

LEGAL'S

ST. CHARLES PARISH PUBLIC NOTICES



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PUBLIC NOTICE

REQUEST FOR PROPOSALS AERIAL IMAGING SERVICES

The St. Charles Parish Assessor, 15045 River Rd, Hahnville, LA, 70057, shall receive sealed proposals for aerial imaging services until 10:00 A.M. Friday, July 31, 2015, at which time they shall be publicly opened.

Detailed RFP specifications and forms may be obtained from the St. Charles Parish Assessor's Office, 15045 River Road, Hahnville, LA, 70057, (985) 783-6281.

Proposals may be either mailed or hand delivered, but must be received before the above stated date and time.

All proposals shall be sealed, and shall note the project title and the submitting firm's name, addressed as follows:

"Aerial Imaging Services"
Tab Troxler, Assessor
St. Charles Parish Assessor's Office
15045 River Road
P.O. Box 303
Hahnville, LA, 70057

Proposals received after the announced closing time shall be returned to the proposers unopened.

The St. Charles Parish Assessor reserves the right to reject any and all proposals.

Tab T. Troxler
Assessor

Advertise: St. Charles Herald-Guide: Jul. 2, 2015, Jul. 9, 2015, and Jul. 16, 2015

PUBLIC NOTICE

ST. CHARLES PARISH ZONING BOARD OF ADJUSTMENT

The St. Charles Parish, Zoning Board of Adjustment will meet on July 16, 2015 at 7:00 p.m. at the St. Charles Parish Courthouse, Council Chamber to hear the following cases:
ZBA-2015-20 requested by **Duane Weber** to reduce the required side yard setback from 5 ft. to 1 ft. at **289 Evangeline Rd., Montz**, Zoning District R-1, Council District 6
ZBA-2015-21 requested by **Michael Hawco** to reduce the required front yard setback from 20 ft. to 14 ft. at **305 Talbot Dr., Luling**, Zoning District R-1A, Council District 2
ZBA-2015-22 requested by **Jason Roberts** to allow a detached garage in the front yard on a corner lot at **402 Ormond Blvd., Destrehan**, Zoning District R-1B, Council District 3
ZBA-2015-23 requested by **Carol & Frank Matix** to reduce both side setbacks from 5 ft. to 2 ft. and to reduce the required rear property line from 10 ft. to 7 ft. at **200 Court St., Luling**, Zoning District C-2, Council District 2
Publish 7/2, 7/9, 7/16

PUBLIC NOTICE



ADVERTISEMENT FOR BIDS

A. PROJECT IDENTIFICATION

Sealed bids are requested by St. Charles Parish School Board from general contractors for construction of:

ST. CHARLES PARISH PUBLIC SCHOOLS PERFORMING ARTS CENTER, PHASE I SITE WORK LULING, LA

Bids will be received at the St. Charles Parish School Board, Physical Plant Services, 13855 River Road, Luling, Louisiana 70070 at 2:00 P.M., LOCAL TIME, **JULY 28, 2015**, at which time the bids will be publicly opened and read aloud in the Dufresne Conference Room.

B. BID DOCUMENTS AND DEPOSITS

Complete Bidding Documents which include the proposed Contract Documents may be obtained from the Architect - Murray Architects, Inc., 13760 River Road, Destrehan, LA 70047, (985) 764-7275 (Phone Number) upon payment of a deposit of \$50.00 cash for each set of documents. The deposit or a portion of the deposit is returnable as provided in the Instructions to Bidders. Bidding documents are also available at www.stcharles.k12.la.us under "Quick Links," select "Online Bids, RFP's," etc.

C. BID SECURITY AND PERFORMANCE AND PAYMENT BONDS

Bids must be accompanied by a bid security at least equal to five percent (5%) of the base bid and all additve alternates in the form of a certified check, cashier's check or bid bond. The successful bidder will be required to furnish a performance bond and a payment bond, each in an amount equal to one hundred percent (100%) of the contract amount.

Contract, if awarded, will be on the basis of the lowest responsive and responsible bidder, if within the budget. No bid may be withdrawn for a period of 45 days after bid opening except as provided by law.

Bidders must meet the requirements of the State of Louisiana Contractor's Licensing Law, R.S. 37:2151 et seq.

D. REJECTION OF BIDS

St. Charles Parish School Board reserves the right to award the project on whatever basis is in the interest of the Owner and to accept or reject any or all bids and to waive technicalities and informalities as allowed by law.

E. PRE-BID CONFERENCE

A PRE-BID CONFERENCE will be held at the Dufresne Conference Room, 13855 River Road, Luling, LA 70070 on **Tuesday, July 21, 2015, at 10:00 a.m.** Attendance at this pre-bid conference is **RECOMMENDED**.

F. ADVERTISEMENT DATES

LEGAL AD TO RUN: Thursday, July 2, 2015
Thursday, July 9, 2015
Thursday, July 16, 2015

St. Charles Parish School Board
Arthur A. Aucoin, President
Felicita Gomez-Walker, Superintendent
13855 River Road, Luling, LA 70070

PUBLIC NOTICE

PUBLIC NOTICE

Notice of Initiation of the Section 106 Process-Public Participation in accordance with the FCC's Program Comment for Positive Train Control and Infrastructure. Kansas City Southern Railway proposes to construct an approximately 40' monopole communications pole with a 10' antenna and an equipment bundle at the following approximate location in/near Good Hope and Destrehan, St. Charles Parish, Louisiana within the existing railroad right-of-way:

- Coordinates: 29.990223, -90.391894; Mile Post #848.07.

Parties interested in providing comment on the proposed undertaking relative to cultural resources should contact GSS, Inc., 3311 109th Street, Urbandale, IA 50322 (515) 331-2103(GSS #W15174-LA-27).

Publish: July 16, 2015

PUBLIC NOTICE

St. Charles Parish Public Schools Public Release for Free & Reduced Price Meals

The St. Charles Parish Public School Board today announced its policy for free and reduced price meals served under the National School Lunch and School Breakfast Programs. All schools and the central office have a copy of the policy, which may be reviewed by any interested party.

The following family size and annual income criteria will be used for determining eligibility:

Household Size	REDUCED PRICE MEALS - 185%					FREE MEALS - 130%				
	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly	Annual	Monthly	Twice Per Month	Every Two Weeks	Weekly
1	\$21,778	\$1,815	\$908	\$838	\$419	\$16,301	\$1,276	\$638	\$586	\$293
2	\$29,471	\$2,546	\$1,228	\$1,134	\$567	\$20,709	\$1,726	\$863	\$797	\$399
3	\$37,167	\$3,098	\$1,648	\$1,430	\$715	\$26,117	\$2,177	\$1,089	\$1,005	\$503
4	\$44,863	\$3,739	\$1,870	\$1,726	\$863	\$31,525	\$2,628	\$1,314	\$1,213	\$607
5	\$52,559	\$4,380	\$2,190	\$2,022	\$1,011	\$36,933	\$3,078	\$1,539	\$1,421	\$711
6	\$60,255	\$5,022	\$2,511	\$2,318	\$1,159	\$42,341	\$3,529	\$1,765	\$1,629	\$815
7	\$67,951	\$5,663	\$2,832	\$2,614	\$1,307	\$47,749	\$3,980	\$1,990	\$1,837	\$919
8	\$75,647	\$6,304	\$3,152	\$2,910	\$1,455	\$53,157	\$4,430	\$2,215	\$2,045	\$1,023
For each additional family member add:	\$7,696	\$642	\$321	\$290	\$148	\$9,408	\$745	\$372	\$326	\$163

Application forms are being sent to all homes, along with a letter to households. To apply for free or reduced price meals, households should fill out one application for the household and return it to the school. Households may also apply for free or reduced price meals on-line at www.stcharles.k12.la.us. Complete either a paper application or an on-line application, but not both. Additional paper copies are available at each school. A paper or on-line application may be submitted at any time during the year. The information provided by the household is confidential; it will be used for the purpose of determining eligibility. Information may be verified at any time during the school year by school or other program officials.

All children in households with any household member receiving benefits under Assistance Programs (Supplemental Nutrition Assistance Program (SNAP), Family Independence Temporary Assistance Program (FITAP) or Food Distribution Programs on Indian Reservations (FDPIR)) are eligible for free meals. For school officials to determine eligibility, each household that is now receiving benefits from Assistance Programs must provide the case number of a household member as well as the signature of an adult household member.

All other households must provide the following information on the application: names of all household members; the amount of income (before deductions for taxes, Social Security, etc.); that each household member receives; how often the person receives the income; where it is from, such as wages, retirement or welfare; the signature of an adult household member certifying that the information provided is correct; and the last four digits of the social security number of the adult household member who signed the application, or a statement that the household member does not possess one.

Children categorized as foster, homeless, runaway, migrant, or enrolled in state-funded Head Start or Even Start programs, if known, are automatically eligible for free meals. School officials will determine eligibility for free meals based on documentation obtained directly from the program office and notify the household of their eligibility for benefits. The household must notify the school if it chooses to decline benefits. The household **should complete an application if they are not notified of free meal eligibility by August 10, 2015.**

If a household member becomes unemployed or if the household size increases, the household should contact the school. Such changes may make the children of the household eligible for meal benefits.

Under the provisions of the free and reduced price policy, Teresa Brown, Child Nutrition Director, will review applications and determine eligibility. If a parent or guardian is dissatisfied with the ruling of the official, he may wish to discuss the decision with the determining official on an informal basis. If the parent wishes to make a formal appeal, he may make either an oral or written response to the following: Charley Hall, Supervisor of Child Welfare, 13855 River Road, Luling, LA 70070, (985) 785-3149.

The policy contains an outline of the hearing procedures.

Non-discrimination Statement - The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the basis of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information, as employed in or to any program or activity conducted or funded by the Department. (No all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at <http://www.usda.gov/complaint>, fill in and file, or at any USDA office, or call (866) 632-9922 to request the form. You may also write a letter containing all the information requested on the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7412 or email at protection@usda.gov.

Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339, or (800) 845-6136 (TDD).

USDA is an equal opportunity provider and employer.

PUBLISH: July 9, 16, & 23, 2015

PUBLIC NOTICE

SECTION 00010

ADVERTISEMENT FOR BIDS

The Parish of St. Charles, hereby advertises bids for construction of Dunleith Canal Stabilization - Phase 5, Parish Project No. P081102-6, as follows:

Owner: **St. Charles Parish**

Project Title: Dunleith Canal Stabilization - Phase 5

Project No.: P081102-6

Principal Work Location: The contract work will be located along the Dunleith Canal in the Ormond Subdivision of Destrehan, on the east bank of St. Charles Parish, Louisiana.

Description of Basic Work: The Contract work generally comprises furnishing and installing sheet piling and cap, clearing and grubbing, backfilling, sodding, and hydroseeding.

Bids: Separate sealed bids will be received by the ST. CHARLES PARISH COUNCIL RECORDS OFFICE, Parish of St. Charles, 15045 River Road, Courthouse 2nd Floor, Hahnville, Louisiana, 70057, either by registered or certified mail with return receipt requested, or hand delivered, or electronically submitted at www.centralbidding.com, no later than **10:00 a.m. local time on Tuesday August 11, 2015**. Promptly thereafter, the bids will be publicly opened and read aloud in the Council Chambers of the St. Charles Parish Court House. The Owner reserves the right to reject any and all bids in accordance with the Public Bid Law, and to disregard all nonconforming, nonresponsive, unbalanced or conditional bids.

Bidding Documents: The Bidding Documents (Contract Documents, Specifications and Drawings) are available to Contractors who are properly licensed in Louisiana or to bona fide suppliers of materials and equipment for purchase and/or review at the office of the Engineer for the contract, Evans-Graves Engineers, Inc., One Galleria Blvd., Ste. 1520, Metairie, LA 70001.

A payment of \$50.00 in cash or check payable to the Engineer will be required for each complete set of the Bidding Documents. This payment is refundable as provided in the La.R.S. 38:2212(A)(c).

Pre-Bid Conference: A Pre-Bid Conference to discuss the scope of the project and the requirements of the Bidding and Contract Documents will be held on **Tuesday July 28, 2015 at 10:00 a.m.** at the St. Charles Parish Department of Public Works and Wastewater, **100 River Oaks Dr., Destrehan, Louisiana**. Attendance of the Pre-Bid Conference is Non-Mandatory.

Each bidder must deposit with his/her bid, security in the amount equal to five percent (5%) of the total bid in the form of a certified check, cashier's check, or bid bond. If the bid is submitted electronically and a certified or cashier's check is used for bid bond, then the actual check shall be delivered to the St. Charles Parish Council Office, St. Charles Parish Courthouse 2nd Floor, 15045 River Road, Hahnville, Louisiana, 70057. Electronic bids shall contain all the same documents that are required in a physically delivered bid.

The outside of the bid envelope must contain the submitting firm's name, Louisiana Contractors License Number, the Project Number, and the Project Title.

St. Charles Parish is an Equal Opportunity Employer. We encourage all small and minority-owned firms and women's business enterprises to participate in this solicitation.

Any person with disabilities requiring special accommodations must contact the St. Charles Parish Council Office at 985-783-5000 no later than seven (7) days prior to bid opening.

St. Charles Parish Council
V. J. St. Pierre, Jr., Parish President

Advertisement Source and Dates:

St. Charles Herald-Guide
St. Charles Parish Website
Central Auction House
The Daily Journal of Commerce
Times Picayune
The Advocate
McGrav-Hill Dodge of Hot Springs
ISQFT

Thursday, July 09, 2015
Thursday, July 16, 2015
Thursday, July 23, 2015
Thursday, July 30, 2015

PUBLIC NOTICE

REMOVAL OF WEEDS, GRASS & OTHER NOXIOUS MATTER

If the following violations are not rectified within (5) days of this published notice, the parish will proceed in bringing the properties listed in compliance with Chapter 16, Article III Sec. 16-24 through Sec. 16-28, (as amended). The fee for performing these services shall be at a rate of 0.003 per square foot of the lot cleaned. The contractor's fee for performing these services shall be at the rate of .028 per square foot of the lot cleaned. In the event a mini-clean up is required prior to performing the above services, a fee of \$36.11 per mini clean up plus actual disposal fees will be assessed, not to exceed then (10) mini-cleansups per property in violation. On property where trash and/or debris accumulation is such that it requires heavy equipment, bulldozer, front-end loaders, etc. a fee of forty two dollars and eight cents (\$42.08) per cubic yard will be assessed. An administration fee of \$35.07 may be assessed on each invoice. The fees in this section shall be increased or decreased on February 31st of each year by a change in CIP applicable to the US cities average group, all urban consumers, all items published by the US Department of Labor, Bureau of Labor Statistics, for the preceding twelve month period ending each November. The change shall become effective beginning with the period ending November 30, 2009. The department of finance shall notify the department of planning and zoning in writing annually of the revised fees.

The following lots are in violation of parish ordinance Chapter 16, Article III Sec. 16-24 through Sec. 16-33:

Pamela Pierre and Sherman Slack (Elkinsville)
Lot 6 of original tracts 5 & 6 (222 2nd Street)
Nature of violation: grass cutting & removal of debris

Earl Whitmore c/o Dorris Zerangue (Elkinsville)
Lot 12 & Lot L & 1/19 of tracts 8, 9 & 10 (184 1st Street)
Nature of violation: grass cutting & removal of debris

Ed Raymond Veillon, Jr. (Magnolia Ridge Park)
Lot 20 (394 Ash Street)
Nature of violation: grass cutting & removal of debris

Noble Pierre, EST c/o Geneva Dorsay (New Sarpy)
Lot 20A (726 East Lawson Street)
Nature of violation: grass cutting & removal of debris

Charles & Kizzy Mays (Magnolia Ridge Ranches)
Lot 11 (871 Magnolia Ridge Road)
Nature of violation: grass cutting & removal of debris

Joseph Throne c/o Mark Bailey (St. Charles Terrace)
Lot 120-A (212 St. Charles Street)
Nature of violation: grass cutting & removal of debris

Vernon Currell (Ormond Country Club Estates)
Lot 16 (2000 Ormond Boulevard)
Nature of violation: grass cutting & removal of debris

Ellis Vinnett c/o Elser V. Mc Knight (Elkinsville)
Lot 6 of tract 8.9.10. (140 1st Street)
Nature of violation: grass cutting & removal of debris

Herman Weston (New Sarpy)
Lot 6-A (909 East Lawson Street)
Nature of violation: grass cutting & removal of debris

Melvin J. Victory, Jr. & Lisa Lukawski Victory (Ashton Plantation Estates Phase 1-A)
Lot 13 (120 Lac Segnette Drive)
Nature of violation: grass cutting & removal of debris

Kenneth R. Joseph (Ashton Plantation Estates Phase 1-B)
Lot 8 (110 Lac Segnette Drive)
Nature of violation: grass cutting & removal of debris

Valerie D. Brown (Good Hope)
Lot 24 (177 Goodhope Street)
Nature of violation: grass cutting & removal of debris

Jessie's Properties (Ashton Plantation Estates Phase 1-B)
Lot 32 (101 Lac Barre Court)
Nature of violation: grass cutting & removal of debris

Castjohn Home Construction, LLC (Ashton Plantation Estates Phase 1-A)
Lot 53 (411 Lac Verre Drive)
Nature of violation: grass cutting & removal of debris

Renovate, Inc. (Ashton Plantation Estates Phase 1-B)
Lot 50 (105 Lac Sauvage Drive)
Nature of violation: grass cutting & removal of debris

Kyle and Jill Clement (Ashton Plantation Estates Phase 1-B)
Lot 49 (107 Lac Sauvage Drive)
Nature of violation: grass cutting & removal of debris

Fred Stone (Oak Ridge Park)
Lot 14 & 15 & Y-13 (705 Paul Frederick Street)
Nature of violation: grass cutting & removal of debris

River Point Construction, LLC (Hidden Oaks Phase II-B)
Lot 48 (401 Allie Lane)
Nature of violation: grass cutting & removal of debris

Scott Lemoine (Ashton Plantation Estates Phase 1-B)
Lot 12 (119 Lac Cypriere Drive)
Nature of violation: grass cutting & removal of debris

Ricky Oubre & Michelle Morel (Ashton Plantation Estates Phase 1-A)
Lot 4 (307 Lac Iberville Drive)
Nature of violation: grass cutting & removal of debris

Stephen R. Lewis (Ashton Plantation Estates Phase 1-A)
Lot 9 (210 Lac Iberville Drive)
Nature of violation: grass cutting & removal of debris

Ralph Radecker, Jr. Usufruct c/o Emma D. Rad (Gudry)
Lot 28 (136 Sunshine Drive)
Nature of violation: grass cutting & removal of debris

Neil D. Montgomery (Red Church)
Lot 275 (473 Rosedale Drive)
Nature of violation: grass cutting & removal of debris

Joseph L. Sr Clay Usufruct Joseph Clay III (Elkinsville)
Lot 18 (220 First Street)
Nature of violation: grass cutting & removal of debris

PUBLISH: July 16, 2015

PUBLIC NOTICE

PUBLIC NOTICE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ) UNION CARBIDE CORPORATION; ST. CHARLES OPERATIONS ADMINISTRATIVE COMPLETENESS DETERMINATION

The LDEQ, Office of Environmental Services, has reviewed a Solid Waste Type I Industrial Surface Impoundment Permit Renewal Application from Union Carbide Corporation, 355 Highway 3142; Hahnville, Louisiana 70057 for the St. Charles Operations Facility and determined that it is administratively complete. The application was received May 21, 2015. **The facility is located at 355 Highway 3142 in St. Charles Parish.**

Union Carbide Corporation proposes to renew its permit to retain its Secondary Solids Settling Basins 2 and 3 and Digester Basin at its St. Charles Operations facility.
Inquiries or requests for additional information regarding this application should be directed to Della Smith, LDEQ, Permit Application Administrative Review Group (PAAR), P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3288.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at LDEQ.PUBLICNOTICES@LA.GOV or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5377).

PUBLIC NOTICE

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
RAIN CH CARBON, LLC / NORCO CALCINING PLANT
PROPOSED PART 70 AIR OPERATING PERMIT RENEWAL AND MINOR MODIFICATION AND PREVENTION OF SIGNIFICANT DETERIORATION (PSD) MINOR MODIFICATION

The LDEQ, Office of Environmental Services, is accepting written comments on the proposed Part 70 air operating permit renewal and minor modification and prevention of significant deterioration (PSD) minor modification for Rain CH Carbon, LLC, 801 Prospect Ave. Norco, LA 70779 for the Norco Calcining Plant. The facility is located at 801 Prospect Ave. Norco, St. Charles Parish.

Norco Calcining Plant processes green petroleum coke to produce calcined coke, which is used in the manufacturing of anodes for the aluminum industry. Green petroleum coke is received from an adjacent refinery and placed in storage bins. Green coke may also be received by truck. The green coke is fed to a counter-current rotary kiln where residual moisture and volatile compounds are removed. The calcined coke is discharged from the kiln into a rotary cooler where it is quenched by water and treated with a chemical wetting agent for dust control. The exhaust gases from the rotary cooler pass through a multiclone to recover entrained coke fines, then exits through a cooler scrubber stack. The produced calcined coke along with the recover coke fines by the multiclone are transported by screw conveyor, where it is treated with a chemical wetting agent for dust control, and then by bucket elevators to storage bins for loadout onto railcars or trucks to other CIL facilities for distribution to commercial markets.

Rain CH Carbon, LLC requested, in addition to renewal of its Part 70 air operating permit No. 2520-00003-V1, authorization to make the following changes:

- 1. Incorporate into the permit existing natural gas-fired emergency engines listed in the current permit as insignificant activities and the emergency engine permitted under a regulatory permit issued May 3, 2011.
- 2. Incorporate PM₁₀ emissions into the permit from all sources that emit this pollutant.
- 3. Change the frequency of inspecting the baghouse associated with the Heat Recovery Boiler Stack (EQ0005) from semi-annually to during scheduled outages.
- 4. Add a new facility-wide requirement that reads as follows: "In the event interferences, such as poor background, rain, or fog, prevent a valid inspection, the inspection shall be terminated and the observer shall note the interference in the visible emissions record. Keep records of maintenance inspections on site and available for inspection by DEQ personnel. This condition shall apply to any visible emissions checks or Method 9 opacity readings required by this permit."
- 5. Add a new facility-wide requirement that reads as follows: "Visible emissions checks and Method 9 opacity readings shall be conducted as specified in the Visible Emissions and Method 9 Opacity Observation Plan approved by the Office of Environmental Services. Permittee shall maintain a copy of the approved plan on site and made available for inspection by LDEQ personnel."
- 6. Identify the events under which the simultaneous venting from the Heat Recovery Boiler Stack (EQ0005) and the Pyrolysis Stack (EQ10000) and define the corresponding total operating hours under these events.
- 7. Revise the process description for the Cooler Scrubber Stack (EQ0012) to more accurately reflect the function of the multiclone as material recovery equipment to recover calcined coke from the cooler stack.
- 8. Remove duplicate requirements and revised other requirements for the Heat Recovery Boiler Stack (EQ0005);
- 9. Correct the stack parameters for the Pyrolysis Stack (EQ0006);
- 10. Revise the requirements for the Pyrolysis Stack (EQ0006), Coffee Chaff Handling System (FUG0001), Pyrolysis/IBR CAP (GRP0004), and the Entire Facility – Norco Calcining Plant (LNF0001);
- 11. Incorporate Louisiana General Condition XVII activities into the permit;
- 12. Add to the list of insignificant activities the following sources: Green Coke Handling System (EPN N-17), Scrap Coke Storage Pile (EPN N-18), Reclaim Calcined Coke Storage Pile (EPN N-19), and Reclaim Green Coke Storage Pile (EPN N-20);
- 13. Change the name of the facility from Norco Coke Plant to Norco Calcining Plant; and
- 14. Reconcile emissions facility-wide based on recent stack and laboratory tests.

Estimated emissions in tons per year are as follows:

Pollutant	Before	After	Change
PM ₁₀	182.36	187.79	+5.43
PM _{2.5}	389.88	389.88	+180.88
SO ₂	3,886.64	3,886.98	+0.34
NO _x	395.00	395.03	+0.03
CO	5.23	243.53	+238.30
VOC	0.85	9.65	+8.80
SO _x	27.00	27.00	-
Total TAPs ⁵	-	44.15	+44.15

⁵Estimating but not previously required to report.
⁵The major portion of the CO emission increase (236.76 TPY) comes from incorporating event stack test results of the Cooler Scrubber Stack, EPN N-2 (EQ0012), previously underestimated.
⁵Estimating but not previously required to report.

Class I toxic air pollutants (TAPs): arsenic (and compounds), beryllium (and compounds), chromium (and compounds), and nickel (and compounds); and Class II TAPs: antimony (and compounds), barium (and compounds), manganese (and compounds), mercury (and compounds), and selenium (and compounds) are emitted above their respective minimum emission rates (MERS) defined in LAC 33:III Chapter 51 and must meet Maximum Achievable Control Technology (MACT) according to LAC 33:III.5109.A. MACT is determined to be no additional control.

Class III TAPs: chlorine, hydrochloric acid, hydrogen fluoride, sulfuric acid, and zinc (and compounds) are also emitted above their respective minimum emission rates (MERS) defined in LAC 33:III Chapter 51.

A working draft of the proposed permit was submitted to the facility representative and LDEQ Inspection Division for technical review. Any remarks received during the technical review will be addressed in the "Worksheet for Technical Review of Working Draft of Proposed Permit". All remarks received by LDEQ are authorized in the record that is available for public review.

Comments and requests for a public hearing or notification of the final decision can be submitted via personal delivery, U.S. mail, email, or fax. Comments and requests for public hearings must be received by 4:30 p.m. CST, Thursday, August 20, 2015. Delivery may be made to the drop-box at 602 N. 5th St., Baton Rouge, LA 70802. U.S. Mail may be sent to LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. Emails may be submitted to DEQ.PUBLIC PARTICIPATION@la.gov and faxes sent to (225) 219-3309.

Please see additional instructions for comment submission, hand delivery and information regarding electronic submission at <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=1097> and call (225) 219-3276. Emails should follow the statewide email policies. For more information regarding statewide email policies, go to <http://www.deq.louisiana.gov/portal/Default.aspx?tabid=1198>.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The permit application, proposed Part 70 air operating permit, statement of basis, and minor PSD modification are available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the DEQ public website at www.deq.louisiana.gov.

Additional copies may be reviewed at the Saint Charles Parish Library - Norco Branch, 197 Good Hope Street, Norco, LA 70079.

Inquiries or requests for additional information regarding this permit action should be directed to Dr. Hassan Ghosh, LDEQ, Air Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-3038.

Persons wishing to be included on the LDEQ public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at DEQ.PUBLICNOTICES@LA.GOV or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the proposed permit and statement of basis can be viewed at the LDEQ permit public notice webpage at www.deq.louisiana.gov/apps/pubNotice/default.asp and general information related to the public participation in permitting activities can be viewed at www.deq.louisiana.gov/portal/tabid/2198/Default.aspx.

Alternatively, individuals may elect to receive the permit public notices via email by subscribing to the LDEQ permits public notice List Server at http://louisiana.gov/Services/Email_Notifications_DEQ_PN.

All correspondence should specify AI Number 44866, Permit Number 2520-00003-V2 and PSD-LA-582 (M-4), and Activity Numbers PER2013006 and PER2013007, respectively.

Schedule Publication Date: Thursday, July 16, 2015

PUBLIC NOTICE

NOTICE OF INTENTION TO CONSIDER AN AMENDMENT TO THE MAXIMUM ALLOWABLE DOCKAGE FOR VESSELS AND BARGES BY THE PORT OF SOUTH LOUISIANA

NOTICE IS HEREBY GIVEN that the Port of South Louisiana will consider a request to amend Section V, Item 3, of the Port of South Louisiana Tariff No. 2 - the maximum allowable dockage and minimum dockage charge to be charged for vessels at facilities which are owned, leased or financed by the Port Commission.

BULK CARRIERS
The Port of South Louisiana will consider authorizing an increase of dockage fees for Bulk Carrier Vessels. The maximum dockage charge will be increased from Three Dollars and Thirty-Two Cents (\$3.32) per gross registered tonnage to Three Dollars and Fifty-Four Cents (\$3.54) per gross registered tonnage regardless of the number of days in berth.

NON-BULK CARRIERS
The Port will consider authorizing an increase of dockage fees for Non-Bulk Carrier Vessels (Tankers, Tween Deckers, Container Carrier but not Common Carrier or Liner) from a rate of Three Dollars and Eighty-Two Cents (\$3.82) per gross registered tonnage to a rate of Four Dollars and Four Cents (\$4.04) per gross registered tonnage regardless of the number of days at berth.

The maximum daily rate for dockage will increase from One Dollar and Eleven Cents (\$1.11) to One Dollar and Eighteen Cents (\$1.18) per gross registered tonnage for every day the vessel is berthed at a port owned facility.

A vessel will be considered in berth beginning when the first line is on the dock and continuing until the last line is off the dock. The facility manager shall be required to give the Port of South Louisiana written notice annually of the method to be applied in assessing dockage to vessels. The dockage rate change will be effective only as to vessels which have filed berth applications which are dated after the effective date of the tariff.

Any interested party wishing to provide information relative to the above proposal may submit comments in writing to the Executive Director at P. O. Box 909, La Place, LA 70069-0909 prior to 3:00 p.m. on August 18, 2015, the Port of South Louisiana Commission will conduct a hearing on August 18, 2015 at 3:00 p.m. at its main office, 171 Belle Terre Blvd., La Place, LA 70068, at which time any parties who wish to provide information will be given the opportunity to testify.

In the event that further information is required, inquiries may be made to Paul G. Aucoin, Executive Director, Port of South Louisiana, (985) 652-9278, 171 Belle Terre Blvd., La Place, LA 70068.

Publish: July 16, 2015

PUBLIC NOTICE

PUBLIC HEARING NOTICE
St. Charles Parish
EPA FY 2006 State & Tribal Assistance Grant

St. Charles Parish will hold a public hearing at 5:30 p.m. on Wednesday, July 29, 2015, at the St. Charles Parish East Regional Library, Activity Room, 160 W. Campus Drive, Destrehan, Louisiana.

The purpose of the hearing is to inform the public and to obtain public views on the proposed Killona Sewer Force Main Extension project. The proposed project consists of installing a new 12" sewer force main beginning at LA Highway 3127 and extending into the Wastewater Treatment Plant in Hahnville, LA.

All citizens are encouraged to submit their views at this hearing.

Accommodations will be made to persons with disabilities and non-English speaking persons provided those persons request said accommodations through the contact provided below.

Those citizens unable to attend this hearing may submit their views and comments in writing 3 days prior to the hearing to:

Ms. Holly Fonseca
Grants Officer
St. Charles Parish
Post Office Box 302
Hahnville, Louisiana 70057
(985) 783-5170

Publish: July 16, 2015

PUBLIC NOTICE

The names of the following persons were drawn to serve as Petit Jurors for July Number 12-A, for the session of said Court beginning Monday, August 3, 2015, at 9:00 a.m. - Division 'E'.

- 1. AHLERS, JACK CHARLES JR
- 2. ALBANESE, PAMELA MINNIE
- 3. ALBERS, CORY JAMES
- 4. ALEXANDER, DORISTINE J
- 5. ALLMAN, ANN BREWYER
- 6. ANDARA, NICOLE ALEXIS
- 7. ARENEAUX, DEANNA B
- 8. BARNISH, SHERYL ODOONNELL
- 9. SAUDIER, LLOYD JOSEPH JR
- 10. BAUDOUIN, JASON ANTHONY
- 11. BEARD, KENNETH RAY
- 12. BEATY, KRIS M
- 13. BEGHEL, BRITNEE JO
- 14. BERGERON, DOUGLAS R
- 15. BIRKHOFF, TERRY RICHOUX
- 16. BLAKESLEY, VERONICA CROY
- 17. BOUDREAU, RYAN WAYNE
- 18. BOURGEOIS, EMILIE MARGARET
- 19. BRADFORD, ROBERT BRIAN
- 20. BRADLEY, RUSSELL WAYNE
- 21. BREAU, FRANCES NUCCIO
- 22. BRIMMER, DONALD
- 23. CAMP, SPANON PAUL
- 24. CANIZARO, KAYLA NICOLE
- 25. CANNON, ANGIE GALE
- 26. CASS, SUSAN LYNN
- 27. CALVIN, MARYN JOSEPH JR
- 28. CHAMPAGNE, LARUE MITCHELL JR
- 29. CHARLES, LYNETTE ANN
- 30. CHAUVIN, CHARLES KREGG
- 31. CHIASSON, LAURA ELIZABETH
- 32. CHURCH, PETER ASHTON
- 33. COLE, CLARENCE III
- 34. COOK, FLOYD EDWARD JR
- 35. COOPER, LAURA LEBEAUF
- 36. CORNWELL, KATHA C
- 37. CROCHET, LEIGH ERIN
- 38. CURTIS, MARCUS WILLIAM
- 39. DANCER, SHEILA MARIE
- 40. DAVIS, ANDREA PATRICE
- 41. DAVIS, DAMON P
- 42. DAVIS, KEVIN TODD
- 43. DELOACH, SHARON A
- 44. DONEWAR, NORMITA PITRE
- 45. DUHE, GENARVA
- 46. DURANT, CHEQUANDA DESHEL
- 47. FAHRIG, JASPER FREDERICK III
- 48. FERREIRA, HARRY MARTIN JR
- 49. FISCHBEIN, DEBORAH HERRMANN
- 50. FOREMAN, DAVID A
- 51. FRANCOIS, MARGO BRANDY
- 52. FRENCH, LETTIE LEE
- 53. FRICKEI, JO CHRISTIANE
- 54. FUNCK, HELSEY
- 55. GASSEN, BRETT DAVID
- 56. GATHERS, RENEE
- 57. GAUDET, CHANDRA JONES
- 58. GAUDET, ROY CHRISTOPHER
- 59. GILMORE, RICHARD TERRY
- 60. GOLDMAN, CONNIE TAULBEE
- 61. GODEN, JIMMIE
- 62. GORDON, JANNA RAE
- 63. GRANT, JAYME JONES
- 64. GRIFFIN, QHALEED
- 65. GRUNBERG, ERIN ELIZABETH
- 66. GRUNDMEYER, BRAD P
- 67. GUIDRY, GAROLD WAGNEPACK
- 68. GUIDRY, LETTY V
- 69. GUILLOT, BLAINE MICHAEL
- 70. GUNN, DAVID ALLAN
- 71. HARRELL, GARRY R
- 72. HARRIS, LILLIAN DENISE
- 73. HARTLINE, JOHN DONALD JR
- 74. HATTALA, JOSEPH CHARLES
- 75. HAYES, JERILYN ROBOTOM
- 76. HAYNES, CASEY DELOUCHE
- 77. HEBERT, JAMES ANDREW
- 78. HEBERT, JOHN THOMAS
- 79. HEBERT, WAYNE E
- 80. HERNANDEZ, WINIFRED A
- 81. HINDMAN, ANDRIA BERGERON
- 82. HINGLE, ZACHARY BENJAMIN
- 83. HOWARD, STELA GERTOS
- 84. HYMEL, LIONEL JOSEPH IV
- 85. HYMEL, TAYLOR MATTHEW
- 86. JACKSON, ANHIE ISANG
- 87. JACKSON, JOHN F
- 88. JAMERSON, JOYCE ANN
- 89. JAMES, ANASTASIA LOPICCOLO
- 90. JENNINGS, JOHN MARK
- 91. JOHNSON, ALBERT WARREN
- 92. JOHNSON, DOUAY TRELANE
- 93. JOHNSON, MIKEL L
- 94. KELLER, TAMMY FLATTMANN
- 95. KELLER, JOSEPH KELLY MATIS
- 96. KENNER, AMOS LOUIS
- 97. KIMBLE, KEITH P
- 98. LANDECHE, CEDILE B
- 99. LASSNER, KATHLEEN TREADAWAY
- 100. LASSNER, MARY E
- 101. LAWSON, BRENDA URSIN
- 102. LAY, PAULETTE CASTLE
- 103. LEBLANC, KATHLEEN PIZZOLATO
- 104. LEBLANC, MARY GRIFFIN
- 105. LEBLANC, VALERIE
- 106. LEE, CLIFFORD WILLIAM
- 107. LEE, DENNIS C
- 108. LEE, ELLEN DEMAINE
- 109. LEISER, PAIGE BRITTANY
- 110. LEMMON, JENIFER LIVACCARI
- 111. LEWIS, ANITA MICHELLE
- 112. LEWIS, COURTNEE MICHELLE
- 113. LOCKETT, LASHAE MONIQUE
- 114. LOGA, DOROTHY SIMON
- 115. LOGE, TERRY ROME
- 116. LOVE, NETTIE FREDOUY
- 117. LUQUET, CORI SOUTHWARD
- 118. MADERE, JOY KRISTOPHER
- 119. MADERE, MIRANDA MICHELLE
- 120. MAMMILLI, TIMOTHY PAUL
- 121. MARLOWE, DAVID L
- 122. MARTINEZ, BRIAN NOEL JR
- 123. MASON, BLANE TERRAL
- 124. MATO, SHARON CEREFORD
- 125. MAUER, JACK N
- 126. MAYBERRY, KELLY LOPIZT
- 127. MAYEX, CHERIE EUES
- 128. MCCLOUD, KYLA SHAE
- 129. MCDONALD, BRIAN JAMES
- 130. MCCILLAN, REGINA BENOIT
- 131. MICHELE-HARRIS, BILLIE JEAN
- 132. MIRE, EVAN NICHOLAS
- 133. MOSE, KEVIN G
- 134. MORALES, MELISSA BREAUX
- 135. MOREAU, JAQUELYNNE
- 136. MORRIS, LATANYA DANIELLE
- 137. MOUTON, JAMIE STROGOS
- 138. MURSHEDI, SYDNEY LIRETTE
- 139. MURD, TONI KENDRA
- 140. ODANIELS, MICHELLE M
- 141. OLIVE, KAREN ANNETTE
- 142. PALMER, BREA WILSON
- 143. PATTERSON, JEFF ANTHONY
- 144. PERRY, JENNIFER RENEE
- 145. PETERSEN, PATRICIA D
- 146. PIGLIA, JOHN G III
- 147. POVEI, BARBARA ANN
- 148. PRESTENBACK, ROLAND JAMES JR
- 149. REVAUER, LETTIE MAE
- 150. RHODES, BRETT JEROME
- 151. ROBERT, AUBREY M
- 152. ROSE, ROSA LUSTALOT
- 153. ROBINSON, DOMINIC RAY
- 154. RODNEY, MICHAEL LOUIS
- 155. RUBIN, FERNELL ANTHONY
- 156. RUTHERFORD, RALPH WESLEY
- 157. SA, DENNIS W
- 158. SAVASKI, CHERYL LYNN
- 159. SCHEKONAYDER, MARY EDWARDS
- 160. SCHMITT, GEORGE HEBERT
- 161. SEBEST, COURTNEY SHEA
- 162. SERIO, DEBORAH ANN
- 163. SIMONEAUX, ELIZABETH ANN MAYHALL
- 164. SLISARSKI, MEGAN MARIE
- 165. SUEVA, GEORGE LYNN
- 166. SMITH, GARY LYN JR
- 167. SMITH, IAN MICHAEL
- 168. SMITH, ROSA MAE H
- 169. SMITH, ULRICH DONAVON
- 170. SORRENTINO, ANH RULI
- 171. SNEAD, KATRICE MARIE
- 172. SONGY, JULIE MULLER
- 173. STEIN, MARNY A
- 174. STEVENS, LYNDA ROMANO
- 175. STEWART, MARY DELL
- 176. STOLL, CHESTER JOSEPH
- 177. STPIERRE, LESLEY NICOLE
- 178. STROMANN, LISA JURKOCH
- 179. SWITZER, ANGELIQUE TUCKER
- 180. TAYLOR, WENDY NORRIS
- 181. THOMPSON, WILLIAM DANIEL
- 182. TORRES, ALEX
- 183. TRAHAN, CERRA VALOIS
- 184. TWIGGS, ROBERTA HURLEY
- 185. VARILEK, KATHERINE JO
- 186. VICTORIAN, SABRINA S
- 187. VOGT, GEORGE Y JR
- 188. VONSO, ROSEANNE M
- 189. WALKER, INEZ PRICE
- 190. WALTERS, CHRISTIAN SHELBY
- 191. WATKINS, CLARENCE III
- 192. WATSON, RONALD ALSTIN
- 193. WILLIAMS, DARRELL T
- 194. WILLIAMS, SHANTEL PAULETTE
- 195. WILLIAMS, YVONNE S
- 196. WILSON, MARSHALL LEON
- 197. YOUNG, WILIE JR
- 198. ZERINGUE, ALISSA MARY
- 199. ZERINGUE, TINA MARIE
- 200. ZURCHER, CHRISTY JACKSON

Publish: July 16, 2015

PUBLIC NOTICE

ORDINANCES & RESOLUTIONS TO BE INTRODUCED FOR PUBLICATION & PUBLIC HEARING ON MONDAY, JULY 20, 2015, 6:00 P.M., COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE:

2015-0228 (7/6/15, St. Pierre, B. Boe)
An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 17 Parks and Recreation, Article III, Edward A. Dufresne Community Center, Section 17-24, Special Provisions. (a) (3), to change the insurance requirements at the Edward A. Dufresne Community Center.

2015-0229 (7/6/15, St. Pierre, M. Albert)
An ordinance to levy an assessment on the 2015 ad valorem tax bills of property owners that are delinquent in paying outstanding invoices for removal of weeds, grass, etc. in accordance with the St. Charles Parish Code, Chapter 16, Article III, Weeds, Grass, etc. and to levy an assessment on the ad valorem tax bills of property owners that are delinquent in paying outstanding charges incurred for the removal of unsafe structures, trash and debris in accordance with Chapter 16, Article IV, Sec. 16-48(b).

2015-0232 (7/6/15, Wilson)
An ordinance to provide for the installation of an "ALL WAY STOP" sign at the intersection of Kaylee Drive and Lakynn Place in Hahnville.

2015-0235 (7/6/15, Benedetto)
An ordinance to provide for the installation of an "ALL WAY STOP" sign at the intersection of Nottaway Drive and Becky Lane in Destrehan.

2015-0240 (7/6/15, St. Pierre, B. Boe)
An ordinance to revoke Ordinance No. 14-8-9 and approve the revised, executed Department of the Army License No. DACW29-2-15-18 to allow the continued use of the Bonnet Carre' Spillway Road from Norco to Montz.

2015-0241 (7/6/15, St. Pierre, S. Scholle)
An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No. P081102-5, Dunleith Canal Bank Stabilization Phase 4, to increase contract amount by \$15,304.62 and increase contract time by 45 days.

2015-0242 (7/6/15, St. Pierre, S. Scholle)
An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No. P090201-3 Primrose Ellington Canal Crossing to increase the contract amount by \$198,625.91 and add forty five (45) days to the contract time.

2015-0243 (7/6/15, St. Pierre, S. Scholle, SCPC)
An ordinance to approve and authorize the execution of the First Amendment to Wetlands Mitigation Agreement by and between St. Charles Parish and Delta Land Services, L.L.C. in the revised amount of \$1,395,000.00 to provide wetlands mitigation for the West Bank Hurricane Protection Levee, Phase III - ELLINGTON.

PUBLISH: July 9, 16, 2015

PUBLIC NOTICE

"Anyone knowing the whereabouts of a lost promissory note payable to Luckmore Finance Corporation dated April 9, 2014 in the amount of \$1,000.00 and signed by C. Blackmore please contact Jules Fontana, Attorney @ 504-581-9545.

Publish: July 16, 2015

PUBLIC NOTICE

We are applying to the Commissioner of Alcohol and Tobacco Control of the State of Louisiana for a permit to sell beverages of Low and High alcoholic content at retail in the Parish of St. Charles at the following address: BIG WHEEL CAFE & BAR, LLC 232 Joe Louis Lane, Hahnville, La. 70057

Treasurer: Malcolm Clark
PUBLISH: July 16 & 23, 2015

ST. CHARLES PARISH OFFICIAL COUNCIL PROCEEDINGS

ORDINANCES AND RESOLUTIONS ADOPTED AT THE MEETING OF JUNE 15, 2015, COURTHOUSE, HAHNVILLE, HAVE BEEN PUBLISHED AS AN OFFICIAL EXTRACT OF THE MINUTES IN A PREVIOUS EDITION OF THE OFFICIAL JOURNAL.



St. Charles Parish Meeting Minutes

St. Charles Parish Courthouse
10045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.klar.azleapweb05-04.gov

Final
Council Chairman Larry Cochran
Councilmembers Carolyn K. Schexnaydre, Jarvis Lewis, Terrell D. Wilson, William Elby Woodruff, Wendy Benedetto, Paul J. Hogan, Tracy A. Fletcher, Julia Fisher-Perrier

Monday, June 15, 2015 6:00 PM Council Chambers, Courthouse

ATTENDANCE

Present: 7 - Carolyn K. Schexnaydre, Terrell D. Wilson, William Woodruff, Wendy Benedetto, Paul J. Hogan, Tracy A. Fletcher, and Julia Fisher-Perrier

Absent: 2 - Jarvis Lewis, and Larry Cochran

Also Present
Parish President V.J. St. Pierre, Jr., Chief Operations Officer Bobby Constadon, Chief Administrative Officer Buddy Bos, Public Works/Wastewater Director Sam Scholle, Planning & Zoning Director Michael Albert, Finance Director Grant Ducson, Grant Officer Holly Fonseca, Public Information Officer Renee Simpson, Emergency Preparedness Director, Ronald J. Perry, CZM Administrator Earl Madsone, Executive Assistant/Office Manager Andrea Coleman

CALL TO ORDER

Meeting called to order by Vice-Chairman Tracy A. Fletcher.

PRAYER / PLEDGE

Father Ray Hymel
St. Gertrude Catholic Church, Des Aleneville

APPROVAL OF MINUTES

A motion was made by Councilmember Fisher-Perrier, seconded by Councilmember Schexnaydre, to approve the minutes from the regular meeting of June 1, 2015. The motion carried by the following vote:
Yes: 7 - Schexnaydre, Wilson, Woodruff, Benedetto, Hogan, Fletcher and Fisher-Perrier
Nay: 0
Absent: 2 - Lewis and Cochran

SPECIAL BUSINESS (PROCLAMATIONS, CANVASS RETURNS, ETC.)

2015-0210
In Recognition: Mr. Milton L. Cambre, Constable, District 6
Sponsor: Ms. Schexnaydre
Read

Councilman Lewis arrived in the meeting.
2015-0213
In Recognition: Kristal Marie Breaux, Louisiana Catfish Queen XXXIX
Sponsor: Mr. Hogan
Read

2015-0214
In Recognition: Carl Jo Allums, Louisiana Catfish Teen Queen XIX
Sponsor: Ms. Schexnaydre
Read

2015-0215
In Recognition: Savannah Nichola Tastot, Louisiana Catfish Jr. Queen XXXII
Sponsor: Mr. Cochran
Read

2015-0216
In Recognition: Nancy Dowdous, Louisiana Granny Catfish Queen IX
Sponsor: Mr. Lewis
Read

2015-0211
Proclamation: Catfish Festival
Sponsor: Mr. Hogan
Read

2015-0212
Proclamation: "239th Anniversary of American Independence"
Sponsor: Mr. St. Pierre Jr.
Read

2015-0222
A resolution of the St. Charles Parish Council, acting as the Governing Authority of the Sunset Drainage District, requesting that the Administration design and put out for bid in 2015 an interim project to raise the crown of the Sunset Drainage District levees in the low areas along Grand Bayou so as to provide for a minimum protection of elevation 5.0' with a 1.0' overbank in the areas that are currently below elevation 5.0', and that an elevation of at least 5.0' be maintained at all times along Grand Bayou until such a time that this and all other Sunset Drainage District levee sections are improved so as to meet current FEMA flood protection standards, and to place in the draft 2016 budget funds to perform this work in 2016 should it not be feasible to be performed in 20

Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; the ARC of St. Charles; and for the purpose of paying the principal and interest on outstanding General Obligation Sewer Bonds for the year 2015.

2015-0218 Mr. St. Pierre Jr. and Department of Finance Publish/Scheduled for Public Hearing to the Parish Council on July 6, 2015

2015-0219 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from R-1A to C-2 at Lot 4, Block 2 of 108 Gassen St, as requested by CGI Holdings, Inc.

2015-0220 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from R-1AM to R-1M on Lot C located at 106 Mitzi Lane, Paradise as requested by Roy Estay.

2015-0221 An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on Bethlehem Street in Hahnville to fifteen (15) miles per hour.

2015-0222 An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by removing in its entirety Chapter 5, Boats, Docks and Waterways, Article II, Airboats, Section 5-14, through Section 5-20, and replace with Sections 5-14 - 5-20. Reserved.

2015-0223 An ordinance to amend the Code of Ordinances Appendix A, St. Charles Parish Zoning Ordinance of 1981, Section III, Definitions, Section IV, General Provisions, Section VII, Zoning district criteria and regulations, Section VII, Reserved, Section VIII, Parking, loading and landscape requirements, Section IX, Nonconformities, Section XII, Violation and penalty, Section XIII, The Board of Adjustment is established and its powers and duties are prescribed, Section XIV, Amendments and petitions, Section XV, Amendment procedure, and Section XXII Regulations for home occupations, in accordance with the recommendations of the Zoning Code Modernization Project, Phase I.

2015-0224 An ordinance to amend the Code of Ordinances, Chapter 10, Garbage and Trash, Article II, Uniform Solid Waste Management System, Section 10-22. Service charge, (c) Administrative Fee, Chapter 22, Sewers and Sewage Disposal, Article IV, General Sewer Use Regulations, Section 22-80. User charges and connection charges, and Chapter 23, Water, Article I, in General, Section 23-3. Water user charges (c), (d) & (e), to restructure sewer, water, non-domestic, and solid waste user fees.

2015-0191 An ordinance to approve and authorize the execution of a contract with Kostmayer Construction, LLC for the construction of Parish Project No. P130101, Cousins Pump Station Discharge Pipe Replacement, with Base Bid, in the amount of \$199,340.00.

2015-0225 An ordinance to approve and authorize the execution of a contract with Engineering Services with Civil & Environmental Consulting Engineers, LLC for necessary professional engineering services associated with Parish Project No. P140801 Arns Drainage Improvement.

2015-0226 An ordinance to approve and authorize the execution of a contract for Public Works with Mr. St. Pierre Jr., Department of Public Works, Ms. Schexnaydre, Mr. Lewis, Mr. Wilson, Mr. Woodruff, Ms. Benedetto, Mr. Hogan, Mr. Cochran, Ms. Fletcher and Ms. Fisher-Perrier

2015-0227 An ordinance to provide for the installation of an "ALL WAY STOP" sign at the intersection of Cove Lane and Cypress Lane in Oestrehan.

2015-0200 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from R1-A to C-3 at Lots 7, 8, & 9, Square D, of St. Charles Terrace, 14648 River Rd, New Sarpy, LA as requested by Donald James George.

2015-0227 An ordinance to provide for the installation of an "ALL WAY STOP" sign at the intersection of Cove Lane and Cypress Lane in Oestrehan.

PLANNING AND ZONING PETITIONS

2015-0200 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning reclassification from R1-A to C-3 at Lots 7, 8, & 9, Square D, of St. Charles Terrace, 14648 River Rd, New Sarpy, LA as requested by Donald James George.

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

2015-0180 A resolution authorizing the Chairman or the Secretary to offer no objection to Houston Energy Operating, LP, CUP P20141174 for a permit to clear and grade an area to construct a boarded entrance for an access road (a 2,885' and construct a 250' x 340' ring levee for the purpose of drilling the Riverbend Prospect Well, at Section 43, 45, T13S-R21E, Section 40, T14S-R21E; near Boutte, in St. Charles Parish, Louisiana.

2015-0194 An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No. S130201 Murray Hill (CC-1) Lift Station Rehabilitation, to balance the contract quantities with actual quantities resulting in a decrease of \$30,000 and a decrease of contract time by four (4) days.

2015-0186 An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "NO PARKING" signs on both sides of Ash Street starting from the Pine Street side of the driveway located at 322 Ash Street up to its intersection with Pine Street in Boutte.

2015-0186 An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "NO PARKING" signs on both sides of Ash Street starting from the Pine Street side of the driveway located at 322 Ash Street up to its intersection with Pine Street in Boutte.

2015-0201 An ordinance approving and authorizing the execution of Change Order No. 1 for Bertucci Contracting Company, LLC, for PO-43 East LaBranche Shoreline Protection Project, Coastal Impact Assistance Program to increase the contract amount by \$254,415.96.

2015-0202 An ordinance to approve and authorize the execution of a Department of the Army Easement for Phase V and VI of the East Bank Multi-Use Path along the upper and lower guide levees of the Bonnet Carré Spillway (DACW23-2-15-42) in Norco.

2015-0204 A resolution to approve and authorize the execution of an Agreement between the State of Louisiana Department of Transportation and Development and St. Charles Parish for funding of the St. Charles Parish Various Roads Signing project, State Project No. H.009453.

2015-0205 A resolution requesting authorization for St. Charles Parish to advertise for competitive bids for the Willowledge Levee Improvements - Phase III, State Project Number H.009257, through the State of Louisiana Department of Transportation and Development (DOTD) under the Louisiana Statewide Flood Control Program.

2015-0206 Council Appointment to the River Region Caucus Vacancy Announced

2015-0207 Council Appointment to the River Region Caucus Vacancy Announced

2015-0208 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0209 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0210 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0211 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0212 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0213 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0214 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0215 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0216 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0217 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0218 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0219 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0220 Council Alternate Appointment to the River Region Caucus Vacancy Announced

2015-0221 Council Alternate Appointment to the River Region Caucus Vacancy Announced

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows: YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER NAYS: NONE ABSENT: NONE

2015-0203 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT (DEPARTMENT OF FINANCE) ORDINANCE NO. 15-7-3 An ordinance setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47:1705(B) for General Parochial Purposes;

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. That acting under the authority of Section 23 of Article VII of the Constitution of the State of Louisiana and Section 47:1705(B) of the Louisiana Revised Statutes of 1950, as amended.

Table with 2 columns: 2015 Millages Levied, General Parochial (3.17), Levees (4.00), ARC (0.70), Road Lighting District No. 1 (1.03), Library Service District No. 1 (4.45), Road Maintenance Program (5.84), Recreation Program (2.87), Mosquito Control Program (1.10), Council on Aging Program (0.98), Fire Protection (1.53), E-911 Telephone System (0.98), Health Unit (0.84)

B. As Governing Authority of St. Charles Parish, acting under the authority of a special election held in said Parish, there is hereby levied, assessed, and imposed special taxes as provided by Article VII, Section 23(D) of the Constitution of Louisiana, on all of the taxable property within the Parish and the respective District for the year 2015 for the purpose of paying any costs associated with acquiring, constructing, improving, maintaining and operating wastewater facilities and systems in the Parish, including those owned and operated by Consolidated Waterworks and Wastewater District No. 1 of the Parish of St. Charles, Louisiana, provided that said Tax shall not be levied in any year to the extent such levy would cause the combined millage levied to pay debt service on the Parish's General Obligation Refunding Bonds, Series 2012, and the millage from the Tax to total more than 2.20 mills in such year, adjusted as provided in the Louisiana Constitution:

Table with 2 columns: 2015 Millages Levied, Public Sewer Bonds (2.20)

SECTION II. That the proper administrative officers of the Parish of St. Charles, State of Louisiana, be and they are hereby empowered, authorized and directed to spread said taxes, as herein above set forth, upon the assessment roll of said Parish for the year 2015, and to make the collection of the respective taxes imposed for and on behalf of said Parish and said Districts, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows: YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER NAYS: NONE ABSENT: NONE

2015-0221 INTRODUCED BY: TERRELL D. WILSON, COUNCILMAN, DISTRICT I JARVIS LEWIS, COUNCILMAN-AT-LARGE, DIVISION B ORDINANCE NO. 15-7-4 An ordinance to amend the Code of Ordinances to revise Chapter 15, Section 15-9, to provide an exception to the Twenty-five (25) Miles Per Hour Speed Limit, to lower the speed limit on Bethlehem Street in Hahnville to fifteen (15) miles per hour.

WHEREAS, paragraph (a) of Section 15-9 of the Code provides that it is unlawful to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on Parish streets; and, WHEREAS, that Paragraph (a) of Section 15-9 has been amended to provide exceptions; and, WHEREAS, the Parish Council desires to provide an exception to lower the speed limit on Bethlehem Street in Hahnville.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. That Section 15-9 of the Traffic Code is hereby amended to add No. 80 as follows: (a) It shall be unlawful for any person to operate any motor vehicle at a speed in excess of twenty-five (25) miles per hour on any of the Parish streets, roads, highways and bridges, EXCEPT: (80) Bethlehem Street in Hahnville, speed limit shall be fifteen (15) miles per hour.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows: YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER NAYS: NONE ABSENT: NONE

2015-0194 An ordinance approving and authorizing the execution of Change Order No. 1 for Parish Project No. S130201 Murray Hill (CC-1) Lift Station Rehabilitation, to balance the contract quantities with actual quantities resulting in a decrease of \$30,000 and a decrease of contract time by four (4) days.

2015-0186 An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "NO PARKING" signs on both sides of Ash Street starting from the Pine Street side of the driveway located at 322 Ash Street up to its intersection with Pine Street in Boutte.

2015-0186 An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Section 15-5, Motor Vehicles and Traffic, of said Code, to provide for the installation of "NO PARKING" signs on both sides of Ash Street starting from the Pine Street side of the driveway located at 322 Ash Street up to its intersection with Pine Street in Boutte.

WHEREAS, The St. Charles Parish Council recognizes that a modern, updated Zoning Ordinance is vital to the application and enforcement of its community standards; and, WHEREAS, the adopted St. Charles Parish Comprehensive Plan provides guidance as to how the Zoning Ordinance of 1981 should be updated; and, WHEREAS, the Zoning Ordinance of 1981 has not received a substantive update since its inception; and, WHEREAS, the Parish has cooperated with the University of New Orleans to prepare recommended amendments to the code; and, WHEREAS, the Department of Planning and Zoning supports and recommends the proposed amendments; and, WHEREAS, the St. Charles Parish Planning Commission unanimously supports and recommends the proposed amendments; and, WHEREAS, the Parish recognizes its Zoning Ordinance as a living document that requires routine updating and professional guidance to ensure sound quality of life standards;

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. That the Code of Ordinances, Appendix A, Section III Definitions be struck in its entirety and replaced as follows: Section III. Definitions. For the purpose of this Ordinance, certain words and terms are hereby defined. Words used in the present tense shall include the future, the singular number shall include the plural and the plural the singular; the word "Building" shall include the word "Structure" and the word

ST. CHARLES PARISH OFFICIAL COUNCIL PROCEEDINGS

THE FOLLOWING ORDINANCES AND RESOLUTIONS ARE AN OFFICIAL EXTRACT FROM THE MINUTES OF THE MEETING OF THE PARISH COUNCIL OF THE PARISH OF ST. CHARLES HELD MONDAY, JULY 6, 2015, COUNCIL CHAMBERS, COURTHOUSE, HAHNVILLE, LOUISIANA. THE COMPLETE TEXT OF THE ATTACHMENTS TO THESE DOCUMENTS IS AVAILABLE FOR PUBLIC REVIEW AT THE PARISH COUNCIL OFFICE, COURTHOUSE, HAHNVILLE.

2015-0219 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT (DEPARTMENT OF PLANNING & ZONING) ORDINANCE NO. 15-7-1 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning classification from R1-A to C-2 at Lot 4, Block 2 of 108 Gassen St, as requested by CGI Holdings, Inc.

WHEREAS, the property owner requesting rezoning the property from R1-A to C-2; and, WHEREAS, the St. Charles Parish Planning and Zoning Department recommends approval of the request;

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change in land use zoning classification from R1-A to C-2 at Lot 4, Block 2 of 108 Gassen St, as requested by CGI Holdings, Inc.

SECTION II. That the St. Charles Parish Department of Planning & Zoning is authorized to amend the official St. Charles Parish Zoning Map to reflect this reclassification from R1-A to C-2 at Lot 4, Block 2 of 108 Gassen St, as requested by CGI Holdings, Inc.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows: YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER NAYS: NONE ABSENT: NONE

And the ordinance was declared adopted this 6th day of July, 2015 to become effective five (5) days after publication in the Official Journal.

2015-0220 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT (DEPARTMENT OF PLANNING & ZONING) ORDINANCE NO. 15-7-2 An ordinance to amend the St. Charles Parish Zoning Ordinance of 1981, to change the land use zoning classification from R-1Aam to R-1M on Lot C located at 106 Mitzi Lane, Paradise as requested by Roy Estay.

WHEREAS, the property owner, Roy Estay, requests rezoning the property from R-1AM to R-1M; and, WHEREAS, the St. Charles Parish Planning and Zoning Department recommended approval of the request; and,

WHEREAS, the St. Charles Parish Planning and Zoning Commission recommended approval of the request at its regular meeting of June 4, 2015.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve a change in land use zoning classification from R-1AM to R-1M at Lot C located at 106 Mitzi Lane as requested by Roy Estay.

SECTION II. That the St. Charles Parish Department of Planning & Zoning is authorized to amend the official St. Charles Parish Zoning Map to reflect this reclassification from R-1AM to R-1M at Lot C located at 106 Mitzi Lane as requested by Roy Estay.

"Shall" is mandatory and not directory. "Commission" is the Parish Planning and Zoning Commission and "Planning Director" is the Parish Planning and Zoning Director.

Abandonment: The cessation of the use of a property or of a particular use for at least six (6) months. (Also see *discontinuance*).

Accessory building or structure: A subordinate structure, not sharing a common wall with the main structure, the use of which is incidental to that of the main structure.

Accessory dwelling unit: A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

Accessory use: A use that is customarily incidental and subordinate to the principal use, and which is located on the same lot as the principal use.

Addition or enlargement: Any construction that increases the size of a building or structure in terms of lot coverage, height, length, width or floor area.

Adult establishment: Any business as defined by Louisiana Revised Statute (LA R.S.) 14:106A, including adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult live entertainment businesses, adult nightclubs or massage businesses. These uses are further defined in (LA R.S.) 14:106. However, those massage businesses where all employees associated with massage meet the ethical and educational requirements specified by the American Massage Therapy Association, or equivalent national or state standards, are exempt from this definition.

Alcohol Beverage Sales: The sale of beer, wine, or other alcoholic beverages for on- or off-premise consumption.

Alcohol beverage sales, off-premise: The retail sale of alcoholic beverages in the original manufacturer sealed and labeled container in a business such as a grocery store, convenience store or liquor store for consumption off-site.

Alcohol beverage sales, on-premise: The sale of beer, wine, or other alcoholic beverages as the primary activity (e.g., bars, taverns, etc.) or as an incidental or secondary activity to another primary business activity (e.g., full-service or specialty restaurants, hotels, banquet halls) for consumption on-site.

Alteration: Any change, addition or modification in construction, use or occupancy of a building or site.

Anchororage: A place designated for vessels to anchor.

Antenna: A metallic, graphite, fiberglass, or other device which is attached to a transmission tower, telecommunications tower, monopole, mast, building, or other structure for transmitting and receiving electromagnetic waves. (Ord. No. 97-7-4, § 1, 7-7-97)

Apartment: A room or suite of rooms with culinary facilities designed for or used as a living unit for a single family.

Appurtenance: An architectural feature of a structure that is higher than the adjacent portion of the structure, such as a chimney, cupola, spire, or parapet wall.

Attic: The finished or unfinished space of a building that is immediately below and wholly or partly within the roof framing.

Automobile/vehicle dealership: An establishment that sells or leases new or used, functional automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles or other motorized transportation vehicles. An automobile/vehicle dealership may contain an inventory of the vehicles for sale or lease either on-site or at a nearby location, and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Automotive repair, major: An establishment primarily engaging in the repair or maintenance of motor vehicles, trailers and similar large mechanical equipment, including paint, body and fender, and major engine and engine part overhaul, which is conducted within a completely enclosed building.

Automotive repair, minor: An establishment primarily engaging in the repair or maintenance of motor vehicles, including brake, muffler, upholstery work, tire repair and tire change, lubrication, tune ups, etc., which is conducted within a completely enclosed building.

Bar: An establishment serving alcoholic beverages in which the principal business is the sale of such beverages for consumption on the premises.

Boathouse: A structure consisting of posts and a roof, with or without walls, connected to either a dock or ground in a body of water, constructed for boat storage or related marine use only. The term "boathouse" includes the anchoring system and any walkways or bridges that connect to the structure.

Boat launch: A structure or area used for the placement of a boat into the water and for the retrieval of a boat from the water to a trailer or device.

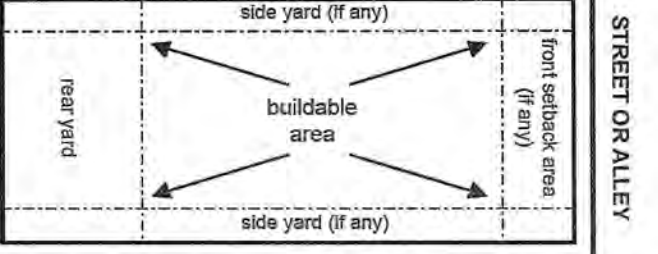
Boardwalk: An elevated public pedestrian walkway constructed over a public street or along a waterfront.

Borrow pit: An excavated hole in the ground from which sand, gravel, soil, or similar material is extracted for use as fill. Borrow pits do not include pits located in navigable waterways, pits used for foundations for buildings, private man-made lakes, and pits developed as swimming pools or similar accessory facilities.

Brewery/distillery: A facility for either the production or packaging of malt beverages of low alcoholic content for wholesale distribution.

Buffer or buffer zone: A strip of land established to protect one type of land use from another which may be incompatible. The buffer may include landscaping, fencing or other buffering materials.

Buildable area: The area of a lot in which a primary structure may be placed; identified as the area remaining after the minimum yard and open space requirements are met, exclusive of servitudes and easements.



Building: Any structure, either temporary or permanent, having a roof and designed, intended, or used for the sheltering or protection of persons, animals, or property of any kind.

Building (main, primary, principal): A building which houses the principal use of the lot on which it is situated. A dwelling shall be deemed to be the main building on the lot in all residential districts.

Building temporary: A building located at or near a construction site that serves only as an office or storage until the given construction work is completed.

Building official: The officer or other designated authority charged with the administration and enforcement of the Louisiana State Uniform Construction Code (LSUCC), or his duly authorized representative.

Cafe/ateria: A restaurant at which patrons serve themselves at a counter and take the food to the tables to eat.

Canopy: A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings.

Carport: An accessory structure consisting of a canopy or shed attached or adjacent to the main structure and open on two (2) or more sides for the purpose of providing shelter for one (1) or more vehicles.

Car wash: A commercial establishment engaged in the washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment, whether automatic in an enclosed structure or by hand.

Casino: A building in which the primary use is legal gaming as defined by the State of Louisiana.

Cellular installation: Facility transmitting and receiving electromagnetic frequency transmissions in the 800—900 MHz ultra-high frequency (UHF) range. (Ord. No. 97-7-4, 7-7-97)

Cemetery: Land used or intended to be used for the interment of the human dead.

Church: See *House of worship*

Clinic, animal: A building used by one or more professional medical persons for the healing arts or treatment of small animals on an out-patient or nonboarding basis only, without runs.

Clinic, persons: A building used by one or more professional medical persons for the healing arts or treatment of persons on an out-patient or nonboarding basis only.

Club: Buildings and facilities owned and operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily for profit or to render a service which is normally carried on as a business.

Clubhouse: The principal building associated with a golf course, tennis club, or similar recreational facility that typically contains the pro shop, administrative offices, exercise facilities and locker rooms, golf cart storage and maintenance, and may also contain food and beverage services, including public meeting and banquet rooms and related facilities.

Coastal dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. (Ord. No. 95-5-7, § 1, 5-15-95)

Code enforcement officer: The officer or other designated authority charged with the administration and enforcement of this Code, or his duly authorized representative.

Co-location: Locating wireless communications equipment from more than one provider on one site. (Ord. No. 97-7-4, § 1, 7-7-97)

Commercial activity: The exchange of goods, products, services, or property of any kind. The buying, selling, exchange, or associated storage of articles, including the manufacture or production of same for commerce. The term "commercial activity" shall not be construed to include the occasional and isolated sales or transactions by a person who does not hold himself out as engaged in business. (Ord. No. 95-7-5, § 1, 7-1-95)

Commission: Same as Planning Commission of St. Charles Parish.

Communications equipment shelters: A constructed or prefabricated building or other structure located on a telecommunications site designed primarily to enclose equipment, switches, communication lines, and other related facilities used in connection with telecommunications transmissions. Communications equipment shelters shall not be considered as an accessory use for purposes of determining the required setback limitations. (Ord. No. 97-7-4, § 1, 7-7-97)

Community center: A facility to be used as a place of meeting, recreation, training or social activity, and not operated for profit, which is open to the community and designed to accommodate the surrounding neighborhood or the larger community.

Community garden: Neighborhood-based developments that provide space for community members to grow plants for beautification, education, recreation, community distribution, or personal use.

Conceptual development plan: A generalized plan drawn to scale for the proposed development of property requested to be zoned as a planned unit development and that identifies the following: the use of the property; the intensity of the uses; general location and size of proposed buildings; access points, parking areas, and the number of spaces; open space, general landscaping, and general planometric elements.

Contractor storage yard: Any land or buildings used primarily for the storage of equipment, vehicles, machinery, or other building materials or construction contractor in the conduct of any building trade or craft.

Condominium: A single-dwelling unit in a multi-unit dwelling or structure, that is separately owned and may be combined with an undivided interest in the common areas and facilities of the property.

Convalescent home: A facility that provides nursing services and custodial care on a 24-hour basis for persons suffering from illness, other than mental illness, which is not of sufficient severity to require hospitalization, or persons requiring institutional care.

Correctional facility: A public or privately-operated facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for the violation of civil or criminal law. Such facilities include adult detention centers, juvenile delinquency centers, jails, or prisons.

Day care center, adult: A facility where, for a portion of a twenty-four (24) hour day, functionally-impaired adults that are not related to the owner or operator of the facility are supervised or participate in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions or former patients of mental institutions who have been found not guilty by reason of insanity. An adult day care center does not include adult day care homes.

- A. Day care center, small: Up to fifteen (15) adults
- B. Day care center, large: Sixteen (16) to fifty (50) adults
- C. Day care center, commercial: Fifty-one (51) or more adults

Day care center, child: A facility where, for a portion of a twenty-four (24) hour day, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

- A. Day care center, small: Up to fifteen (15) children
- B. Day care center, large: Sixteen (16) to fifty (50) children
- C. Day care center, commercial: Fifty-one (51) or more children

Day care home, adult: A private home in which a permanent occupant provides care for the elderly and/or functionally impaired adults in a protective setting for less than twenty-four (24) hours per day. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity.

- A. Day care home, small: Up to five (5) adults
- B. Day care home, large: Six (6) to twelve (12) adults

Day care home, child: A private home in which a permanent occupant provides care for children from outside households in a protective setting for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include homes that receive children from a single household.

- A. Day care home, small: Up to five (5) children
- B. Day care home, large: six (6) to twelve (12) children

Density: The number of dwelling units that exist or can be permitted on a specific area measurement of land.

Detention/retention Pond: A man-made basin designed to protect against flooding by storing stormwater for a limited period of time.

Directional boring: Method of installing underground pipes, conduits, and cables in a shallow arc along a prescribed bore path using either a drilling fluid and directional cutting heads, or high pressure water jets to cut the desired bore hole below ground without needing an open trench. This shall include the process known as "hydro tunneling." (Ord. No. 12-4-16, § 1, 4-23-12)

Directional boring slurry: Any viscous material removed by use of directional boring technology either containing drilling fluids, or simple water and soil mixtures. (Ord. No. 12-4-16, § 1, 4-23-12)

Discontinuance: (also see "abandonment") The abandonment of a property or of a particular use for a period of at least six (6) months. The determination of discontinuance for non-conforming uses or structures shall be supported by evidence, satisfactory to the Planning and Zoning Department (e.g., the actual removal of equipment, furniture, machinery, structures, or other components of the non-conforming use and not replaced, the turning off of the previously connected utilities, or where there are no business receipts/records or any necessary licenses available to provide evidence that the use is in continual operation).

District: Any part of the Parish of St. Charles in which these zoning regulations are uniform.

Dock: A wharf or a row of piers with no enclosed buildings or roofs, where boats can be moored, loaded or unloaded.

Domitory: A structure specifically designed for the long-term stay by students of a college, university or non-profit organization, for the purpose of providing rooms for sleeping purposes. A common kitchen and common gathering rooms for social purposes may also be provided.

Drainage plan: A plan showing proposed site drainage features for controlling storm water runoff and conveying it to public outfalls.

Driveway: A private access way, not classified as a street, road, or highway.

Dwelling: A building used for residential purposes.

Dwelling, single-family: A building that contains only one dwelling unit including attached buildings in the case of townhouses.

Dwelling, two-family: A building that contains a maximum of two (2) attached dwelling units.

Dwelling, multifamily: A building that contains more than two (2) dwelling units.

Dwelling, townhouse: A building on its own separate lot of record containing one (1) dwelling unit that occupies space from the ground to the roof, and that is attached to one (1) or more other townhouse dwelling units by at least one (1) common wall.

Dwelling unit: Any room or group of rooms located within a structure forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking, eating and sanitation by one family.

Eave: The projecting sides of a roof overhanging the wall of a building.

Encroachment: The extension or placement of any structure or component of a structure into a required yard, setback, or street right-of-way.

Extraction activities: The removal from the premises of sand, gravel, shells, topsoil, minerals, or other natural resources from a lot or a part thereof.

Façade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Family: One or more persons, related by blood, marriage, or legal adoption, living together and occupying a single housekeeping unit with single culinary facilities; or a group of not more than four (4) unrelated persons living together by mutual agreement or a registered domestic partnership and occupying a single housekeeping unit with single culinary facilities on a nonprofit, cost sharing basis. Also, domestic servants resident on the premises shall not be considered a separate family for the purposes of this ordinance.

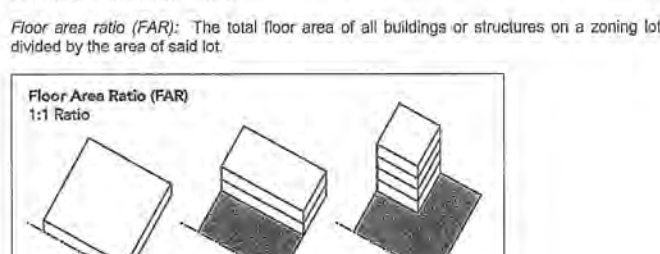
Farm: Any parcel of land which is used for the raising of agricultural or aquacultural products, livestock, poultry, and dairy products. It includes necessary farm structures within the prescribed limits and the storage of equipment used. It include[s] the raising of fur-bearing animals, riding academies, or boarding stables.

Farmers' market: The seasonal selling or offering for sale at retail of vegetables or produce, flowers, orchard products, and animal agricultural products, occurring in a pre-designated area, where the vendors are individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale. (includes vendors selling non-agricultural products as well)

Fence: A barrier, solid or otherwise, used as a boundary or means of enclosure for protection, confinement, or concealment.

Floor area: The square feet of floor space on all floors of a building within the exterior walls. It does not include porches, garages, basements or cellar space, stair wells, elevator shafts or mechanical equipment rooms, inner courts, corridors and malls from which goods or services are not offered or sold.

Floor area ratio (FAR): The total floor area of all buildings or structures on a zoning lot divided by the area of said lot.



Funeral home: An establishment in which the dead are prepared for burial or cremation. The facility shall be permitted to include a chapel for the conduct of funeral services and spaces for funeral services and informal gatherings, and/or display of funeral equipment.

Garage, private: An accessory building for the storage of motor vehicles.

Gardening: The growing of herbs, fruits, and vegetables for resident use only.

Gas/service station: A business where flammable or combustible liquids or gases used as fuel for motor vehicles are stored and dispersed from flexible equipment into the tanks of motor vehicles.

Government facility: A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public, and shall include public works and public safety facilities.

Grade, finished: The average elevation of the ground surface that exists after man-made alterations, such as grading, grubbing, filling, or excavating.

Grade, natural: The average elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, grubbing, filling, or excavating.

Gross floor area: The total area of all the floors of a building, including intermediately floored tiers, mezzanine, basements, garages, unfinished attics, etc., as measured from the exterior surfaces of the outside walls of the building.

Group home or community home: A single-family residential structure, specifically licensed by the State of Louisiana, for occupancy of unrelated persons.

Hazardous material (or hazardous chemical): Material presenting dangers beyond the fire problems relating to flash point and boiling point. These dangers may arise from but are not limited to toxicity, reactivity, instability, or corrosivity. (Ord. No. 95-5-17, § 1, 5-20-95)

Hazardous waste: A waste, or combination of wastes, regulated by Title 33, Part V of the Louisiana Environmental Regulatory Code (LAC 33.V), which because of its quantity, concentration, or physical, chemical or infectious characteristics may do either of the following: (1) cause or significantly contribute to an increase in mortality or increase or serious irreversible or incapacitating reversible illness; (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported, disposed of or otherwise managed.

Hazardous waste disposal facility: All structures, appurtenances, and improvements on the land used for treatment, storage or disposing of hazardous waste, including all operations or storing areas, diked overflows, or emergency spillway areas. A hazardous waste disposal facility may consist of several treatment, storage or disposal operational units. It includes all areas where hazardous waste may be received, stored, handled or processed.

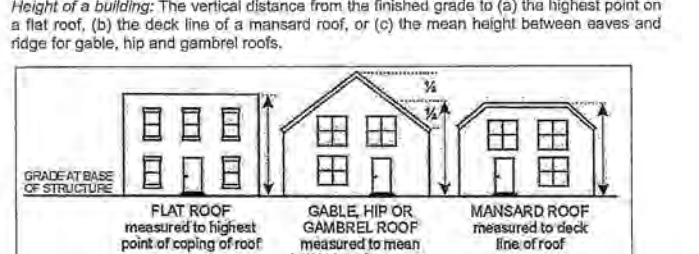
Hazardous waste incinerator: An enclosed device using controlled flame combustion, where the primary purpose of which is to thermally break down hazardous waste.

Hazardous waste processing facility: Any commercial facility, as defined by LAC 33.V§106, that treats or stores hazardous waste generated on properties other than those on which the processing facilities are located.

Hazardous waste storage: Any environmentally sound facility used to store hazardous waste for a temporary period as regulated by LAC 33.V.

Hazardous waste treatment: The physical, chemical or biological processing of any hazardous waste so as to neutralize such waste or so as to render such waste nonhazardous, safer for transport, amenable for recovery, amenable for storage, or reduced in volume.

Height of a building: The vertical distance from the finished grade to (a) the highest point on a flat roof, (b) the deck line of a mansard roof, or (c) the mean height between eaves and ridge for gable, hip and gambrel roofs.



Historic home site bed and breakfast: Accommodations for tourists and travelers which provide sleeping rooms within an historic home or on the historic home site in another historic structure. Historic home sites are identified as having a main structure that is over one hundred (100) years old and is located in a commercial or historic zoning district. (Ord. No. 13-7-8, § 1, 7-1-13)

Home occupation: A business, profession, occupation, or trade conducted within the principal structure of a residential use by residents of the dwelling which is incidental and secondary to the residential use of the dwelling, does not change the essentially residential character of the use, and which complies with the requirements of Section XXII Home Occupations.

Hospital: A building designed or used for the diagnosis, therapeutic treatment, or other care of ailments of patients who are physically or mentally ill.

Hotel or motel: A business providing temporary living and sleeping accommodations.

House of worship (religious institution): A building where persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain religious expression, together with all accessory buildings and uses customarily associated with such primary purpose.

Impervious surface or material: Material that does not allow the penetration of water to the ground.

Intensify: Relative measure of development impact as defined by characteristics such as the use/activity, number of dwelling units, amount of traffic generated, and amount of site coverage. To alter the character of a development to the extent that the use generates new or different impacts to the surrounding neighborhood constitutes an intensification of use.

Institution: A building or group of buildings designed or used for the non-profit, charitable, or public service purposes of providing board, lodging, health care for persons aged, indigent or infirm, or for the purpose of performing educational or religious services and offering board and lodging to persons in residence.

Junk: Scrap brass, scrap copper, scrap iron, scrap lead, scrap tin, scrap zinc, and other scrap metal and the alloys and bones, rags, used cloth, rope, rubber, infill, bottles, machinery of any type, tools, appliances, fixtures, utensils, lumber, boxes or crates (fabricated or any material), pipe or pipe fittings, conduit or conduit fittings, inoperative motor vehicles, tires and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition or which are subject to being dismantled.

Junkyard: An open area where any waste, used, or secondhand materials are brought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A "junkyard" includes an auto wrecking yard or the storage of one or more inoperative motor vehicles unless where otherwise specifically permitted but does not include uses established entirely within enclosed buildings.

Landfill: As defined by the Louisiana Administrative Code Section (LAC 33:VII. Subpart I, Section 115) and generally defined by Types of Facilities as follows:

Type I Facility—a facility used for disposing of industrial solid wastes. Any Type I Facilities shall only be allowed as an accessory use to an approved Industrial Facility.

Type II Facility—a facility used for disposing of residential and/or commercial solid wastes.

Type III Facility—a facility used for disposing or processing of construction/demolition debris or wood waste, composting organic waste to produce a usable material, or separating recyclable wastes. As per LAC 33: VII Subpart I, Section 115, construction/demolition debris is further defined as: non-hazardous waste generally considered not water-soluble that is produced in the process of construction, remodeling, repair, renovation, or demolition of structures, including buildings of all types (both residential and nonresidential). Solid waste that is not C&D debris (even if resulting from the construction, remodeling, repair, renovation, or demolition of structures) includes, but is not limited to, regulated asbestos-containing material (RACM) as defined in LAC 33:1115:515.B, white goods, creosote-treated lumber, and any other item that is not an integral part of the structure. (Ord. No. 08-10-9, § 1, 08-10-9)

Landscape plan: Graphic/written specifications and detailed plans to arrange and modify the natural features with required plantings and water forms, walks, and other features to comply with the provisions of this Ordinance.

Laundromat: A business providing for the hire and use on the premises of home type washing, drying and/or ironing machines.

Lawful use: The operation of an activity with proper occupational licenses, when applicable, payment of all applicable taxes and authorized by the zoning ordinance in existence at the time the activity was commenced. (Ord. No. 95-9-24, 9-19-98)

Light manufacturing: The manufacturing or processing of materials employing electricity of [or] other unobjectionable motive power, utilizing hand labor or unobjectionable machinery or processes, and free from any objectionable odors, fumes, dirt, vibration, or noise.

Live entertainment venue: An establishment for the presentation of live performances, including musical acts (including karaoke), theatrical plays or acts (including stand-up comedy and magic), revues, dance acts, or any combination thereof, performed by one (1) or more persons, whether or not they are compensated for the performance

Loading and/or unloading space: A surface space within the main building or on the same lot providing for the temporary standing, loading and/or unloading of trucks.

Local public entity: A facility or service operation which is domiciled in St. Charles Parish, is open to public use, and is supported all or in part by public taxes or levies on private citizens and/or concerns of St. Charles Parish. (Ord. No. 97-1-9, § II, 1-21-97)

Lot: A parcel, tract, or area of land; established by plat, subdivision, deed, or as permitted/created by law.

Lot area: The total area within the lot lines of a lot, excluding any street rights-of-way.

Lot, corner: A lot or parcel of land abutting two (2) or more streets at their intersection or on two (2) parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

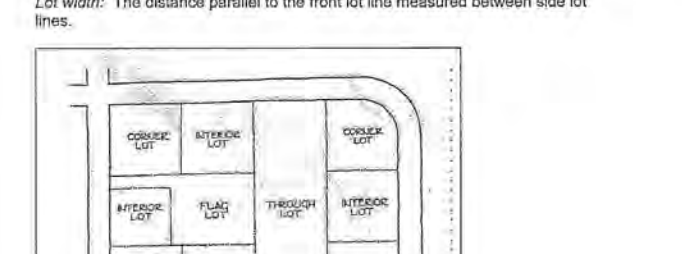
Lot coverage: The area of the lot covered by a structure or impervious surfaces.

Lot depth: The average distance between the front and rear lot lines.

Lot frontage: Any portion of a lot abutting a public or private street.

Lot, through: A lot having frontage on two (2) approximately parallel streets or places.

Lot width: The distance parallel to the front lot line measured between side lot lines.



Lot lines: The lines bounding a lot.

Lot of record: A lot which is either part of a subdivision or a tract of land which became legally established and defined by deed or act of sale prior to October 19, 1981.

Lounges: See "Bar."

Manufactured home: A dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the Federal Manufactured Housing Construction and Safety Standards Law (42 U.S.C. 5401 et seq.). A manufactured home shall be a minimum of fourteen (14) feet in width; shall have a pitched, shingled roof, exterior siding which is residential in appearance; and shall be placed on a permanent foundation which provides a complete enclosure of the area between the floor joists or chassis and the ground upon which it is placed. (Ord. No. 87-1-1

Mini-storage facility (self-storage facility): A commercial structure offering space for lease to the general public for storage excluding highly toxic, flammable, and/or combustible substances. Recreational vehicles, motor vehicles, boats, RVs, and trailers are allowed as customary accessory uses. (Ord. No. 98-3-17, § 1, 3-23-98)

Mining and Drilling Activities: Any pursuit or occupation associated with an area of land where operations are conducted to extract subsurface valuable mineral deposits, petroleum, or other materials.

Mobile home: A structure equipped for use as a dwelling and designed to be transported or hauled along a highway or public street. Mobile homes may or may not be certified by the Federal Manufactured Housing Construction and Safety Standards Law. (Ord. No. 97-1-13, 1-5-87)

Modular home: A dwelling unit assembled in accordance with the state and local building codes and composed of modules or sections substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

Monopole (standard): A single self-supporting vertical pole with no guy wire anchors, usually consisting of a galvanized or other unpainted metal, or a wooden pole with below grade foundations that is intended to support antennas necessary to deliver and receive telecommunications transmissions. (Ord. No. 97-7-4, § 1, 7-7-97)

Monopole (non-standard): A monopole, or other freestanding structure containing antennas, which is designed to camouflage the appearance of a standard monopole, such as a clock tower. Non-standard monopoles shall be designed to be aesthetically compatible with the character of the surrounding area. Artificial tree designs shall not be permitted as non-standard monopoles. (Ord. No. 97-7-4, § 1, 7-7-97)

Mortuary: See "Funeral home."

Night club: See "Bar."

Nonconforming lot: A lot of record which does not conform to the minimum requirements specified for the district in which it is located. (Ord. No. 88-9-24, 9-19-88)

Nonconforming site (structure): A site upon which any of the following design aspects: building, structure, yard, parking, landscaping, buffering, or required setback; lawfully existed before the adoption or amendment of this ordinance, but which does not conform to all of the requirements contained in this ordinance or amendments thereto which pertain to the district in which it is located.

Nonconforming use: An activity which lawfully existed before the adoption or amendment of this ordinance, but which does not conform to all of the requirements contained in this ordinance or amendments thereto which pertain to the district in which it is located. (Ord. No. 88-9-24, 9-19-88)

Nursery (horticulture): Any building or lot, or portion thereof, used for the cultivation or growing of plants and including all accessory buildings, but does not include the wholesale or retail sale of any items other than those incidental to the items raised or grown on said premises.

Nursing home: See "Convalescent home."

Off-Track Betting Facility: An establishment that accepts wagers on horse and dog races away from a racetrack.

Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

Open space: That part of a lot, including all yards, which is open and unobstructed from grade level upward and is not occupied by off-street parking, streets, drives, or other surfaces for vehicles.

Outdoor advertising signs ("Billboards"): An attached or free standing structure constructed and maintained for the purpose of conveying to the public, information, knowledge or ideas. Such structure may be double faced or V type, but shall contain no more than four (4) signs in any one unit and not more than two (2) signs side by side. The structure shall have a total length of not more than sixty (60) feet.

Outdoor storage yard: The storage of any material, as a principal use of the lot including items for sale, lease, processing and repair not in an enclosed structure.

Parapet wall: The portion of the wall that extends above the roofline.

Parcel: A lot formally described and recorded with block and lot numbers, by metes and bounds, by ownership or in such a manner as to specifically identify the dimensions and/or boundaries.

Parish: St. Charles Parish, Louisiana.

Parking area or lot: An off-street parking facility, enclosed or unenclosed; parking area includes parking spaces and access drives.

Parking space, automobile: A delineated space for the parking of an automobile located either within a building or on private or public parking lot.

Parking structure: A structure or portion thereof composed of one (1) or more levels or floors used exclusively for the parking or storage of automobiles.

Parks/playgrounds: A facility designed to serve the recreational needs of the residents of the community, and shall include but not be limited to, ball fields, basketball courts, skateboard parks, playgrounds and field houses which may have indoor recreation facilities.

PCS (personal communication service) installation: Facility transmitting and receiving electromagnetic frequency transmissions in the 1,850—2,000 MHz ultra-high frequency (UHF) range. (Ord. No. 97-7-4, § 1, 7-7-97)

Personal service establishment: An establishment or place of business primarily engaged in the provision of frequent or recurrent services of a personal nature. Typical uses include, but are not limited to, beauty shops, barbershops, tanning salons, massage parlors, shoe repair, personal item repair shops, laundromats, dry cleaners, and tailors. Personal services establishments shall not include any adult establishments or usas.

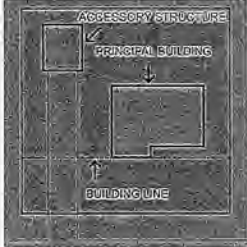
Planned unit development (PUD): A residential, commercial or mixed-use development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, shall be permitted to be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Planning and zoning director: Head of the St. Charles Parish Planning and Zoning Department or his duly authorized representative, who shall advise the Planning Commission in the exercise of its responsibilities and in connection therewith, provide necessary staff assistance.

Planning commission: The term "Planning Commission" shall mean the St. Charles Parish Planning Commission which constitutes the Zoning Commission as identified in the Parish Home Rule Charter in accordance with Louisiana law.

Plat: A plan or map of a subdivision or a parcel of land.

Principal building: A structure on a lot or parcel in which the primary use or function is conducted.



Primary Use: See Principal Use.

Principal use: The primary use and chief purpose of a lot or structure.

Property line: See Lot line.

Public utility station: A structure or facility used by a public or quasi-public agency to store, distribute, and/or generate electricity, gas, telecommunications and related equipment; to pump sewage or drainage, or to pump or chemically treat water. This does not include storage or treatment of sewage, solid waste or hazardous waste.

Rated capacity: The maximum number of occupants, as determined by the Louisiana State Fire Marshal's Office.

Recreational vehicle (RV): A structure or vehicle used as a temporary dwelling by vacationers, transient workers, etc., designed to be towed by a vehicle or self-propelled, and designed to be licensed as a vehicle. The structure may be used without connections to public utilities; provided however that self-contained, sanitary, water and electrical systems are installed. Additionally, the structure may be occupied in the R-1M District without the requirement to screen the chassis of the structure or vehicle. (Ord. No. 87-1-13, 1-5-87; Ord. No. 03-12-3, § 1, 12-1-03)

Recreational vehicle (RV) park: A specially designed community or park which is designed to accommodate recreational vehicles for temporary, recreational or transient uses.

Restaurant: Any establishment whose primary purpose is the service of food for consumption on or off the premises.

Restaurant, carry-out: An establishment where food, frozen desserts or beverages are primarily sold in a packaged, ready-to-consume state, intended for ready consumption by the customer on or off the premises. Carry-out restaurants shall not offer alcoholic beverages for sale.

Retail sales: A commercial enterprise that provides goods, products or merchandise directly to the consumer, where such goods are typically available for immediate purchase and removal from the premises by the purchaser.

School, business: Privately owned schools offering instruction in accounting, secretarial work, business administration, the fine or illustrative arts, trades, dancing, music, and similar objects.

School, industrial or trade: An establishment, public or private, offering training to students, in skills required for the practice of trades and in industry.

School, private: Privately owned schools having a curriculum essentially the same as ordinarily given in public elementary or high school. The term includes day nurseries and kindergartens.

Servitude: Same as easement. The right, granted by the property owner, to use a portion of a lot for specified purposes, such as public utilities, drainage and other public or private purposes, the title of which shall remain with the property owner, subject to the right of use designated in the reservation of the servitude.

Setback: The required minimum distance between a building and any property line, lot line, servitude line, or easement. This distance is measured using a perpendicular line from the building to the property lines, lot lines, servitude lines, or easements.

Sidewalk: A paved pedestrian walk usually paralleling a street.

Sight triangle: The triangular area at either side of an access way or public right-of-way at its junction with a public street within which clear visibility of approaching vehicular or pedestrian traffic must be maintained in all directions.

Sign: A name, identification, description, display, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, person, institution or business.

Site plan/development plan: A scaled drawing showing the location of buildings, lot lines, landscaping, parking, and access features to describe the existing and proposed development of a specified lot.

Social club or lodge: Buildings and facilities or premises used or operated by an organization or association for some common purpose, such as, but not limited to, a fraternal, social, educational or recreational purpose, but not including clubs organized primarily for profit or to render a service that is customarily carried on as a business. Such organizations and associations shall be incorporated under the laws of the State of Louisiana as a non-profit corporation or registered with the Secretary of State of Louisiana.

Special exception use: Those building or land uses requiring in-depth review and consideration by the Director of the Planning and Zoning Department prior to development of the use under question.

Special permit uses: Those building or land uses requiring in-depth review and analysis by the Planning and Zoning Department and approval of the Planning Commission and/or the Parish Council when required by this Ordinance.

Spot zone: Rezoning a lot or parcel of land which gives to a single lot or a small area privileges not extended to other lots in the vicinity and which is not done in furtherance of the comprehensive plan or to serve the best interest of the community.

Stable, Private: An accessory building for the housing of not more than two (2) horses or mules owned by a person or persons living on the premises and which horses or mules are not for hire or sale.

Stable, public: A stable with a capacity for the housing of more than two (2) horses or mules which stable may be operated for remuneration, hire, sale or stabling.

Story: The portion of a building included between the surface of any floor and the surface of the floor next to it; or, if there is no floor above it, the space between the floor and the ceiling above it.

Street: A public right-of-way or private thoroughfare, which provides vehicular and pedestrian access to adjacent properties. All public streets will be within dedicated rights-of-way.

Arterial streets: A highway primarily for through traffic usually on a continuous route.

Collector streets: A street which provides for traffic movement between major arterials and local streets, and provides for direct access to abutting property.

Local streets: A street primarily for access to residences, business, or other abutting property.

Cul-de-sac: A local street having an opening at one end and closed on the other end, with facilities for vehicular turn around.

Structure: A combination of materials constructed or erected with a fixed location on, above, or below the surface of land or water.

Subdivision/resubdivision: See Appendix C Subdivision Regulations.

Swimming Pool: Any portable or permanent pool with water eighteen (18) inches or more in depth and two hundred (200) square feet or more of water surface area intended for recreational purposes including a wading pool but not including an ornamental reflecting pool, fish pond or similar type pool less than eighteen (18) inches in depth located and designed so as not to create a hazard or be used for swimming or wading.

Theater: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Theater, drive in: An open lot or part thereof, with its appurtenant facilities, devoted primarily to the showing of moving pictures of theatrical productions, on a paid admission basis, to patrons seated in automobiles or on outdoor seats.

Towing yard: An open area used for temporary vehicle storage in which no repair, dismantling, auto-wrecking, or sale of salvaged parts occurs. Towing yards shall not exceed storage of fifty (50) vehicles and vehicles shall be stored no longer than ninety (90) days. (Ord. No. 99-3-15, 3-22-99)

Townhouse: A single-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

Tract: A portion of land identified by letter or number the boundaries of which are shown on the recorded subdivision or development plat. A tract need not be suitable for development.

Traffic impact analysis: An analysis of the effect of traffic generated or expected to be generated by a development on the capacity, operations and safety of the public street and highway system.

Transmission tower: A structure or framework, usually of a steel lattice construction, principally intended to support radio, cellular, telecommunications, television, electric utility and/or any other electromagnetic transmissions, and receiving antennas and/or equipment. (Ord. No. 97-7-4, § 1, 7-7-97)

Trash/garbage storage area: That area of a development used for the storage and containment of refuse and refuse containers (i.e., dumpsters).

Travel trailer: See Recreational vehicle.

Truck terminal: A facility which sells fuel, lubricating oil, and other vehicular merchandise, such as batteries, tires, or vehicle parts for eighteen-wheel tractor-trailers. (Ord. No. 98-4-17, § 1, 4-20-98)

Truck terminal (with video poker gaming facilities): A facility covering at least ten (10) developed contiguous acres which sells fuel, lubricating oil, and other vehicular merchandise, such as batteries, tires, or vehicle parts for eighteen-wheel tractor-trailers, and which also meets the criteria of the State of Louisiana for the placement of video poker gaming facilities within said development. (Ord. No. 98-4-17, § 1, 4-20-98; Ord. No. 01-5-18, § 1, 5-21-01)

Use: The activity occurring on a lot or parcel, for which land or a building is arranged, designed or intended including all accessory uses.

Use, change of: The change of a classified use of a structure or parcel.

Use, permitted: A by-right use in the zoning district in which the use is located.

Use, temporary: A use that is authorized by the Parish to be conducted for a fixed period of time.

Yard: The area of a lot surrounding the principal building or buildings.

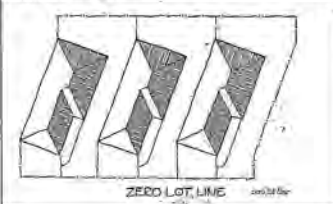
Yard, front: The area between the front lot line and the front wall of the principal building.

Yard, rear: The area between the rear lot line and the rear wall of the principal building.

Yard, required: The minimum area between a lot line and the buildable area of a lot. This area shall be measured using a perpendicular line from the corresponding lot line to the buildable area line.

Yard, side: The area between the side lot line and the side wall of the principal building.

Zero lot line: "Zero lot line" housing is single-family detached housing which shall have only one side yard. Zero lot line dwellings shall be constructed against the lot property line on one side of a lot.



SECTION II. That the Code of Ordinances, Appendix A, Section IV General Provisions amended as follows:

Section IV. General Provisions

Special Exception Uses and Special Permit Uses

The following general rules apply to all uses approved under this subsection:

- Approval of a Special Exception or Special Permit Use authorizes only the particular use for which the approval is issued.
- No use authorized by a Special Exception or Special Permit may be enlarged, extended, or relocated, unless an application is made for approval in accordance with the procedures set forth in this section.

A. Special Exception Use - Procedure

- An application for a Special Exception Use shall be submitted to the Department of Planning and Zoning. Applications shall include all plans, surveys, illustrations, and documents which completely describe the proposed use.
- The Planning Department shall review the application using the *Evaluation Criteria* found in Section D.
- A decision by the Planning and Zoning Director or his designee shall be issued in writing to the applicant either approving, denying, or approving with conditions to the request.
- Should the Planning and Zoning Director find that the literal enforcement of one or more provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, the application may be forwarded to the Planning Commission to request a waiver with a supporting resolution from the Parish Council.

B. Special Permit Use - Procedure:

- An application for a Special Permit Use shall be submitted to the Department of Planning and Zoning. Applications shall include all plans, surveys, illustrations, and documents which completely describe the proposed use.
- The Planning Department shall review the application using the *Evaluation Criteria* found in Section D.
- The Planning Commission shall conduct a public hearing on the proposed Special Permit Use.
 - Based upon the evidence presented at the public hearing, the Planning Commission shall evaluate the application against the *Evaluation Criteria* in Section D below.
 - The Planning Commission shall approve, approve with conditions, or deny the application.
 - For those Special Permit Uses requiring a supporting resolution of the Parish Council, the Planning Commission's approval shall be forwarded to the Parish Council.
- Waiver to Zoning Regulations for Special Permit Uses**
 - Should the Planning and Zoning Director find that the literal enforcement of one or more provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question, the application may be forwarded to the Planning Commission to request a waiver with a supporting resolution from the Parish Council.
 - Financial hardships shall not be considered as valid criteria for any such waiver to existing regulations.
 - Any application for special permit which contains a request for a waiver shall contain a specific reference to the request and state the reasons that the request be granted.
 - The Planning Commission, with a supporting resolution of the Parish Council, may grant a waiver to these regulations only when such requests meet the conditions of this subsection and are not detrimental to the public interest.

- Evaluation Criteria** - those uses requiring approval for either a *Special Exception* or a *Special Permit Use* shall be evaluated by the criteria below. These criteria are to be considered illustrative and not restrictive. Other criteria may be considered though not specifically listed below if said criteria affect the general health, safety, and welfare of the public.
 - Compliance with the current St. Charles Parish Comprehensive Plan.
 - Compatibility with existing uses on abutting sites in terms of site development, building design, hours of operation, and transportation features related to safety and convenience of vehicular and pedestrian circulation.
 - Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
 - Potentially unfavorable impacts on other existing uses on abutting sites to the extent such impacts exceed those impacts expected from a permitted use in the zoning district.
 - Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

6. A site development plan shall be required as part of the application process.

The following design criteria shall be evaluated on the plan:

- Required yards and open space
- Ingress and egress to property
- Parking and loading areas
- Location of garbage facilities
- Landscaping, buffering, and screening
- Signage
- Height and bulk of structures
- Location and direction of site lighting

D. Conditions of approval may be applied to ensure compatibility of the proposed use with existing uses in the same district and surrounding area.

E. Any Special Exception Use or Special Permit Use which does not commence construction or operation within 12 months after the date of approval shall expire. One extension not to exceed six (6) months may be granted at the Planning and Zoning Director's discretion.

F. Any Special Exception Use or Special Permit Use that ceases operation for a period of six (6) months shall expire unless otherwise specified by law.

G. **Notice** - The Planning and Zoning Department shall post a sign on the affected property which calls attention to the Planning Commission's public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning. The public hearings shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearings. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to all abutting property owners.

H. **Revocation** - A Special Exception or Special Permit Use may be revoked by ordinance of the Parish Council after a public hearing finding that any of the following conditions or events have occurred:

- Violation of the terms and conditions of the approval
- Uncorrected violations of the Zoning Ordinance
- Violation of the Parish Code of Ordinances

4. A request is made by the property owner to revoke the use

SECTION III. That the Code of Ordinances, Appendix A, Section VI Zoning district criteria and regulations set forth in Sections VI, B, II] 3. c., and add the following:

Section VI. Zoning District Criteria and Regulations.

A. Open Land District: The regulations in the Open Land District are as follows:

[I.] O-L Open Land District:

- Use Regulations
- C. Special permit uses and structures include the following:
 - Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.

B. **Residential districts**—The regulations in the Residential Districts are as follows:

[I.] R-1A Single family residential detached conventional homes—Medium density.

- Use Regulations
- C. Special permit uses and structures include the following:
 - Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.

[II.] R-1A(M) Single Family Residential Detached Conventional Homes, Manufactured Homes, and Mobile Homes—Medium density.

- Use Regulations
- C. Special permit uses and structures include the following:
 - Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.

[III.] R-1B Single family residential detached conventional homes—Light to medium density.

- Use Regulations
- C. Special permit uses and structures include the following:
 - Accessory Dwelling Units upon approval by the Planning Commission and supporting resolution of the Council.

SECTION IV. That the Code of Ordinances, Appendix A, Section VII Reserved be struck in its entirety and replaced as follows:

Section VII. Supplemental Use and Performance Regulations.

1. The following uses are subject to the regulations set forth herein:

Accessory Buildings

a. Residential accessory buildings are allowed only in the side and rear yards.

b. An accessory building may be connected to the principal building via an unenclosed breezeway not exceeding eight (8) feet in width.

c. Accessory buildings must be three (3) feet from the principal building, measured from any existing overhangs (not including breezeways).

d. The following shall not be permitted as accessory buildings in residential zones: storage containers, cargo containers, ship to shore containers or any form of a modified delivery type container which is normally mounted or transferred on a vehicle or is designed for or capable of being mounted on a chassis for movement.

Accessory Dwelling Units

a. **Purpose** — to offer a wider range of housing options within residential zoning districts.

b. **Design and Development Standards for all Accessory Dwelling Units (ADU).**

i. There shall be no more than one ADU permitted per lot.

ii. No ADU will be permitted without a primary building.

iii. An ADU may consist of part or all of a detached accessory structure or it may consist of a portion of the primary structure.

iv. There shall not be more than one bedroom in an ADU.

v. An ADU shall use the electrical service of the primary structure.

vi. The owner of the property on which the ADU is to be created shall occupy the primary dwelling unit.

vii. Setbacks for ADUs developed as part of the principal structure are the same as the underlying zoning district.

viii. Setbacks for ADUs developed as detached structures shall meet the setbacks for accessory structures for the underlying zoning district.

ix. The floor area of the ADU is limited to fifty percent of the floor area of the primary dwelling unit, not to exceed 1,200 square feet.

x. ADUs require one off-street parking space in addition to the parking requirements of the underlying zoning district.

Bars, Dancehalls, Nightclubs, Taverns

a. A Class A liquor license is required through the St. Charles Parish Sheriff's Office.

Group / Community Homes

a. Nothing in this section shall be construed to prevent a reasonable accommodation for persons with disabilities as defined in the federal Fair Housing Act in accordance with federal, state and parish procedures.

Junkyards

a. Junkyards shall be required to be screened by a minimum of seven-foot high opaque wood or masonry fence. No person shall operate or cause to operate any junkyard in the parish without first obtaining a license as required by Chapter 13, Article VI, of this Code.

Mobile Homes

a. Skirting or foundation plantings as approved by the Zoning and Regulatory Administrator to ensure aesthetic compatibility with the residential character of the neighborhood are required in the R-1A(M) Zoning District. The underfloor of the home shall be enclosed or screened, except for the required openings.

b. A Certificate of Occupancy may be issued by the Zoning and Regulatory Administrator without required skirting or foundation planting being installed provided that the property owner signs an affidavit to install skirting or foundation plantings within six (6) months of permit issuance.

c. Failure to install skirting or foundation plantings within six (6) months shall constitute a violation in accordance with Section XII of this ordinance.

Restaurants

a. A restaurant may serve alcoholic beverages, but must gross at least sixty (60) percent of its average monthly revenue (annually) from the sale of food, food items, and non-alcoholic beverages.

b. A restaurant shall maintain separate sales records for alcoholic beverages.

c. Restaurants shall be authorized to sell alcoholic beverages through issuance of a Class A—Restaurant retail liquor license by the St. Charles Parish Sheriff's Office.

d. Restaurants which fail to meet the food sales requirements contained in this subsection, and which sell alcoholic beverages for on-premises consumption, shall be categorized

9. At intersections of driveways and alleys with streets, no fence, hedge, wall, sign, or other structure shall be erected, placed, or allowed to grow in such a manner as to impede vision between a height of two and one-half (2½) feet and ten (10) feet above the established driveway or alley grade level.
10. On lots having a frontage of fifty (50) feet or less, only one (1) combined entrance and exit shall be permitted. On lots having a frontage in excess of fifty (50) feet but less than two hundred (200) feet, there shall be no more than two (2) combined entrance-exits. On property having frontage in excess of two hundred (200) feet, additional drives may be permitted but only when traffic generated by the use warrants the additional drives.
11. Where fractional parking stalls result, the parking spaces required shall be construed to be the next highest whole number.
- B. Commercial/Industrial Parking Standards**
- Off-street vehicle parking spaces shall be provided on the same lot upon which a principal use is permitted according to Table 8-1 and 8-2.
 - The Zoning and Regulatory Administrator shall adopt plans and outline specifications clearly indicating the acceptable design and minimum construction standards for off-street parking facilities. These standards shall be incorporated according to Figures 8-1, 8-2, and 8-3.
 - The parking area shall be secured as to prevent vehicular access to the street other than at the approved access drives.
 - Each parking space shall open directly upon an aisle or driveway which is connected to a street or alley by a paved driveway which affords ingress and egress for a vehicle without requiring another vehicle to be moved.
 - Parking spaces must be striped with four (4) inch contrasting stripe: yellow on concrete; yellow or white on asphalt; or ADA compliant.
 - Where parking is perpendicular to a public sidewalk or property line, barrier curbing shall be installed two and one-half (2½) feet from the sidewalk or property line (see Figure 8-3).
 - Off-street parking areas shall be maintained in a clean, orderly, and dust-free condition at the expense of the owner or lessee.
 - Adequate lighting shall be provided if off-street parking spaces are to be used at night. The lighting shall be arranged as not to interfere with traffic safety or cause a nuisance to adjoining properties.
 - Handicapped parking spaces shall be located as close as possible to elevators, ramps, walkways, and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps, walkways, and elevators.
 - In the case of mixed uses, uses with different parking requirements occupying the same building, or in the case of joint use of a building by more than one (1) use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
 - In the instance of dual function of off-street parking spaces where operating hours of buildings do not overlap, the Planning and Zoning Director may grant an exception to allow the designed parking area to serve multiple uses.
 - Off-street parking areas shall not be used for the sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies.
 - Off-street parking shall be developed in accordance with the provisions of this section, and required parking shall not be reduced or changed unless specifically permitted.
 - Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise to create a need under the requirements of this article for an increase in parking spaces which exist at the time of the change or enlargements, such additional spaces shall be provided on the basis of the change or enlargement. No additional spaces shall be required for the first change or enlargement which would result in an increase of spaces of less than ten (10) percent of those required before the change or enlargement. This provision shall not apply to a series of changes or enlargements which together result in a need for an increase in parking space of ten (10) percent or more.
 - All access to any commercial zoned property through any residential zoning district shall require approval of a special permit use by the planning and zoning commission and the parish council. (Ord. No. 03-10-10, § 1, 10-20-03)

USE	Parking Spaces Required
Single-family and two-family dwellings	2 spaces per dwelling
Multifamily dwellings	2½ spaces per each dwelling unit
Manufactured home/RV park	2 spaces per dwelling unit on lot plus 1 space per each 3 lots
Hotel, motel	1 space per each dwelling, efficiency, or rooming unit
Religious institution	1 space for each 6 seats of rated capacity
Rectories, parsonages and parish houses	2 spaces for each resident
Convents, seminaries, monasteries	1 space for each 2 residents
Schools, public and private:	
Elementary	2 spaces per classroom, laboratory, or manual training shop
Junior high	4 spaces per classroom, laboratory, or manual training shop
Senior high	6 spaces per classroom, laboratory, or manual training shop
Colleges, universities, trade, industrial, and business schools	11 spaces per classroom, laboratory, or manual training shop
Schools, dancing and music	1 space per 200 square feet
Dormitories, fraternities and sororities	1 space for each 5 persons of the rated capacity
Private clubs, country clubs and lodges	1 space for each 4 persons of the rated capacity
Public library, museum or art gallery	1 space per 400 square feet of floor area, plus 1 per 2 employees
Hospital	1 space for each 2 beds, plus 1 space for each staff doctor, plus 1 space for each 2 employees, including nurses
Medical and dental clinics	1 space for each 200 square feet of floor area
Funeral home	1 space per 4 seats of the rated capacity
Mausoleum	Parking area equal to the ground floor area
Restaurant	1 space per 150 square feet
Retail store	1 space per 250 square feet of floor area
Personal service establishment	1 space per 250 square feet of floor area
Banks	1 space per 250 square feet of floor area
Animal hospital, and kennel	1 space per 250 square feet of floor area
Bus, railroad station or airport terminal building	1 space per 100 square feet of waiting room
Auditorium, theater, gymnasium, stadium, arena, convention hall or other place of assembly	1 space per 4 persons of rated capacity
Bowling alley	5 per alley
Dance hall, bar, lounge	1 space per 100 square feet of floor area
Amusement place, skating rink and swimming pool	1 space per 8 persons of rated capacity
General service or repair establishment	1 space per 2 employees on maximum work shift, plus 1 for each company or business vehicle maintained on the premises
Manufacturing or industrial establishment	1 space per 2 employees on maximum work shift, plus 1 for each company or business vehicle maintained on the premises
Automobile service station	4 spaces, plus 1 space per service bay
Automobile repair shop	1 space per each 200 square feet of floor space
Homes for the aged, nursing homes, convalescent homes, orphan's homes and sanitariums	1 space for each 6 beds of rated capacity, plus 1 space for every 2 employees, and 1 space for each staff member
Beauty shop, and barber shop	1½ spaces per chair, plus 1 space for each employee
Used automobile, manufactured home, boat, RV and similar merchandise sales	5 spaces plus 1 space per employee
New automobile sales	1 space per 250 square feet of office and enclosed sales area
Warehouse	1 per employee on maximum work shift
Auto car wash	1 space per employee
Coin-operated laundromats	1 space per each 2 machines
Office or office building	1 space per 200 square feet of floor area
Fire stations	1 space per 300 square feet, plus one per fire truck parking bay

USE TYPE	NUMBER OF SPACES REQUIRED
RESIDENTIAL USE	
20,000 – 100,000 sf GFA	1 loading space
100,001 – 200,000 sf GFA	2 loading spaces
Each additional 100,000 sf GFA (this applies only for each additional full 100,000 sf over 200,000 sf)	1 additional loading space
COMMERCIAL AND INSTITUTIONAL USE	
1,000 – 35,000 sf GFA	1 loading space
35,001 – 100,000 sf GFA	2 loading spaces
Each additional 50,000 sf GFA (this applies only for each additional full 50,000 sf over 100,000 sf)	1 additional loading space
INDUSTRIAL USES	
1,000 – 35,000 sf GFA	1 loading space
35,001 – 100,000 sf GFA	2 loading spaces
Each additional 100,000 sf GFA (this applies only for each additional full 100,000 sf over 100,000 sf)	1 additional loading space

D. Landscaping Requirements

The purpose of these provisions is to prescribe standards for landscaping and screening within St. Charles Parish. In addition to enhancing the visual and aesthetic appearance of the Parish, these regulations will help improve drainage and flood mitigation, assist in compliance with Municipal Separate Storm Sewer System (MS4) requirements of the U.S. Environmental Protection Agency, and provide other environmental benefits.

- Applicability.** Developers or landowners are responsible for providing and maintaining the landscaping herein required. These standards shall apply to all multi-family development of three or more units, commercial development, and industrial development.
- General Requirements:**
 - A landscape plan prepared by a Louisiana licensed landscape architect, as part of the required site plan, shall be submitted to the Department of Planning and Zoning for review and approval.
 - Before any Final Certificate of Occupancy can be issued, the required and approved landscaping shall be installed and inspected for compliance with this ordinance.
 - Additional landscaping and/or buffering requirements specified in other sections of this ordinance shall not serve to satisfy the landscaping requirements of this section except in cases where the location of the required landscaping and/or buffering satisfies both requirements.
 - The landscaping requirements of this section may not serve to satisfy additional landscaping and/or buffering requirements specified in other sections of this ordinance except in cases where the location of the required landscaping and/or buffering satisfies both requirements.
- Required Plantings:**
 - A minimum of ten (10) percent of the site shall be designated for designed landscaping.
 - A minimum five foot wide planting area shall be established between the public rights-of-way and parking areas or structures. This planting area may count towards the overall landscaping and open space requirements.
 - Planting materials should achieve a balance between low-lying vertical and horizontal shrubbery and trees.
 - One tree planting for every five thousand (5,000) square feet of site area is required.
- Planting Area Maintenance:**
 - The responsibility for maintenance of a planting area shall remain with the owner, lessee or a designee.
 - All plant materials must be maintained in an attractive and healthy condition. Maintenance includes, but is not limited to, watering, mulching, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
 - Necessary pruning and trimming must be in accordance with the *American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance – Standards Practices (Pruning)*, and must not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures that cause irreparable harm to the natural form of the tree.
 - Dead or diseased plant materials must be removed. Replacement plant materials must be provided for any required plants that die or are removed for any reason.
- Recommended Trees** – the following list of trees indicate plantings that will meet the screening and shading requirements of this Ordinance. Plants were selected for inclusion on these lists according to general suitability as identified by the Louisiana State University (LSU) Agricultural Center, which may be updated periodically and used as a guide in making landscape planting decisions.

Refer to Section III for definitions of floor area and rated capacity. For uses not specified or for which requirements are unclear, the number of spaces shall be determined by the Zoning and Regulatory Administrator on the basis of similar or mixed uses, number of persons served or employed, and the capability of adequately serving the visiting public.

Number of Parking Spaces	Required	Minimum Handicapped Spaces Required	Number of
1 to 25	1	1	
26 to 50	2	2	
51 to 75	3	3	
76 to 100	4	4	
101 and above			ADA Standard 4.1.2 (5)

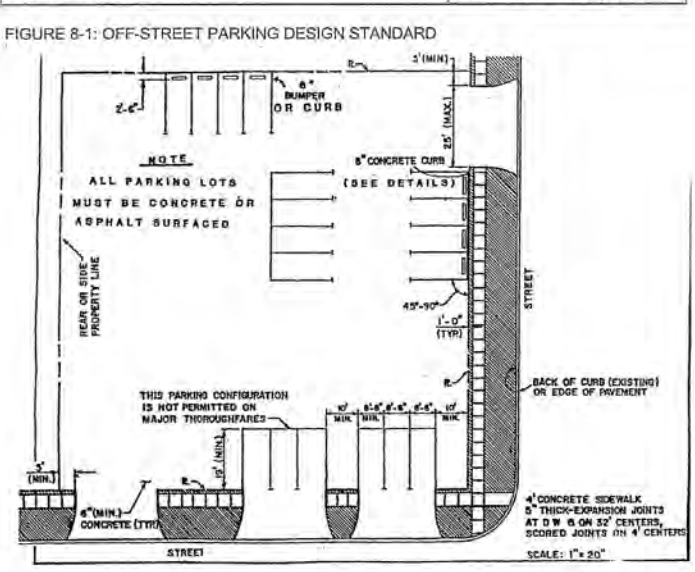


FIGURE 8-2: PARKING DESIGN DETAILS—SPATIAL STANDARDS

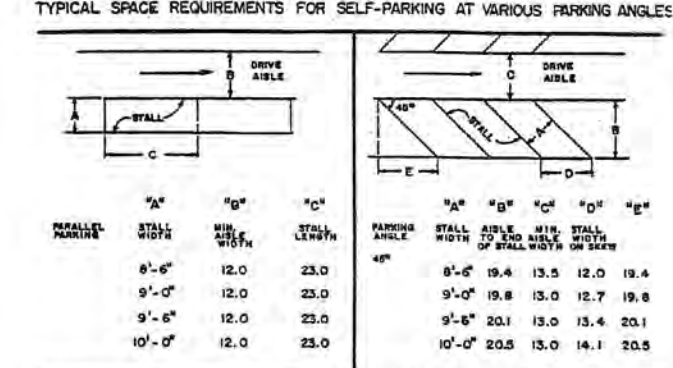


FIGURE 8-3: PARKING DESIGN DETAILS—CURBING AND WHEEL STOPS

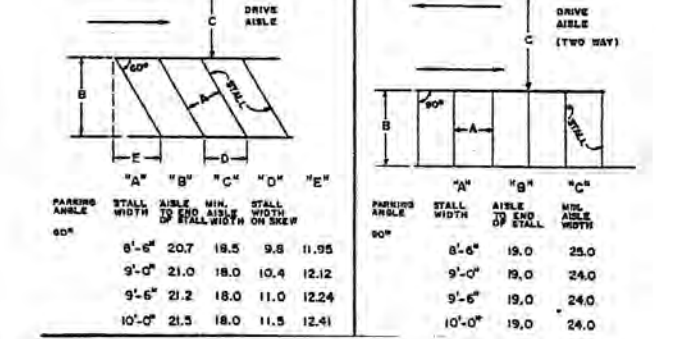


FIGURE 8-4: CLASS B TREES

Common Name	Scientific Name
Ash, Green	Fraxinus pennsylvanica
American Linden, Basswood	Tilia americana
Bald Cypress	Taxodium disticum
Beech, American	Fagus grandifolia
Bitternut Hickory	Carya cordiformis
Black Gum	Nyssa sylvatica
Black Walnut	Juglans nigra
Cottonwood	Populus deltoides
Crepe Myrtle	Lagerstroemia indica
Elm, American	Ulmus americana
Elm, Cedar	Ulmus crassifolia
Elm, Winged	Ulmus alata
Ginkgo	Ginkgo biloba
Magnolia, Cucumber	Magnolia acuminata
Magnolia, Southern	Magnolia grandiflora
Magnolia, Sweetbay	Magnolia virginiana
Maple, Swamp Red	Acer rubrum 'Drummondii'
Oak, Blackjack	Quercus marilandica
Oak, Cherrybark	Quercus falcata 'pagodifolia'
Oak, Cow	Quercus michauxii
Oak, Laurel	Quercus laurifolia
Oak, Nuttall	Quercus nuttallii
Oak, Overcup	Quercus lyrata
Oak, Southern Red	Quercus falcata
Oak, Sawtooth	Quercus acuminatissima
Oak, Shumard	Quercus shumardii
Oak, Southern Live	Quercus virginiana
Oak, White	Quercus alba

Common Name	Scientific Name
Cherry Laurel	Prunus caroliniana
Crabapple, Southern	Malus angustifolia
Dogwood	Cornus sp.
Fringe Tree	Chioclonanthus virginicus
Golden Raintree	Koeleruteria bipinnata
Holly, American	Ilex opaca
Holly, Cassine	Ilex cassine
Holly, Fosters, Greenleaf, Savannah	Ilex 'attenuata' cultivars
Loquat	Eriobotrya japonica
Magnolia, Oriental	Magnolia bangladesiana
Paralely Hawthorn	Crataegus marshallii
Persimmon	Diospyros virginiana
Pistachio	Pistacia chinensis
Plum, American	Prunus americana
Plum, Mexican	Prunus mexicana
Red Bay	Persea borbonia
Redbud	Cercis canadensis
River Birch	Betula nigra
Sassafras	Sassafras albidum
Silverbell	Halasia diptera
Vitex	Vitex agnus-castus
Wax myrtle	Myrtila cerifera
Yaupon	Ilex vomitoria

TABLE 8-5: CLASS B TREES

Common Name	Scientific Name
Cherry Laurel	Prunus caroliniana
Crabapple, Southern	Malus angustifolia
Dogwood	Cornus sp.
Fringe Tree	Chioclonanthus virginicus
Golden Raintree	Koeleruteria bipinnata
Holly, American	Ilex opaca
Holly, Cassine	Ilex cassine
Holly, Fosters, Greenleaf, Savannah	Ilex 'attenuata' cultivars
Loquat	Eriobotrya japonica
Magnolia, Oriental	Magnolia bangladesiana
Paralely Hawthorn	Crataegus marshallii
Persimmon	Diospyros virginiana
Pistachio	Pistacia chinensis
Plum, American	Prunus americana
Plum, Mexican	Prunus mexicana
Red Bay	Persea borbonia
Redbud	Cercis canadensis
River Birch	Betula nigra
Sassafras	Sassafras albidum
Silverbell	Halasia diptera
Vitex	Vitex agnus-castus
Wax myrtle	Myrtila cerifera
Yaupon	Ilex vomitoria

E. Applicability. The requirements of this section shall apply to new construction. For existing sites and redevelopment the requirements of this section shall apply to all additions of fifty (50) percent or more to the floor area. For existing sites and redevelopment with additions of less than fifty (50) percent of the floor area, the Zoning Regulatory Administrator shall determine the applicability of this section to the required site plan.

SECTION VI. That the Code of Ordinances, Appendix A, Section IX Nonconformities be struck in its entirety and replaced as follows:

Section IX. Nonconformities

Purpose: The purpose of this section is to outline provisions whereby nonconforming lots, structures, and uses are gradually upgraded to conform to the spirit and intent of this Ordinance or are eliminated.

A. Nonconforming Lots:

- Any lot of record in existence before October 19, 1981 which does not meet the minimum width and/or area requirements for the zoning district in which it is located shall be considered a nonconforming lot of record.
- Any portion of ground that does not meet the minimum width and/or area requirement for the zoning district in which it is located resulting from government action shall be considered a nonconforming lot of record.
- If two (2) or more nonconforming lots of record or two (2) or more portions of lots with continuous frontage in common ownership, and if one (1) or more of the lots does not meet the minimum width and/or area requirements for zoning district in which it is located, the land involved shall be required to resubdivide into a single lot for development or permitting.
- No portion of the land described immediately above shall be conveyed by sale or transfer if it does not meet the minimum width and/or area requirements for the zoning district in which it is located; however, the entire holding may be conveyed to a single owner. Nor shall any division of land lot be made which leaves remaining any portion of ground that does not meet the minimum width and/or area requirements of the zoning district in which it is located.
- A non-conforming lot of record may be developed if the proposed use and/or structure is permitted within the zoning district and if the proposed development meets all standards of the Zoning Ordinance.

B. Nonconforming Structures and Sites:

- Any nonconforming site or structure may be continued even though such structure does not conform to the provisions of this Ordinance.
- Normal maintenance and repairs of non-conforming structures are permitted.
- A nonconforming structure shall not be increased or enlarged except in the following situations:
 - When the alteration is required by law or is necessary to restore the structure to a safe condition upon the order of any official charged with protecting the public safety, or
 - Structures that are legally nonconforming as to height, yards, lot area per dwelling unit, or parking may be altered provided such alteration does not further increase the extent of the nonconformity or permit an increase in the number of dwelling units.
- Legal nonconforming structures that are destroyed by fire, storm, or other acts of God may be rebuilt provided the restoration is accomplished with no increase in the building footprint immediately prior to damage.
- Any nonconforming structure which existed before the passage of this Ordinance and does not conform with spatial provisions of this Ordinance may be returned to active use for purposes consistent with the zoning district in which it is located. Any such structure returned to active use must meet all other land use regulations contained in this Ordinance.

C. Nonconforming Use:

- The lawful use of any building or land existing at the time of the enactment of this Ordinance, or amendments thereto, may be continued although such use does not conform to the provisions of this Ordinance.
- A nonconforming use shall not be extended or enlarged either in intensity of the activity or by physical extension except when required to do so by law.
- No structural enlargement may be made to a building that is nonconforming as to use, unless said building is changed to a conforming use.
- Once changed to a conforming use, no building or land shall be permitted to revert to a nonconforming use.
- Structures legally nonconforming as to use that are destroyed by fire, storm, or other acts of God may be rebuilt within one (1) year provided the restoration is accomplished with no increase in building footprint or floor area immediately prior to damage.
- Whenever a structure or land used in whole or in part for nonconforming purposes becomes vacant for six (6) months or when the nonconforming use ceases or is suspended for a period of six (6) months, the legal nonconforming use is no longer permitted.
 - Cessation or Suspension of Use**
 - The Zoning Regulatory Administrator shall determine when and if a legal non-conforming use has lapsed in use, when activities normally carried out in said use have ceased or suspended, or when the building or land has been vacant for six (6) months or more. The owner or agent of the property may request review of this determination through the following provisions:
 - The property owner or agent bears the burden of proof to demonstrate that a nonconforming use has not lapsed in its operation. The property owner or agent is required to produce acceptable evidence attesting to the legal nonconforming use by providing the Director of Planning and Zoning with evidence such as but not limited to documents such as rent receipts, affidavits, documentation of utility services, sales tax receipts, or other information as may be deemed necessary in a particular case.
 - The Director of Planning and Zoning shall issue a written determination as to whether or not the documentation provided adequately demonstrates continued operation of the legal nonconforming use within thirty (30) days of a request to review the Zoning Regulatory Administrator's decision. Such request must be made in writing and contain all necessary documents for review.

SECTION VII. That the Code of Ordinances, Appendix A, Section XIII The Board of Adjustment is established and its powers and duties are prescribed be struck in its entirety and replaced as follows:

Section XIII. The Board of Adjustment is established and its powers and duties are prescribed.

A. [Created] A Board of Adjustment has been created pursuant to Title 33, Section 4727 of the Revised Statutes of Louisiana.

- The word "Board" shall be used hereafter when reference is made to the Board of Adjustment.
- The Board shall consist of seven (7) regular members all of whom shall be qualified voters of St. Charles Parish. The initial terms of the members representing Districts I, III, V, and VII shall be two (2) years; the initial terms of the members representing Districts II, IV, and VI shall be three (3) years. Thereafter members shall be appointed for terms of four (4) years each; members shall be limited to serve two (2) consecutive complete terms. An appointment to fill a vacancy for an unexpired term shall not constitute a full term. Each District Council member shall nominate a representative that resides in their District to be considered for appointment by the Parish Council. Terms of the members holding office on the effective date of Ordinance No. 98-11-2 shall expire when the District appointments are in place or within sixty (60) days, whichever occurs first. If a member is not re-nominated or confirmed within sixty (60) days of any expired term or resignation, either of the two (2) Councilmembers At Large may nominate a person.
- The Board shall adopt rules in accordance with R.S. 33:4727. Said rules shall be approved by the Parish Council by resolution.

B. [Powers.] The Board shall have the following powers:

- To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of R.S. 33:4721 through R.S. 33:4729 of any ordinance adopted pursuant thereto;
- To hear and decide all matters referred to it or upon which it is required to pass under the Ordinance; and
- In passing upon appeals, where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the Ordinance, to vary or modify the application of any of the regulations or provisions of the Ordinance relating to the construction or alteration of buildings or structures so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- In any permitting case where a special permit use or a special exception use approved by the St. Charles Parish Council, Planning and Zoning Commission, and/or Planning Director is required, the Zoning Board of Adjustment shall have no authority to grant variances.
- Appeals to the Board.** Appeals to the Board of Adjustment may be taken by any person aggrieved or by any officer, department, board, or bureau of the Parish of St. Charles affected by any decision of the Planning Director or duly authorized representative. Such appeal shall be taken within a reasonable time, as provided by the rules of the Board, by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on the cause shown.
- The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as 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.

C. Meetings of the Board.

- The Board shall hold at least one (1) regular meeting on the third Thursday of each month at a meeting time established by said Board, and the location of each meeting shall be the Parish Council Chambers in the Courthouse, Hahnville. If a meeting cannot be held for lack of a quorum on the date of the regular meeting an alternate meeting will be held the following Thursday at the same time and location. Special meetings may be called by the Chairman, Director of Planning, or at the written request of any four (4) members of the Board. In the event no applications are scheduled for public hearing, the regular meeting may be canceled.
- All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, records of its examinations and other official actions, all of which shall be immediately filed in the Department of Planning and Zoning and shall be public records.
- The Board shall follow Robert's Rules of Order unless in conflict with state law.
- A vote of the majority of the members present and voting shall be necessary to approve, approve with modifications, or deny the application or request.

- 5. Unless otherwise voted on by the Board of Adjustment, the Board will consider cases in the order in which they were filed.
 - 6. The Director of the Planning and Zoning Department will serve as the secretary to the Board and handle all correspondence as well as record any objections and rulings of the Board.
 - 7. The Board will require the following from each petitioner, which shall be submitted through the Planning and Zoning Department, with the application:
 - a. An appealing and adjoining property owner form completed in full.
 - b. Survey, maps, plats, photographs and other records, as may be necessary to show cause for a decision by the Board.
 - c. Copy of the letter from the Planning and Zoning Department of St. Charles Parish rejecting the application.
 - d. Fees. A fee of fifty dollars (\$50.00) for single family residential. A fee of one hundred dollars (\$100.00) for all other applications. No public hearing will be held on any case until all required fees are paid in full. No fees shall be refunded once a case or petition has been advertised for a public hearing.
 - 8. Public Notice. The Board shall schedule and hold a public hearing to consider all applications:
 - a. The Board's secretary shall notify each petitioner at the address listed on the application, identifying the date and time of the public hearing. The Department of Planning and Zoning shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. (Ord. No. 92-10-8, § II, 10-6-92)
 - b. The Planning and Zoning Department shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning.
 - c. The public hearing shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing.
 - d. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to all abutting property owners.
 - e. Following this public hearing, the decision of the Board will be implemented by the Planning and Zoning Department.
 - 9. The Board's secretary shall give written notification of the action taken by the Board.
 - 10. The Board shall specify that the Planning and Zoning Department should accept applications and review each application to insure that the necessary information has been included. No reapplication of a variance request or interpretation previously denied by the Board shall be accepted for the same property. This rule applies to all cases in which the identity of the thing applied for and the persons and/or entities involved are the same.
 - 11. The Board shall elect a Chairman who shall preside over the meetings. The Board shall have the power to compel attendance of witnesses. The Board shall also elect a Vice-Chairman who shall act in the absence of the Chairman. Terms of the Chairman and Vice-Chairman shall be for a period of one (1) calendar year; members may serve consecutive terms for either position. The Chairman and Vice-Chairman shall be elected at the last meeting of the calendar year. (Ord. No. 98-11-2, 11-16-98)
 - 12. All questions before the Board shall be decided by roll call vote of the members present. Four (4) members shall constitute a quorum.
 - 13. All persons appearing before the Board shall state their name and address for the record.
- D. Criteria.** Based upon the evidence presented at the public hearing, the Board of Adjustment shall evaluate the application or request by the standards below:
- 1. No variance will be considered or granted as to the permitted use as this could constitute a spot zone.
 - 2. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and are not generally applicable to other lands, structures or buildings in the same zoning district.
 - 3. Literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.
 - 4. The special conditions and circumstances do not result from the actions of the applicant.
 - 5. Granting the variance requested will not confer on the applicant any special privilege which is denied by this Ordinance to other lands, structures or buildings in the same district or similarly situated.
 - 6. The variance, if granted, will not alter the essential character of the locality.
 - 7. Strict adherence to the regulation by the property would result in a demonstrable hardship upon the owner, as distinguished from mere inconvenience.
 - 8. The request for the variance is not based primarily upon a desire to serve the convenience or profit of the property owner or other interested party(ies). Financial hardships shall not be considered as valid criteria for any such variance to existing regulations.
 - 9. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
- E. Public Hearings and Decisions Issued by Board.** In exercising the above mentioned powers such Board may, in conformity with the provisions of the Ordinance, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. Every change granted or denied by the Board shall be accompanied by a written finding of fact, based on sworn testimony and evidence, specifying the reason for granting or denying the variation to create a factual record.
- 1. The Board of Adjustment may impose such conditions and restrictions upon the location, construction, design, and use of the property benefited by a variance as necessary or appropriate to protect the public interest and adjacent property. Failure to maintain such conditions or restrictions as may be imposed constitutes grounds for revocation of the variance.
 - 2. The terms of relief granted, including any conditions or restrictions, shall be specifically set forth in the approval.
 - 3. The Planning Director shall keep records of all such appeals or applications and of all fees paid therefor and shall transmit all of such fees collected to the Director of Finance for deposit to the general fund of the Parish of St. Charles.
- F. Expiration of Approvals.** A variance expires one (1) year from the date of approval unless a building permit is obtained within such period and substantial construction is started or the use is commenced within such period. The Zoning Board of Adjustment may grant an extension of such period, upon written application, and with good cause shown, subject to verification that the approval standards of Paragraph E above are still met.
- G. Appeals to the Decisions of the ZBA.** Any person or persons, jointly or severally, including the petitioner of an appeal, aggrieved by a decision of the Board of Adjustment, or any taxpayer, or any officer, department, board, or bureau of the parish may then petition the court of record as provided in Title 33, Section 4727 of the Revised Statutes of Louisiana. (Ord. No. 98-11-3, 11-16-98)

from the date of withdrawal of said application, provided, however, that said application has been officially advertised. This provision shall not apply in cases where the Parish Council wishes to consider an application involving a comprehensive zoning revision of an area larger than one hundred (100) acres.

SECTION IX. That the Code of Ordinances, Appendix A, Section XV Amendment procedure be struck in its entirety and replaced as follows:

Section XV. Amendment Procedure

A. The Council may amend this Ordinance when amendments are properly introduced as outlined in Section XIV. No such amendment shall be effective unless:

- 1. The Planning Commission has received a full analysis report from the Planning and Zoning Department on the merits of the proposed amendment and the Commission has held a public hearing on the proposed amendment offering standard public notice according to the Commission rules; and
- 2. The Council has received a full analysis which includes a recommendation from the Planning and Zoning Department on the merits of the proposed amendment and including a recommendation from the Commission contained within a verbatim transcript of the portion of the Commission meeting relating to the proposed amendment; and
- 3. The Council has held a public hearing on the proposed amendment offering standard public notice according to the Council rules. (Ord. No. 82-6-4, § II, 6-7-82; Ord. No. 97-3-15, § IV, 3-24-97; Ord. No. 11-4-30, § II, 4-16-11)

B. Following review by the Planning and Zoning Department, a public hearing will be held by the Planning and Zoning Commission. The Planning and Zoning Department shall post a sign on the affected property which calls attention to the public hearing at least ten (10) days prior to that hearing date. Similar notification shall also be posted at the principal office of the Department of Planning and Zoning. The public hearing shall be advertised in the official journal of the Parish at least three (3) times on at least three (3) separate weeks, and at least fifteen (15) days shall elapse between the first publication and the date of the hearing. Notice of the time and place of the public hearing shall be sent by certified mail not less than ten (10) days in advance of the hearing to all abutting property owners. Following this public hearing, the recommendation of the Planning and Zoning Commission shall be forwarded to the Parish Council by the Planning and Zoning Department.

C. A Planning Commissioner making a motion which differs from the Planning Staff recommendation may render a written statement in suitable form, for transmittal by the Secretary with the Commission and Staff reports to the Council. In addition, any other member may submit a written opinion on the matter, which shall be transmitted to the Council by the Secretary along with the Commission report.

D. Rezoning Guidelines and Criteria: Before the Commission makes a recommendation or the Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

- 1. The proposed rezoning conforms to land development pattern established by the St. Charles Parish Comprehensive Plan Future Land Use Map and does not create a spot zoning that is incompatible with the surrounding neighborhood.
- 2. The Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the applicant's property. One or more of following examples may be used in evaluating reasonableness:
 - a. Consideration of uses on adjacent properties that would limit the use of the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects which limit the usefulness of vacant land or buildings.
- 3. Potential uses permitted by the proposed rezoning will not be incompatible with existing neighborhood character nor will they overburden public facilities and infrastructure. The Planning Staff shall base rezoning analyses on these criteria but shall not be prohibited from factoring unique circumstances of the application into the analysis. The Planning and Zoning Commission may state in its recommendations to the Council: its concurrence with, or rejection of, any or all of the proponent's case for the suggested amendment, and/or its position relative to proponent's statements on the case. Planning Staff analyses and recommendations shall be forwarded to the Council along with the Commission's recommendations. (Ord. No. 93-8-5, § II, 8-9-93; Ord. No. 11-4-30, § III, 4-16-11)

E. Rezoning Approval Criteria: Before the Council votes to approve a rezoning, there should be reasonable factual proof by the applicant that:

- 1) The proposed Map Amendment is in compliance, or is not in conflict, with the goals and recommendations of the St. Charles Parish Comprehensive Plan and Future Land Use Map.
- 2) The proposed Map Amendment does not negatively impact the health, safety, and welfare of the community.

F. Withdrawal of Applications:

- 1. Any application which the applicant wishes to withdraw from a Planning Commission public hearing must be withdrawn by written notice to the Department of Planning and Zoning not later than the Wednesday afternoon preceding the Commission meeting, and following such withdrawal will not be accepted for readvertisement for six (6) months, except on majority vote by the Commission.
- 2. When application is duly advertised and not withdrawn as set forth above, a public hearing shall be held by the Commission and a report forwarded to the Council along with any application received. Said application may be withdrawn from Council action only by written request to the Council Secretary before Thursday at noon preceding the public hearing. Any such application withdrawn in this manner shall not be accepted for readvertising for one year.
- 3. Any rezoning application withdrawn after Commission action but prior to Council action may be refilled with the Commission in less than one year provided that the Commission approves a written request showing there is evidence not previously considered or extenuating circumstances.
- 4. Any rezoning application denied by Council shall be prohibited for applying for the same Map Amendment for a period of one year from the date of denial.

SECTION X. That the Code of Ordinances, Appendix A, Section XXII Regulations for home occupations be struck in its entirety and replaced as follows:

Section XXII. Regulations for Home Occupations.

Purpose: It is the intent of this section to regulate home occupations in residential uses. A home occupation is an accessory use of a dwelling unit, conducted by one (1) or more persons who reside at the property. The home occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the appearance or character thereof or adversely affect neighboring. The intent of these regulations is to preserve the character of the neighborhood, to limit activities that may adversely impact the area, such as increasing noise, traffic, dust, smoke, emissions, and electromagnetic interference; and to foster the growth of small businesses in the community.

A. When in compliance with the requirements of this section, a home occupation shall be similar in type or character, but not limited to the following uses: Art studio, Child care for not more than six children, Contracting services, Cosmetology, Crafting, Dressmaking, Alterations, Tailoring, Internet based sales, Professional offices, Teaching or tutoring inclusive of arts.

B. Permit Process:

- 1. **Pre-Application Meeting:** The Planning Director, or his designated staff, shall advise applicants of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish Codes of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
- 2. **Application:** Citizens who propose appropriate activities at a residence that is not in violation of the Code of Ordinances may apply for a permit for a home occupation. The applicant must agree to follow operational regulations listed in Section C. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
- 3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed use complies with the operational regulations of this section.
- 4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed use meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. If objections to the proposed activity are submitted to the Planning Director, the application will be forwarded to the Planning Commission for public hearing and consideration.
- 5. **Determination:** The Planning Director, or his/her designee, shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state or federal permits or licenses.
 - b. Forward applications requiring state or federal permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

- 1. No dump truck, bus, construction vehicle, semi-truck, or vehicle of similar nature shall be permitted to park on the subject property as part of a home occupation. Any vehicle or trailer that will be used in the operation of a home occupation must be documented with photographs as part of the application process.
- 2. There shall be no signs posted which indicate the existence of the home occupation.
- 3. No non-resident employees or contractors associated with the home occupation will visit the home for business purposes which includes, but is not limited to picking up work assignments, materials, or payment.
- 4. There shall be no outdoor storage of materials or products on the premises.
- 5. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
- 6. The home occupation shall not eliminate or impede required off-street parking.
- 7. The home occupation shall not cause any external effect such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential area, or in violation of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
- 8. The resident or residents engaged in the home occupation shall possess all required licenses including a St. Charles Parish Occupational License; Department of Health and Hospitals; and other state or federal permits or licenses.
- 9. No alcoholic beverages shall be sold, offered, or provided in connection with the operation of a home occupation.
- 10. Home occupation permits are not transferable as to person or location.
- 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit.

D. Revocation of Home Occupation Permit:

- 1. A home occupational permit may be revoked by the Planning Director upon violation of any requirement of this Code, or of any condition or requirement of any permit granted, unless such violation is corrected within five (5) days of notice of such violation.
- 2. Any such permit may be revoked after three (3) violations of any requirements of this section, or of the conditions of such permit, or where the Planning Director finds that the continuation of the home occupation permit will have a detrimental effect upon the surrounding subdivision or neighborhood.
- 3. The Planning Director may conduct a public hearing on the revocation of a home occupation permit.

E. Appeal: Any and all appeals to the decision of the Planning Director/Planning Commission shall be to the St. Charles Parish Board of Adjustments in accordance with the provisions of section XIII of this Code.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: NONE

And the ordinance was declared adopted this 6th day of July 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETIRE SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0224
 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
 (DEPARTMENT OF FINANCE, DEPARTMENT OF PUBLIC WORKS, DEPARTMENT OF WATERWORKS, DEPARTMENT OF WASTEWATER)

ORDINANCE NO. 15-7-6
 An Ordinance to amend the Code of Ordinances, Chapter 10, Garbage and Trash, Article II, Uniform Solid Waste Management System, Section 10.22, Service charge, (c) Administrative Fee; Chapter 22, Sewers and Sewage Disposal,

Article IV, General Sewer Use Regulations, Section 22-80. User charges and connection charges; and Chapter 23, Water, Article I, In General, Section 23-3, Water user charges (c), (d) & (e), to restructure sewer, water, non-domestic, and solid waste user fees.

WHEREAS, the rates for Wastewater are currently set by the Parish President and should be put into the code and adjusted annually; and,

WHEREAS, the public approved a millage renewal for wastewater which will provide annual revenue to the department and assist in lowering sewer rates for all users; and,

WHEREAS, a non-domestic waste program was established to monitor and limit the amount of non-domestic waste being introduced into the sanitary sewer system and the MINOR classification is being removed since a commercial wastewater rate is being established in this ordinance; and,

WHEREAS, the user rates for water have not been significantly adjusted in ten years; and,

WHEREAS, the settlement with our solid waste provided for an increase of \$1.57 per month and the user charge has not been increased to reflect the settlement; and,

WHEREAS, the administrative fee for solid waste has not been adjusted in decades and should be established by the administration annually; and,

WHEREAS, on January 1, 2016, the total increase contained within this ordinance to the average user will be 1% compared to their monthly bill in 2015 and establishes an annual adjustment to all fees on January 1 of each year instead of throughout the year.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 10, Garbage and Trash, Article II, Uniform Solid Waste Management System, Section 10.22, Service charge, (c) Administrative Fee is hereby amended to read as follows:

Sec. 10.22. - Service charge.

(c) **Administrative Fee:** In addition to the service charge levied in subsection (a), an administrative fee, not to exceed the amount recommended by an independent consultant based on the actual cost to process the user fees for the solid waste fund by the Waterworks Department, shall be added to each bill which is assessed by the waterworks department.

SECTION II. That the Code of Ordinances, Chapter 22, Sewers and Sewage Disposal, Article IV, General Sewer Use Regulations, Section 22-80. User charges and connection charges be amended by revising (1) (a), (b), and (e):

Sec. 22-80. User charges and connection charges.

(1) (a) **Volume rate charge:** To cover the cost of operation and maintenance, and where necessary, capital improvements to the wastewater collection, treatment, and disposal system, a volume rate user charge is hereby established at \$7.85 (80 percent of \$7.85 equals \$6.29) per 1,000 gallons of water use on January 1, 2016; \$7.81 (80 percent of \$7.81 equals \$6.25) per 1,000 gallons of water use on January 1, 2017; \$7.71 (80 percent of \$7.71 equals \$6.17) per 1,000 gallons of water use on January 1, 2018.

The user charges established herein shall be adjusted on January 1 of each year in an amount equal to the Consumer Price Index, applicable to all urban consumers, as published by the United States Department of Labor, Bureau of Labor Statistics. Said adjustment shall be equal to the net percentage change in the CPI for the preceding 12 month period ending September 30. Said annual adjustments shall begin effective January 1, 2019.

The user charges stated above were established based on the formula $C_u = C_v/V_u$ where:

C_u = Annual user charge rate.
 C_v = Total annual O,M, and R costs.
 V_u = Total annual volume.

(b) **Calculation of bills for residential users.**

1. **Residential users:**

a. Billing period charges for each account shall be calculated as follows:

$$(W_u \times U_u \times 80\%) + M = U_u$$

Where:

W _u	=	Water use in 1,000's of gallons during the billing period as determined by parish's department of waterworks.
U _u	=	User charge rate in dollars per 1,000 gallons of use.
M	=	Billing period sewer use charge.
80%	=	The percentage of water usage which enters the wastewater system.
M	=	Minimum monthly charge

The minimum monthly charge for all users shall be four dollars (\$4.00) and shall be increased by one percent each year on January 1.

b. Residents with a second residential meter for irrigation. Those users who have applied for a second residential meter for irrigation for the external consumption of water which does not enter the wastewater system prior to January 31, 2014, the billing period charges for the residential meter account shall be calculated as follows:

$$(W_u \times U_u \times 90\%) + M = U_u$$

Those users who apply for a second residential meter for irrigation for the external consumption of water which does not enter the wastewater system after January 31, 2014 or if water service is reinstated at current address with a new account, the billing period charges for the residential meter account shall be calculated as follows:

$$(W_u \times U_u) + M = U_u$$

Where:

W _u	=	Water use in 1,000's of gallons during the billing period as determined by the parish's department of waterworks.
U _u	=	User charge rate in dollars per 1,000 gallons of use.
M	=	Billing period sewer use charge.
90%	=	Percentage of water usage that shall be calculated in sewer use charge.
M	=	Minimum monthly charge

The minimum monthly charge for all users shall be four dollars (\$4.00) and shall be increased by one percent each year on January 1.

2. **Calculation of bills for commercial users:** All billing period charges for standard meter account shall be calculated as follows:

$$(W_u \times U_u \times 95\%) + M = U_u$$

Where:

W _u	=	Water use in 1,000's of gallons during the billing period as determined by parish's department of waterworks.
U _u	=	User charge rate in dollars per 1,000 gallons of use.
M	=	Billing period sewer use charge.
95%	=	Percentage of water usage that shall be calculated in sewer use charge.
M	=	Minimum monthly charge

Calculation of bills for industrial users. All billing period charges for standard meter account shall be calculated as follows:

$$(W_u \times U_u) + M = U_u$$

Where:

W _u	=	Water use in 1,000's of gallons during the billing period as determined by parish's department of waterworks.
U _u	=	User charge rate in dollars per 1,000 gallons of use.
M	=	Billing period sewer use charge.
M	=	Minimum monthly charge

The minimum monthly charge for all users shall be four dollars (\$4.00) and shall be increased by one percent each year on January 1.

(e) **Fee Schedule for non-domestic discharge permit, user fees:**

- 1. Application fee: \$100.00
- 2. Permit Fee: Major Facility Fee: \$67.00 per month. Permit fee will be applied to the user's monthly water bill. Major status will be listed on the front page of permit under "CLASS."
- 3. User Fee:

Volume Range (Gallons per month)	Price per Gallon
0-12,000	\$180 (flat fee)
12,001-50,000	\$0.015
50,001 - above	\$0.0175

SECTION III. That the Code of Ordinances, Chapter 23, Water, Article I, In General, Section 23-3, Water user charges (c), (d) & (e) are hereby amended to read as follows:

(c) The in-parish water user charge shall be adjusted effective January 1, 2016 as follows:

- \$3.40 per 1,000 gallons (0 to 6,000 gallons of use)
- \$5.00 per 1,000 gallons (Above 6,000 to 10,000 gallons of use)
- \$6.40 per 1,000 gallons (Above 10,000 gallons of use)

The above user charges shall be increased by \$1.0 per thousand gallons effective January 1st of both 2017 and 2018.

(d) The out-of-parish water user charge shall be adjusted effective January 1, 2016 as follows:

- \$3.40 per 1,000 gallons (0 to 6,000 gallons of use)
- \$5.00 per 1,000 gallons (Above 6,000 to 10,000 gallons of use)
- \$6.40 per 1,000 gallons (Above 10,000 gallons of use)

The above user charges shall be increased by \$1.0 per thousand gallons effective January 1, 2017 and 2018.

(e) Effective January 1, 2019, the water user charges established herein shall be adjusted on January 1 of each year in an amount equal to the Consumer Price Index, applicable to all urban consumers, as published by the United States Department of Labor, Bureau of Labor Statistics. Said adjustment shall be equal to the net percentage change in the CPI for the preceding 12 month period ending September 30.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYRE, LEWIS, WILSON, WOODRUFF, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: BENEDETTO

And the ordinance was declared adopted this 6th day of July 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETIRE SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0225
 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
 (DEPARTMENT OF PUBLIC WORKS)

ORDINANCE NO. 15-7-7
 An Ordinance to approve and authorize the execution of a contract with Kostmayer Construction, LLC for the construction of Parish Project No. P130101, Cousins Pump Station Discharge Pipe Replacement, with Base Bid, in the amount of \$196,340.00.

WHEREAS, sealed bids were received by St. Charles Parish on May 26, 2015 for Cousins Pump Station Discharge Pipe Replacement; and,

WHEREAS, Meyer Engineers, Ltd., Engineers for the Project, have reviewed the bids and recommend that the Base Bid, of the Contract be awarded to the low bidder, Kostmayer Construction, LLC, in the amount of \$196,340.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of Kostmayer Construction, LLC, for the construction of St. Charles Parish Project No. P130101, Cousins Pump Station Discharge Pipe Replacement, be hereby approved and accepted, in the amount of \$196,340.00.

SECTION II. That the Parish President is hereby authorized to execute said contract documents on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYRE, LEWIS, WILSON, WOODRUFF, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: BENEDETTO

And the ordinance was declared adopted this 6th day of July 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETIRE SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0224
 INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
 (DEPARTMENT OF FINANCE, DEPARTMENT OF PUBLIC WORKS, DEPARTMENT OF WATERWORKS, DEPARTMENT OF WASTEWATER)

ORDINANCE NO. 15-7-6
 An Ordinance to amend the Code of Ordinances, Chapter 10, Garbage and Trash, Article II, Uniform Solid Waste Management System, Section 10.22, Service charge, (c) Administrative Fee; Chapter 22, Sewers and Sewage Disposal,

SECTION 00500

CONTRACT

This agreement entered into this _____ day of _____, 20____, by Kostmayer Construction, LLC, hereinafter called the "Contractor", whose business address is 1080 Old Spanish Trail, Ste. 14, Slidell, LA 70458, and the St. Charles Parish, hereinafter called the "Owner".

Owner and Contractor, in consideration of premises and the mutual covenants, consideration and agreement herein contained, agree as follows:

ARTICLE 1

STATEMENT OF WORK

- 1.01 Contractor shall furnish all labor and materials and perform all of the work required to build, construct and complete in a thorough and workmanlike manner;
1.02 The abovementioned work shall be completed in strict accordance with Contract Documents prepared by: Meyer Engineers, Ltd.
1.03 It is recognized by the parties herein that said Contract Documents including by way of example and not of limitation, the Drawings and Specifications dated May 5, 2014, Addenda number(s) 1 & 2, the instruction to Bidders, Supplemental Instructions to Bidders, Louisiana Uniform Public Works Bid Form, General Conditions, Supplementary Conditions (if applicable), any Addenda thereto, impose duties and obligations upon the parties herein, and said parties hereby agree that they shall be bound by said duties and obligations. For these purposes, all of the provisions contained in the aforementioned Contract Documents are incorporated herein by reference with the same force and effect as though said Contract Documents were herein set out in full.
1.04 The Work is generally described as follows: Remove and replace 200 LF of 48" diameter x 3/8" w.t. steel discharge piping (for two (2) pipes) (includes coal tar epoxy coating, excludes any internal lining on steel piping).

ARTICLE 2

ENGINEER

- 2.01 The Project has been designed by Meyer Engineers, Ltd, who is hereinafter called "Engineer" and who will assume all duties and responsibilities and have the rights and authority assigned to Engineer in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3

CONTRACT TIME

- 3.01 The Contractor shall complete all of the Work under the Contract within One Hundred Twenty (120) calendar days from the date stated in the Notice to Proceed.

ARTICLE 4

LIQUIDATED DAMAGES

Owner and Contractor recognize that the Owner will suffer direct financial loss if Work is not completed within the Contract Time specified plus any extensions thereof allowed in accordance with these General Conditions of this Contract, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Contractor and Surety agree to forfeit and pay Owner Two Hundred Seventy dollars \$500.00 per day as Liquidated Damages for delay (but not as a penalty). Such Liquidated Damages will be assessed for each calendar day that expires after the Contract Time. This amount represents a reasonable estimate of Owner's expenses for extended delays and the costs associated therein. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the Contractor by his mere failure to complete the work on or before the date specified shall be deemed in default.

ARTICLE 5

CONTRACT PRICE

- 5.01 The amount to be paid to the Contractor by the Owner for completion of all work Owner will pay and the Contractor will accept in full consideration for the completion of all Work is:
a) (\$196,340.00) One Hundred Ninety-Six Thousand Three Hundred Forty and 00/100 Dollars based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written Change Order agreed to and signed by both parties and the Engineer and approved by the St. Charles Parish Council.

ARTICLE 6

PAYMENT PROCEDURES

- 6.01 Contractor shall submit Applications for Payment to the Engineer in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.
6.02 Progress Payments. Progress payments will be based upon estimated quantities of contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work or suitably stored, on the last day of each month or other mutually agreed regular monthly date ending the progress payment period, less retainage.
6.03 Application for Payment Form. The form of the Application for Payment must be suitable to the Owner. The Owner reserves the right to withhold payment until the form of Application for Payment is deemed acceptable by the Owner.
6.04 Retainage. Per Paragraph 15.01.D retainage shall be withheld and payments will be made by the Owner in the payment amount of:
a) Ninety percent (90%) of the approved payment applications for projects with contract prices of less than \$500,000.00; or
b) Ninety-five percent (95%) of the approved payment applications for projects with contract prices of \$500,000.01 or greater.
6.05 The normal retainage shall not be due the Contractor until after Substantial Completion and expiration of the forty-five (45) day lien period and submission to the Engineer of a clear lien certificate and invoice for retainage.
6.06 Final Payment. Upon the final completion of all Work, the Contractor may request a final inspection and may make a final Application for Payment as provided by Paragraph 15.06 of the General Conditions.
6.07 Final Acceptance. When Final Acceptance is granted by the Owner, the Owner shall file the certificate with the Recorder of Mortgages for St. Charles Parish.
6.08 At the expiration of the lien period the Contractor shall obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is clear of any liens or privileges, and said certificate shall be presented to the Owner for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.
6.09 Claims. Pursuant to La. R.S. 38:2242, when the Owner receives any claim of nonpayment arising out of the Contract, the Owner shall deduct such claim from the Contract Sum. The Contractor, or any interested party, may deposit security, in accordance with La. R.S. 38:2242.2, guaranteeing payment of the claim with the Recorder of Mortgages for St. Charles Parish. When the Owner receives original proof of such guarantee from the Recorder of Mortgages, the claim deduction will be added back to the Contract Sum.

ARTICLE 7

CONTRACTOR'S REPRESENTATIONS

- 7.01 In order to induce Owner to enter into this Agreement, Contractor makes the following representations:
7.02 Contractor has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
7.03 Contractor has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
7.04 Contractor has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or finishing of the Work as Contractor considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, Contractor has or will obtain or perform at no additional cost to the Owner such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by Contractor for such purposes.

ARTICLE 8

CONTRACT DOCUMENTS

- 8.01 The following Contract Documents, which comprise the entire Agreement between Owner and Contractor, are all hereby made a part of this Agreement to the same extent as if incorporated herein in full:
a) Contract (Section 00500)
b) Performance Bond (Section 00611)
c) Payment Bond (Section 00610)
d) Insurance Certificates
e) Advertisement for Bids (Section 00010)
f) Louisiana Uniform Public Works Bid Form (Section 00300)
g) Addenda (Numbers 1 to 2 inclusive)
h) Contract documents bearing the general title "Cousins Pump Station Discharge Pipe Replacement" dated May 5, 2014.
i) Drawings, consisting of a cover sheet dated May 5, 2014 and the sheets listed on Drawing Nos. 1-6, each sheet bearing the following general title: Cousins Pump Station Discharge Pipe Replacement.
j) General Conditions (Section 00700)
k) Supplementary Conditions (if applicable for compliance purposes) (Section 0800)

There are no Contract Documents other than those listed above in this Article 8. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 9

MISCELLANEOUS

- 9.01 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law) and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the Owner may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without Contractor's consent and without recourse.
9.02 Owner and Contractor each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
9.03 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by Owner and Contractor or by Engineer on their behalf.

OWNER: Parish of St. Charles
CONTRACTOR: Kostmayer Construction, LLC
By: [Signature] Title: [Title]
By: [Signature] Title: Project Manager
ATTEST:
By: [Signature] Title: Office Manager

END OF SECTION

2015-0226
INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)
ST. CHARLES PARISH COUNCIL

ORDINANCE NO. 15-7-8
An ordinance to approve and authorize the execution of a Contract for Engineering Services with Civil & Environmental Consulting Engineers, LLC for necessary professional engineering services associated with Parish Project No. P140801 Ama Drainage Improvement.

WHEREAS, the St. Charles Parish Council desires to have the following described project undertaken:
PROJECT DESCRIPTION:
Engineering services for Parish Project No. P140801 AMA DRAINAGE IMPROVEMENT. The service will include but will not be limited to serving as Owner's professional engineering representative for the Project, providing professional engineering consultation and advice, and furnishing customary civil, geotechnical, structural, mechanical, electrical, instrumentation and control engineering services and construction engineering and inspection; and,
WHEREAS, the Master Drainage Plan for the Ama area was last updated in 1994; and, the landscape and development in the Ama area has changed considerable since 1994 impacting the capability of the current drainage system; and,

WHEREAS, because of the complexity of the project, it will be implemented in phases so as to better control project timing and cost:
Phase 1 - Update the Master Drainage Plan and develop recommendations to improve drainage
Phase 2 and Beyond - Once funding has been obtained, task orders will be issued to implement recommendations.
THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:
SECTION I. That the contract for Engineering Services between Civil & Environmental Consulting Engineers, LLC and the Parish of St. Charles is hereby approved and accepted.
SECTION II. That the Parish President is hereby authorized to execute said Engineering Services Contract on behalf of St. Charles Parish.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:
YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: BENEDETTO

And the ordinance was adopted this 5th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
SECRETARY: [Signature]
DIVISION PRESIDENT: [Signature]
APPROVED: [Signature]
PARISH PRESIDENT: [Signature]
RECORDING SECRETARY: [Signature]
REC'D BY: [Signature]

MULTIPHASE PROJECT
CONTRACT FOR ENGINEERING SERVICES

THIS AGREEMENT made and effective as of the 5th day of July, 2015, by and between ST. CHARLES PARISH acting herein by and through its President, who is duly authorized to act on behalf of said Parish, hereinafter called the Owner, and CIVIL & ENVIRONMENTAL CONSULTING ENGINEERS, LLC, a corporation acting herein by and through its Contracting Officer, hereinafter called Engineer. Whereas the Owner desires to employ a professional consulting engineering firm to perform engineering services for the P140801 AMA DRAINAGE IMPROVEMENT project as described in Ordinance No. 15-7-8 which is attached hereto and made a part hereof.

1.0 GENERAL
The Owner agrees to employ the Engineer, and the Engineer agrees to perform professional services required for the project described above. The project will be implemented in phases and the Engineer will conform to the requirements of the Owner and to the standards of the agencies participating with the Owner in the Project. The Engineer will coordinate all work between the Owner and all participating agencies and regulating agencies, if needed.
1.1 A task order will be issued for each phase and shall specify the work to be performed, basis of payment, and time for completion. Each Task Order shall become an Addendum to and a part of this Contract in accordance with Exhibit A on page 20. The Owner may terminate the Contract or any Task Order by written notification and without cause per Section 7.0. Issuance of a Task Order will serve as the Owner's approval to begin a subsequent phase.

2.0 CHARACTER AND EXTENT OF BASIC SERVICES OF THE ENGINEER

- 2.1 General
2.1.1 Engineer shall provide for Owner professional engineering services in all phases of the Project to which this Agreement applies and as hereinafter provided to properly plan and execute the work on the project(s) assigned to the Engineer. These services will include but will not be limited to serving as Owner's professional engineering representative for the Project, providing professional engineering consultation and advice, and furnishing customary civil, surveying, geotechnical, structural, mechanical, electrical, instrumentation and control engineering services and construction engineering and inspection.
2.1.2 In general, the Project consists of the Design and Construction Management of the following major elements or phases. Implementation of each phase will not necessarily be done in the order listed. As this project progresses, phases may be deleted or added to complement achieving a successful project.

Address the drainage concerns in the Ama area in a phased approach that includes updating the master drainage plan, developing recommendations and budget cost estimates to improve drainage, followed by implementation of specific construction projects.

Phase 1 - Provide professional design services for the development of the Ama Master Drainage Plan Update. Services including research,
Update Model: NTE: \$18,375.00
Report, Recommendations, Budget Cost Estimates: NTE: \$30,600.00

Phase 1 is to be completed within three months of authorization to proceed. Invoicing will be paid according to completion of the above steps: Research, Modeling, Report and Recommendations.

Subsequent Phases - Once funding has been obtained, task orders will be issued to implement recommendations. Compensation for this work will be as specified in the task orders and section 4.0 of this contract. Payment for the calculated Conceptual Design portion of these task orders will be negotiated depending on how much design information was developed in phase 1.

- 2.1.3 Services provided by the Engineer shall be performed in accordance with generally accepted professional engineering practice at the time and the place where the services are rendered.
2.1.4 Engineer shall obtain from Owner a task order authorization to proceed for each phase of the Project.
2.1.5 Engineer shall provide minutes of all meetings with St. Charles Parish to include but not limited to meetings regarding any phase of the Project, Pre-Bid Conferences, Progress Meetings, Technical review Committee Meetings, etc.

2.2 Task Order Conceptual Design

- 2.2.1 Reviewing available data and consulting with the Owner to clarify and define the Owner's requirements for the task order phase of the Project.
2.2.2 Conducting a Pre-Design Meeting Workshop with the Owner.
2.2.3 Advising the Owner as to the necessity of providing or obtaining from others additional data or services. These additional services may include photogrammetry, reconnaissance surveys, property surveys, topographical

surveys, geotechnical investigations and consultations, compilation of hydrological data, materials engineering, and environmental assessments and impact statements.

- 2.2.4 Identifying and analyzing requirements of governmental authorities having jurisdiction to approve the design of the task order phase of the Project, and participating in consultations with such authorities.
2.2.5 Providing analyses of the Owner's needs, planning surveys and comparative evaluations of prospective site plans and solutions.
2.2.6 Preparing a comprehensive Conceptual Design Report presenting selected solutions to the Owner with the Engineer's findings and recommendations. The Report will contain as a minimum:
Discussion of project background and need.
Schematic layouts, sketches, or photographs.
Conceptual design criteria with appropriate exhibits to indicate clearly the considerations involved.
Any special material specifications including major equipment specifications.
A preliminary cost estimate for each alternative.
Engineer's conceptual opinion of probable costs for the selected alternative.
Project Master Schedule - if task orders are interrelated.
Task Order project schedule. Schedule will include all aspects of the project/task order from conceptual design to project closure.
Discussion as to what permits are needed, time to acquire approvals, and potential adjacent land owner authorizations/servitudes that need addressing. Engineer shall also determine if more than one permit will be required for subsequent Task Orders and a cost effective process to minimize multiple permit expenses.
Discussion of the type of additional services, mentioned in 2.2.3, that will be needed.
2.2.7 Meeting with the Owner and presenting findings of the Conceptual Design Report.
2.2.8 The Conceptual Design Report and Engineer's documentation and opinion of costs, along with the following documents and files, shall be delivered to the Owner within 30 days or as otherwise stated in the task order authorization.
Five(5) copies of the report for review.
Once the report has been finalized, submit two(2) copies of the revised report plus one(1) electronic file copy in PDF format, and one(1) electronic file copy of the Master and Task Order project schedules in Microsoft Project format.
All files will be titled so as to distinguish between conceptual, preliminary, and final design stages.

2.3 Task Order Design Memorandum

- 2.3.1 The Design Memorandum or Preliminary Engineering Design Report will summarize the process and design criteria established in Conceptual Design and initiate acquiring necessary permits and servitudes. The document will be used in the development of final design plans and specifications and will serve as a guide by designers and other interested parties.
2.3.2 The Design Memorandum will consist minimally of the following sections:
Site Development - project site plan that includes anticipated construction area required and any known servitudes or property owners.
Hydraulics - if necessary
Treatment Processes - if necessary
Design Criteria including a listing of all standard specifications to be used by type(concrete, piling, steel electrical, roads/foundations, etc)
Preliminary Drawings - 11x17 minimum size
The following indexes: Drawings, Division 00 St Charles Parish Bidding/Contract Documents showing revision number, Division 01 St Charles Parish General Specifications showing revision number, and Division 02-16 material and equipment specifications, to be used in final design.
Engineer's preliminary opinion of probable costs.
Updated Project Master Schedule - if task orders are interrelated.
Updated Task Order project schedule.
Summary of estimated quantities - initial bid schedule
Instrumentation & Control Philosophy
Power Requirements
Additional data that will be needed, such as topographical, geotechnical, and project surveying.
2.3.3 The engineer will deliver to owner within 15 days following task order authorization a detailed description(including specifications) and estimated cost of required additional services such as site survey, topographical survey, or geotechnical investigation. In addition, the engineer will also deliver an estimated time and cost to apply for regulatory permits from local, state or federal authorities. The owner will have the option to utilize their own surveyor, land/servitude acquisition consultant, permit consultant, or geotech firm.
2.3.4 Meeting with the Owner and presenting findings of the Preliminary Design Report.
2.3.5 The Preliminary Engineering Design Report and Engineer's documentation and opinion of costs, along with the following documents and files, shall be delivered to the Owner within 30 days or as otherwise stated in the task order authorization.
Five(5) copies of the report for review.
Once the report has been finalized, submit two(2) copies of the revised report plus one(1) electronic file copy in PDF format, and one(1) electronic file copy of the updated Master and Task Order project schedules in Microsoft Project format.
Two(2) copies of the drawings(11x17 minimum).
Once the drawing review is complete, submit one copy of the revised drawings plus one(1) electronic file copy of each drawing in AutoCAD format(release 2000 or later) and in PDF format.
All files will be titled so as to distinguish between conceptual, preliminary, and final design stages.

2.4 Task Order Final Design

- 2.4.1 Prepare for incorporation into Contract Documents final drawings based on the accepted preliminary design documents to show the scope, extent, and character of the work to be furnished and performed by Contractor (hereinafter called "Drawings") and Specifications which will be prepared in conformance with the sixteen division format of the Construction Specifications Institute.
2.4.2 Preparing and furnishing to the Owner a revised opinion of probable total project costs based on the final Drawings and Specifications.
2.4.3 Preparing the contract/bid document that includes St. Charles Parish's Standardized Construction Contract files and the added engineer's specifications for review and approval by the Owner (and the Owner's legal and other advisors).
2.4.4 Meeting with the Owner and presenting the final design.
2.4.5 The Final Design Services shall be completed and Engineer's documentation and opinion of costs, along with the following documents and files, shall be delivered to the Owner within 30 days or as otherwise stated in the task order authorization.
Three(3) copies of the contract/bid document for review.
Once the contract/bid document has been finalized, submit two(2) stamped copies of the revised document plus one(1) electronic file copy in PDF format, and one(1) electronic file copy of the updated Master and Task Order project schedules in Microsoft Project format.
Two(2) copies of the drawings - D Size for review.
Once the drawing review is complete, submit two stamped copies of the revised drawings plus one(1) electronic file copy of each drawing in AutoCAD format(release 2000 or later) and in PDF format.
All files will be titled so as to distinguish between conceptual, preliminary, and final design stages.

2.5 Task Order Bidding

- 2.5.1 Produce Contract Documents (specifications and 22" by 34" drawings) for bidding purposes.
2.5.2 Assist Owner as necessary in advertising for and obtaining bids for construction, materials, equipment and services; and maintain a record of prospective bidders to whom Bidding Documents have been issued, attend Pre-Bid Conferences and receive and process files for Bidding Documents. Distribute Bidding Documents to potential bidders.
2.5.3 Issue addenda as appropriate to interpret, clarify or expand the Bidding Documents.
2.5.4 Consult with and advise Owner as to the acceptability of subcontractors, suppliers and other persons and organizations proposed by the prime contractor (herein called "Contractor") for those portions of the work as to which such acceptability is required by the Bidding Documents.
2.5.5 Consult with Owner and confirm in writing the acceptability of substitute materials and equipment proposed by Contractor when substitution prior to the award is required by the Bidding Documents.
2.5.6 Attend the Bid Opening, prepare Bid Tabulation Sheets and assist Owner in evaluating bids or proposals and recommend, in writing, contract awarding. In addition, Engineer shall assemble required contract documents as specified by St. Charles Parish.

2.6 Task Order Construction

- 2.6.1 General Administration of Construction Contract. Engineer shall consult with and advise Owner and act as Owner's representative as provided in Articles 1 through 17, inclusive, of the Standard General Conditions of the Construction Contract of the Engineer's Joint Contract Documents Committee. The extent and limitations of the duties, responsibilities and authority of Engineer as assigned in said Standard General Conditions shall not be modified, except as Engineer may otherwise agree in writing. All of Owner's instructions to Contractor will be issued through Engineer who will have authority to act on behalf of Owner to the extent provided in said Standard General Conditions except as otherwise provided in writing.
2.6.2 Visits to Site and Observation of Construction. In connection with observations of the work of Contractor while it is in progress.
2.6.2.1 Engineer shall make visits to the site once per month minimum, or more frequent visits as deemed necessary by Owner and/or progress of work during the construction periods to observe as an experienced and qualified design professional the progress and quality of the various aspects of Contractor's work. Based on information obtained during such visits and on such observations, Engineer shall endeavor to determine in general if such work is proceeding in accordance with the

- Contract Documents and Engineer shall keep Owner informed of the progress of the work.
- 2.6.2.2 The purpose of Engineer's visits to (and representation by Resident Project Representative if utilized) the site will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase, and, in addition, by exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed work of Contractor will conform generally to the Contract Documents and that the integrity of the design concept as reflected in the Contract Documents has been implemented and preserved by Contractor. On the other hand, Engineer shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct or have control over Contractor's work nor shall Engineer have authority over or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor, for safety precautions and programs incident to the work of Contractor or for any failure of Contractor to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor furnishing and performing their work except as provided in 2.6.3. Accordingly, Engineer can neither guarantee the performance of the construction contracts by Contractor nor assume responsibility for Contractor's failure to furnish and perform their work in accordance with the Contract Documents.
- 2.6.3 Defective Work. During such visits and on the basis of such observations, Engineer may disapprove of or reject Contractor's work while it is in progress if Engineer believes that such work will not produce a completed Project that conforms generally to the Contract Documents or that it will prejudice the integrity of the design concept of the Project as reflected in the Contract Documents.
- 2.6.4 Interpretations and Clarifications. Engineer shall issue necessary interpretations and clarifications of the Contract Documents.
- 2.6.5 Shop Drawings. Engineer shall review and approve (or take other appropriate action in respect of) Shop Drawings (as that term is defined in the aforesaid Standard General Conditions), samples and other data which Contractor is required to submit, but only for conformance with the design concept of the Project and compliance with the information given in the Contract Documents. Such reviews and approvals or other action shall not extend to means, methods, techniques, sequences or procedures of construction or to safety precautions and programs incident thereto except as provided in 2.6.3.
- 2.6.6 Substitutes. Engineer shall evaluate and determine the acceptability of substitute materials and equipment proposed by Contractor and make a recommendation to Owner for his approval.
- 2.6.7 Inspections and Tests. Engineer shall have authority, as Owner's representative, to require special inspection or testing of the work, and shall receive and review all certificates of inspections, testing and approvals required by laws, rules, regulations, ordinances, codes, orders or the Contract Documents (but only to determine generally that their content complies with the requirements of, and the results certified indicate compliance with, the Contract Documents).
- 2.6.8 Dispute between Owner and Contractor. Engineer shall act as initial interpreter of the requirements of the Contract Documents and judge of the acceptability of the work there under and make recommendations on all claims of Owner and Contractor relating to the acceptability of the work or the interpretation of the requirements of the Contract Documents pertaining to the execution and progress of the work.
- 2.6.9 Applications for Payment. Based on Engineer's on-site observations as an experienced and qualified design professional, on information provided by the Resident Project Representative and on review of applications for payment and the accompanying data and schedules:
- 2.6.9.1 Engineer shall determine the amounts owed to Contractor and recommend in writing payments to Contractor in such amounts. Such recommendations of payment will constitute a representation to Owner based on such observations and review, that the work has progressed to the point indicated, and that, to the best of Engineer's knowledge, information and belief, the quality of such work is generally in accordance with the Contract Documents (subject to an evaluation of such work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents and to any other qualifications stated in the recommendation). In the case of unit price work, Engineer's recommendations of payment will include final determination of quantities and classifications of such work (subject to any subsequent adjustments allowed by the Contract Documents).
- 2.6.9.2 By recommending any payment Engineer will not thereby be deemed to have represented that exhaustive, continuous or detailed reviews or examinations have been made by Engineer to check the quality or quantity of Contractor's work as it is furnished and performed beyond the responsibilities specifically assigned to Engineer in this Agreement and the Contract Documents. Engineer's review of Contractor's work for the purposes of recommending payments will not impose on Engineer responsibility to supervise, direct or control such work or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto or Contractor compliance with laws, rules, regulations, ordinances, codes or orders applicable to their furnishing and performing the work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes any Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any of the work, materials or equipment has passed to Owner free and clear of any lien, claims, security interests or encumbrances, or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid except as provided in, but not limited to paragraph 2.6.5.
- 2.6.10 Construction Closeout Document. Engineer shall receive and review maintenance and operating instructions, tests and approvals which are to be assembled by Contractor in accordance with the Contract Documents (but such review will only be to determine that their content complies with the requirements of, and in the case of certificates of inspection, tests and approvals the results certified indicate compliance with, the Contract Documents); and shall transmit them to Owner with written comments.
- 2.6.11 Inspection. Engineer shall conduct an inspection to determine if the work is substantially complete and a final inspection to determine if the completed work is acceptable. If the completed work is acceptable, the Engineer shall recommend in writing, a Notice of Substantial Completion to the Owner and the Contractor that the work is acceptable (subject to any conditions therein expressed).
- 2.6.12 Pre-Construction Conference. Engineer shall assist Owner in conducting a Pre-Construction Conference with Contractor for the project to discuss construction-related matters. Engineer will supply two stamped copies of the Construction Drawings incorporating addenda items generated during the bid process plus one(1) electronic file copy of each drawing in AutoCAD format (release 2000 or later) and in PDF format titled to reflect "Construction Drawings"
- 2.6.13 Owner shall select independent material testing labs. Engineer shall review testing results and based on these results, recommend to Owner the acceptability of material provided by the Contractor and used in the Project.
- 2.6.14 Limitation of Responsibilities. Engineer shall not be responsible for the acts or omissions of any Contractor, or of any subcontractor or supplier, or any of the Contractor's or Sub-Contractor's or supplier's agents or employees or any other persons (except Engineer's own employees and agents) at the site or otherwise furnishing or performing any of the Contractor's work; however, nothing contained in paragraphs 2.6.1 through 2.6.12 inclusive, shall be construed to release Engineer from liability for failure to properly perform duties and responsibilities assumed by Engineer in the Contract Documents, inclusive of but not limited to 2.6.3.
- 2.6.15 Work Directive Changes and Change Orders. To be provided as appropriate to construct the project and in accordance with State and Local Laws.
- 2.7 Task Order Close-out and Facility Operation
The Engineer shall:
- 2.7.1 Provide start-up services for the new facility.
- 2.7.2 Prepare training materials and provide training of Owner's staff to operate and maintain the new equipment if specified in the Task Order. Training will consist of classroom and hands-on training using the installed equipment.
- 2.7.3 Assemble required sets of equipment manufacturer's operation and maintenance manuals if specified in the Task Order.
- 2.7.4 Assemble required sets of approved shop drawings in proper order if specified in the Task Order.
- 2.7.5 Provide technical consultation and assistance in correcting warranty items.
- 2.7.6 Provide assistance in connection with the refining and adjusting of new equipment or system.
- 2.7.7 Prepare a final set of stamped project drawings reflecting "as built" along with one(1) electronic file copy of these drawings in AutoCAD format (release 2000 or later) and in PDF format titled to reflect "as built".
- 2.7.8 In company with Owner, visit the Project to observe any apparent defects in the completed construction, assist Owner in consultations and discussions with Contractor concerning correction of such deficiencies, and make recommendations as to replacement or correction of defective work.
- 2.7.9 Engineer shall have 45 days from Contractor's Substantial Completion date to complete requirements of Contract sections 2.7.4 and 2.7.7.
- 2.8 Resident Engineer and Inspection
- 2.8.1 Engineer shall furnish, if requested, a Resident Project Representative (RPR), assistants and other field staff to assist Engineer in observing performance of the work of Contractor. The RPR(s), and the level of support supplied, shall be subject to approval by the Owner.
- 2.8.2 Through more extensive on-site observations of the work in progress and field checks of materials and equipment by the RPR and assistants, Engineer shall endeavor to provide further protection for Owner against defects and deficiencies in the work of the Contractor.
- 2.8.3 The RPR shall be the Engineer's agent at the site, will act as directed by and under the supervision of Engineer, and will confer with Engineer regarding RPR's actions. RPR's dealings in matters pertaining to the on-site work shall in general be with Engineer and Contractor keeping Owner advised as necessary. RPR's dealing with subcontractor shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with Owner with the knowledge of and under the direction of Engineer.
- 2.8.4 Duties and Responsibilities of RPR.
- 2.8.4.1 Schedules. Review the progress schedule, schedule of Shop Drawings submittals and schedule of values prepared by Contractor and consult with Engineer concerning acceptability.
- 2.8.4.2 Conferences and Meetings. Attend meetings with Contractor, such as Pre-Construction Conferences, Progress Meetings, Job Conferences and other project related meetings, and prepare and circulate copies of minutes thereof.
- 2.8.4.3 Liaison:
- Serve as Engineer's liaison with Contractor, working principally through Contractor's superintendent and assist in understanding the intent of the Contract Documents; and assist Engineer in serving as Owner's liaison with Contractor when Contractor's operations affect Owner's on-site operations.
 - Assist in obtaining from Owner additional details or information when required for proper execution of the Work.
- 2.8.4.4 Shop Drawings and Samples:
- Record date of receipt of Shop Drawings and samples.
 - Receive samples which are furnished at the site by Contractor, and notify Engineer of availability of samples for examination.
 - Advise Engineer and Contractor of the commencement of any work requiring a Shop Drawing or sample if the submittal has not been approved by Engineer.
- 2.8.4.5 Review of Work, Rejection of Defective Work, Inspection and Test.
- Conduct on-site observations of the Work in progress to assist Engineer in determining if the Work is in general proceeding in accordance with the Contract Documents.
 - Report to Engineer and Owner whenever RPR believes that any Work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise Engineer of work that RPR believes should be corrected or rejected or should be uncovered for observations, or requires special testing, inspection or approval.
 - Verify that tests, equipment and systems start-ups and operating and maintenance training are conducted in the presence of appropriate personnel, and that Contractor maintains adequate records thereof; and observe, record and report to Engineer appropriate details relative to the test procedures and start-ups.
 - Accompany visiting inspectors representing public agencies having jurisdiction over the Project, record the results of these inspections and report to Engineer.
- 2.8.4.6 Interpretation of Contract Documents. Report to Engineer and Owner when clarifications and interpretations of the Contract Documents are needed and transmit to Contractor clarifications and interpretations as issued by the Engineer.
- 2.8.4.7 Modifications. Consider and evaluate Contractor suggestions for modifications in Drawing or Specifications and report with RPR's recommendations to Engineer and Owner. Transmit to Contractor decisions as issued by Engineer.
- 2.8.4.8 Records.
- Maintain at the job site orderly files for correspondence, reports for job conferences, Shop Drawings, and samples, reproductions of original Contract Documents including all Work Directive Changes, Addenda, Change Orders, Field Orders, additional Drawings issued subsequent to the execution of the contract, Engineer's clarifications and interpretations of the Contract Documents, progress reports and other Project related documents.
 - Keep a diary or log book recording Contractor hours on the job site, weather conditions, data relative to questions of Work Directive Changes, Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures, and send copies to Engineer and Owner.
 - Record names, addresses and telephone numbers of all Contractors, subcontractors and major suppliers of materials and equipment.
 - Keep pictorial record of progress of project.
- 2.8.4.9 Reports:
- Furnish Engineer and Owner periodic (daily) reports as required of progress of the work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and sample submittals.
 - Consult with Engineer in advance of scheduled major tests, inspections or start of important phases of the work.
 - Draft proposed Change Orders and Work Directive Changes, obtaining backup material from Contractor and recommend to Engineer Change Orders, Work Directive Changes and Field Orders in accordance with State and Local Laws.
 - Report immediately to Engineer and Owner upon the occurrence of any accident.
- 2.8.4.10 Payment Requests. Review applications for payment with Contractor for compliance with the established procedure as set forth in the Construction Contract for their submission and forward with recommendations to Engineer noting particularly the relationship of the payment requested to the schedule of values, work completed and materials and equipment delivered at the site but not incorporated in the work.
- 2.8.4.11 Certificates, Maintenance and Operations Manuals. During the course of the work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by contractor are applicable to the times actually installed and in accordance with the Contract Documents, and having this material delivered to Engineer for review and forwarding to Owner prior to final payment for the work.
- 2.8.4.12 Completion.
- Before Engineer issues a Certificate of Substantial Completion, submit to Contractor a list of observed items requiring completion or correction.
 - Conduct final inspection in the company of Engineer, Owner and Contractor and prepare a final list of items to be completed or corrected.
 - Observe that all items on final list have been completed or corrected and make recommendation to Engineer concerning acceptance.
- 2.8.5 Limitation of Authority.
- 2.8.5.1 Resident Project Representative
- Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment unless authorized by Engineer.
 - Shall not exceed limitations of Engineer's authority as set forth in the Agreement or the Contract Documents.
 - Shall not undertake any of the responsibilities of Contractor, Sub-Contractor or Contractor's superintendent.
 - Shall not advise on, issue directions relative to or assume control over any aspect of the means, methods, techniques, sequences or procedures of construction unless such advice or directions are specifically required by the Contract Documents.
 - Shall not advise on, issue directions regarding or assume control over safety precautions and programs in connection with the work.
 - Shall not accept Shop Drawing or sample submittals from anyone other than Contractor.
 - Shall not authorize Owner to occupy the project in whole or in part.
 - Shall not participate in specialized field or laboratory tests or inspections conducted by others except as specifically authorized by Engineer.
- 3.0 SERVICES OF THE OWNER
- 3.1 Provide full information as to the requirements of the Task Order.
- 3.2 Assist the Engineer in planning and design services by placing at his disposal all existing plans, maps, field notes, statistics, computations and other data in its possession relative to existing facilities.
- 3.3 Guarantee access to and make all provisions for the Engineer and his sub consultants to enter upon public property as required for performing the services.
- 4.0 COMPENSATION
- 4.1 For performance of Basic Engineering and Resident Engineering and Inspection as outlined in Section 2, Paragraphs 2.1 through 2.8.5.1 inclusive, required by the Owner, the Owner shall authorize and pay the Engineer as per the following:
- 4.1.1 Owner shall pay Engineer for the performance of Basic Engineering services as outlined in Section 2, Paragraphs 2.1 through 2.7.9 inclusive, a professional engineering fee based upon either a percentage of the construction cost of the project, a lump sum estimate by the Engineer, or billable hours for a not to exceed amount according to rates in Exhibit C on page 22. Compensation fee will be stated in the Task Order. If the percentage of construction method is to be used, the fee shall be determined by referring to curve A on page 21 (Exhibit B) of this Contract, which indicates the rate of compensation for Basic Engineering Services expressed as a percentage of the construction cost. This curve is from American Society of Civil Engineers Manual No. 45, 1980 Edition.
- 4.1.1.1 The fee for basic engineering services based on a percentage of the construction costs will have a maximum limitation of 110% of the Engineer's opinion of probable construction cost submitted with the final Drawings and Specifications referred to in Section 2, Paragraph 2.4.2 of this Contract. The fee for basic engineering services based on a percentage of the construction cost will have a minimum limitation of 90% of the Engineer's opinion of probable construction cost submitted with the final Drawings and Specifications referred to in Section 2, Paragraph 2.4.2 of this Contract.
- 4.1.1.2 An estimated construction cost based on the Engineer's conceptual opinion of probable cost for the project shall initially be used for the determination of interim fees until the more detailed Engineer's revised opinion of probable total project costs based on the final Drawings and Specifications referred to in Section 2, Paragraph 2.4.2 of this Contract is available.
- 4.1.1.3 Payment for basic engineering services shall be made based upon Engineer's estimate of the proportion of the services actually completed at the time of billing and shall be made in partial payments at monthly intervals for the following phases:
- For performing services outlined in Section 2.2, Task Order Conceptual Design, Paragraphs 2.2.1 through 2.2.8 inclusive, Owner agrees to pay Engineer as follows:
 - Ten percent (10%) of the total basic engineering services fee. Said fee shall be payable in partial payments on a monthly basis.
 - For performing services outlined in Section 2.3 Task Order Design Memorandum, Paragraphs 2.3.1 through 2.3.5 inclusive, Section 2.4 Task Order Final Design, Paragraphs 2.4.1 through 2.4.5 inclusive, Owner agrees to pay Engineer as follows:
 - Sixty percent (60%) of the total basic engineering service fee. Said fee shall be payable in partial payments on a monthly basis.
 - For performing services outlined in Sections 2.5 Task Order Bidding, Paragraphs 2.5.1 through 2.5.6 inclusive and Section 2.6 Task Order Construction, Paragraphs 2.6.1 through 2.6.15 inclusive, and Section 2.7, Task Order Close-out and Facility Operation, Paragraphs 2.7.1 through 2.7.9 inclusive, the Owner agrees to pay Engineer as follows:
 - Thirty percent (30%) of the total basic engineering service fee. Said fee shall be payable in partial payments on a monthly basis.
- 4.1.1.4 Payment for basic engineering services on projects that do not require construction services, such as feasibility studies or drainage studies, shall be made based upon Engineer's estimate of the proportion of the services actually completed at the time of billing and shall be made in partial payments at monthly intervals for the following phases:
- For performing services outlined in Section 2.2, Task Order Conceptual Design, Paragraphs 2.2.1 through 2.2.8 inclusive, Owner agrees to pay Engineer as follows:
 - Thirty percent (30%) of the total basic engineering services fee. Said fee shall be payable in partial payments on a monthly basis.
 - For performing services outlined in Section 2.3 Task Order Design Memorandum, Paragraphs 2.3.1 through 2.3.5 inclusive, Section 2.4 Task Order Final Design, Paragraphs 2.4.1 through 2.4.5 inclusive, Owner agrees to pay Engineer as follows:
 - Seventy percent (70%) of the total basic engineering service fee. Said fee shall be payable in partial payments on a monthly basis.
- 4.1.1.5 If the Task Order, or any portion thereof, is not completed for any reason, the final fee for basic engineering services shall be negotiated between Owner and Engineer as per Section 7.0
- 4.1.2 Owner shall pay Engineer for the performance of Resident Engineering and Inspection as outlined in Section 2, Paragraphs 2.8 through 2.8.5.1 inclusive, at monthly intervals based on either the hourly rate included in Exhibit C on page 22 of this Contract or by an agreed upon rate between the Owner and Engineer. Payment can be billable hours for a not to exceed amount.
- 4.2 If authorized in writing by Owner, for the performance of, or for obtaining from others Additional Services which are not considered normal or customary Basic Engineering or Resident Engineering and Inspection Services, the Owner shall pay Engineer in accordance with Paragraph 4.2.1 through 4.2.3, based on monthly invoices submitted by the Engineer, within sixty (60) days of receipt of Engineer's invoice.
- 4.2.1 For Additional Services provided by the Engineer such as, but not limited to, wetlands permitting, land and right-of-way acquisition, surveying, NPDES and LADEQ permit renewal or acquisition work, etc., Owner shall pay Engineer based on either the hourly rate included in Exhibit C on page 22 of this Contract or by an agreed upon rate between the Owner and Engineer. Payment can be by either billable hours for a not to exceed amount or lump sum.
- 4.2.2 The following documentation shall be required for payment to Engineer and shall be attached to the monthly invoice.
- A copy of the Owner's written authorization to perform the service.
 - Timesheets for all hours invoiced.
 - Invoice copies, logs or other substantiation of nonsalary expenses.
- 4.2.3 For Additional Services that Engineer acquires from subcontractors and/or sub consultants, Owner shall pay Engineer a fixed sum previously agreed upon by Owner and Engineer, such sum to be established in each case when the scope of the work involved has been determined and before any of the Additional Services are provided. The use of subcontractors and/or subconsultants shall be subject to the provisions set forth in Section 10, Paragraph 10.4 and Section 11, Paragraph 11.4 of this Contract. The following documentation shall be required for payment to Engineer and shall be attached to the monthly invoice.
- A copy of the Owner's written consent for the subcontractor and/or subconsultant to perform the service stating the Owner's and Engineer's agreed upon fixed sum established for the service performed.
 - Evidence that the subcontractor and/or subconsultant is insured as required by Section 10, Paragraph 10.4 of this Contract.
- 4.2.4 For Additional Engineering described in Section 5, Paragraph 5.1.1, Owner shall pay Engineer for the fee negotiated at the time the work is assigned by the method stipulated in the contract amendment.
- 5.0 CHARACTER AND EXTENT OF ADDITIONAL ENGINEERING
- 5.1 The Owner reserves the right to request Engineer to provide Additional Engineering and/or Additional Services described in Section 5, Paragraphs 5.1.1 through 5.1.2.11 inclusive. It is mutually understood that the Owner reserves the right to reevaluate any/all interested Engineering Firms concerning Additional Engineering or Additional Services as described in Section 5.0. The Owner shall issue written authorization to the Engineer to provide Additional Engineering and/or Additional Services prior to the performance of any Additional Engineering and/or Additional Services as described in Section 5, Paragraph 5.1 through 5.1.2.11 inclusive.
- 5.1.1 Additional Engineering. Provide Basic Design and Construction Engineering Services for a negotiated fee. The fee for Basic Engineering Services related to the design and construction for the associated work shall be negotiated at the time the work is assigned and this Contract shall be amended to include that work in accordance with Section 4.0 of this Contract.
- 5.1.2 Additional Services. Furnish or obtain from others Additional Services of the following types. The fee for Additional Services shall be authorized at the time the work is assigned in accordance with Section 4.2 of this contract.
- 5.1.2.1 Providing necessary design topographic surveying for the Task Order to obtain existing grading, locations and dimensions of existing structures, and elevation of critical elements.
- 5.1.2.2 Furnish survey personnel to lay out and stake out for construction, giving line locations and grade stakes at the required intervals.
- 5.1.2.3 Prepare to and serve as an expert witness for the Owner in any litigation.
- 5.1.2.4 Furnish one or more full time Resident Inspectors who will direct his and/or their efforts toward providing assurance for the owner that the completed project will conform to the requirements of the Contract Documents. This shall not be construed as the actual direction of construction work being performed by the Contractor, nor make the engineers responsible for construction techniques, sequences or procedures or the safety precautions incident thereto. A written resume will be submitted to the Owner for each Resident Inspector assigned to the Project. The Owner retains the right to disapprove the use of any Resident Inspector the owner feels is, for any reason, not qualified.
- 5.1.2.5 Act as the Owner's representative in coordination of and be present during negotiations between Owner and other Governmental Bodies, Utility Companies, Transportation Companies, etc. (Prepare necessary data for such activities and review and make recommendations on data submitted by such agencies).
- 5.1.2.6 Services resulting from significant changes in the general scope, extent or character of the Task Order or its design including, but not limited to, changes in size, complexity, Owner's schedule, character of construction or method of financing; and revising

previously accepted studies, reports, design documents or Contract Documents when such revisions are required by changes in laws, rules, regulations, ordinances, codes or orders enacted subsequent to the preparation of such studies, reports or documents or are due to any other causes beyond Engineer's control as approved by Owner.

6.0 OWNERSHIP OF DOCUMENTS,

- 6.1 Documents including but not limited to plans, specifications, maps, basic survey notes, sketches, charts, computations and all other data prepared or obtained under the terms of this authorization shall become the property of the Owner and shall be made available for Owner's inspection at any time during the Task Order and, shall be delivered to the Owner prior to termination or final completion of the Contract.

7.0 TERMINATION.

- 7.1 This Agreement or any Task Order may be terminated by either party upon thirty (30) days written notice.
- 7.2 The Engineer, upon receipt of such notice, shall immediately discontinue all services in connection with the performance of this Agreement and shall proceed to cancel promptly all existing orders and contracts insofar as such orders or contracts are chargeable to this Agreement.

8.0 COMPLIANCE WITH LAWS AND ORDINANCE.

- 8.1 The Engineer hereby agrees to comply with all Federal, State and Local Laws and Ordinances applicable to the work or services under this Contract.

9.0 SUCCESSORS AND ASSIGNS

- 9.1 Owner and Engineer each bind himself, his successors, executors, administrators and assigns to the other party to this Agreement, and to the successors, executors, administrators and assigns of each other party in respect to all covenants of this Agreement.

10.0 INSURANCE

- 10.1 The Engineer shall secure and maintain at his expense such insurance that will protect him and the Owner, from claims under Workmen's Compensation Acts and from claims for bodily injury, death or property damage which may arise from performance of services under this Agreement.
- 10.2 The Engineer shall also secure and maintain at his expense professional liability insurance in the unencumbered sum of \$500,000.00.

11.0 GENERAL.

- 11.1 The Engineer shall indemnify and save harmless the Owner against any and all claims, demands, suits or judgments for sums of money to any party for loss of life or injury or damages to person or property, growing out of, resulting from or by reason of any negligent act by the Engineer, its agent, servants or employees, while engaged upon or in connection with the services required or performed hereunder.
- 11.2 While in the performance of services or carrying out other obligations under this Agreement, the Engineer shall be acting in the capacity of the independent contractors and not as employees of the Owner.
- 11.3 The Engineer warrants that he has not employed or retained any company or person other than a bona-fide employee working solely for the consultant, to solicit or secure this Contract, and that they have not paid or agreed to pay any company or person other than bona-fide employees working solely for the consultant, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this Contract.

14.0 EXCLUSIVE JURISDICTION AND VENUE

- 14.1 For all claims arising out of or related to this agreement, ENGINEER hereby consents and yields to the exclusive jurisdiction and venue of the Twenty-Ninth Judicial District Court for the Parish of St. Charles and expressly waives any (a) pleas of jurisdiction based upon ENGINEER'S residence and (B) right of removal to Federal Court based upon diversity of citizenship.

IN WITNESS WHEREOF, the parties to these presents have hereunto caused these presents to be executed the day, month and year first above mentioned.

WITNESSES:

Handwritten signatures of witnesses.

ST. CHARLES PARISH

V. J. St. Pierre, Jr. Parish President

WITNESSES:

Handwritten signatures of witnesses.

Civil & Environmental Consulting Engineers

Danny J. Hebert, P.E.

EXHIBIT B

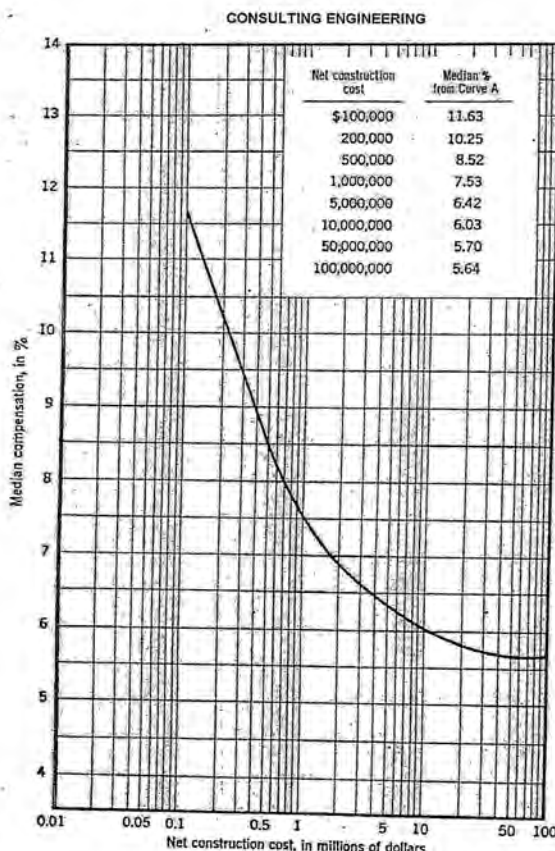


FIG. 1.—CURVE A, MEDIAN COMPENSATION FOR BASIC SERVICES EXPRESSED AS A PERCENTAGE OF NET CONSTRUCTION COST FOR PROJECTS OF ABOVE-AVERAGE COMPLEXITY (1989)

EXHIBIT C



EXHIBIT "A" 2015 Rate Schedule

Table listing rates for Office Personnel, Construction Personnel & Equipment, Survey Personnel & Equipment, Computer Services, and Subconsultant Services.

*ALL RATES ARE SUBJECT TO ANNUAL RATE INCREASES

2015-0227

INTRODUCED BY: WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III

ORDINANCE NO. 15-7-9 An ordinance to provide for the installation of an "ALL WAY STOP" sign at the intersection of Cove Lane and Cypress Lane in Destrehan.

WHEREAS, the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and Traffic provides for the installation of traffic control signs; and, WHEREAS, it is the desire of the Parish Council to authorize the installation of an "ALL WAY STOP" sign at the intersection of Cove Lane and Cypress Lane in Destrehan.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS: SECTION I. That there is hereby established an "ALL WAY STOP" sign at the intersection of Cove Lane and Cypress Lane in Destrehan.

SECTION II. That the Department of Public Works is hereby authorized to erect and maintain said "ALL WAY STOP" signs.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENSDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature] SECRETARY: [Signature] DLD/DPARISH PRESIDENT: [Signature] APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature] RETD/SECRETARY: [Signature] AT 10:15 AM REC'D BY: [Signature]

2015-0295

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT

RESOLUTION NO. 6165 A resolution requesting authorization for St. Charles Parish to advertise for competitive bids for the Willowridge Levee Improvements - Phase II, State Project Number H.010102, through the State of Louisiana Department of Transportation and Development (DOTD) under the Louisiana Statewide Flood Control Program.

WHEREAS, St. Charles Parish has submitted an application for funding of the Willowridge Levee Improvements flood control project under the Statewide Flood Control Program, and, WHEREAS, the State's share of the project funds have been made available and St. Charles Parish has available its local matching share of the project funds in an amount of not less than thirty (30%) percent; and,

WHEREAS, at the request of St. Charles Parish, Burk-Kleinpeter, Inc. has prepared plans and specifications for said project, which plans and specifications are designated by State Project No. H.009257, and, WHEREAS, St. Charles Parish has reviewed the final plans, specifications and cost estimate and accepts them as submitted and the DOTD has reviewed the final plans, specifications, and cost estimate, and has approved them inasmuch as they comply with the requirements of the Statewide Flood Control Program; and,

WHEREAS, all necessary servitudes, rights-of-way, spoil disposal areas, rights of ingress and egress and the means thereof have been acquired by St. Charles Parish, and the titles thereto are valid and indefeasible; and, WHEREAS, St. Charles Parish has obtained all necessary permits required for the construction of this project; and,

WHEREAS, St. Charles Parish has agreed to accomplish all necessary utilities, fence and other facilities, relocations and alterations made necessary by this project; and,

WHEREAS, the Official Journal for St. Charles Parish is the St. Charles Herald Guide, whose mailing address is P.O. Box 1169, Boutte, LA 70009, and whose telephone number is (985) 756-2735; and,

WHEREAS, St. Charles Parish desires to advertise for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of St. Charles Parish, and furnish engineering services during the progress of the work.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL do hereby request authorization from the State of Louisiana Department of Transportation and Development (DOTD) for St. Charles Parish to advertise for competitive bids in accordance with LRS 38:2212, et seq., for the award of a contract in the name of St. Charles Parish, covering the aforesaid improvements.

BE IT FURTHER RESOLVED THAT THE DOTD be and hereby is assured that all necessary servitudes, rights-of-way, rights of ingress and egress and the means thereof have been obtained by St. Charles Parish, and the titles thereto are valid and indefeasible and St. Charles Parish expressly agrees to defend any action for failure of any servitude, right-of-way, right of ingress or egress, and St. Charles Parish does hereby assume complete responsibility for providing engineering services during construction and the maintenance and upkeep of the project after construction.

BE IT FURTHER RESOLVED that the DOTD be and hereby is assured that all required permits have been obtained by St. Charles Parish.

BE IT FURTHER RESOLVED that St. Charles Parish will and hereby does assume complete responsibility for all utilities, fence, and other facilities relocations and alterations made necessary by this project.

BE IT FURTHER RESOLVED that St. Charles Parish does hereby save and hold harmless the DOTD against any loss or damage of any kind incident to or occasioned by Activities undertaken in pursuance of this agreement and expressly agrees to defend any suit brought against the DOTD, and pay any judgment which may result from said suit as it relates to this project.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature] SECRETARY: [Signature] DLD/DPARISH PRESIDENT: [Signature] APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature] RETD/SECRETARY: [Signature] AT 10:15 AM REC'D BY: [Signature]

2015-0230

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT (DEPARTMENT OF PLANNING & ZONING)

RESOLUTION NO. 6166 A resolution providing mandatory supporting authorization to endorse a resubdivision in an R-1A zoning district, of Lots 11-A and 11-B Square 302, Ellington Addition to the Town of Luling into Lots 11-A1 and 11-B1, with waivers from the minimum required area of 6,000 square feet for both lots as requested by Juanita Woodruff & William Woodruff, III.

WHEREAS, The St. Charles Parish Subdivision Ordinance of 1981 (as amended) requires a supporting resolution of the Parish Council to waive the minimum lot area requirement; and,

WHEREAS, the applicants requested a waiver from the minimum required 6,000 square foot lot area to create lot 11-A1 at 5,427 square feet and lot 11-B1 at 3,529 square feet; and,

WHEREAS, the Planning and Zoning Commission, at their June 4, 2015 meeting, recommended approval of the resubdivision with the waiver.

NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL, hereby provides this resolution authorizing the resubdivision of Lots 11-A & 11-B Square 302 Ellington Addition to the Town of Luling into Lots 11-A1 with 5,427 square feet and 11-B1 with 3,529 square feet as shown on a plan of resubdivision by Lucien C. Gassen, P.L.S.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSTAIN: WOODRUFF

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature] SECRETARY: [Signature] DLD/DPARISH PRESIDENT: [Signature] APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature] RETD/SECRETARY: [Signature] AT 10:15 AM REC'D BY: [Signature]

2015-0231

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT (DEPARTMENT OF PLANNING & ZONING)

RESOLUTION NO. 6167 A resolution providing mandatory supporting authorization to grant waivers to landscape, buffer, and setback requirements at Lot D, Square 55 of 16806 Hwy 90 West, as requested by Roy Dufrene of Max & Company, LLC.

WHEREAS, the applicant, Roy Dufrene, desires to obtain a Special Permit Use to operate a sheet metal shop in a C-2 zoning district as well as construct an accessory structure on his property for the storage of business-related items; and,

WHEREAS, in order to bring the existing property into compliance with the Zoning Ordinance and issue this Special Permit Use, waivers to the landscape, buffer, and setback requirements will need granted by the Parish Council; and,

WHEREAS, the proposed accessory structure is not to exceed 16 feet in height at the eaves as to not further obstruct views of neighboring properties; and,

WHEREAS, no additional noise will be generated by the applicant's continued metal operations.

NOW, THEREFORE, BE IT RESOLVED THAT THE ST. CHARLES PARISH COUNCIL provides this resolution in support of the Planning and Zoning Commission's decision to issue a Special Permit Use for a sheet metal shop in a C-2 zoning district located at Lot D, Square 55 of 16806 Hwy 90 West, as requested by Roy Dufrene of Max & Company, LLC.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature] SECRETARY: [Signature] DLD/DPARISH PRESIDENT: [Signature] APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature] RETD/SECRETARY: [Signature] AT 10:15 AM REC'D BY: [Signature]

2015-0233

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT (GRANTS OFFICE) ST. CHARLES PARISH COUNCIL

RESOLUTION NO. 6168 A resolution certifying that St. Charles Parish has complied with the bidding procedures of Louisiana Revised Statutes 38:2211, et seq., for the Willowridge Pump Station, State Project No. H.010102.

WHEREAS, St. Charles Parish has solicited bids for the Willowridge Pump Station, State Project No. H.010102, in accordance with the current bid laws of the State of Louisiana, including, but not limited to R.S. 38:2211 et seq.; and,

WHEREAS, St. Charles Parish has submitted to DOTD Certification of proof of publication, one (1) copy of the bid proposals and bid bonds as submitted by each of the three (3) lowest bidders, a legible copy of the bid tabulation of all bids received and certified to be correct by the Engineer, a copy of the Engineer's Recommendation of Award letter, and a copy of the Notice of Award letter.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby certify that St. Charles Parish has complied with the bidding procedures of Louisiana Revised Statutes 38:2211, et seq., for the Willowridge Pump Station, State Project No. H.010102.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: SCHEXNAYDRE, LEWIS

And the resolution was declared adopted this 5th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature] SECRETARY: [Signature] DLD/DPARISH PRESIDENT: [Signature] APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature] RETD/SECRETARY: [Signature] AT 10:15 AM REC'D BY: [Signature]

2015-0234

INTRODUCED BY: V. J. ST. PIERRE, JR., PARISH PRESIDENT (GRANTS OFFICE) ST. CHARLES PARISH COUNCIL

RESOLUTION NO. 6169 A resolution requesting authorization for St. Charles Parish to award a construction contract for the Willowridge Pump Station, State Project No. H.010102, through the State of Louisiana Department of Transportation and Development (DOTD) under the Louisiana Statewide Flood Control Program.

WHEREAS, St. Charles Parish has received bids on June 23, 2015, at 10:00 a.m. on the Willowridge Pump Station flood control project under the Statewide Flood Control Program; and,

WHEREAS, Burk-Kleinpeter, Inc., Michael G. Jackson, P.E., the Consulting Engineer, has recommended that award of the contract be made to the lowest qualified bidder, Sealovel Construction, Inc., for the Base Bid in the amount of \$5,572,160.00.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, acting pursuant to the recommendation of Burk-Kleinpeter, Inc., Michael G. Jackson, P.E., the Consulting Engineer, that the Base Bid in the amount of \$5,572,160.00 by Sealovel Construction, Inc., be accepted and a construction contract be awarded to them for the Willowridge Pump Station, State Project No. H.010102.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

ABSENT: NONE

NAYS: NONE
 ABSENT: NONE

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0236
INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT (GRANTS OFFICE)

RESOLUTION NO. 6170

A resolution certifying that the St. Charles Parish Residential Antidisplacement and Relocation Assistance Plan adopted on June 18, 2012, through Resolution No. 5919, is still in effect and will also be used in the implementation of the FY 2014 St. Charles Parish Louisiana Community Development Block Grant (LCDBG) Program Sewer Improvements project.

WHEREAS, on June 18, 2012, through Resolution 5919, the St. Charles Parish Residential Antidisplacement and Relocation Assistance Plan was adopted for usage in the implementation of the FY 2012 St. Charles Parish Louisiana Community Development Block Grant (LCDBG) Program Sewer System Improvements project; and,

WHEREAS, the U.S. Department of Housing and Urban Development prohibits the release of Community Development Block Grant funds until the grantees officially adopt and certify that it is following a Residential Antidisplacement and Relocation Assistance Plan; and,

WHEREAS, St. Charles Parish has formulated its Residential Antidisplacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby certify that the St. Charles Parish Residential Antidisplacement and Relocation Assistance Plan adopted on June 18, 2012, through Resolution No. 5919, is still in effect and will also be used in the implementation of the FY 2014 St. Charles Parish Louisiana Community Development Block Grant (LCDBG) Program Sewer Improvements project.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: NONE

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0238
INTRODUCED BY: WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III

RESOLUTION NO. 6171

A resolution to enact a Sales Tax Holiday in St. Charles Parish on August 7, 2015, and August 8, 2015.

WHEREAS, the St. Charles Parish School Board Administers the sales and use tax ordinances in effect in St. Charles Parish, Louisiana, the Uniform Local Sales Tax Code (ULSTC) and other laws, and collects sales and use tax for all local taxing authorities within the Parish; and,

WHEREAS, LRS 47:337.10.L authorizes an Annual St. Charles Parish Sales Tax Holiday; and,

WHEREAS, sales and use tax imposed by the political subdivision shall not apply to the same purchases, at the same time, according to the same definitions and procedures, under the same conditions, and exempting the same amount of sales price or cost price of tangible personal property as provided for in LRS 47:305.54 which provides for the Annual Louisiana Sales Tax Holidays; and,

WHEREAS, notwithstanding any other provisions of law to the contrary, the sales tax levied by the Parish of St. Charles, shall not apply to the first two thousand five hundred dollars (\$2,500.00) of the sales price or cost price of any consumer purchases of tangible personal property that occur on the first consecutive Friday and Saturday of August, 2015, (August 7, 2015, and August 8, 2015); and,

WHEREAS, for purposes of this resolution, the St. Charles Parish Sales Tax Holiday will be enforced in accordance with the terms and provisions of LRS 47:305.54.

NOW, THEREFORE BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby abate local sales taxes under our authority in accordance with LRS 47:305.54 for same purchases, at the same time, according to the same procedures and under the same conditions described therein. BE IT FURTHER RESOLVED, that the Director of Sales Tax Collections for St. Charles Parish is hereby authorized to administer the provisions of this resolution for qualifying purchases made on August 7, 2015, and August 8, 2015.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: WILSON

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

2015-0239
INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV CAROLYN K. SCHEXNAYDRE, COUNCILWOMAN-AT-LARGE, DIVISION JARVIS LEWIS, COUNCILMAN-AT-LARGE, DIVISION B TERRELL D. WILSON, COUNCILMAN, DISTRICT I WILLIAM BILLY WOODRUFF, COUNCILMAN, DISTRICT II WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III LARRY COCHRAN, COUNCILMAN, DISTRICT V TRACI A. FLETCHER, COUNCILWOMAN, DISTRICT VI JULIA FISHER-PERRIER, COUNCILWOMAN, DISTRICT VII

RESOLUTION NO. 6172

A resolution requesting the Louisiana Department of Transportation & Development remove the caution signal light and to install a fully functional automated traffic signal at the intersection of Highway 90 and LA 632 (WPA Road) in Des Allemands.

WHEREAS, Highway 90 is a very heavily traveled roadway with increasing traffic on a daily basis; and,

WHEREAS, many fatal accidents occur every year on Highway 90; and,

WHEREAS, many accidents and near misses have occurred on a regular basis at this intersection; and,

WHEREAS, traffic from the Des Allemands Business District going east and LA 632 (WPA Road) going west must cross over Highway 90 and at peak traffic hours lack of a traffic control signal presents hazardous driving conditions; and,

WHEREAS, Allemands Elementary School buses traveling west bound have to cross Highway 90 turning onto LA 632 (WPA Road) presenting dangerous situations for these buses and students; and,

WHEREAS, for the safety of the St. Charles Parish Deputies putting their lives at risk working this intersection to control traffic entering and leaving Allemands Elementary; and,

WHEREAS, residents using the playground facilities on LA 632 (WPA Road) are also presented with dangerous crossings at this location; and,

WHEREAS, the Department of Transportation & Development is responsible for taking the necessary steps needed to reduce and eliminate the hazardous driving conditions at the intersection of Highway 90 and LA 632 (WPA Road).

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby request that the Louisiana Department of Transportation & Development remove the caution signal light and to install a fully functional automated traffic signal at the intersection of Highway 90 and LA 632 (WPA Road) in Des Allemands. BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to Governor Bobby Jindal, Department of Transportation & Development Secretary Ms. Sherri H. LeBas, Department of Transportation & Development Assistant District Administrator of Operations Mr. Scott G. Boyle, Senator Gary L. Smith, Jr., and Representative Gregory A. Miller.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS: SCHEXNAYDRE, LEWIS, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
 NAYS: NONE
 ABSENT: WILSON

And the resolution was declared adopted this 6th day of July, 2015, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: [Signature]
 SECRETARY: [Signature]
 DLVD/PARISH PRESIDENT: [Signature]
 APPROVED: [Signature] DISAPPROVED: [Signature]

PARISH PRESIDENT: [Signature]
 RETD/SECRETARY: [Signature]
 AT: [Signature] RECD BY: [Signature]

I HEREBY CERTIFY THE FOREGOING TO BE EXACT AND TRUE.

[Signature]
TIFFANY K. CLARK
 COUNCIL SECRETARY

Publish: July 16, 2015

Legals deadline is Friday at 3 p.m. for the following issue.

985-758-2795

PUBLIC NOTICE

PUBLIC NOTICE
 LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ)
 SCOTT EQUIPMENT COMPANY, LLC/ST. ROSE CE
 DRAFT WATER DISCHARGE PERMIT

The LDEQ, Office of Environmental Services, is accepting written comments on a draft Louisiana Pollutant Discharge Elimination System (LPDES) permit prepared for Scott Equipment Company, LLC, St. Rose CE, 10176 Airline Highway St. Rose, LA 70067. The facility is located 10176 Airline Highway in St. Rose, St. Charles Parish. Upon the effective date of the final permit, the LPDES permit shall replace the previously issued LPDES permit.

The principal discharge from this existing source is made into local drainage, thence into Walker Canal, thence into Lake Ponchartraine, waters of the state classified for primary contact recreation, secondary contact recreation and propagation of fish and wildlife. Under the SIC Codes 5982 & 7359, the applicant proposes to discharge exterior equipment wash wastewater from an existing equipment rental yard.

During the preparation of this permit, it has been determined that the discharge will have no adverse impact on the existing uses of the receiving waterbody. As with any discharge, however, some change in existing water quality may occur.

Comments and requests for a public hearing or notification of the final decision can be submitted via personal delivery, U.S. mail, email, or fax. Comments and requests for public hearings must be received by 4:30 pm CST, Thursday, August 20, 2015. Delivery may be made to the drop-box at 602 N. 5th St., Baton Rouge, LA 70802. U.S. Mail may be sent to LDEQ, Public Participation Group, P.O. Box 4313, Baton Rouge, LA 70821-4313. Emails may be submitted to DDO.PUBLICNOTICES@LA.GOV and faxes sent to (225) 219-3369.

Please see additional instructions for comment submission, hand delivery and information regarding electronic submission at <http://www.ldeq.louisiana.gov/portal/Default.aspx?tabid=2720> or call (225) 219-3276. Emails should follow the statewide email policies. For more information regarding statewide email policies, go to <http://doag.louisiana.gov/ocs/email/policies.htm>.

If LDEQ finds a significant degree of public interest, a public hearing will be held. LDEQ will send notification of the final permit decision to the applicant and to each person who has submitted written comments or a written request for notification of the final decision.

The permit application, draft permit, and statement of basis are available for review at the LDEQ, Public Records Center, Room 127, 602 North 5th Street, Baton Rouge, LA. Viewing hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). The available information can also be accessed electronically on the Electronic Document Management System (EDMS) on the LDEQ public website at www.ldeq.louisiana.gov.

Inquiries or requests for additional information regarding this permit action should be directed to Amy Enixios, LDEQ, Water Permits Division, P.O. Box 4313, Baton Rouge, LA 70821-4313, phone (225) 219-4073.

Persons wishing to be included on the LDEQ permit public notice mailing list or for other public participation related questions should contact the Public Participation Group in writing at LDEQ, P.O. Box 4313, Baton Rouge, LA 70821-4313, by email at DDO.PUBLICNOTICES@LA.GOV or contact the LDEQ Customer Service Center at (225) 219-LDEQ (219-5337).

Permit public notices including electronic access to the draft permit and statement of basis can be viewed at the LDEQ permit public notice webpage at www.ldeq.louisiana.gov/apps/pubNoticeDefault.asp and general information related to the public participation in permitting activities can be viewed at www.ldeq.louisiana.gov/portal/Default.aspx?tabid=2719.

Alternatively, individuals may elect to receive the permit public notice via email by subscribing to the LDEQ permit public notice Email List Server at http://louisiana.gov/Services/Email/Notification_DEQ_PNV/.

All correspondence should specify AI Number 43178, Permit Number LA0106071, and Activity Number PER20140001.

Publish: July 16, 2015

SHERIFF'S SALE

SHERIFF'S SALE
 SHERIFF'S OFFICE
 Suit No: (45) 79531-E
Date: Tuesday, April 21, 2015
BANK OF AMERICA, NA
 VS
GARY T. KEENE, JR., ET AL
GREG CHAMPAGNE, SHERIFF
 P.O. Box 426
HAHNVILLE, LA 70057
 Parish of St. Charles
29th Judicial District Court State of Louisiana

By virtue of and in obedience to a Writ of SEIZURE AND SALE directed to me by the Honorable 29TH JUDICIAL DISTRICT COURT in and for the PARISH OF ST. CHARLES, State of Louisiana, dated: MONDAY, APRIL 13, 2015, in the above entitled and numbered cause, I shall proceed to sell at public auction at the principal front door of the Courthouse of which the Civil District Court of the Parish of St. Charles is held on WEDNESDAY, JULY 22, 2015, at 10:00 A.M., to the last and highest bidder for cash, the following described property, to wit: PROPERTY DESCRIPTION ALL THAT -CERTAIN LOT OR PARCEL OF GROUND, together with all of the buildings and improvements thereon, and all of the rights, ways, means, privileges, servitudes, appurtenances, advantages and romjijijij parts thereunto belonging or in anywise appertaining thereto, lying and being situated in the PARISH OF ST CHARLES, STATE OF LOUISIANA, in that part, thereof known as PECAN OAK SUBDIVISION, SECTION NO. 2, and according to a plat of survey by Gilbert, Kelly & Couturie, Inc., Surveying & Engineering, dated April 5, 1993, a copy of which is annexed to an act registered in COB 464, folio 275, said portion of ground is designated as LOT 6, which lot is located in the square bounded by Peter Street, Jane Street, Bayou Crocodile, U. S. Highway 190 and Louisiana Street, and which lot commences at a distance of 425 feet from the intersection of Louisiana Street and Peter Street and measures thence in two courses 126.28 feet front on Peter Street, a width of 76.86 feet in the rear, a depth of 110 feet along the sideline nearer Louisiana Street and a depth of 114.37 feet along the opposite sideline. And from the proceeds of said sale to pay petitioner by preference over all other claims, the sum of: ONE HUNDRED EIGHTY-TWO THOUSAND ONE HUNDRED SIXTY-FOUR AND 10 / 100 (\$182,164.10) DOLLARS, along with interest and attorney's fees and all other costs including my own costs and charges. **TERMS AND CONDITIONS OF SALE: CASH IN THE FORM OF A CASHIER'S CHECK DUE BY 2:00 P.M. DAY OF THE SALE. PUBLISH ON: June 18, 2015 July 16, 2015 GREG CHAMPAGNE-SHERIFF & EX-OFFICIO TAX COLLECTOR ST. CHARLES PARISH ATTORNEY FOR PLAINTIFF: Charles K Watts 8550 United Plaza Blvd. Suite 200 Baton Rouge, LA 70809 225-924-1600 SCSO-CIV-209-0402**

SHERIFF'S SALE

SHERIFF'S SALE
 SHERIFF'S OFFICE
 Suit No: (45) 79348-E
Date: Tuesday, June 16, 2015
U.S. BANK NATIONAL ASSO-
CIATION, AS
TRUSTEE FOR MERRILL
LYNCH FIRST
FRANKLIN MORTGAGE LOAN
TRUST,
MORTGAGE LOAN ASSET-
BACKED
CERTIFICATES, SERIES 2007-H1
 VS
DEBORAH TSCHANTZ
SCHEXNAYDRE A/K/A
DEBORAH T. SCHEXNAYDRE
A/K/A DEBORAH
SCHEXNAYDRE
GREG CHAMPAGNE, SHERIFF
 P.O. Box 426

HAHNVILLE, LA 70057
 Parish of St. Charles
29th Judicial District Court
 State of Louisiana

By virtue of and in obedience to a Writ of SEIZURE AND SALE directed to me by the Honorable 29TH JUDICIAL DISTRICT COURT in and for the PARISH OF ST. CHARLES, State of Louisiana, dated: TUESDAY, JANUARY 6, 2015, in the above entitled and numbered cause, I shall proceed to sell at public auction at the principal front door of the Courthouse of which the Civil District Court of the Parish of St. Charles is held on WEDNESDAY, AUGUST 19, 2015, at 10:00 A.M., to the last and highest bidder for cash, the following described property, to wit: THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all the rights, ways, privileges, servitudes, advantages and appurtenances thereunto belonging or in anywise appertaining, situated in the PARISH OF ST. CHARLES, STATE OF LOUISIANA, being designated as LOT 11 A, BLOCK F, Subdivision of West 1/2 Lot "B" of GOOD HOPE SUBDIVISION situated in Section 6, T-12-S, R-8-E, St. Charles Parish, Louisiana, all as set forth on that survey dated May 3, 2007 prepared by Riverlands Surveying Company which said Lot comes out of the resubdivision of Lots 11, 12, 13 and 14, Block F, Subdivision of West 1/2 of Lot "B" of Good Flope Subdivision. And from the proceeds of said sale to pay petitioner by preference over all other claims, the sum of: ONE HUNDRED NINE THOUSAND FIVE HUNDRED SEVENTEEN AND 05 / 100 (\$109,517.05) DOLLARS, along with interest and attorney's fees and all other costs including my own costs and charges. **TERMS AND CONDITIONS OF SALE: CASH IN THE FORM OF A CASHIER'S CHECK DUE BY 2:00 P.M. DAY OF THE SALE. PUBLISH ON: July 16, 2015 August 13, 2015 GREG CHAMPAGNE-SHERIFF & EX-OFFICIO TAX COLLECTOR ST. CHARLES PARISH ATTORNEY FOR PLAINTIFF: Corey J. Giroir P.O. Box 87379 13541 Tiger Bend Baton Rouge, LA 70879 225-756-0373 SCSO-CIV-209-0402**

SHERIFF'S SALE

SHERIFF'S SALE
 SHERIFF'S OFFICE
 Suit No: (45) 79632-D
Date: Tuesday, June 16, 2015
BANK OF AMERICA, NA
VS MICHELLE DUDENHEFER
BENOIT
GREG CHAMPAGNE, SHERIFF
 P.O. Box 426
HAHNVILLE, LA 70057
 Parish of St. Charles
29th Judicial District Court State of Louisiana

By virtue of and in obedience to a Writ of SEIZURE AND SALE directed to me by the Honorable 29TH JUDICIAL DISTRICT COURT in and for the PARISH OF ST. CHARLES, State of Louisiana, dated: THURSDAY, JUNE 4, 2015, in the above entitled and numbered cause, I shall proceed to sell at public auction at the principal front door of the Courthouse of which the Civil District Court of the Parish of St. Charles is held on WEDNESDAY, AUGUST 19, 2015, at 10:00 A.M., to the last and highest bidder for cash, the following described property, to wit: A CERTAIN LOT OF GROUND, 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 the Parish of St. Charles, State of Louisiana, that part thereof known as ORMOND COUNTRY CLUB ESTATES, all in accordance with a survey thereof by J. J. Krebs & Sons, Inc., dated 5/12/77, approved by Ordinance No. 66-3-248 of the St. Charles Parish Police Jury, registered in COB 192,

folio 75, St. Charles Parish, Louisiana and more particularly described as follows:
 LOT # 530, SQUARE 14, SECTION TWO, ORMOND COUNTRY CLUB ESTATES, which is bounded by Dunleith Drive, Greenwood Drive, Melrose Drive, and Linwood Drive. Said lot measures 70 feet front on Dunleith Drive, having a depth between equal and parallel lines of 110 feet, and having a width in the rear of 70 feet.

And from the proceeds of said sale to pay petitioner by preference over all other claims, the sum of ONE HUNDRED FIFTY-SEVEN THOUSAND ONE HUNDRED THIRTY AND 29 / 100 (\$157,130.29) DOLLARS, along with interest and attorney's fees and all other costs including my own costs and charges. **TERMS AND CONDITIONS OF SALE: CASH IN THE FORM OF A CASHIER'S CHECK DUE BY 2:00 P.M. DAY OF THE SALE. GREG CHAMPAGNE-SHERIFF & EX-OFFICIO TAX COLLECTOR ST. CHARLES PARISH PUBLISH ON: July 16, 2015 August 13, 2015 ATTORNEY FOR PLAINTIFF: Daniel A Reed 8550 United Plaza Blvd. Baton Rouge, LA 70809 SCSO-CIV-209-0402**

SHERIFF'S SALE

SHERIFF'S SALE
 SHERIFF'S OFFICE
 Suit No: (45) 79832-C
Date: Tuesday, June 9, 2015
U.S. BANK NATIONAL ASSO-
CIATION
 VS
CLAYTON A. LABORDE
GREG CHAMPAGNE, SHERIFF
 P.O. Box 426
HAHNVILLE, LA 70057
 Parish of St. Charles
29th Judicial District Court
 State of Louisiana

By virtue of and in obedience to a Writ of SEIZURE AND SALE directed to me by the Honorable 29TH JUDICIAL DISTRICT COURT in and for the PARISH OF ST. CHARLES, State of Louisiana, dated: WEDNESDAY, APRIL 29, 2015, in the above entitled and numbered cause, I shall proceed to sell at public auction at the principal front door of the Courthouse of which the Civil District Court of the Parish of St. Charles is held on WEDNESDAY, AUGUST 19, 2015, at 10:00 A.M., to the last and highest bidder for cash, the following described property, to wit: The land referred to in this policy is situated in the State of LA, County of SAINT CHARLES, City of LULING and described as follows: THAT CERTAIN PIECE OR PORTION OF GROUND, 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 the State of Louisiana, Parish of Saint Charles, in that part known as LULING HEIGHTS SECTION B, in SQUARE D thereof, bounded by Barton Avenue, Texas and Pacific Railroad right of way, west boundary of Luling Heights and Square G (side) of Luling heights, designated as LOT NUMBER 164, all in accordance with a survey of J. J. Krebs and Sons, C.E., dated March 20, 1959, which said lot measured sixty (60) feet front on Barton Avenue, the same width in the rear, by a depth of one hundred twenty (120) feet between equal and parallel lines; subject to restrictions, servitudes, rights-of-way and outstanding mineral rights of record affecting the property. And from the proceeds of said sale to pay petitioner by preference over all other claims, the sum of: ONE HUNDRED THOUSAND NINE HUNDRED SEVENTY-SIX AND 07 / 100 (\$100,976.07) DOLLARS, along with interest and attorney's fees and all other costs including my own costs and charges. **TERMS AND CONDITIONS OF SALE: CASH IN THE FORM OF A CASHIER'S CHECK DUE BY 2:00 P.M. DAY OF THE SALE. GREG CHAMPAGNE-SHERIFF & EX-OFFICIO TAX COLLECTOR ST. CHARLES PARISH PUBLISH ON: July 16, 2015 August 13, 2015 ATTORNEY FOR PLAINTIFF: Rachael Williams 1505orth 19th Street P.O. Box 2867 Monroe, LA 71207-2867 318-388-1440 SCSO-CIV-209-0402**

SHERIFF'S SALE

SHERIFF'S SALE
 SHERIFF'S OFFICE
 Suit No: (45) 79632-D
Date: Tuesday, June 16, 2015
BANK OF AMERICA, NA
VS MICHELLE DUDENHEFER
BENOIT
GREG CHAMPAGNE, SHERIFF
 P.O. Box 426
HAHNVILLE, LA 70057
 Parish of St. Charles
29th Judicial District Court State of Louisiana

SENIOR CITIZENS
20% DISCOUNT
EVERY THURSDAY

St. Charles Social Concerns Thrift Shop
 1601 Paul Maillard Road
 Luling, LA
 Open 9 - 3:45, Mon - Sat

