

Chapter 105 BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. IN GENERAL

Secs. 105-1—105-9. Reserved.

ARTICLE II. BUILDING CODE

Sec. 105-10. Adoption.

Pursuant to La. R.S. 40:1730.21 et seq., the Louisiana State Uniform Construction Code and any amendment adopted thereto are hereby adopted as the regulations for governing the construction or placement of buildings and structures within the parish.

Sec. 105-11. Title.

These provisions shall be known as the construction code of St. John the Baptist Parish.

(Ord. No. 07-09, § 5:2A, 2-27-2007)

Sec. 105-12. Scope.

The provisions of this article shall apply to the construction, alteration, repair, replacement, use and occupancy of every building or structure or any appurtenance connected to such building or structures, to the extent as required by the Louisiana State Uniform Construction Code.

(Ord. No. 07-09, § 5:2B, 2-27-2007)

Sec. 105-13. Purpose.

The purpose of this article is to provide minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from hazards attributed to the built environment.

(Ord. No. 07-09, § 5:2C, 2-27-2007)

Sec. 105-14. Applicability.

- (a) *General.* Where, in any specific case, different sections of this article specify different materials, methods of constructions, or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (b) *Other laws.* The provisions of this article shall not be deemed to nullify any provisions of local, state or federal law.

(c) *Referenced codes and standards.* Where differences occur between the provisions of this article and referenced codes and standards, the provisions of this article shall apply except where enforcement of an article provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing manufacturer's instructions shall apply.

(d) *Partial invalidity.* In the event that any part or provision of this article is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

(Ord. No. 07-09, § 5:2D, 2-27-2007)

Sec. 105-15. Duties and powers of building official.

(a) *General.* The building official is hereby authorized and directed to enforce the provisions of this article. The building official shall have the authority to render interpretations of this article and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall be in conformance with the intent and purpose of this article. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this article.

(b) *Notices and orders.* The building official or his designee shall issue all necessary notices or orders to ensure compliance with this article.

(c) *Inspections.* The building official shall have the authority to make all of the required inspections and/or accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(d) *Identification.* The building official and his designees shall carry proper identification when inspecting structures or premises in the performance of duties under this article.

(e) *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this article, or where the building official has reasonable cause to believe that there exists in a structure or upon a premise a condition which is contrary to or in violation of this article which makes the structure or premises unsafe, dangerous, or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this article, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(f) *Department records.* The department of planning and zoning shall keep records of applications received, permits and certificates issues, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for at least the period required for the retention of public records.

(g) *Liability.* The building official, member of the board of appeals, or employee charged with the enforcement of this article, while acting for the parish in good faith and without malice in the discharge of the duties required by this article or other pertinent law or ordinance, shall not thereby be rendered liable personally and s hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful charge of duties and under the provisions of this article shall be defended by a legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit, or proceeding that is instituted in pursuance of the provisions of this article.

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- (h) *Approved materials and equipment.* Materials, equipment and devices approved by the building shall be constructed and installed in accordance with such approval.
 - (i) *Used materials and equipment.* The use of used materials which meet the requirements of this article for new materials is permitted. Used materials, equipment, and devices shall not be reused unless approved by the building official or his designee.
 - (j) *Modifications.* Wherever there are practical difficulties involved in carrying out the provisions of this article, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special circumstance makes the strict letter of this article impractical and the modification does not lessen health, accessibility, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the local jurisdiction.
 - (k) *Alternative materials, design, and methods of construction and equipment.* The provisions of this article are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this article, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this article, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this article in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this article shall also be permitted as an alternate.
 - (l) *Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this article, shall consist of valid research reports from approved sources.
 - (m) *Tests.* Whenever there is insufficient evidence of compliance with the provisions of this article, or evidence that a material or method does not conform to the requirements of this article, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this article or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official and local jurisdiction for the period required for retention of public records.

(Ord. No. 07-09, § 5:2E, 2-27-2007)

Sec. 105-16. Permits.

- (a) *Required.* Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, convert or replace any electrical, gas, mechanical or plumbing system, of which the construction or installation is regulated by this article, or to cause any such work to be done, shall first make application and obtain the required permit from the department of planning and zoning.
- (b) *Public service agencies.* A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established rights.
- (c) *Application for permit.* To obtain a permit, the applicant shall first file application in writing on a form furnished by the department of planning and zoning for that purpose. Such application shall:
 - (1) Identify and describe the work to be covered by the permit for which application is made.

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- (2) An act of sale or deed to the property must be supplied.
 - (3) Indicate the use and occupancy for which the proposed work is intended.
 - (4) Be accompanied by detailed construction documents and other information as required.
 - (5) State the valuation of the proposed work.
 - (6) Be signed by the applicant or the applicant's authorized agent.
 - (7) Give such other data and information as may be required.
- (d) *Action on application.* Applications for permits and amendments thereto shall be examined within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the application shall be rejected in writing, stating the reasons therefore. If the proposed work conforms to the requirements of this article and laws and ordinances applicable thereto, the department of planning and zoning shall issue a permit therefore as soon as practicable.
- (e) *Validity of permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or of any other ordinance. Permits presuming to give authority to violate or cancel the provisions of this article or other ordinances shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the department of planning and zoning from requiring the correction of errors in the construction documents and other data. The department of planning and zoning is also authorized to prevent occupancy or use of a structure where in violation of this article or of any other ordinances.
- (f) *Expiration.* Permits shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period exceeding 180 days after the time the work is commenced. The department of planning and zoning is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- (g) *Suspension or revocation.* The department of planning and zoning is authorized to suspend or revoke a permit issued under the provisions of this article whenever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this article.
- (h) *Placement of permit.* The building permit placard and a copy of the approved set of construction plans shall be kept on the site of work. The building permit placard shall remain visible from the road or nearest public property until the completion of the project.
- (i) *Responsibility.* It shall be the duty of every person who performs work, for which this article is applicable, to comply with this article.

(Ord. No. 07-09, § 5:2F, 2-27-2007)

Sec. 105-17. Construction documents.

- (a) *Submittal documents.* Construction documents, statement of special inspection and structural observation programs and other data shall be submitted in one or more sets with each permit application for a permit. The construction documents shall be prepared by a registered design professional, where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, additional construction documents may be required to be prepared by a registered design professional. Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work

applied for is such that reviewing of construction documents is not necessary to obtain compliance with this article.

- (1) *Information on construction documents.* Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this article and relevant laws, ordinances, rules and regulations.
 - (2) *Fire protection system shop drawings.* Shop drawings for the fire protection systems for commercial buildings shall be submitted to the state fire marshal's office.
 - (3) *Manufacturer's installation instructions.* Manufacturer's installation instructions, as required by this article, shall be available on the job site at the time of inspection.
 - (4) *Information for construction in flood hazard areas.* For buildings and structures located in whole or in part, in flood hazard areas as established by the parish, construction documents shall include:
 - a. Delineation of flood hazard areas, floodway boundaries, and flood zones and the design flood elevation, as appropriate;
 - b. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
 - c. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V zones); and
 - d. If design flood elevations are not included on the community's flood insurance rate map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.
 - (5) *Site plan.* The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, and distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey.
- (b) *Examination of documents.* The construction documents shall be examined for code compliance and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this article and other pertinent laws or ordinances.
 - (c) *Approval of construction documents.* When the building official approves a permit, the construction documents shall be approved, in writing or by a stamp, as "Reviewed for Code Compliance." A set of construction documents so reviewed shall be retained by the department of planning and zoning. Another set shall be returned to the applicant to be kept at the site of work and shall be open to inspection by the building official or his designee.
 - (d) *Amended construction documents.* Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

(Ord. No. 07-09, § 5:2G, 2-27-2007)

Sec. 105-18. Temporary structures and uses.

- (a) *General.* Permits may be granted for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The department of planning and zoning is authorized to grant extensions for demonstrated cause.
- (b) *Conformance.* Temporary structures and uses shall conform to the structural strength, fire safety, and means of egress, accessibility, light, ventilation, and sanitary requirements of this article as necessary to ensure public health, safety, and general welfare.
- (c) *Temporary power.* Permission may be granted to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat, or power in the National Electrical Code.
- (d) *Termination of approval.* The department of planning and zoning is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

(Ord. No. 07-09, § 5:2H, 2-27-2007)

Sec. 105-19. Inspections.

- (a) *General.* Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this article or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this article or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. The building official, the parish, nor any inspector for the parish or under contract with the parish shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- (b) *Preliminary inspection.* Before issuing a permit, the building official or his designee is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.
- (c) *Foundation inspections.* Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and supported prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.
- (d) *Concrete slab and under-floor inspection.* Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor.
- (e) *Floodplain inspections.* For construction in flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement, shall be submitted.
- (f) *Plumbing, mechanical, gas, and electrical systems inspections.* Rough inspection of plumbing, mechanical, gas, and electrical systems shall be made prior to covering the concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

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- (g) *Frame and masonry inspection.* Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, fire-stopping, draft-stopping, and bracing are in place and after the plumbing, mechanical, and electrical rough inspections are approved.
- (h) *Fire-resistance rated construction inspection.* Where fire-resistance rated construction is required between dwelling units or due to location on property, an inspection of such construction is required after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished.
- (i) *Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection.* Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical, and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing, and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this article.
- (j) *Other inspections.* In addition to the called inspections above, the building official may make or require any other inspections to ascertain compliance with this article and other laws enforced by the building official.
- (k) *Final inspections.* Final inspection shall be made after the permitted work is complete and prior to occupancy.
- (l) *Zoning inspections.*
- (1) A preliminary inspection and a final inspection shall be made by a building/zoning inspector. The preliminary inspection shall be made when the foundation and basic plumbing are installed, but prior to pouring of the concrete slab. This is to verify, prior to the pouring or installation of the permanent foundation, that the required yard setbacks are maintained.
 - (2) Within three days notification that a building or premises or part thereof is ready for occupancy and use, it shall be the duty of the building/zoning Inspector to make a final inspection of the site and issue approval if the following conditions are met:
 - a. The proposed use is found to be in conformity with the provisions of all parish ordinances and regulations, in particular zoning regulations.
 - b. The building was erected in accordance with the approved plans upon which the permit was issued.
 - c. The site is clear of debris and construction related waste.
 - d. The portable sanitary facilities have been removed.
 - e. There is no construction related damage to adjacent street, curb, or other public property.
 - (3) Inspection agencies. The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
 - (4) Inspection requests. It shall be the duty of the permit holder or their agent to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this article to provide access to and means for inspection of such work.
 - (5) Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining approval from the building official. The requested inspections shall be made and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this article. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized.
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(Ord. No. 07-09, § 5:2I, 2-27-2007)

Sec. 105-20. Certificate of occupancy.

- (a) *Use and occupancy.* No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the department of planning and zoning has issued a certificate of occupancy as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this article or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this article or other ordinances of the jurisdiction shall not be valid.
- (b) *Certificate issued.* After inspection of the building or structure, if there are no violations of the provisions of this article or other laws that are enforced by the parish or by the state, the department of planning and zoning shall issue a certificate of occupancy.
- (c) *Temporary occupancy.* The department of planning and zoning is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set up a time period during which the temporary certificate of occupancy is valid.
- (d) *Revocation.* The department of planning and zoning is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this article wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any provisions of this article.

(Ord. No. 07-09, § 5:2J, 2-27-2007)

Sec. 105-21. Service utilities.

- (a) *Connection of service utilities.* No person shall make connections from a utility, source of energy, fuel, or power to any building system that is regulated by this article for which a permit is required, until released by the department of planning and zoning.
- (b) *Temporary connection.* The department of planning and zoning shall have the authority to authorize and approve the temporary connection of the building or system to the utility source of energy, fuel, or power.
- (c) *Authority to disconnect service utilities.* The department of planning and zoning shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this article in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the required approval. The department of planning and zoning shall notify the serving utility and, whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

(Ord. No. 07-09, § 5:2K, 2-27-2007)

Sec. 105-22. Violations.

- (a) *Unlawful acts.* It shall be unlawful for any person to erect, construct, alter, extend, repair, move, or occupy any building, structure or equipment regulated by this article, or cause same to be done, in conflict with or in violation of any of the provisions of this article.

(b) *Notice of violation.* The department of planning and zoning is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, or occupancy of a building or structure in violation of the provisions of this article, or in violation of a detailed statement or a plan approved hereunder, or in violation of a permit or certificate issued under the provisions of this article. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(c) *Violation penalties.*

(1) Any person who violates a provision of this article or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the department of planning and zoning, or of a permit or certificate issued under the provisions of this article, shall be subject to a penalty not exceeding \$100.00 or imprisonment for a term not exceeding 30 days, or both.

(2) Each day any violation of this article shall continue constitutes a separate offense.

(Ord. No. 07-09, § 5:2L, 2-27-2007)

Sec. 105-23. Stop work order.

(a) *Notice to owner.* Upon notice that work on any building or structure is being prosecuted contrary to the provisions of this article or in an unsafe and dangerous manner, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent or to the person doing the work and shall state the conditions under which work will be permitted to resume.

(b) *Unlawful continuance.* Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(Ord. No. 07-09, § 5:2M, 2-27-2007)

Sec. 105-24. Construction site requirements.

During construction of any commercial or residential project which requires a building permit, the owner or contractor will have the following on site:

(1) A port-o-let for use by workers on the project.

(2) A dumpster of suitable size to contain trash and waste material from the construction site in order to eliminate jobsite trash and materials from spilling or blowing over into surrounding properties. If the owner or contractor has two or more jobsites adjacent to each other, one dumpster and port-o-let may be shared by the said jobsites, at the discretion of the parish building inspector.

(3) For single-family residential construction sites, the contractor or owner may, in lieu of a dumpster, erect a screened-in area or other trash retaining structure on-site so as to contain construction trash until proper disposal is possible.

(4) A building permit placard.

(5) The approved set of plans must be on-site during the entirety of the construction project.

(Ord. No. 07-09, § 5:3, 2-27-2007)

Sec. 105-25. Swimming pools.

- (a) *Residential swimming pools.* Residential swimming pool is an accessory use to a primary single-family detached residence located in any residential, rural, or mobile home park district. Residential swimming pools shall not be operated as a business; therefore, home occupational licenses shall not be permitted. Excluded from this definition are country clubs and leisure clubs specifically permitted in R-1 zoning districts.

(1) *In-ground pools.*

- a. *Setback.* No rear or side yard setback shall be required, and decking to the property line shall be permitted except that the water line shall be a minimum of five feet from any property line, except where servitude prohibitive.
- b. *Buffer required.* Residential swimming pools shall be enclosed by a [permanent fence constructed with typical fencing materials such as, but not limited to: chain link, wood, wrought iron, or other metal or masonry materials](#), with a minimum height of four feet.
- c. *Front yard prohibited.* In-ground pools at or above 15 feet in diameter, four feet in depth, shall only be permitted in rear or side yards.
- d. *Two safety devices required.* The fence shall have and maintain a locking device. An Additional device of the owner's choice shall also be maintained. Such device may include, but is not limited to, an alarm, removable ladder, pool cover, or any mechanism capable of preventing a small child from entering.

(2) *Above-ground pools at 15-foot diameter/four-foot depth.*

- a. *Setback.* A minimum setback of five feet shall be required from the rear property line. A minimum of five feet shall be required from any side property line, except where servitude prohibitive.
- b. *Buffer required.* Residential swimming pools shall be enclosed by a [permanent fence constructed with typical fencing materials such as, but not limited to: chain link, wood, wrought iron or other metal or masonry materials](#), with a minimum height of four feet.
- c. *Front yard prohibited.* Above-ground pools at and above 15 feet in diameter, four feet in depth, shall only be permitted in rear or side yards.
- d. *Two safety devices required.* The fence shall have and maintain a locking device. An additional device of the owner's choice shall also be maintained. Such device may include, but are not limited to, an alarm, removable ladder, pool cover, or any mechanism capable of preventing a small child from entering.

- (b) *Commercial swimming pool.* pools owned by a business or non-profit organization, including multifamily complexes whose primary use is as a leased family dwelling in R-3 or R-4 zoning districts, where recreational activities are a primary or accessory use to the profitability of the organization and swimming lessons may be taught.

(1) *In-ground and above ground pools.*

- a. *Setback.* No rear or side yard setback shall be required and decking to the property line shall be permitted except that the water line shall be a minimum of five feet from any property line, except where servitude prohibitive.
- b. *Buffer required.* Commercial swimming pools shall be enclosed by a [permanent fence constructed with typical fencing materials such as, but not limited to: chain link, wood, wrought iron or other metal or masonry materials](#), that is a minimum height of six feet.

- c. *Safety devices required.* A life guard who has met the safety certification standards of the American Red Cross shall be on duty at the premises and a fence shall be erected with a maintained locking device.

(Ord. No. 07-09, § 5:4, 2-27-2007; Ord. No. 11-12, 4-26-2011; Ord. No. 17-31, 8-8-2017)

Sec. 105-26. Fees.

- (a) *Payment of fees.* A permit shall not be valid until the fees prescribed by law have been paid, nor shall any amendment to a permit be released until the additional fee, if any, due to an increase in the estimated cost of the building or structure shall have been paid. All building permits expire one year from the date of issuance. A written extension may be applied for continuance of permit but in no instance shall extensions exceed one additional year.
- (b) *Building permits valuations.* Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment, and other permanent systems, including materials and labor.
- (c) *Work commencing before permit issuance.* Any person who, without prior permission from the department of planning and zoning, commences any work prior to obtaining the necessary permits shall be subject to a fee established by the department of planning and zoning that may be in addition to the required fees.

(Ord. No. 07-09, § 5:5, 2-27-2007; Ord. No. 08-69, 12-9-2008)

Secs. 105-27—105-39. Reserved.

ARTICLE III. ~~HAZARDOUS/UNSAFE BUILDINGS AND PREMISES~~

~~Sec. 105-40. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Building* means any building, structure, or portion thereof used for residential, business, or industrial purposes.~~

~~*Code enforcement inspector* means the inspector of the parish or such other person appointed to enforce the provisions of this article.~~

~~*Premises* means land and the buildings upon it.~~

~~(Code 1988, § 5:52; Ord. No. 84-49, 7-19-1984)~~

~~Sec. 105-41. Purpose.~~

~~Unsafe buildings and premises pose a threat to life and property in the parish. Buildings, structures, and premises may become unsafe by reason of damage by fire, the elements, age, or general deterioration. Vacant buildings not properly secured at doorways and windows also serve as an attractive nuisance for young children who may be injured therein, as well as a point of congregation by vagrants and transients. A dilapidated building or unkept premises may also serve as a place of rodent infestation thereby creating a health menace to the parish. It is the purpose of this article to provide for the safety, health, protection, and general welfare of persons and~~

property in the parish by requiring such unsafe buildings to be repaired or demolished and removed, and premises be made safe and secure.

(Code 1988, § 5:51; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-42. Investigation and report.~~

The code enforcement inspector shall cause or make an inspection thereof and make a report in writing, concerning his findings and recommendations in regard to its repair or demolition and removal, to the parish president, when in the code enforcement inspector's opinion or upon receipt of information that a building or premises:

- (1) — Is or may become dangerous or unsafe to the general public;
- (2) — Is open at the doorways and windows making it accessible to and an object of attraction to minors under 18 years of age, as well as to vagrants and other trespassers;
- (3) — Is or may become a place of rodent infestation;
- (4) — Presents any other danger to the health, safety, morals, and general welfare of the public; or
- (5) — Is unfit for the purposes for which it may lawfully be used.

(Code 1988, § 5:53; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-43. Review of report and determination by parish president.~~

The parish president shall review this report and determine, if in his opinion the report so warrants, that such building or premises is unsafe and dangerous and order its repair if the same can be safely repaired or its demolition and removal, and further order that notice be served upon the persons in the manner provided herein. If he determines that said premises, building, part of building, etc., are in imminent danger of collapse and constitute a menace to public health and safety, he shall have the authority to cause the demolition of said premises, building, part of building, etc., by any parish department or private corporation after 24 hours' notice to any person who may have a vested or contingent interest in said premises, building, or part of building, etc. If he determines that said premises, building, part of building, etc., are not in imminent danger of collapse, but are unsafe, unhealthy, unsanitary, or dangerous, he shall cause the premises or structure to be brought to a safe condition. In this regard, he shall order that a notice be served upon the persons in the manner provided herein.

(Code 1988, § 5:61; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-44. Notice to persons with interest in premises; contents.~~

The notice to persons with interest in the premises shall contain the following:

- (1) — A description of the premises;
- (2) — A statement of the particulars in which the building is unsafe or dangerous;
- (3) — An order outlining the manner in which the building or premises are to be made safe and secure, or demolished and removed;
- (4) — A statement that the securing or removal of such buildings shall commence within ten days of the service of the notice and shall be completed within 30 days thereafter, unless for good cause shown such time shall be extended;

(5) — If the persons refuse to comply with the requirements of the first notice, a second notice shall be served on the persons heretofore named notifying said persons that unless the demolition, improvements, or repair work is commenced within 24 hours of receipt of the notice, the parish public works director will enter upon the premises, placard same, close up and barricade all entrances, prevent further occupation of any or all parts of the building, and protect the sidewalks with fences or otherwise provide safety for the occupants and the public. The parish president, through the appropriate department, shall then employ such labor, furnish such material, and take such steps as, in his judgment, may be necessary to restore the premises to a safe condition. In this regard, the parish president may advertise bids that shall be submitted to the appropriate department for final disposition.

(6) — The removal of the placard by the owner or agent with vested interest in the property referred to in this section shall be considered a violation of this article.

(Code 1988, § 5:62; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-45. Service of notice.~~

The notice to persons with interest in the premises shall be served as follows:

(1) — By personal service of a copy thereof upon the owner, executor, administrator, agent, lessee, or any person having a vested or contingent interest in such unsafe building as shown by the records of the assessor or of the clerk of court; or if no such person can be reasonably found by mailing such owner by certified mail a copy of such notice directed to his last known address;

(2) — By personal service of a copy of such notice upon any adult person residing in or occupying said premises if such person can be reasonably found; and

(3) — By securely affixing a copy of such notice upon the unsafe building or premises.

(Code 1988, § 5:63; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-46. Owner responsible for expenses associated with enforcement of this article.~~

All expenses incurred by the parish in the enforcement of this article shall be borne by the person owning the premises or building. The public works director shall bill said owner in the amount expended by the parish as determined by the public works director.

(Code 1988, § 5:66; Ord. No. 84-49, 7-19-1984)

~~Sec. 105-47. Payment; collection; tax lien.~~

If the full amount due the parish under the provisions of this article is not paid by the owner, within ten days after the work has been done, the parish president or his duly authorized representative shall cause to be recorded in the parish clerk of court's office a sworn statement showing the cost and expense incurred for the work and the date, place or property on which such work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest plus cost of court, if any, for collection until final payment has been made. Such cost and expenses shall be collected in the manner fixed by law for the collection of taxes; and further, shall be subject to a delinquent penalty of ten percent in the event they are not paid in full on or before the date the tax bill upon which the charge appears becomes delinquent. A sworn statement recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been

~~properly and satisfactorily done and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that such charge is due and collectable as provided by law.~~

~~(Code 1988, § 5:67; Ord. No. 84-49, 7-19-1984)~~

~~Sec. 105-48. Parish may take legal action to enforce compliance.~~

~~The fact that the parish may cause said premises, building, or parts thereof, or other structure to be demolished or repaired at the expense of the person owning the same, shall not preclude the parish president from taking legal action in a court of competent jurisdiction against the person who shall fail, neglect, or refuse to comply with the orders of the parish president and the violation or disregard of such orders shall be considered a violation of this article.~~

~~(Code 1988, § 5:68; Ord. No. 84-49, 7-19-1984)~~

~~Secs. 105-49—105-67.~~

Reserved.

ARTICLE IV. TRANSPORTATION/RELOCATION OF BUILDINGS

DIVISION 1. GENERALLY

Sec. 105-68. Definitions.

For the purposes of this article, the following terms, phrases, and words shall have the following meanings:

Building or house means a structure designed, built or occupied as a shelter of roofed enclosure for persons, animals or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes which, including the building and moving vehicle or apparatus, exceeds an overall height of 13½ feet.

Building mover or house mover means an individual, partnership, or corporation who moves or procures an agreement to move a building over, along or across any highway, street, or alley.

Building official means the parish engineer.

Escorting officer or authority means a commissioned law enforcement officer of the parish who is primarily responsible for carrying out the provisions of this article.

Street means that portion of the street right-of-way designed for vehicular traffic.

Street right-of-way means that portion of land dedicated to public use for street and utility purposes.

(Code 1988, § 5:586; Ord. No. 83-24, 1983)

Sec. 105-69. Penalty.

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and on conviction, shall be fined in accordance with state law not more than \$500.00.

(Code 1988, § 5:611; Ord. No. 83-24, 1983)

Sec. 105-70. Moves to comply with this Code.

All moving operations shall comply with the provisions of this Code.

(Code 1988, § 5:585; Ord. No. 83-24, 1983)

Sec. 105-71. Right to judicial review.

Nothing herein contained shall be construed so as to deprive any person of any right that he may have to obtain judicial review of any administrative decision made hereunder.

(Code 1988, § 5:626; Ord. No. 83-24, 1983)

Sec. 105-72. Exception.

The provisions of this article shall not apply to the moving of small temporary structures, portable buildings or other similar structures where the structure can be moved on normal automotive equipment and will not require the blocking of rights-of-way or interfere with the normal movement of traffic.

(Code 1988, § 5:587; Ord. No. 83-24, 1983)

Sec. 105-73. Restrictions.

Any building mover when operating under the provisions of this article, unless otherwise stated or permitted, shall not:

- (1) Initiate travel during the hours of 7:00 a.m. to 9:00 a.m. and 11:00 a.m. to 1:00 p.m. and 4:00 p.m. to 6:00 p.m., Monday through Friday or during inclement weather;
- (2) Travel or operate from December 1 through January 2, except on Sunday;
- (3) Travel or operate through an overpass;
- (4) Travel or operate on any part of the national system of interstate and defense highways when the vehicle or combination of vehicles is so designed and/or loaded that:
 - a. The width exceeds 12 feet.
 - b. The height exceeds 18 feet.
 - c. The speed of said vehicle is or will be less than 20 miles per hour or less than the minimum speed.
- (5) Travel or operate on any and all streets within the parish when the vehicle or combination of vehicles is so designed and/or loaded that:

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- a. The width of the house shall be no wider than the narrowest street it shall pass, plus ten percent. However, if in the opinion of the building official the excess overage width requested will not do harm to private/public property, he may grant special permission to move structure;
 - b. The height does not exceed 18 feet;
 - c. The length of the structure to be moved shall not exceed the minimum turning radius capabilities of any intersection along the route.
- (6) Impede the normal flow of traffic whenever possible;
 - (7) Be left parked on the main traveled portion of a street;
 - (8) Operate at a speed in excess of the maximum speed set by the authorized police officer;
 - (9) Cut trees or tree limbs and branches without written consent from the owner of the trees.

(Code 1988, § 5:588; Ord. No. 83-24, 1983)

Sec. 105-74. Requirements.

Any building mover when operating under the provisions of this article shall:

- (1) Comply with all statutory provisions, except those waived by this article;
- (2) Display warning flags (red in color and a minimum of 18 inches square) on all over length and overwidth movements. Flags shall be displayed on all four corners of the vehicle or conveyance. The escorting officer may require display of flags as deemed necessary when the requirements of this subsection is not practical.
- (3) Display warning lights at night or whenever emergency situations may deem it necessary to leave a building on any street, alley or public way or thoroughfare of the parish overnight. The persons responsible therefor are required to place red warning lights at each end of said building.
- (4) Wear a hard hat and safety vest. Rubber gloves are also required for men who will come in contact with electrical wires.
- (5) Have at least two house-moving escort vehicles accompany each house movement, in addition to the vehicle used in moving the structure. Each of these escort vehicles shall be equipped with at least two 20-pound ABC dry chemical fire extinguishers. Additional escort vehicles, however, may be required by the parish engineer and the sheriff prior to the issuance of any permit.
- (6) Have at least one police officer retained to escort each house movement. In all cases, however, the sheriff will determine the number of police officers required for each house movement before issuance of any permit.
- (7) Secure all loose boards and other building material including, but not limited to, roofing shingles, roofing felt, glass, wires, pipes and sheet metal. It shall be illegal to allow any debris to litter the streets, rights-of-way, or private or public property. Failure to retrieve and clean all such littered areas immediately, shall be considered a dangerous hazard to the public and shall constitute the perpetration of a misdemeanor. Where it has been determined by eye witness that such areas have been littered by the housemover and have not been immediately removed, the parish council shall remove the litter or debris, said costs for the removal of the debris and/or litter shall be for the account of the moving contractor. If any moving contractor is charged with the offense of littering on more than two occasions within a calendar year, such conduct shall be grounds for a suspension of his license.

(Code 1988, § 5:589; Ord. No. 83-24, 1983)

Sec. 105-75. Duties of parish engineer.

The parish engineer's duties under this article are as follows:

- (1) It shall be the duty of the parish engineer to issue a house-moving permit to licensed house movers.
- (2) If the house is located in the parish, copies of the permit are to be sent to appropriate sewerage districts, waterworks districts and/or other affected utilities.
- (3) If damage to the sidewalk, curb or street has been observed by the escorting officer, it shall be the duty of the escorting officer to contact the parish engineer. The parish engineer shall make demand upon the moving contractor that such damage be repaired within 30 days. The parish engineer is authorized to make the necessary repairs and charge the costs to the permittee.
- (4) If damage to private property has been reported by the escorting officer, it shall be the duty of the parish engineer to contact the moving contractor and make demand upon the moving contractor that such damage be repaired within 30 days. If the moving contractor fails or refuses to make repairs, the contractor shall be in violation of the provisions of this article and may be subject to the criminal sanctions imposed in section 105-69 and may be subject to having his license suspended or revoked as provided in section 105-128.

(Code 1988, § 5:601; Ord. No. 83-24, 1983)

Sec. 105-76. Duties of permittee.

Every permittee under this article shall:

- (1) Use designated streets and move a building only over streets designated for such use in the written permit. The streets shall be selected by the permittee, subject to approval of the building official or his designee.
- (2) Where a structure is to be moved and there is the potential that a thoroughfare will be blocked due to maneuvering of the moving vehicle, then the director of civil defense may require standby fire protection equipment to protect that area during moving operations. It will be the responsibility of the moving operator to pay all fees for equipment and manpower. The failure to pay said billing shall be cause for revocation of mover's annual license and shall cause the parish to draw upon the mover's letters of credit to honor his financial obligations.
- (3) Contact the sheriff's department at least 48 hours before expiration of the permit in order that a date and time can be assigned to the house move.
- (4) Notify the sheriff's office at least two hours before the move is to be initiated.
- (5) Payment for all damages to public property or adjustments of public utilities incurred by the move must be paid upon receipt of an itemized bill by the parish. The failure to pay said billing shall place the mover in violation of the provisions of this article and shall subject him to the criminal sanctions imposed in section 105-69 and may be subject to having his license suspended or revoked as provided for in section 105-128. Additionally, by failing to pay said billing within 30 days from receipt thereof, the moving contractor does hereby authorize the parish to draw upon his letter of credit furnished to the parish engineer as set forth in section 105-126 to pay said billing in full. Payment for all damages to private property incurred by the move must be paid upon receipt of an itemized bill from the parish engineer. The failure to pay said billing shall be in violation of the provisions of this article and subject the moving contractor to the criminal sanctions imposed in section 105-70 and may be subject to having his license suspended or revoked as provided for in section 105-128.

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- (6) Cause red lights to be displayed during the nighttime on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times, erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building.
 - (7) Remove all rubbish and material and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition after the building is moved.
 - (8) Comply with all applicable regulatory laws.
 - (9) Notify all electricity, gas, water, and sewer servicers to discontinue their services.
 - (10) Provide visual horizontal and vertical measurements of the house to be moved upon request of the escorting officer.

(Code 1988, § 5:602; Ord. No. 83-24, 1983)

Sec. 105-77. Duties of police officer.

- (a) It shall be the duty of the authorized officer to inspect the permit papers and verify the horizontal and vertical measurements of the house to be moved as stipulated on the permit. (Responsibility for measurement to be incumbent on the mover.) Conditions of the permit that pertain to the prior movement of the house must be met and the proper escort as stated on the permit must be present. In the event that these conditions are not met, the police officer is mandated to prevent the house movement. The police officer in such case shall return the permit papers to the parish engineer attaching a written statement giving the reasons for stopping the house-moving operations.
- (b) It shall be the duty of the escorting officer, in all cases, to return the permit papers to the parish engineer. In all cases when the conditions of permit were changed or any regulations of this article were violated including, but not limited to, damages to public and/or private property, it shall be the responsibility of the escorting officer, should he be aware of said charge or violation, to submit a written statement to the parish engineer with the permit papers.

(Code 1988, § 5:603; Ord. No. 83-24, 1983)

Secs. 105-78—105-96. Reserved.

DIVISION 2. PERMIT

Sec. 105-97. Required.

It shall be unlawful for any person to move or transport any building onto, over, or through any street, alley or public way or thoroughfare of the parish unless such person has first applied for and obtained a written permit authorizing such moving or transportation and paid the fee required. Permits shall be issued only to licensed building movers.

(Code 1988, § 5:590; Ord. No. 83-24, 1983)

Sec. 105-98. Application.

- (a) *Required.* Any person desiring to move or transport any building onto, over, or through any street, alley, or public way or thoroughfare within the limits of the parish shall make written application for a permit to do so, to the parish engineer.
- (b) *Contents.* A person seeking issuance of a permit hereunder shall file an application for such permit with the parish engineer.
 - (1) *Form.* The application shall be made in writing, and shall be filed in the office of the parish engineer.
 - (2) *Contents.* The application shall set forth:
 - a. A description of the building proposed to be moved, giving street number, construction materials, dimensions, number of rooms, and condition of exterior and interior;
 - b. A street address and/or description of the lot from which the building is to be moved, giving the lot, block, and track number, if available;
 - c. A plat of the portion of the lot to be occupied by the building when moved; if located in the parish;
 - d. The routing of the highways, streets and alleys over and along which the building is proposed to be moved;
 - e. A map shall be submitted to the office of the director of civil defense for review and for notification of the emergency responding equipment. If, in the opinion of the civil defense director or his designated representative, dangerous conditions may prevail whereby emergency responding equipment will be blocked or fire hazards are created, then said structures shall not be permitted to be moved to the location;
 - f. Any additional information which the parish engineer shall find necessary to determine whether a permit should be issued;
 - g. Floodplain elevation of new location for structure if it is to be relocated in the parish.
- (c) *Approval.* The parish engineer will verify the contents of the application as applicable and approve/disapprove the application.

(Code 1988, §§ 5:591—5:593; Ord. No. 83-24, 1983)

Sec. 105-99. Grounds for denial.

A permit to move a building may be denied for the following causes:

- (1) Whenever the applicant has failed to comply with the provisions of this article or laws of the state;
- (2) Whenever the building is in such a state of deterioration, or disrepair, or it otherwise is so structurally unsafe that it could not be moved without endangering persons and property, including public/private; and
- (3) Whenever the zoning ordinance (chapter 113) would be violated by the building in its new location, if applicable;

(Code 1988, § 5:594; Ord. No. 83-24, 1983)

Sec. 105-100. Fees.

- (a) An application for a building moving permit shall pay to the building official a fee the amount as established in section 14-105(1)a. which will be deposited into a general house-moving fund.
- (b) The parish engineer shall collect the house-moving fee of the permit applicant.
- (c) Any large objects except buildings exceeding legal height and width, herein defined, and requiring police escort to move through the parish, shall pay a fee in the amount as established in section 14-105(1)b. for each police escort. The number of escorts is to be determined by the sheriff's department. All fees for this type of escort to be paid directly to the sheriff's department.

(Code 1988, § 5:595; Ord. No. 83-24, 1983)

Sec. 105-101. Issuance.

- (a) The parish engineer will issue a permit upon receipt of an approved application and payment of the house-moving fee.
- (b) After the permit is issued and relocation begins, the building mover shall continuously and without interruption, work at moving the building until it reaches the destination shown on the permit. A building mover's failure to comply herewith shall, in addition to the penalties otherwise provided, be a cause for suspension or revocation of the license.
- (c) The permit will be valid after two working days from the date of issuance and expires after two weeks from the date of issuance. In the event that a house is not moved within this timeframe, the housemover must obtain a new permit; however, no additional fees are required.

(Code 1988, § 5:596; Ord. No. 83-24, 1983)

Secs. 105-102—105-120. Reserved.*DIVISION 3. MOVER LICENSE***Sec. 105-121. Application and license required as prerequisites to operation.**

It shall be unlawful to engage in business as a building mover, as defined in section 105-68, without first having filed an application with and having secured a license from the parish engineer.

(Code 1988, § 5:612; Ord. No. 83-24, 1983)

Sec. 105-122. Application; contents.

Each person who is required to obtain a license under the provisions of this article shall make application in writing to the building official on forms provided by him. The application shall be signed by the applicant under oath and shall contain the following information, together with such additional information as may be necessary for the building official to pass upon the sufficiency of the application:

- (1) If the applicant is an individual contractor:
 - a. The full name, sex, and age of applicant;

- b. Residence address at the time of application;
 - c. The name under which the business is to be conducted;
 - d. Location of place of business for which license is sought; and
 - e. The experience the applicant has had in the business of moving buildings;
- (2) If the applicant is a partnership: The information required by subsection (1)a. of this section for the partner who is to direct the work of the firm.
- (3) If the applicant is a corporation:
- a. Full and accurate name;
 - b. Date and state of incorporation;
 - c. The information required by subsection (1)a. of this section for the active member or employee of the corporation who is to direct the work of the firm.
- (4) The class, type, make, manufacturer, motor and serial numbers, design, and size of each and every vehicle owned and to be used by applicant.

(Code 1988, § 5:613; Ord. No. 83-24, 1983)

Sec. 105-123. Liability insurance required.

- (a) Every applicant must secure liability insurance covering all of his working operations, including loading, unloading, and movement of buildings upon vehicles, in minimum amounts of \$300,000.00 combined single limit (CSL) for injury to or death of one or more persons and/or property damage per occurrence and automobile liability insurance in minimum amounts of \$300,000.00 CSL for injury to or death of one or more persons and/or property damage per occurrence covering all vehicles used in business.
- (b) Certificate of liability insurance with insurance companies authorized to do business in the state shall be delivered to the building official, and each policy shall, by its terms, provide that it cannot be canceled until after ten days' written notice to the parish engineer. Should any licensed building mover fail to provide another policy of liability insurance prior to such cancellation, his license policy ceases to be effective. A suspension as provided in this section, shall be automatic and effective without notice or hearing as otherwise required by this article.

(Code 1988, § 5:620; Ord. No. 83-24, 1983)

Sec. 105-124. Issuance.

The building official shall issue licenses only to those applicants who otherwise meet the qualifications prescribed herein and who:

- (1) Have had at least two years experience as a building mover either in his own business or in the employment of another reputable building mover; and
- (2) Are of good character.

(Code 1988, § 5:621; Ord. No. 83-24, 1983)

Sec. 105-125. Fees.

Prior to receipt of any license, the applicant shall pay a the annual license fee persons securing licenses after June 30 of any year shall pay a fee in the amount as established in section 14-105(2)b. All such licenses shall expire on December 31 of the year in which issued and must be renewed on or before January 31 of the following year. The annual fee shall be the sum in the amount as established in section 14-105(2)a.

(Code 1988, § 5:622; Ord. No. 83-24, 1983)

Sec. 105-126. Bond required.

- (a) All licensed moving contractors shall be required to post a liability and performance bond in the form of an irrevocable letter of credit with the building official. Said letter of credit shall be executed by licensee as principal and upon a solvent bank qualified to do business in the state, conditioned that the principal therein shall timely and faithfully pay to the parish any and all sums due for damages, whether the same be to private or public property, incurred in the process of moving a structure, regardless of the location of the damages wherein it is determined that a permit to move that structure was issued by the parish. The letter of credit shall be in substantially the following form:

- (1) Date.
- (2) Expires.
- (3) Amount.
- (4) Name and address of bank.

- (b) The letter of credit so furnished shall be in the minimum principal sum of \$5,000.00, exclusive of applicable interest and attorney's fees. Letters of credit of greater principal sums may be provided by applicants.

(Code 1988, § 5:625; Ord. No. 83-24, 1983)

Sec. 105-127. Nontransferable.

No license issued hereunder shall be transferred or assigned to any other person.

(Code 1988, § 5:623; Ord. No. 83-24, 1983)

Sec. 105-128. Suspension and revocation.

- (a) *Grounds.* Any license issued under this article may be revoked or suspended by the parish engineer for any of the following reasons:

- (1) Any violation of the regulations governing moving a building including, but not limited to, the failure and/or refusal to repair any damage whether the same is public or private property.
- (2) Failure or refusal to promptly correct installations made in an incompetent or improper manner, or in violation of the state building code, after having been instructed to do so by the parish engineer.
- (3) Conduct of the house moving contractor and/or his employees including language or gestures directed toward the public that in contemporary standards would be judged as cursing, foul, derogatory, maligning, defamatory, deleterious, or obscene. Complaints of this nature by aggrieved parties shall be submitted in writing to the parish engineer.

(b) *Suspension.*

- (1) Any suspension imposed shall be for an indeterminate period not to exceed six months, and shall remain in effect until all the defects, deficiencies, and work not complying with the standards have been corrected by the licensee. After such corrections have been made, the licensee may apply to the parish engineer, in writing, for reinstatement of his license. Within five days after receipt of such request, the parish engineer shall cause the necessary inspection to be made, and if all requirements of this article have been met, shall order the reinstatement of the licensee.
- (2) If a licensee fails to correct all improper work within six months after suspension of his license, the parish engineer shall, after another notice and hearing, revoke the license.

(c) *Revocation.* No person whose license has been revoked shall again be licensed for a period of one year from the date of such revocation.

(d) *Appeal to the parish council.* Any person aggrieved by the decision of the building official in refusing to issue, suspending, revoking, or refusing to reinstate a license may devolutively appeal therefrom to the parish governing authority within ten days of receipt of written notification of the decision. The written notification shall inform the applicant or licensee of his right to appeal. The appeal must be taken by submitting a written request therefor to the building official. The parish governing authority shall hear the appeal within 30 days of receipt of the notice of appeal by the building official. The decision of the building official shall be final unless appealed within the time and in the manner set forth herein.

(Code 1988, § 5:624; Ord. No. 83-24, 1983)

Secs. 105-129—105-199. Reserved.

ARTICLE V. DEMOLITION WORK

Sec. 105-200. Definitions.

(a) *Definitions.* The terms defined in this section shall apply only to this article and shall have the following meanings:

Building means any combination of materials constructed, built, or assembled by human intent to form a shelter, whether enclosed or unenclosed, for persons, animals, or property.

Demolition means the intentional act of pulling down, destroying, dismantling, removing, or razing a building, or a portion of a building. Demolition does not include the gutting or replacement of interior features, unless such work causes exterior wall(s) to be impacted.

(Ord. No. 13-19, 7-23-2013)

Sec. 105-201. Permits.

(a) *Required.* Any property owner or authorized agent who intends to demolish any building, or portion of a building, shall first make application and obtain the required permit from the department of planning and zoning.

- (1) Demolition permits are only required for buildings or structures in excess of 600 square feet.

(b) *Application for permit.* To obtain a permit, the applicant shall first file application in writing on a form furnished by the department of planning and zoning for that purpose. Such application shall:

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- (1) Identify and describe the work to be covered by the permit for which application is made.
 - (2) An act of sale or deed to the property must be supplied.
 - (3) Provide information for the means of disposing of the demolition debris.
 - (4) A photograph of the structure to be demolished shall be supplied.
 - (5) Be signed by the property owner or the property owner's authorized agent.
 - (6) Provide any other data and information as may be required by the department of planning and zoning.
- (c) *Expiration.* Work must commence within 30 days of issuance of a demolition permit and be completed within 180 days from issuance of said permit. Work shall not be considered completed until all demolition debris has been removed from the site.
- (d) *Extension.* An additional 90-day extension may be granted by the department of planning and zoning for good cause.
- (Ord. No. 13-19, 7-23-2013; Ord. No. 15-46, 8-11-2015)

Sec. 105-202. Fees.

- (a) *Payment of fees.* There shall be a demolition permit fee in the amount as shown in section 14-105(5)a. A permit shall not be considered valid until the fees prescribed by law have been paid.
- (Ord. No. 13-19, 7-23-2013)

Sec. 105-203. Demolition site requirements.

- (a) The property owner or authorized agent shall be responsible to ensure all utilities are disconnected and capped prior to commencement of demolition work.
- (b) The permit placard shall be conspicuously posted on the site for the entire duration of the permitted work.
- (Ord. No. 13-19, 7-23-2013)

Sec. 105-204. Inspections.

- (a) Work for which a permit is required shall be subject to inspection. The property owner(s) or authorized agent(s) shall grant to parish inspectors and/or code enforcement officers complete access to the site for regular inspections at all reasonable times.
- (Ord. No. 13-19, 7-23-2013)

Sec. 105-205. Stop work order.

- (a) *Notice to owner.* Upon notice that work is being performed contrary to the provisions of this article or in an unsafe and dangerous manner, such work shall be immediately stopped. A stop work order shall be posted on the property, and shall state the conditions under which work will be permitted to resume.
- (b) *Unlawful continuance.* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(Ord. No. 13-19, 7-23-2013)

Sec. 105-206. Violation penalties.

- (a) Any person who violates the provisions of this article, as set forth hereinabove, shall be guilty of a misdemeanor criminal offense punishable as provided in this Code.
- (b) Each day that a violation of this article exists shall constitute a separate offense.

(Ord. No. 13-19, 7-23-2013)

public review draft