evaluating whether the proposed use is in compliance with the guidelines. [Guideline 1.6]

- a. Type, nature and location of use.
- b. Elevation, soil and water conditions and flood and storm hazard characteristics of the site.
- c. Techniques and materials used in construction, operation and maintenance of the use.
- d. Existing drainage patterns and water regimes of surrounding area including flow, circulation, quality quantity and salinity; and impacts on them.
- e. Availability of feasible alternative sites or methods of implementing the use.
- f. Designation of the area for certain uses as part of a local program.
- g. Economic need for the use and extent of impacts of use on economy of locality.
- h. Extent of resulting public and private benefits.
- i. Extent of coastal water dependency of the use.
- j. Existence of necessary infrastructure to support the use and public costs resulting from use.
- k. Extent of impacts on existing and traditional uses of the area and on future

uses for which the area is suited.

l. Proximity to and extent of impacts on important natural features such as beaches, barrier islands, tidal passes, wildlife and aquatic habitats, and forest lands.

m. The extent to which regional, state and national interests are served including the national interest in resources and the siting of the facilities in coastal zones as identified in the coastal resources program.

n. Proximity to, and extent of impacts on, special areas, particular areas, or other areas of particular concern of the state program or local programs.

o. Likelihood of, and extent of impacts of, resulting secondary impacts and cumulative impacts.

p. Proximity to and extent of impacts on public lands or works, or historic, recreational or cultural resources.

q. Extent of impacts on navigation, fishing, public access, and recreational opportunities.

r. Extent of compatibility with natural and cultural setting.

s. Extent of long term benefits or adverse impacts.

7. Is the policy of coastal resources program to avoid the following adverse impacts. To this end, all uses and activities shall be planned, sited, designed, constructed, operated and maintained to avoid to the maximum extent practicable significant: [Guideline 1.7]

a. Reductions in the natural supply of sediment and nutrients to the coastal system by alterations of freshwater flow.

b. Adverse economic impacts on the locality of the use and affected governmental bodies.

c. Detrimental discharges of inorganic nutrient compounds into coastal waters.

d. Alterations in the natural concentration of oxygen in coastal waters.

e. Destruction or adverse alterations of streams, wetland, tidal passes, inshore waters and waterbottoms, beaches, dunes, barrier islands, and other natural biologically valuable areas or protective coastal features.

f. Adverse disruption of existing social patterns.

- g. Alterations of the natural temperature regime of coastal waters.
- h. Detrimental changes in existing salinity regimes.
- i. Detrimental changes in littoral and sediment transport processes.
- j. Adverse effects of cumulative impacts.
- k. Detrimental discharges of suspended solids into coastal waters, including turbidity resulting from dredging.
- l. Reductions or blockage of water flow or natural circulation patterns within or into an estuarine system or a wetland forest.
- m. Discharges of pathogens or toxic substances into coastal waters.
- n. Adverse alteration or destruction of archeological, historical or other cultural resources.
- o. Fostering of detrimental secondary impacts in undisturbed or biologically highly productive wetland areas.
- p. Adverse alteration or destruction of unique or valuable habitats, critical habitat for endangered species, important wildlife or fishery breeding or nursery areas, designated wildlife management or sanctuary areas, or forestlands.
- q. Adverse alteration or destruction of public parks, shoreline access points, public works, designated recreation areas, scenic rivers, or other areas of public use or concern.
- r. Adverse disruptions of coastal wildlife and fishery migratory patterns.
- s. Land loss, erosion and subsidence.
- t. Increases in the potential for flood, hurricane and other storm damage, or increases in the likelihood that damage will occur from such hazards.
- u. Reduction in the long term biological productivity of the coastal ecosystem.

8. In those guidelines in which the modifier "maximum extent practicable" is used, the proposed use is in compliance with the guideline if the standard modified by the term is complied with. If the modified standard is not complied with, the use will be in compliance with the guideline if the permitting authority finds, after a systematic consideration of all pertinent information regarding the use, the site and the impacts of the use as set forth in Guideline 1.6 above, and a balancing of their relative significance,

that the benefits resulting from the proposed use would clearly outweigh the adverse impacts resulting from non-compliance with the modified standard and there are no feasible and practical alternative locations, methods and practices for the use that are in compliance with the modified standard and:

- a. significant public benefits will result from the use, or;
 - b. the use would serve important regional, state or national interests, including the national interest in resources and the siting of facilities in the coastal zone identified in the coastal resources program, or;
 - c. the use is coastal water dependent. The systematic consideration process shall also result in a determination of those conditions necessary for the use to be in compliance with the guideline. Those conditions shall assure that the use is carried out utilizing those locations, methods and practices which maximize conformance to the modified standard; are technically, economically, environmentally, socially and legally feasible and practical; and minimize or offset those adverse impacts listed in guideline 1.7 above and in the subsection [guideline] at issue. [Guideline 1.8]
9. Uses shall to the maximum extent practicable be designed and carried out to permit multiple concurrent uses which are appropriate for the location and to avoid unnecessary conflicts with other uses of the vicinity. [Guideline 1.9]
10. These guidelines are not intended to be, nor shall they be, interpreted to allow expansion of governmental authority beyond that established by La. R.S. 49:213.1 through 213.21, as amended [now 49:214.21 through 214.40]; nor shall these guidelines be interpreted so as to require permits for specific uses legally commenced or established prior to the effective date of the coastal use permit program [October 1, 1980] nor to normal maintenance or repair of such uses. [Guideline 1.10]

B. Guidelines for Levees

1. The leveeing of unmodified or biologically productive wetlands shall be avoided to the maximum extent practicable. [Guideline 2.1]
2. Levees shall be planned and sited to avoid segmentation of wetlands to the maximum extent practicable. [Guideline 2.2]
3. Levees constructed for the purpose of developing or otherwise changing the use of a wetland area shall be avoided to the maximum extent practicable. [Guideline 2.3]
4. Hurricane and flood protection levees shall be located at the non-wetland/wetland interface or landward to the maximum extent practicable. [Guideline 2.4]
5. Impoundment levees shall only be constructed in wetland areas as part of approved water or marsh management projects or to prevent the release of pollutants. [Guideline 2.5]

6. Hurricane or flood protection levee systems shall be designed, built and thereafter operated and maintained utilizing best practical techniques to minimize disruptions of existing hydrologic patterns, and the interchange of water, beneficial nutrients and aquatic organisms between enclosed wetlands and those outside the levee system. [Guideline 2.6]

C. Guidelines for Linear Facilities

1. Linear use alignments shall be planned to avoid adverse impacts on areas of high biological productivity or irreplaceable resource areas. [Guideline 3.1]

2. Linear facilities involving the use of dredging or filling shall be avoided in wetland and estuarine areas to the maximum extent practicable. [Guideline 3.2]

3. Linear facilities involving dredging shall be of the minimum practical size and length. [Guideline 3.3]

4. To the maximum extent practicable, pipelines shall be installed through the "push ditch" method and the ditch backfilled. [Guideline 3.4]

5. Existing corridors, rights-of-way, canals, and streams shall be utilized to the maximum extent practicable for linear facilities. [Guideline 3.5]

6. Linear facilities and alignments shall be, to the maximum extent practicable, designed and constructed to permit multiple uses consistent with the nature of the facility. [Guideline 3.6]

7. Linear facilities involving dredging shall not traverse or adversely affect any barrier island. [Guideline 3.7]

8. Linear facilities involving dredging shall not traverse beaches, tidal passes, protective reefs or other natural gulf shorelines unless no other alternative exists. If a beach, tidal pass, reef or other natural gulf shoreline must be traversed for a non-navigation canal, they shall be restored at least to their natural condition immediately upon completion of construction. Tidal passes shall not be permanently widened or deepened except when necessary to conduct the use. The best available restoration techniques which improve the traversed area's ability to serve as a shoreline shall be used. [Guideline 3.8]

9. Linear facilities shall be planned, designed, located and built using the best practical techniques to minimize disruption of natural hydrologic and sediment transport patterns, sheet flow and water quality and to minimize adverse impacts on wetlands. [Guideline 3.9]

10. Linear facilities shall be planned, designed, and built using the best techniques to prevent bank slumping and erosion, saltwater intrusion, and to minimize the potential for

inland movement of storm-generated surges. Consideration shall be given to the use of locks in navigation canals and channels which connect more saline areas with fresher areas. [Guideline 3.10]

11. All non-navigation canals, channels and ditches which connect more saline areas with fresher areas shall be plugged at all waterway crossings and at intervals between crossings in order to compartmentalize them. The plugs shall be properly maintained. [Guideline 3.11]

12. The multiple use of existing canals, directional drilling and other practical techniques shall be utilized to the maximum extent practicable to minimize the number and size of access canals, to minimize changes of natural systems and to minimize adverse impacts on natural areas and wildlife and fisheries habitat. [Guideline 3.12]

13. All pipelines shall be constructed in accordance with parts 191, 192, and 195 of Title 49 of the Code of Federal Regulations, as amended, and in conformance with the Commissioner of Conservation's Pipeline Safety Rules and Regulations and those safety requirements established by La. R.S. 45:408, whichever would require higher standards. [Guideline 3.13]

14. Areas dredged for linear facilities shall be backfilled or otherwise restored to pre-existing conditions upon cessation of use for navigation purposes to the maximum extent practicable. [Guideline 3.14]

15. The best practical techniques for site restoration and revegetation shall be utilized for all linear facilities. [Guideline 3.15]

16. Confined and dead end canals shall be avoided to the maximum extent practicable. Approved canals must be designed and constructed using best practical techniques to avoid water stagnation and eutrophication. [Guideline 3.16]

D. Guidelines for Dredged Spoil Deposition

1. Spoil shall be deposited utilizing the best practical techniques to avoid disruption of water movement, flow, circulation and quality. [Guideline 4.1]

2. Spoil shall be used beneficially to the maximum extent practicable to improve productivity or create new habitat, reduce or compensate for environmental damage done by dredging activities, or prevent environmental damage. Otherwise, existing spoil disposal areas or upland disposal shall be utilized to the maximum extent practicable rather than creating new disposal areas. [Guideline 4.2]

3. Spoil shall not be disposed of in a manner which could result in the impounding or draining of wetlands or the creation of development sites unless the spoil deposition is part of an approved levee or land surface alteration project. [Guideline 4.3]

4. Spoil shall not be disposed of on marsh, known oyster or clam reefs or in areas of

submersed vegetation to the maximum extent practicable. [Guideline 4.4]

5. Spoil shall not be disposed of in such a manner as to create a hinderance to navigation or fishing, or hinder timber growth. [Guideline 4.5]

6. Spoil disposal areas shall be designed and constructed and maintained using the best practical techniques to retain the spoil at the site, reduce turbidity, and reduce shoreline erosion when appropriate. [Guideline 4.6]

7. The alienation of state-owned property shall not result from spoil deposition activities without the consent of the Department of Natural Resources. [Guideline 4.7]

E. Guidelines for Shoreline Modification

1. Non-structural methods of shoreline protection shall be utilized to the maximum extent practicable. [Guideline 5.1]

2. Shoreline modification structures shall be designed and built using best practical techniques to minimize adverse environmental impacts. [Guideline 5.2]

3. Shoreline modification structures shall be lighted or marked in accordance with U.S. Coast Guard regulations, not interfere with navigation, and should foster fishing, other recreational opportunities, and public access. [Guideline 5.3]

4. Shoreline modification structures shall be built using best practical materials and techniques to avoid the introduction of pollutants and toxic substances into coastal waters. [Guideline 5.4]

5. Piers and docks and other harbor structures shall be designed and built using best practical techniques to avoid obstruction of water circulation. [Guideline 5.5]

6. Marinas and similar commercial and recreational developments shall to the maximum extent practicable not be located so as to result in adverse impacts on open productive oyster beds, or submersed grass beds. [Guideline 5.6]

7. Neglected or abandoned shoreline modification structures, piers, docks, mooring and other harbor structures shall be removed at the owner's expense, when appropriate. [Guideline 5.7]

8. Shoreline stabilization structures shall not be built for the purpose of creating fill areas for development unless part of an approved surface alteration use. [Guideline 5.8]

9. Jetties, groins, breakwaters and similar structures shall be planned, designed and constructed so as to avoid to the maximum extent practicable downstream land loss and erosion. [Guideline 5.9]

F. Guidelines for Surface Alterations

1. Industrial, commercial, urban, residential and recreational uses are necessary to provide adequate economic growth and development. To this end, such uses will be encouraged in those areas of the coastal zone that are suitable for development. Those uses shall be consistent with the other guidelines and shall, to the maximum extent practicable, take place only [Guideline 6.1]:

a. on lands five feet or more above sea level or within fast lands; or

b. on lands which have foundation conditions sufficiently stable to support the use, and where flood and storm hazards are minimal or where protection from these hazards can be reasonably well achieved, and where the public safety would not be unreasonable endangered; and

1. the land is already in high intensity of development use, or

2. there is adequate supporting infrastructure, or

3. the vicinity has a tradition of use for similar habitation or development.

2. Public and private works projects such as levees, drainage improvements, roads, airports, ports, and public utilities are necessary to protect and support needed development and shall be encouraged. Such projects shall, to the maximum extent practicable, take place only when: [Guideline 6.2]

a. they protect or serve those areas suitable for development pursuant to Guideline 6.1.

b. they are consistent with the other guidelines; and

c. they are consistent with all relevant adopted state, local and regional plans.

3. BLANK (Deleted) [Guideline 6.3]

4. To the maximum extent practicable wetland areas shall not be drained or filled. Any approved drain or fill project shall be designed and constructed using best practical techniques to minimize present and future property damage and adverse environmental impacts. [Guideline 6.4]

5. Coastal water dependent uses shall be given special consideration in permitting because of their reduced choice of alternatives. [Guideline 6.5]

6. Areas modified by surface alteration activities shall, to the maximum extent practicable, be revegetated, refilled, cleaned and restored to their predevelopment

condition upon termination of the use. [Guideline 6.6]

7. Site clearing shall to the maximum extent practicable be limited to those areas immediately required for physical development. [Guideline 6.7]

8. Surface alterations shall, to the maximum extent practicable, be located away from critical wildlife areas and vegetation areas. Alterations in wildlife preserves and management areas shall be conducted in strict accord with the requirements of the wildlife management body. [Guideline 6.8]

9. Surface alterations which have high adverse impacts on natural functions shall not occur, to the maximum extent practicable, on barrier islands and beaches, isolated cheniers, isolated natural ridges or levees, or in wildfire and aquatic species breeding or spawning areas, or in important migratory routes. [Guideline 6.9]

10. The creation of low dissolved oxygen conditions in the water or traps for heavy metals shall be avoided to the maximum extent practicable. [Guideline 6.10]

11. Surface mining and shell dredging shall be carried out utilizing the best practical techniques to minimize adverse environmental impacts. [Guideline 6.11]

12. The creation of underwater obstruction which adversely affect fishing or navigation shall be avoided to the maximum extent practicable. [Guideline 6.12]

13. Surface alteration sites and facilities shall be designed, constructed, and operated using the best practical techniques to prevent the release of pollutants or toxic substances into the environment and minimize other adverse impacts. [Guideline 6.13]

14. To the maximum extent practicable only material that is free of contaminants and compatible with the environmental setting shall be fused as fill. [Guideline 6.14]

G. Guidelines for Hydrologic and Sediment Transports Modifications

1. The controlled diversion of sediment-laden waters to initiate new cycles of marsh building and sediment nourishment shall be encouraged and utilized whenever such diversion will enhance the viability and productivity of the outfall area. Such diversion shall incorporate a plan for monitoring and reduction and/or amelioration of the effects of pollutants present in the freshwater source. [Guideline 7.1]

2. Sediment deposition systems may be used to offset land loss, to create or restore wetland areas or enhance building characteristics of a development site. Such systems shall only be utilized as part of an approved plan. Sediment from these systems shall only be discharged in the area that the proposed use is to be accomplished. [Guideline 7.2]

3. Undesirable deposition of sediments in sensitive habitat or navigation areas shall be avoided through the use of the best preventive techniques. [Guideline 7.3]

4. The diversion of freshwater through siphons and controlled conduits and channels, and overland flow to offset saltwater intrusion and to introduce nutrients into wetlands shall be encouraged and utilized whenever such diversion will enhance the viability and productivity of the outfall area. Such diversion shall incorporate a plan for monitoring and reduction and/or amelioration of the effects of pollutants present in the freshwater source. [Guideline 7.4]
5. Water or marsh management plans shall result in an overall benefit to the productivity of the area. [Guideline 7.5]
6. Water control structures shall be assessed separately based on their individual merits and impacts and in relation to their overall water or marsh management plan of which they are a part. [Guideline 7.6]
7. Weirs and similar water control structures shall be designed and built using the best practical techniques to prevent "cut arounds," permit tidal exchange in tidal areas, and minimize obstruction of the migration of aquatic organisms. [Guideline 7.7]
8. Impoundments which prevent normal tidal exchange and/or the migration of aquatic organisms shall not be constructed in brackish and saline areas to the maximum extent practicable. [Guideline 7.8]
9. Withdrawal of surface and ground water shall not result in saltwater intrusion or land subsidence to the maximum extent practicable. [Guideline 7.9]

H. Guidelines for disposal of Wastes

1. The location and operation of waste storage, treatment, and disposal facilities shall be avoided in wetlands to the maximum extent practicable, and best practical techniques shall be used to minimize adverse impacts which may result from such use. [Guideline 8.1]
2. The generation, transportation, treatment, storage and disposal of hazardous wastes shall be pursuant to the substantive requirements of the Department of Environmental Quality adopted pursuant to the provisions of R.S. 30:217, et seq, as amended and approved pursuant to the Resource Conservation and Recovery Act of 1976 P. L. 94-580, as amended, and of the Office of Conservation for injection below surface. [Guideline 8.2]
3. Waste facilities located in wetlands shall be designed and built to withstand all expectable adverse conditions without releasing pollutants. [Guideline 8.3]
4. Waste facilities shall be designed and constructed using best practical techniques to prevent leaching, control leaching production, and prevent the movement of leachate away from the facility. [Guideline 8.4]

5. The use of overland flow systems for non-toxic, biodegradable wastes, and the use of sump lagoons and reservoirs utilizing aquatic vegetation to remove pollutants and nutrients shall be encouraged. [Guideline 8.5]
6. All waste disposal sites shall be marked and, to the maximum extent practicable, all components of waste shall be identified. [Guideline 8.6]
7. Waste facilities in wetlands with identifiable pollution problems that are not feasible and practical to correct shall be closed and either removed or sealed, and shall be properly revegetated using the best practical techniques. [Guideline 8.7]
8. Waste shall be disposed of only at approved disposal sites. [Guideline 8.8]
9. Radioactive wastes shall not be temporarily or permanently disposed of in the coastal zone. [Guideline 8.9]

I. Guidelines for Uses that Result in the Alteration of Waters Draining into Coastal Waters

1. Upland and upstream water management programs which affect coastal waters and wetlands shall be designed and constructed to preserve or enhance existing water quality, volume, and rate of flow to the maximum extent practicable. [Guideline 9.1]
2. Runoff from developed areas shall to the maximum extent practicable be managed to simulate natural water patterns, quantity, quality and rate of flow. [Guideline 9.2]
3. Runoff and erosion from agricultural lands shall be minimized through the best practical techniques. [Guideline 9.3]

J. Guidelines for Oil, Gas and Other Mineral Activities

1. Geophysical surveying shall utilize the best practical techniques to minimize disturbance or damage to wetlands, fish and wildlife and other coastal resources. [Guideline 10.1]
2. To the maximum extent practicable, the number of mineral exploration and production sites in wetland areas requiring floatation access shall be held to the minimum number, consistent with good recovery and conservation practices and the need for energy development by directional drilling, multiple use of existing access canals and other practical techniques. [Guideline 10.3]
3. Exploration, production and refining activities shall, to the maximum extent practicable, be located away from critical wildlife preserves and management areas shall be conducted in strict accordance with the requirements of the wildlife management body. [Guideline 10.3]
4. Mineral exploration and production facilities shall be to the maximum extent

practicable designed, constructed and maintained in such a manner to maintain natural water flow regimes, avoid blocking surface drainage, and avoid erosion. [Guideline 10.4]

5. Access routes to mineral exploration, production and refining sites shall be designed and aligned so as to avoid adverse impacts on critical wildlife and vegetation areas to the maximum extent practicable. [Guideline 10.5]

6. Drilling and production sites shall be prepared, constructed, and operated using the best practical techniques to prevent the release of pollutants or toxic substances into the environment. [Guideline 10.6]

7. All drilling activities, supplies, and equipment shall be kept on barges, on drilling rigs, within ring levees, or on the well site. [Guideline 10.7]

8. Drilling ring levees shall to the maximum extent practicable be replaced with small production levees or removed entirely. [Guideline 10.8]

9. All drilling and production equipment, structures, and storage facilities shall be designed and constructed utilizing best practical techniques to withstand all expectable adverse conditions without releasing pollutants. [Guideline 10.9]

10. Mineral exploration, production and refining facilities shall be designed and constructed using best practical techniques to minimize adverse environmental impacts. [Guideline 10.10]

11. Effective environmental protection and emergency or contingency plans shall be developed and complied with for all mineral operations.

12. The use of dispersant, emulsifiers and other similar chemical agents on oil spills is prohibited without the prior approval of the Coast Guard or Environmental Protection Agency on-Scene Coordinator, in accordance with the National Oil and Hazardous Substance Pollution Contingency Plan. [Guideline 10.11]

13. Mineral Exploration and production sites shall be cleared, revegetated, detoxified and other wise restored as near as practicable to their original condition upon termination of operations to the maximum extent practicable. [Guideline 10.12]

K. Guidelines for Issuance of "Letter of No Objection" with regards to State Lands Permits

Individual applicants needing a "Letter of No Objection" shall submit a written request for such to the Local Coastal Management Office, accompanied by a complete Coastal Use Permit application. The applicant must have applied for all necessary permits including but not limited to a D.O.A. Permit from the U.S. Army Corps of Engineers, a Coastal Use Permit from the Department of Natural Resources, and a Water Quality Certification from the Department of Environmental Quality. The design of the proposed project must conform to the guidelines and standards detailed below to secure a letter

of no objection from the local governing authority. Provided that all of the applicable guidelines are met, the letter may be issued administratively by the office that administers the Local Coastal Program.

III. St. Tammany Parish Goals, Objectives and Policies

The following goals, objectives, and policies apply to the St. Tammany Parish coastal zone and are intended to encourage long-term plans for the coastal zone.

LCP Objectives, Policies, and Performance standards which directly or indirectly affect Uses of State Concern shall not be construed as being regulatory or binding on either the permit applicant or the Coastal Management Division, Department of Natural Resources, but are for the purpose of submitting the Parish environmental review comments to the State on applications for Uses of State Concern. Local policies which contain prohibitions, restrictions or performance standards beyond the scope of the Coastal Use Guidelines (CUG) shall be considered as advisory by the Parish, the CMD/DNR, and permit applicants (i.e., mandatory policies with "shalls" are modified such that "should" is the operative verb).

Parish comments to CMD/DNR on proposed Uses of State Concern shall be based on the policies of the LCP and may recommend specific project alternatives and conditions. CMD/DNR consideration of Parish recommendations shall be based on the conformance of the recommendation with the CUGs. Recommendations which reflect further detailing of the CUGs as they apply to the Parish shall be given substantial consideration by the CMD/DNR with the objective of maximizing conformances with the approved LCP. Recommendations which are not in conformance with the CUGs shall not be considered by the CMD/DNR.

St. Tammany Parish does not promote or encourage the alteration of wetlands for any reason. At times, projects may be approved if the use is water dependent, no feasible alternative exists, and the ultimate benefits outweigh the environmental impacts. However, simply because a use is water dependent does not in any way mean that it may occur in coastal wetland areas.

Language in the St. Tammany Parish Local Coastal Plan and the accompanying ordinance that suggests that the Parish in any way encourages development in coastal wetlands shall be considered within the scope of the above statement.

A. Goal 1

To maintain, enhance, and/or restore the overall environmental quality and renewable resource productivity of the parish coastal zone.

B. Goal 2

To conserve the integrity of the productive wetland areas.

C. Goal 3

To encourage only water dependent uses of the coastal zone to the extent consistent with federal and state programs and regulations.

D. Goal 4

To enhance opportunities for recreational use of the coastal zone.

E. Goal 5

To minimize adverse effects of industry, subdivisions, or transportation systems on environmental quality.

F. Goal 6

To preserve and enhance existing agricultural lands.

G. Goal 7

To protect renewable resources within the Parish.

H. Goal 8

To minimize effects of mining non-renewable resources within the parish

I. Goal 9

To minimize detrimental effects of coastal water dependent uses on wetland areas.

1. Objective 1: - All policies set forth under the parish-wide goal to minimize detrimental effects of oil and gas exploration and extraction shall be adhered to.

2. Objective 2: - To control recreational activities and encourage them only in appropriate areas.

a. Policy 1. - Sanitary codes related to sewage and solid waste disposal and litter ordinances shall be strictly enforced on all activities in the coastal zone.

b. Policy 2. - The intentional discharge of petroleum products from boating activities shall be prohibited and stringently enforced.

c. Policy 3. - Pump-out facilities shall be provided at all marinas and harbors.

3. Objective 3: - Hunting and trapping activities shall be permitted only in designated areas and shall comply with federal and state regulations.

IV. Special considerations

A. INDUSTRIAL

All industrial uses as defined in the St. Tammany Parish Land Use Ordinance No. 523 which are proposed for location within the permit area are required to obtain a coastal use permit before any site alteration can take place.

1. The applicant or his designated agent will be required to present plans and specifications describing the proposed development, including the completed Environmental Assessment Data Form at the time of application submission.
2. The applicant will also furnish a drainage plan denoting the site and surrounding topography and drainage pattern.
3. The applicant will furnish a plan which explains how the solid and liquid wastes are to be collected and disposed of.
4. The applicant will furnish supportive data to explain the vehicular or rail traffic increase to be realized, if any.
5. All coastal use applications for industrial activities which are uses of local concern will require a public hearing.

B. COMMERCIAL

All commercial uses as defined in the St. Tammany Parish Land Use Ordinance No. 523 which are proposed for location within the permit area are required to obtain a coastal use permit before any site alteration can take place. The applicant for any such proposed commercial use will supply the following to be included with the application form.

1. A completed Environmental Assessment Data Form and an appropriate site plan and vicinity map.
2. An explanation or analysis of the proposed level of activity anticipated for the commercial activity with regard to vehicular and/or watercraft traffic and noise levels.
3. An explanation as to the method to be used to dispose of all solid and liquid wastes.

C. SHORELINE AND WATER CONTROL STRUCTURES

Structures which alter water circulation and/or modification of associated shorelines will require a coastal use permit. The following types of uses will be permitted under uses of local concern and processed by the Local Coastal Program Administrator. A public hearing shall only be required if any dredging is to take place.

1. Jetties, breakwaters, and private water control structures of under \$15,000 in cost which include weirs, boat slips, private canals, artificial sloughs, etc. - The applicant shall use the parish permit form (U.S. Army Corps of Engineers, Engineering Form 4345

or its official federal replacement) with required supporting documentation as specified by the Corps of Engineers' guidelines. In addition, the applicant shall provide a cost breakdown of the intended work which meets the satisfaction of the LCP Administrator.

2. Piers - All piers that require the laying of supportive pilings in and along water bodies will require a coastal use permit if said pier extends from the shoreline in excess of five (5') feet and contains more than six (6) pilings or if it will have a direct and significant impact on coastal waters. The applicant shall use the parish permit form (U.S. Army Corps of Engineers, Engineering Form 4345 or its official federal replacement) with required supporting documentation as specified by the Corps of Engineers' guidelines. In addition, the applicant shall provide photographs and a description of the vegetation at the site of construction and a completed Environmental Assessment Data Form.

3. Bulkheads - All bulkheads proposed along shorelines that are to be constructed beyond five (5') feet from the shoreline or that will have a direct and significant impact on coastal waters will require a coastal use permit. The applicant shall use the parish permit form (U.S. Army Corps of Engineers, Engineering Form 4345 or its official federal replacement) with required supporting documentation as specified by the Corps of Engineers' guidelines. In addition, the applicant will provide photographs and a description of the vegetation at the site of construction and a completed Environmental Assessment Data Form.

4. Dredge or fill projects - Any maintenance or development activities occurring within the coastal zone or which require dredge or fill of waterways or wetlands will require a coastal use permit. The applicant shall use the parish permit form (U.S. Army Corps of Engineers, Engineering Form 4345 or its official federal replacement) with required supporting documentation as specified by the Corps of Engineers' guidelines. In addition, the applicant will provide photographs and a description of the vegetation at the site of construction and a completed Environmental Assessment Data Form.

D. RESIDENTIAL DEVELOPMENT

All new subdivisions and reactivation of dormant subdivisions as defined under St. Tammany Parish Subdivision Ordinance No. 499 will require a coastal use permit. The applicant shall use the parish permit form (U.S. Army Corps of Engineers, Engineering Form 4345 or its official federal replacement) with required supporting documentation as specified by the Corps of Engineers' guidelines. In addition, the applicant must provide a completed Environmental Assessment Data Form, explain the traffic movements associated with the development, and describe the method to be used for disposal of all solid, liquid and sanitary wastes.

E. ENVIRONMENTAL MANAGEMENT UNIT

Upon acceptance of the application, the LCP Administrator will determine if the property affected by the LCUP is located within an Environmental Management Unit. There are

four (4) geographical segments of the parish which have been delineated as EMUs. The four EMUs are depicted in the official Parish of St. Tammany Coastal Zone Management map included in the back insert of this Ordinance's appendix. The four EMUs are as follows:

F. SPECIAL MANAGEMENT AREAS

Areas within the Coastal Zone which have unique and valuable characteristics, such as beaches, barrier islands, shell deposits, salt domes, or formations containing deposits of oil, gas or other minerals; historical or archaeological sites; corridors for transportation; industrialization or urbanization, and other such characteristics, all as more particularly set forth in R.S. 49:214.29 A, may require special management procedures. Such areas may be designated as special management areas in accordance with the procedure established by the Secretary and the Coastal Zone Management Plan, and when so designated shall mandate special considerations for the issuance of the CUP therein.

3.7 Term of Permits

(1) Permits issued under this section shall remain in effect for a period of one (1) year from the date of issuance. If the designated use has not been initiated within the time period, the permit shall automatically be voided. If the designated use involves construction, and said construction is commenced within the one (1) year period, it must be completed not later than three (3) years from the date the permit was issued.

(2) A local coastal use permit may be renewed if the LCP Administrator is satisfied that substantial progress has been made on said project or that the permittee has been precluded from acting by non self-induced litigation, material shortages, labor problems, or other events beyond the permittee's control.

3.8 Conditions of Permit

(1) By accepting the Local Coastal Use Permit, the Applicant agrees to:

a. carry out or perform the use in accordance with the plans and specifications approved by the LCP Administrator.

b. comply with any permit conditions imposed by the LCP Administrator.

c. adjust, alter, or remove any structure or other physical evidence of the permitted use if, in the opinion of the LCP Administrator, it proves to be beyond the scope of the use as approved, or is abandoned;

d. provide, if required by the LCP Administrator, an acceptable surety bond in an appropriate amount to ensure adjustment, alteration, or removal should the permitting body determine it necessary;

e. hold and save the State of Louisiana, the St. Tammany Parish Police Jury and police jurors individually, government, the Department of Development, the LCP Administrator and their officers and employees harmless from any damage to persons or property which might result from construction, maintenance, and operation of the permitted use.

f. certify that any permitted construction has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved by the LCP Administrator. The LCP Administrator may, when appropriate, require such certification be given by a registered professional engineer.

(2) The LCP Administrator may place such other conditions on the permit as are appropriate to ensure compliance with the Coastal Zone Management Plan.

3.9 Appeals

(1) Any interested person shall first appeal to the St. Tammany Parish Police Jury the decision of the LCP Administrator to issue, or not, a Local Coastal Use Permit. Said appeal shall be made within ten (10) days from the date of the written statement prepared by the LCP Administrator required by section 3.9 A hereof, shall be in writing, shall set forth the factual and, if applicable, the legal basis for the appeal, and shall be signed by the person initiating the appeal. The act of signing the appeal shall constitute a certification that said appeal has been made in good faith, with just cause, and not for the purpose of delay.

(2) A hearing on the appeal shall be held within fifteen (15) days of the date that the written appeal, in proper form, is filed. Notice of the date and time of the appeal hearing shall be sent, at least ten (10) days in advance of the hearing to the applicant and all interested persons. Notice of the appeal hearing shall be given by publication in the official journal of the parish not less than five (5) days prior to the hearing. The hearing shall be conducted in accordance with the procedure established by the Police Jury for other such appeal hearings. The decision of the LCP Administrator may be reversed, or modified, only by the affirmative vote of 2/3 of the police jurors present at the meeting. Written notice of the decision shall be sent within seven (7) days of the hearing to the applicant and party appealing, if different than the applicant, by certified mail return receipt requested and published one time in the official journal of the Parish.

(3) The decision of the LCP Administrator, as affirmed, modified, or reversed by the St. Tammany Parish Police Jury, may be appealed to the Secretary if a petition for reconsideration is filed in writing with the Secretary within ten (10) days following publication in the official journal of the Police Jury's decision, or receipt of the written notice of decision provided for in subsection (2) hereof. The grounds for reconsideration of the local decision and the content of the petition shall conform to the requirements of R.S. 49:214.35.

3.10 Modifications

(1) The terms of conditions of a permit may be modified to allow changes in the permitted use, in the plans and specifications for that use, in the methods by which the use is being implemented, or to assure that the use will be in conformity with the coastal management program. Changes which would significantly increase the impacts of a permitted activity shall be processed as new applications for permits pursuant to Section 3.3, not as a modification.

(2) A permit may be modified upon request of the permittee:

a. if mutual agreement can be reached on a modification, written notice of the modification will be given to the permittee.

b. if mutual agreement cannot be reached, a permittee's request for a modification shall be considered denied.

3.11 Monitoring

The LCP Administrator shall be responsible for monitoring progress of all permitted uses and compliance with regulations accompanying permit approval. In addition, the LCP Administrator shall be responsible for monitoring all activities within the coastal zone for compliance with this Ordinance. This will include on-site inspections to verify compliance, and following up reports for each permitted project.

3.12 Emergency Permits

The LCP Administrator may allow emergency permits to be granted where public safety is endangered or in situations requiring immediate action to protect the general welfare of St. Tammany Parish's citizens in accordance with Section 2.6.3 of this Ordinance. This action shall include consultation with the Louisiana Department of Natural Resources and will be permitted only in those cases which cannot be remedied by normal permit process.

3.13 Suspensions

(1) The LCP Administrator may suspend a permit upon a finding that:

a. the permittee has failed or refuses to comply with the terms and conditions of the permit or any modifications thereof, or

b. the permittee has submitted false or incomplete information in his application or otherwise, or

c. the permittee has failed or refused to comply with any lawful order or request

of the LCP Administrator or the Secretary.

(2) The LCP Administrator shall notify the permittee in writing that the permit has been suspended and the reasons therefor and order the permittee to cease immediately all previously authorized activities. The notice shall also advise the permittee that he will be given, upon request made within ten (10) days of receipt of the notice, an opportunity to respond to the reasons given for the suspension.

(3) After consideration of the permittee's response, or, if none, within 30 days after issuance of the notice, the LCP Administrator shall take action to reinstate, modify, or revoke the permit and shall notify the permittee of the action taken.

3.14 Revocation

If, after compliance with the suspension procedures in Subsection 3.13 above, the LCP Administrator determines that revocation or modification of the permit is warranted, written notice of the revocation or modification shall be given to the permittee.

3.15 Enforcement

If the permittee fails to comply with a cease and desist order or the suspension or revocation of a permit, the LCP Administrator shall seek appropriate civil and criminal relief as provided by R.S. 49:214.36.

3.16 Penalties

Violation or failure to comply with the provisions of this Ordinance or the terms or conditions of any coastal use permit shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or ninety (90) days imprisonment, or both. Each day for which the violation continues shall constitute a separate offense.

SECTION 4: PERMIT FOR USES OF STATE CONCERN

Applications for uses of state concern can be made at the Department of Development, Covington and/or Slidell, or at the Coastal Management Division, Department of Natural Resources, Baton Rouge, Louisiana. If the project is determined by the Local Coastal Program Administrator to be a use of state concern, the application and rationale for the decision shall be forwarded to the Coastal Management Division, Department of Natural Resources (CMD/DNR). If CMD/DNR determines an application is a use of local concern, it shall forward the application to the parish within two (2) working days of receipt thereof. If the determination is that the project is a use of state concern, the application shall be processed according to the State Rules and Procedures.

SECTION 5: NON-CONFORMING USE AND MAINTENANCE

5.1 Definition and Classification

- (1) Individual specific uses legally commenced or established prior to the January 1, 1979 and continued from that date shall not require a coastal use permit.
- (2) Normal repairs and the rehabilitation, replacement, or maintenance of existing structures shall not require a coastal use permit, provided that:
 - a. the structure or work was lawfully in existence, currently serviceable, and in active use during the year preceding the repair, replacement, or maintenance;
 - b. the repair or maintenance does not result in an encroachment into a wetland area greater than that of the previous structure or work;
 - c. the repair or maintenance does not involve dredge or fill activities; and
 - d. the repair or maintenance does not result in a structure or facility that is significantly different in magnitude or function from the original.
- (3) This exemption shall not apply to the repair or maintenance of any structure or facility built or maintained in violation of this Ordinance.
- (4) Coastal Use Permits will normally authorize periodic maintenance, including maintenance dredging. All maintenance activities authorized by Coastal Use Permits shall be conducted pursuant to the conditions established for that permit. Where maintenance is performed which is not described in the applicable Coastal Use Permit, it shall conform to this section.

5.2 General Coastal Use Permits

- (1) General
 - a. The LCP Administrator may, after compliance with the procedures set forth in Section 2.6, Subsection 3.4 (General Permits) above, issue general permits for certain clearly described categories of uses requiring coastal use permits. After the general permit has been issued, individual uses falling within those categories will not require individual permit processing unless the LCP Administrator determines, on a case by case basis, that the public interest requires full review.
 - b. General permits may be issued only for those uses that are substantially similar in nature, that cause only minimal adverse impacts when performed separately, that will only have minimal adverse cumulative impacts and that do not impair the fulfillment of the objectives and policies of the coastal management program.
- (2) Reporting

a. Each person desiring to commence work on a use subject to a general permit must give notice to the LCP Administrator and receive written authorization prior to commencing work. Such authorization shall be issued within 30 days of receipt of the notice.

b. Such notice shall include:

i. The name and address of the person conducting the use,

ii. Such descriptive material, maps, and plans as may be required by the LCP Administrator for that general permit.

(3) Conditions of general permits

a. The LCP Administrator shall review the permit, and make a recommendation to the Coastal Management section of the Louisiana Department of Natural Resources. Upon approval by the Secretary, the LCP Administrator shall make a determination on the general permit. The proposed actions shall be monitored monthly to insure compliance with the local Ordinance.

b. The LCP Administrator shall prescribe such conditions for each general permit as may be appropriate.

c. A general permit may be revoked if the LCP Administrator determines that such revocation is in the public interest and consistent with the coastal management program.

SECTION 6: SCOPE OF COVERAGE

The provisions of this Ordinance apply only to uses of local concern as prescribed by Act 361 of the Louisiana State Legislature, 1978, as amended, State and Local Coastal Resources Management Act. All issues of state concern as prescribed by said Act shall be directed to the appropriate state agency by the LCP Administrator as provided in Section 4 hereof.

SECTION 7: VARIANCE

(DELETED - See 3.6,II.,A.,8. - SCLRMA Guideline 1.8)

SECTION 8: SEPARABILITY CLAUSE

If any section, subsection, paragraph, sentence, or phrase of this Ordinance shall, for any reason, be held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, which shall continue in full force and effect.