

**ST. JAMES PARISH GOVERNMENT  
BOARD OF BUILDING CODE APPEALS  
MEETING AGENDA  
THURSDAY, FEBRUARY 12, 2026**

**Regular Meeting- 5:00 p.m.**

- I. CALL TO ORDER & ROLL CALL**
- II. PLEDGE**
- III. PUBLIC COMMENT** on any agenda item requiring a vote in accordance with La. R.S. 42:14 (to be provided at each relevant agenda item)
- IV. INTRODUCTION**
  - 1. Board members
  - 2. Board of Build Code Appeals Manual
- V. ELECTION OF OFFICERS**
  - 1. Chairman, Vice-Chairman, Staff Secretary
- VI. ADOPTION OF RULES OF PROCEDURE**
  - 1. Public Meeting Laws
  - 2. Public Record Laws
  - 3. Robert's Rules of Order
  - 4. Ethics
  - 5. Appeals Process
- VII. ADJOURNMENT**

# **BOARD OF BUILDING CODE APPEALS MANUAL**

Appeals Board of St. James Parish Government



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## **Definitions**

**Appeal**- After a decision is rendered by the administrative body, a party may submit an application if he or she finds the decision to be a misinterpretation of the code, to change or set aside an administrative body's decision.

**Appellant**- The person who applies for an appeal

**BBCA** - Board of Building Code Appeals

**Board of Appeals**- Refers to who must prove the issue in controversy and how much proof must be presented to an administrative tribunal or to a court of law in order to be awarded the sought-after relief.

**Building** means any structure, or part thereof, built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind which has enclosing walls for fifty (50) percent of its perimeter. (For the purpose of this Code each portion of a building separated from other portions by a fire wall shall be considered as a separate building.)

**Burden of Proof**- The responsibility of the appellant to prove the issue in a controversy and how much proof must be presented to an administrative tribunal to be awarded the sought-after relief.

**Condemned** Officially declared to be unfit for use

**Owner** means the holder of the title in fee simple and any person(s), company, association or corporation in whose name tax bills on the property are submitted or any person, who, alone or jointly or severally with others:

- a. Has legal title to any dwelling or dwelling unit, with or without accompanying actual possession thereof;
- b. Has charge, care or control of any dwelling or dwelling unit, as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or vendee in possessions, or assignee of rents, lessee, or other person, firm or corporation in control of a building; or their duly authorized agents. Any such person thus representing the actual owner shall comply with this Article, and all rules and regulations adopted pursuant thereto, and shall be responsible for notifying the actual owner of any reported infractions pertaining to the property which apply to the owner.

**Placard** means a notice posted in a public place. For purposes of this Chapter, placarding refers to an employee or agent of the Department placing a written public notice on the outside of a substandard building

**Premises** means a lot, plot or parcel of land including the buildings or structures thereon.

**Repair** means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required exit facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a law or ordinance. The term shall not apply to any change of construction.

**Structure** means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, or any part thereof.

**Unfit For Human Occupancy** means any structure when it presents serious safety, health or well-being , or when it violates codes or regulations.

**Valuation or value** as applied to a building, means the estimated cost to replace the building in kind.

# Chapter 1

## Duties and Powers of the Building Official

### 1. Authority and Enforcement

Pursuant to IBC 104.1, the Building Official is hereby vested with the authority and duty to enforce the provisions of the applicable building code. The Building Official shall be empowered to issue interpretations of the code and to establish policies and procedures to clarify its application. All such interpretations, policies, and procedures must align with the intent and purpose of the code and shall not waive or circumvent any expressly stated code requirements. The Chief Building Official, the Code Enforcement Officer, or a commissioned officer shall have the authority to:

- a. Issue citations in direct violation of the Building Code or the Parish Ordinances concerning the construction of, or condition of structures and or property conditions/ code enforcement. or the Parish Ordinances concerning the construction of, or condition of structures, and or property conditions/ code enforcement.
- b. Impose fines, in accordance with Parish Ordinances concerning violations of the Building Codes or the Parish Ordinances concerning the construction of, or condition of structures and or property conditions/ Code Enforcement. or the Parish Ordinances concerning the construction of, or condition of structures and or property conditions/ code enforcement.

#### **Code Enforcement: Sec. 74-60. - Penalty for violation of article.**

(a) The fact that the parish may cause the premises to be cleaned and the abandoned vehicles, equipment, etc., to be removed 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, and the violation or disregard of such orders shall be considered a violation of this article.

(b) In addition to the costs incurred by the parish, the owner may also be subjected to a fine. The first violation of the provisions of this article shall be punished by a fine of not more than \$175.00, or by imprisonment for not more than 30 days, or both, at the discretion of the court. A subsequent violation shall be punished by a fine of not more than \$500.00, or by imprisonment for not more than 30 days, or both, at the discretion of the court.

#### **Building and Building Regulations: Sec. 18-8. - Penalty.**

Any person, partnership, or corporation who violates any of the provisions of this chapter or aids or abets in the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable for a fine of not exceeding \$500.00, nor less than \$100.00, for each offense.

### 2. Appeals Process

In instances where the Building Official or their designee is unable to approve a proposed project or condition, the decision may be appealed to the Building Board of Code Appeals (BBCA). The BBCA shall serve as the administrative body to review and adjudicate appeals following the proper submission of an application for appeal by the aggrieved party.

### 3. Enforcement and Right of Entry

The Building Official, their designees, members of the Code Enforcement Department, and members of the Permitting and Planning Office are authorized to enforce the provisions of this ordinance. Upon presentation of proper identification to the owner, agent, or tenant in charge, they may enter any building, structure, dwelling, apartment, or premises during reasonable hours for the purposes of enforcement.

In the case of unoccupied properties or emergency conditions involving imminent hazards, the requirements

for identification and reasonable hours shall not apply. Entry for enforcement, posting of notices, or placarding of violations shall not contravene Fourth Amendment protections against unlawful searches and seizures.

#### **4. Inspections**

The Building Official, members of the Code Enforcement Department, or designee are authorized to conduct inspections as necessary to ascertain the condition of buildings and premises to protect public health, safety, and welfare. Such inspections may include entering, examining, and surveying structures to ensure compliance with this Chapter. Inspections of occupied structures shall occur during reasonable hours.

#### **5. Annual Reporting**

The Building Official or their designee shall prepare and submit an annual report to the Parish President, Director of Operations, Department of Finance, and the Council. This report shall summarize the decisions and activities of the Building Board of Code Appeals (BBCA) for the preceding calendar year.

#### **6. Placarding of Structures – Prohibition on Use**

No building or structure that has been placarded as unfit for human habitation, occupancy, or use shall be reoccupied until such time as it has been reinspected and approved for such use by the Building Official. The placard shall remain in place until properly removed by authorized personnel.

It is unlawful for any person to deface or remove such a placard without express authorization. Violations of this provision may result in fines as prescribed by ordinance.

#### **7. Placarding of Blighted or Unsafe Properties**

No person shall deface or remove, without proper authority, any placard affixed by the Code Enforcement Officer or their designee to any building or property deemed blighted, unsafe, or condemned. Such placards shall remain posted until the violation has been remedied and the structure is declared safe by the appropriate authority. Violations of this provision may result in fines as prescribed by ordinance.

# Chapter 2

## Creation of the Board of Building Code Appeals (BBCA)

### **1. Appointment and Referral of Members**

The Parish Council shall have the authority to make all final appointments to the Building Board of Code Appeals (BBCA), with consultation from the Director of Operations and the Permitting/Code Enforcement staff, based on recommendations provided by the Parish President and Council. Prior to appointments, all recommended members shall be thoroughly vetted through in-person meetings by no less than the Chairman and Vice-Chairman of the Parish Council, and the above-mentioned personnel, for the proof of acceptable credentials and professional qualifications necessary to sit on this technical committee.

### **2. Composition of the Board**

The BBCA shall consist of not fewer than five (5) members. No member shall be a direct-pay, full-time, or part-time employee of the jurisdiction. A quorum shall consist of three (3) members.

### **3. Qualifications of Members**

Members shall be qualified by education, training, or experience to adjudicate matters relating to building construction and code enforcement. Appointees may include, but are not limited to:

- Licensed architects or engineers;
- General contractors;
- Real estate professionals;
- Building materials dealers;
- Physicians or public health professionals;
- Citizens-at-large with relevant knowledge or experience in construction trades.

### **4. Appointment and Tenure**

All appointments to the BBCA shall be made by the Parish President and shall serve at its discretion.

Members serve at the pleasure of the Parish President and may be removed or reappointed at any time, as further provided herein.

### **5. Ex-Officio and Advisory Members**

- The Building Official shall serve as a non-voting ex-officio member of the Board, with responsibility for administration and technical support.
- Legal counsel representing St. James Parish shall serve in a non-voting advisory capacity.
- An administrator, provided by the Parish, shall sit on the board as a non-voting member.

### **6. Compensation**

Members of the BBCA shall be compensated at a rate of \$ 75.00 per meeting.

### **7. Term Limits**

Member terms shall coincide with the term of the Parish President. Upon inauguration of a new Parish President, the incoming administration may, with input from the Director of Operations and Permitting/Code Enforcement staff, elect to retain or replace individual members or the Board in its entirety.

### **8. Changes in Membership**

In the event a member resigns, retires, is removed, or recuses themselves, the Parish Council, in consultation with the Parish President, Director of Operations, and the Permitting/Code Enforcement staff, shall appoint a qualified replacement possessing comparable credentials or experience.

### **9. Officers of the Board**

At the Board's first meeting following appointment or reconstitution, members shall elect from among themselves a Chairperson and Vice-Chairperson to preside over meetings and fulfill leadership functions.

## **10. Rules of Procedure**

The BBCA shall adopt rules of procedure for its governance, provided such rules are consistent with this Code and applicable state laws, including the Louisiana Open Meetings Law.

## **11. Meetings**

Regular meetings shall be scheduled by the Building Official as needed. Special meetings may be called as necessary. All meetings shall be open to the public and comply with the Louisiana Open Meetings Law.

## **12. Removal Procedures**

A member of the BBCA may be removed from office for cause by the Parish Council, with or without the recommendation of the Director of Operations or Code Enforcement staff. Grounds for removal may include, but are not limited to:

- Failure to attend three (3) consecutive regular meetings without good cause;
- Misconduct or unethical behavior;
- Failure to disclose a conflict of interest;
- Incompetence or neglect of duty;
- Violation of any applicable law, ordinance, or regulation governing the Board.

Removal shall be preceded by written notice stating the grounds for removal and, if requested by the member, an opportunity to respond in writing within ten (10) business days of notice.

## **13. Conflict of Interest**

No member shall participate in or vote on any matter in which they have a current direct or indirect financial interest, or where such participation would create the appearance of impropriety or a conflict under state ethics laws. Members shall disclose any actual or potential conflicts to the Board in writing and shall recuse themselves from related deliberations and decisions. Failure to disclose or recuse may be grounds for removal under Section 12.

# Chapter 3

## **Powers and Authority of the Building Board of Code Appeals (BBCA)**

### **1. Scope of Appeals**

An application for appeal to the BBCA shall be limited to matters arising under the Building Code or ordinances related to building construction and enforcement. Appeals shall be based on one or more of the following grounds:

- a) That the true intent of the Building Code, or a specific provision thereof, has been incorrectly interpreted by the Building Official;
- b) That the provisions of the Building Code are not applicable to the specific circumstances of the appellant; or
- c) That an alternative method, material, or system of construction is proposed that is equal to or superior in performance to that required by the Building Code.

### **2. Jurisdiction Over Appeals**

The BBCA shall have jurisdiction to hear and decide appeals under the following circumstances:

- a) Denial of a building permit by the permitting authority;
- b) Issuance of a condemnation, demolition, junk removal, or blight abatement order by the Code Enforcement Officer or Building Official;
- c) Denial of a mobile home permit by the permitting department.

### **3. Limitations on Authority**

The BBCA shall have no authority to waive or nullify any express requirements of the Building Code. However, the Board shall have the authority to approve modifications to construction methods or materials when such modifications comply with the intent and purpose of the Code and do not compromise the requirements relating to health, accessibility, life safety, fire protection, or structural integrity.

### **4. Standards of Review**

The BBCA shall apply the following standards in its review of appeals:

- a) The burden of proof rests with the appellant to demonstrate, by a preponderance of the evidence, that the decision of the Code Official was in error or that an alternative method is equal to or better than the prescribed method;
- b) Interpretations of the Code shall be guided by the plain language of the text, relevant definitions, and any adopted policies or official commentary;
- c) In evaluating proposed alternatives, the Board shall consider technical evidence, expert testimony, engineering reports, or applicable standards from nationally recognized codes or agencies;
- d) The Board shall base its decision on findings of fact supported by evidence presented at the hearing and shall issue a written decision setting forth such findings.

### **5. Record of Decisions**

All decisions granting modifications, variances, or other relief shall be documented in detail and maintained on file in the office of the Permitting Department. The record shall include the basis for the decision, the specific findings of fact, and any conditions imposed by the Board.

### **6. Legal Effect of Decisions**

The BBCA is a quasi-judicial body. All decisions rendered by the Board within its jurisdiction shall be final,

legal, and binding upon both the appellant and the enforcing agency, subject to any further appeal rights as may be provided by applicable law.

## **Chapter 4.**

### **Duties and Responsibilities of the Building Board of Code Appeals**

#### **1. Adjudicative and Oversight Functions**

The BBCA shall have the duty and authority to:

- a) Conduct public hearings in accordance with applicable open meeting and procedural due process requirements;
- b) Receive, examine, and consider testimony, documentary evidence, expert reports, and other relevant materials submitted by appellants, the enforcement authority, or other interested parties;
- c) Review, approve, and conditionally modify rehabilitation or remediation plans submitted in response to violations, and monitor compliance with such plans, including timelines for completion;
- d) Grant reasonable extensions of time for compliance upon a showing of good cause or other justifiable circumstances;
- e) Issue orders requiring the repair, abatement, or demolition of structures deemed unsafe, uninhabitable, or condemned by the Building Official, where such actions are necessary to protect public health, safety, and welfare;
- f) Upon failure of the responsible party to comply with an order issued by the Board, refer the matter to the appropriate court of competent jurisdiction to seek injunctive relief authorizing the Parish to enter the property and perform the required remediation, including, but not limited to, cleaning, securing, or demolishing the structure.

#### **2. Interpretative Authority**

The BBCA shall have the authority to hear and determine questions regarding the interpretation, intent, and application of the provisions of this Article and any regulations or ordinances promulgated thereunder. The Board's interpretations shall be consistent with the purpose and intent of the Building Code and applicable law.

#### **3. Appeals from Board Decisions**

Final decisions of the BBCA may be appealed by an aggrieved party to the 23<sup>rd</sup> Judicial District Court, in accordance with the procedures and timelines established by law.

# Chapter 5

## Rules of Procedure of the Building Board of Code Appeals

### **1. Open Meetings Compliance**

All meetings of the Building Board of Code Appeals (BBCA) shall be held in accordance with the provisions of all applicable parish ordinances and the Louisiana Open Meetings Law, La. R.S. 42:11 et seq. Meetings shall be open to the public, and notices shall be posted in accordance with statutory requirements.

### **2. Election of Officers**

The BBCA shall elect from its membership a Chairperson and Vice-Chairperson at its first regular meeting of each calendar year or upon the seating of new members. The Chairperson shall preside over all meetings. In the Chairperson's absence, the Vice-Chairperson shall preside. Officers shall serve until successors are elected.

### **3. Ex-Officio and Non-Voting Members**

The Building Official shall serve as an ex officio, non-voting member of the Board and shall provide technical and procedural guidance. The Parish shall designate a non-voting Secretary to the Board, responsible for administrative duties including:

- a) Circulating agendas and case documentation prior to hearings;
- b) Recording and maintaining official meeting minutes and vote records;
- c) Filing and maintaining Board decisions and related documentation in accordance with records retention law.

### **4. Quorum Requirements**

A quorum for the transaction of business shall consist of a minimum of three (3) appointed voting members of the BBCA. No official business shall be conducted in the absence of a quorum. A majority vote of the members present shall be required to take action on any matter properly before the Board.

### **5. Hearing Procedures**

- a) Hearings shall be scheduled by the Secretary at the direction of the Building Official, and all parties shall be given notice in writing at least seven (7) calendar days prior to the hearing date, unless waived by mutual consent.
- b) The Chairperson shall call the meeting to order, confirm the presence of a quorum, and proceed with the published agenda.
- c) The Building Official or their designee shall provide a formal case summary prior to the appellant's presentation.
- d) The appellant shall then present evidence, documents, or witness testimony in support of their appeal. The Board may pose questions during or after such presentation.
- e) The Code Official, Code Enforcement Officer, or other affected departments shall have the opportunity to respond.
- f) The Board may deliberate in public session or enter into closed session only as permitted by law.
- g) All decisions shall be made by a motion, second, and a recorded vote. A decision is valid upon approval by a majority of the quorum present.
- h) All final decisions shall be issued in writing and shall include findings of fact, conclusions of law, and the disposition of the appeal.

## **6. Continuances**

- a) Requests for continuances shall be submitted in writing to the Secretary no later than five (5) business days prior to the scheduled hearing, except in cases of emergency or good cause.
- b) The Chairperson, in consultation with the Building Official, may grant a continuance for good cause shown, including but not limited to:
  - Illness or unavailability of a necessary party or witness;
  - Additional time required to obtain relevant evidence;
  - Scheduling conflicts with legal counsel.
  - Settlement discussions or remediation efforts are still in progress.
- c) The Board shall not grant continuances for purposes of delay or where such delay would prejudice the public interest.
- d) The granting of any continuance shall be documented in the record and include the date to which the hearing is rescheduled.

## **7. Term of Office**

Each member appointed to the BBCA shall serve a term of four (4) years and shall continue in office until a successor is appointed, unless sooner removed by the appointing authority. Midterm vacancies shall be filled in the same manner as the original appointment and for the remainder of the unexpired term.

## **8. Appeal Resolution Timeline**

The BBCA shall make every reasonable effort to adjudicate and resolve all properly filed appeals within thirty (30) business days from the date a complete application is received, unless extended for good cause or where a continuance has been granted in accordance with these rules.

# Chapter 6

## Notice and Rights of the Public in the Appeals Process

### 1. Notice Requirements and Right to Appeal

All notices issued in connection with enforcement actions under this Code shall conform to the procedures set forth in Chapter 18 of the St. James Parish Code of Ordinances. This includes informing affected parties of their right to appeal, applicable deadlines, and requirements for posting in a public forum in accordance with Louisiana law.

### 2. Initiation of Appeal Process

a) Upon receipt of the second (2nd) certified notice issued by the Code Enforcement Officer or the Building Official, the property owner or their authorized representative shall have **seven (7) calendar days** from the date of receipt to notify the appropriate administrative office of their intent to appeal.

b) Notification of intent to appeal shall be made via **telephone call or electronic mail** to the department responsible for enforcement of the ordinance or code provision at issue.

c) Upon receipt of the notification of intent to appeal, the enforcement official shall initiate a **Work Order** in the St. James Parish Work Order System to document the appeal.

d) The appellant shall be provided with an **Appeal Application Form**, available via email or in person. This form must be returned with a **written statement** that includes the following:

1. The **specific code section(s)** or provision(s) being appealed;
2. A statement of how such provisions have been **misinterpreted, misapplied, or erroneously enforced**;
3. An explanation as to **why the provisions are inapplicable** under the circumstances; and
4. A clear articulation of the **relief or remedy sought** by the appellant.

### 3. Submission of Required Documentation

The Code Enforcement Officer or Building Official shall advise the appellant of all documentation required to complete the appeal. The appellant shall submit the completed application and all supporting documentation **within seven (7) calendar days** of the initial notice of intent to appeal. The appeal shall not be deemed complete or valid until all required materials are received.

### 4. Scheduling and Public Notice of Hearing

a) Upon submission of a complete appeal application, the Secretary shall schedule a hearing and notify all relevant departments.

b) The BBCA shall conduct a hearing **within thirty (30) business days** of the appellant's initial intent to appeal, unless extended for good cause.

c) Public notice of the hearing shall be posted in a designated public forum **for a minimum of two (2) consecutive weeks** prior to the hearing, in accordance with open meetings and public records laws.

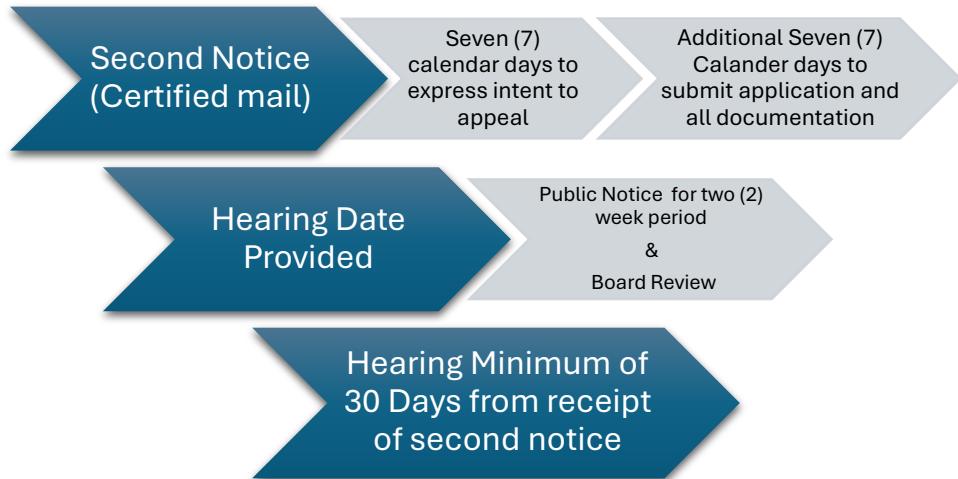
### 5. Hearing Logistics

The Building Official or Code Enforcement Officer shall coordinate and publicly announce the following details:

- **Date** of the hearing (to be determined);
- **Time**: Hearings shall begin at **5:00 p.m.**, unless otherwise announced in public notice;

- **Location:** Hearings shall be conducted in the **Council Chambers** on the second floor of the **Convent Courthouse, 5800 Highway 44, Convent, Louisiana.**
5. **Withdrawal of Appeal**
- An appellant may withdraw an appeal at any time prior to the hearing by submitting a **written notice of withdrawal** to the Code Enforcement Office or Building Official. The notice must clearly state the intent to withdraw the appeal and be signed by the appellant or their authorized representative.
  - Upon receipt of the notice of withdrawal, the appeal shall be deemed withdrawn with prejudice unless otherwise specified.
  - The Board shall take administrative notice of the withdrawal at the next scheduled meeting.
  - No further action shall be taken by the BCCA on a withdrawn appeal unless the appellant submits a new application pursuant to the procedures outlined in this section.
  - Withdrawal of an appeal does not bar the enforcement agency from continuing or initiating compliance or enforcement proceedings under applicable code provisions

## GENERAL TIMELINE OF EVENTS



# Chapter 7

## Burden of Proof

In all proceedings before the Building Board of Code Appeals (BBCA), the burden of proof rests exclusively with the appellant. The appellant must affirmatively demonstrate, by a preponderance of the evidence, that they are entitled to the relief requested.

### A. Standard of Proof – Preponderance of the Evidence

“*Preponderance of the evidence*” is defined as the standard by which the evidence presented must show that it is more likely than not that the appellant’s claims are true. This is the lowest standard of proof in administrative and civil proceedings and requires that the evidence tip the balance in favor of the appellant, even if only slightly.

### B. Required Showings

The appellant must prove at least one of the following:

1. That the enforcement official’s decision was based on a misapplication or erroneous interpretation of the relevant building code or ordinance;
2. That the cited code provisions are not applicable to the particular facts or structure at issue; or
3. That the proposed alternative method, material, or design satisfies or exceeds the intent, purpose, and minimum safety, health, accessibility, and structural requirements of the code.

### C. Persuasive Evidence

The following types of documentation and testimony may be considered persuasive in satisfying the burden of proof:

- Engineering or architectural reports prepared and signed by licensed professionals;
- Expert testimony from individuals qualified by education, training, and experience in relevant fields (e.g., civil engineering, structural design, code enforcement);
- Photographic evidence, site plans, or construction drawings with annotations;
- Manufacturer specifications and independent testing data demonstrating code equivalency or superior performance;
- Applicable precedent, including prior BBCA decisions with similar fact patterns;
- Relevant portions of industry standards, such as those from the International Code Council (ICC), ASTM, or ANSI;
- Statements or certifications from local, state, or national regulatory agencies.

### D. Failure to Meet Burden

Failure to meet the burden of proof shall result in the denial of the appeal, and the enforcement decision shall remain in full force and effect

# Chapter 8

## Compliance with Board Orders

### Compliance Period

Following the issuance of a ruling, the Building Board of Code Appeals (BBCA) may, in its discretion, grant the appellant a reasonable and definite period of time within which to comply with the terms of the Board's decision or to take corrective action necessary to remedy the violations or conditions in question.

#### 1. Request for Extension

The appellant may request an extension of the compliance period by submitting a written petition to the BBCA prior to the expiration of the original deadline. Such request must:

- Clearly state the reason(s) for the delay;
- Provide evidence of good faith progress toward compliance; and
- Propose a revised timeline for completion.

The Board may grant an extension if it determines that the request is reasonable, justified, and consistent with the interests of public health, safety, and welfare.

#### 2. Proof of Compliance

Upon expiration of the compliance period (or extended period, if applicable), the appellant, or a duly authorized representative, shall be required to appear in person before the BBCA and provide documentary and/or testimonial evidence establishing full compliance with the Board's order.

Acceptable forms of proof may include, but are not limited to:

- Photographs, inspection reports, or other objective documentation;
- Written certifications by licensed professionals (e.g., engineers, architects, or contractors);
- Permits issued and work completed under the direction of the permitting authority;
- Final inspection approvals or compliance certifications by the Building Official or Code Enforcement Officer.

#### 3. Re-Inspection Authorization

The BBCA or the Building Official may, at any time during or after the compliance period, authorize a site inspection to verify progress or final compliance. Re-inspections shall be conducted at reasonable times and in accordance with applicable laws governing property access.

#### 4. Failure to Comply

1) Failure to comply shall be considered when:

- Failure to appear as required
- Failure to request an extension within the appropriate timeframe.
- Failure to provide sufficient evidence of compliance; or
- Failure to perform any other enforcement remedy provided by ordinance or applicable law.

2) Failure to satisfactorily complete the required actions

shall constitute noncompliance, and will result in:

- Referral to the Parish Attorney for injunctive or judicial relief.

- The initiation of the abatement or corrective action by the jurisdiction, with costs recoverable from the appellant or property owner.
- Assessment of administrative penalties or fines described herein.

## Chapter 9

### Issuance and Enforcement of Board Orders

#### 1. Post-Hearing Order Required

All final decisions of the Building Board of Code Appeals (BBCA) shall be reduced to writing in a formal Post-Hearing Order, which shall constitute the official and binding disposition of the matter.

#### 2. Contents of the Order

The Post-Hearing Order shall:

- Clearly state the findings of fact;
- Reference the applicable code sections or ordinances;
- Detail the legal and factual basis for the decision rendered;
- Specify any required remedial actions and associated timelines for compliance.

#### 3. Execution of the Order

The written Order shall be executed and signed by the Chairperson and Vice-Chairperson of the BBCA upon final vote or resolution. The Building Official shall ensure its prompt preparation and circulation for signature.

#### 4. Distribution and Filing

The fully executed Post-Hearing Order shall be:

- Filed with the Permitting Department for recordkeeping;
- Delivered to the appellant or their designated representative either via certified mail, personal delivery, or other legally recognized method of service within a reasonable time following the hearing.

#### 5. Immediate Effect and Compliance

Unless otherwise specified in the Order, the decision of the BBCA shall take immediate effect, and the Building Official and/or the appellant shall act promptly to implement the decision in accordance with its terms.

#### 6. Right to Appeal

Any party aggrieved by the decision of the BBCA, including the appellant or the jurisdiction, may seek further review by filing an appeal with a court of competent jurisdiction, specifically the 23<sup>rd</sup> Judicial Court, in accordance with applicable law and procedural rules.

The following ordinance which was previously introduced at a regular meeting held on January 21, 2026, a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage on a motion offered by Councilman Louque and seconded by Councilman Nash:

**ORDINANCE 26-01**  
**ST. JAMES PARISH COUNCIL**

**AN ORDINANCE ESTABLISHING A BOARD OF BUILDING CODE APPEALS  
FOR ST. JAMES PARISH AND DEFINING ITS POWER AND DUTIES  
CONSISTENT WITH THE INTERNATIONAL BUILDING CODE, APPOINTING  
MEMBERS THERETO, AND PROVIDING FOR RELATED MATTERS**

**WHEREAS**, the St. James Parish Council is authorized under the Constitution and laws of the State of Louisiana and the St. James Parish Home Rule Charter to establish boards and commissions necessary for the effective administration of Parish government; and

**WHEREAS**, St. James Parish has adopted building codes based upon the International Building Code ("IBC"), which provides for the creation of a Board of Appeals to hear and decide appeals arising from the interpretation and enforcement of such codes; and

**WHEREAS**, the establishment of a Board of Building Code Appeals is necessary to provide a fair, impartial, and orderly process for the review of decisions, determinations, and interpretations made by the Building Official or other authorized Parish officials; and

**WHEREAS**, the Board of Building Code Appeals will ensure due process while maintaining public safety, structural integrity, fire protection, and compliance with adopted codes; and

**WHEREAS**, the individuals nominated for appointment to the Board of Building Code Appeals have been vetted through interviews, evaluation, scoring, and recommendations by the Parish Council and Parish Administration, and possess the requisite experience, knowledge, and professional responsibility (see attached); and

**WHEREAS**, the St. James Parish Council desires to appoint seven (7) qualified members to serve on the Board, with terms coinciding with that of the Parish President, unless otherwise provided by law or ordinance. The Board will receive a stipend of \$75.00 per meeting.

**THE ST. JAMES PARISH COUNCIL HEREBY ORDAINS** that:

There is hereby established the St. James Parish Board of Building Code Appeals ("Board"), consistent with Section 113 of the International Building Code, as adopted and amended by the St. James Parish Code of Ordinances.

The Board shall hear and decide appeals of orders, decisions, or determinations made by the Building Official or other authorized Parish officials relative to the application, interpretation, or enforcement of the Parish's adopted building codes and the following provisions of the St. James Parish Code of Ordinances:

- (a) Chapter 18 (Buildings and Building Regulations), except Article IV (Low Rent Housing) and Article V (Coastal Zone Resource Management Program);
- (b) Chapter 54 (Health and Sanitation); and
- (c) Chapter 70 (Manufactured Homes and Trailers), provided that the jurisdiction of the Board shall not extend to consideration of setbacks, nor shall it extend to the consideration of mobile home parks, which authority in each case shall be exercised by the planning commission and parish council.

The Board shall have no authority to waive the requirements of or grant variances from the St. James Parish Code of Ordinances.

The Board may determine that the true intent of the code or ordinance has been correctly or incorrectly interpreted; or the provisions of the code or ordinance do or do not fully apply to the specific case under appeal; or may propose an equivalent or better form of construction.

The Board shall consist of seven (7) members appointed by the St. James Parish Council. Members shall be selected based on experience and knowledge in construction, engineering, architecture, fire protection, or related fields, consistent with IBC standard, all of which may be removed by the Council at the Public Hearing for inefficiency and neglect of duty or malfeasance.

The following individuals are hereby appointed to serve as members of the St. James Parish Board of Building Code Appeals:

1. Scott Poirier
2. Tory Roper
3. Aaron Tregre
4. Melanie Bourgeois
5. Jon Hotard
6. Daryl Zeringue
7. Justin James

The terms of all members appointed herein shall coincide with the term of the Parish President and shall expire concurrently therewith, unless reappointed or otherwise provided by law or ordinance.

The Board shall organize itself by electing a Chair and such other officers as it deems necessary. A quorum shall consist of a majority of the appointed members. Appeals shall be decided by a concurring vote

To amend Section 54-28 of the St. James Parish Code of Ordinances to read as follows, with the changes indicated as strikeout deletions and underlined additions:

**Sec. 54-28. – Owner's right to appeal.**

The owner shall have the right to appeal to the St. James Parish Board of Building Code Appeals.

(a) ~~The owner shall have the right to appeal to the parish president's office, through the director of operations.~~

(b) ~~If the owner, agent, occupant, or other representative of the property disputes the findings and recommendations of the parish president's office, he shall have the right to appeal to the council and may request a full hearing within 30 days of service of notice.~~

(c) ~~The decision and order of the council shall be in writing and shall be final.~~

This ordinance having been submitted to a vote; the vote thereon was as follows:

YEAS: T. Poche, Long, Louque, N. Poche, Nash, Etienne-Steib  
NAYS: None  
ABSTAIN: None  
ABSENT: Jasmin

And, the ordinance was declared adopted on this, the 4th day of February 2026.

Council Chairwoman

*Tammie Bodin*

Secretary

Delivered to Parish President: 2/5/2026

Approved: 2/5/2026

Disapproved:     

*TBD*

Parish President

Returned to Secretary on 2/5/2026

At \_\_\_\_\_ AM/PM

Received by Tammie Bodin

\* \* \* \* \*

C E R T I F I C A T E

I, Tammie Bodin Secretary of the Council of the Parish of St. James, State of Louisiana, hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the St. James Parish Council in regular meeting held on the 4th day of February 2026.

Signed at Vacherie, Louisiana, this 5th day of February 2026.

Tammie Bodin

Tammie Bodin  
Secretary

(S E A L)

## Sec. 18-1. - Definitions.

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

*Code enforcement officer*, means that employee or individual appointed by the parish involving enforcing local and state building, and property maintenance standards.

*Parish building official* means that employee or individual appointed by the parish to serve as the building official for the parish and to serve as the building codes enforcement officer for the parish outside of any incorporated areas of the parish.

*Regional building official* means that employee or individual appointed by the South Central Regional Construction Code Council to serve as the overall administrator of this code.

(Code 1997, § 17-1; Ord. No. 07-02, 2-21-2007; Ord. No. 25-13, Exh. A, 8-6-2025)

## Sec. 18-2. - Adoption of State Uniform Construction Code.

Pursuant to R.S. title 40, ch. 8, pt. IV-a (R.S. 40:1730.21 et seq.), the following codes are hereby adopted as the regulations governing the construction of buildings and other structures in the parish. Unless specified, all standards contained in a referenced code are adopted and included for the purposes of this article. Unless referenced by name or letter designation, no appendix or appendices to a code is adopted.

- (1) International Building Code, as published by the International Code Council and adopted by the state Uniform Construction Code Council, not including chapter 1 - Administration, chapter 11 - Accessibility, chapter 27 - Electrical, and chapter 29 - Plumbing Systems, including any standards referenced therein, but not including any appendices thereto.
- (2) International Existing Building Code, as published by the International Code Council and adopted by the state Uniform Construction Code Council, including any standard referenced therein, but not including chapter 1 - Administration, and not including any appendices thereto.
- (3) International Residential Code, as published by the International Code Council and adopted by the state Uniform Construction Code Council, not including parts I - Administrative, V - Mechanical, VII - Plumbing, and VIII - Electrical, including Appendix J - Existing Buildings and Structures.
  - a. Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, shall be added.
  - b. Item 7, Institute for Business and Home Safety, Optional Code-plus Fortified for Safer Living, shall be added.
  - c. Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, shall be added.

- (4) International Mechanical Code, as published by the International Code Council and adopted by the state Uniform Construction Code Council.
- (5) Louisiana State Plumbing Code (part XIV - Plumbing, of the State Sanitary Code) as amended by the state health officer acting through the office of public health of the department of health and hospitals. Nothing in this section shall be construed so as to prevent the state health officer from enforcing part XIV - Plumbing, of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
- (6) International Fuel Gas Code, as published by the International Code Council and adopted by the state Uniform Construction Code Council.
- (7) National Electrical Code, as published by the National Fire Protection Association (NFPA) and adopted by the state Uniform Construction Code Council.

(Code 1997, § 17-2; Ord. No. 07-02, 2-21-2007; Ord. No. 10-09, 8-18-2010)

#### Sec. 18-3. - Permits required.

It shall be unlawful to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes adopted in section 18-2, or to cause any such work to be done without obtaining a properly issued permit from the parish permitting and planning office for such work.

(Code 1997, § 17-3; Ord. No. 07-02, 2-21-2007)

#### Sec. 18-4. - Application for permit.

The permit mandated under section 18-3 shall only be accepted after the owner or his designee has submitted an application for a construction permit to the parish permitting and planning office. The application shall be submitted in accordance with section 18-38.

(Code 1997, § 17-4; Ord. No. 07-02, 2-21-2007)

#### Sec. 18-5. - Permit fees.

A permit shall not be valid until all fees, as prescribed by section 18-41, have been paid in accordance with the fee schedule.

(Code 1997, § 17-5; Ord. No. 07-02, 2-21-2007)

#### Sec. 18-6. - Building officials.

- (a) *Parish building official.* The chief building official, and/or South Central Planning and Development, and/or the permitting and planning supervisor and/or the code enforcement officer shall be the official parish building official and shall be the parish building code enforcement officer responsible for the

enforcement of the State Uniform Construction Code in the unincorporated areas of the parish.

- (b) *Regional building official.* The regional building official will be the person responsible for the overall administration of this code and is the official in charge of the administration of the State Uniform Construction Code in the unincorporated areas of the parish.

(Code 1997, § 17-6; Ord. No. 07-02, 2-21-2007; Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-7. - Enforcement of construction code.

The parish building official may, through the parish attorney, seek to enjoin further construction or work which is required to be permitted under this chapter and which construction or work does not have a validly issued permit. Further, the parish building official may seek to enjoin the occupancy or use of any building or structure which has, without compliance with this chapter, been, in whole or in part, constructed, enlarged, altered, repaired, moved, demolished, or the occupancy changed or for which the electrical, gas, mechanical or plumbing system has been erected, installed, enlarged, altered, repaired, removed, converted or replaced in any fashion.

(Code 1997, § 17-7; Ord. No. 07-02, 2-21-2007)

Sec. 18-8. - Penalty.

Any person, partnership, or corporation who violates any of the provisions of this chapter or aids or abets in the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable for a fine of not exceeding \$500.00, nor less than \$100.00, for each offense.

(Code 1997, § 17-8; Ord. No. 07-02, 2-21-2007)

**State Law reference—** Penalty for ordinance violations, R.S. 33:1243.

Secs. 18-9—18-34. - Reserved.

ARTICLE II. - ADMINISTRATION

Sec. 18-35. - General reference, scope and purpose.

- (a) *Title.* These provisions shall be known as the construction code of the parish, and will be referred to herein as "this code" or "the code."
- (b) *Scope.* The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. Provisions in the appendices shall not apply unless specifically adopted herein or made a part hereof.
- (c)

*Purpose.* The purpose of this code 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.

(d) *Referenced codes.* The codes listed in section 18-2 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

(e) Building setback requirements is amended as follows:

(1) *Definitions.* As used in this section of the Code of Ordinances, words shall have the following definitions:

*Setback.* The required minimum horizontal distance between the lot or property line and the nearest front, side, or rear line (as the case may be) of the building including terraces or any covered projection thereof, excluding steps.

*Furthest building projection.* This shall mean the outside edge of building roofline or other projections including the eaves, covered porches, carports, garages, balconies, etc. It does not include patios, steps, or other accessory features which do not cover the land.

(2) All new structures and additions to existing structures shall be built in accordance with the following lot setback requirements:

a. *Minimum setback requirements where community sewerage is provided.*

1. *Side yards.* There shall be a total of 15 feet for both side yards but no less than five feet per side for each. Side yards are to be measured from the side property line to the furthest building projection.
2. *Front yard.* No less than 20 feet from the front property line. This distance is measured from the property line (not the edge of the street pavement) to the furthest building projection.
3. *Rear yard.* No less than ten feet as measured from the rear property line to the furthest building projection.

b. *Minimum setback requirements where individual on-site sewage disposal is provided.*

1. *Side yards.* There shall be a total minimum width of 15 feet for both side yards. At least one side yard shall have a minimum width of ten feet in order to accommodate the effluent reduction field. Side yards are to be measured from the side property line to the furthest building projection.
2. *Front yard.* No less than 20 feet from the front property line. This distance is measured from the property line (not the edge of the street pavement) to the edge of the furthest building projection.
3. *Rear yard.* No less than 15 feet as measured from the rear property line to the furthest building projection.
- 4.

**Accessory structures.** A detached accessory structure to a main building such as a detached garage, storage building, etc., shall be no closer than five feet from a side or rear property line unless it needs a separate sewer plant in which case it shall be built according to the other set back standards identified herein.

- i. The Structure requires a separate sewer system.
- ii. Where drainage servitude runs parallel to property lines, along the location where the accessory structure is to be placed, all setback standards identified herein must be followed.
- c. The yard setback requirements may be varied for preexisting lots of nonconforming size, commercial, industrial and condominium/townhouse style structures provided firewalls are constructed as may be required in accordance with the state fire and life safety codes and as are approved by the state fire marshal prior to the issuance of a permit by St. James Parish.
- d. For corner lots, the front yard set back shall be observed for both sides fronting a street.
- e. Adequate space shall be provided for location of a minimum of one off-street parking space per dwelling which shall measure a minimum of ten feet in width and 20 feet in length.
- f. A request for a variance from these regulations shall be submitted in writing for review and consideration by the parish planning commission.
- g. In the Garden Lakes, Phase II section of Bellevue Lakes Subdivision, the minimum setback requirements shall be as stated in the applicable restrictive covenants for that section of the subdivision.

(Code 1997, § 18-1; Ord. No. 07-01, 2-21-2007; Ord. No. 10-09, 8-18-2010; Ord. No. 19-10, 9-4-2019; Ord. No. 22-11, 10-12-2022; Ord. No. 25-13, Exh. A, 8-6-2025)

#### Sec. 18-36. - Applicability.

- (a) *General.* Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- (b) *Other laws.* The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.
- (c) *Application of references.* References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.
- (d) *Referenced codes and standards.*
  - (1) The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.
  - (2) *Exception.* Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.
- (e)

*Additions, alterations or repairs.* Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

- (f) *Existing structures.* The legal use of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code or the state uniform fire prevention code, or as is deemed necessary by the building official or his designee for the general safety and welfare of the occupants and the public.
- (g) *Partial invalidity.* In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

(Code 1997, § 18-2; Ord. No. 07-01, 2-21-2007)

#### Sec. 18-37. - Duties and powers of building official.

- (a) *General.* The building official or his designee is hereby authorized and directed to enforce the provisions of this code. The building official or his designee shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Applications for the unincorporated areas of the parish can be obtained from the permitting and planning office.
- (b) *Applications and permits.* The building official or his designee shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.
- (c) *Notices and orders.* The building official or his designee shall issue all necessary notices or orders to ensure compliance with this code.
- (d) *Inspections.* The building official or his designee 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 or his designee 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.
- (e) *Identification.* The building official and his designees shall carry proper identification when inspecting structures or premises in the performance of duties under this code.
- (f) *Right of entry.* Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official or his designee has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the 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 code, provided that, if such structure or premises is occupied, credentials are presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official or his designee 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 or his designee shall have recourse to the remedies provided by law to secure entry.

- (g) *Department records.* The building official or his designee shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records for St. James Parish.
- (h) *Liability.* The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting on behalf of the parish in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act 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 discharge of duties and under the provisions of this code shall be defended by the legal representative of the parish 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 code.
- (i) *Approved materials and equipment.* Materials, equipment and devices approved by the building official or his designee shall be constructed and installed in accordance with such approval.
- (j) *Used materials and equipment.* The use of used materials which meet the requirements of this code for new materials is permitted. Used materials, equipment and devices shall not be reused unless approved by the building official or his designee.
- (k) *Modifications.* Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official or his designee shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official or his designee shall first find that special circumstance makes the strict letter of this code impractical, and the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, accessibility, life and fire safety requirements or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the parish permitting and planning office.
- (l) *Alternative materials, design and methods of construction and equipment.* The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the building official. An alternative material, design or method of construction shall be approved where the building official or his designee finds that the proposed design is satisfactory and

complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code 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 code shall also be permitted as an alternate.

- (1) *Research reports.* Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.
- (2) *Tests.* Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official or his designee shall have the authority to require tests as evidence of compliance to be made at no expense to the parish. Test methods shall be as specified in this code 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 for the period required for retention of public records of the parish.

(Code 1997, § 18-4; Ord. No. 07-01, 2-21-2007)

#### Sec. 18-38. - Permits.

- (a) *Required.* Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the use of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the parish and obtain the required permit.
  - (1) *Annual maintenance permit.* In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official or his designee is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.
  - (2) *Annual maintenance permit records.* The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official or his designee shall have access to such records at all times or such records shall be filed with the building official as designated.
- (b) *Work exempt from permit.* Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the parish. Permits shall not be required for the following:
  - (1) *Building.*
    - a.

One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.

- b. Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III A liquids.
- c. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- d. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work, the cost of which does not exceed \$2,500.00.
- e. Temporary motion picture, television and theater stage sets and scenery.
- f. Prefabricated swimming pools that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,927 L) and are installed entirely aboveground.
- g. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- h. Swings and other playground equipment.
- i. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
- j. Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet, nine inches (1,753 mm) in height.

(2) *Electrical.*

- a. *Repairs and maintenance.* A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. The term "minor repair work" means any work where it is not necessary to remove and replace wiring with new material; such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- b. *Radio and television transmitting stations.* The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
- c. *Temporary testing systems.* A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

(3) *Gas.*

- a. Portable heating, cooking or clothes-drying appliances.
- b. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- c. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(4) *Mechanical.*

- a. Portable heating appliances.
- b. Portable ventilation appliances.
- c. Portable cooling units.
- d. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- e. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- f. Portable evaporative coolers.
- g. Self-contained refrigeration systems containing ten pounds (5 kg) or less of refrigerant and/or that are actuated by motors or compressors of one horsepower (746 W) or less.
- h. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(5) *Plumbing.*

- a. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

(6) *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 right.

- (c) *Emergency repairs.* Where equipment replacements and repairs must be performed in an emergency situation, a permit application shall be submitted within three working business days to the parish permitting and planning office.
- (d) *Repairs.* Application or notice to the parish permitting and planning office is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- (e) *Application for permit.*

- (1) *Application information.* To obtain a permit, the applicant shall first file an application in writing on a form furnished by the parish permitting and planning office for that purpose. Such application shall include:
- a. Name, address, and daytime telephone number of owner.
  - b. Name, address, and daytime telephone number of any and all contractors.
  - c. Description of the construction, including, but not limited to, square footage, type of construction, intended use, and whether any work will involve the following types:
    1. Electrical;
    2. Concrete or masonry;
    3. Plumbing;
    4. Structural; and
    5. Natural gas, liquefied gas, or other gas fuel.
  - d. Description of the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
  - e. Indication of the use and occupancy for which the proposed work is intended.
  - f. Construction documents and other information as required.
  - g. Statement of the valuation of the proposed work.
  - h. The anticipated completion of construction.
  - i. Signature of the applicant or the applicant's authorized agent.
  - j. Such other data and information as required by the building official or his designee.
  - k. Certification, under penalty of perjury, that the construction will be done in compliance with the applicable codes and standards.
- (2) *Action on application.* The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official or his designee shall reject such application in writing, stating the reasons therefor. If the building official or his designee is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the parish shall issue a permit therefor as soon as practicable.
- (3) *Time limitation of application.* An application for a permit for any proposed work shall be deemed to have been expired 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

(f)

*Validity of permit.* The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the parish. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the parish shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of the parish.

- (g) *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 building official or his designee is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.
- (h) *Suspension or revocation.* The building official or his designee is authorized to suspend or revoke a permit issued under the provisions of this code 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 code.
- (i) *Placement of permit.* The building permit or copy thereof shall be kept on the site of the work and remain visible from the road or nearest public property until the completion of the project.
- (j) *Responsibility.* It shall be the duty of every person who performs work for the installation or repair of building, structural, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.
- (k) *Compliance.* No permit may be issued under this chapter unless the building, structure, system, installation, or work regulated thereby complies with the land use plan enacted under section 82-25.
- (l) *Exclusion of structure or work from application of Uniform Construction Code.* If any building, structure, system, installation, or work is excluded from the application of the State Uniform Construction Code in part IV-A of title 40 of the State Revised Statutes by virtue of R.S. 40:1730.29 (regulation of construction or improvement of industrial facilities), such structure, system, installation, or work shall, nonetheless, require a permit under this chapter for the purpose of determining and requiring its compliance with the land use plan. The application shall meet the requirement of section 82-25(g), and shall be considered in accordance with its provisions. The application requirements shall apply to all uses and activities, including those that have been approved by the parish council on a case-by-case basis under section 82-25(e) or by the planning commission pursuant to section 82-25(f) to determine if the use or activity as implemented complies with the land use plan and with any conditions established pursuant to section 82-25.

(Code 1997, § 18-5; Ord. No. 07-01, 2-21-2007; Ord. No. 14-03, § 2, 4-2-2014; Ord. No. 17-21, § 2, 2-21-2018)

Sec. 18-39. - Construction documents.

(a) *Submittal documents.*

- (1) Construction documents, statement of special inspection and structural observation programs and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the state and parish in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.
- (2) 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 code.
  - a. Information on construction documents.
    1. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are allowed to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.
    2. Note: 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.
  - b. Manufacturer's installation instructions. Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.
  - c. Means of egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. For commercial/industrial, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.
  - d. 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:
    1. Delineation of flood hazard areas, floodway boundaries and flood zones and the design flood elevation, as appropriate;
    2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade;
    3. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V zone).

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.

- e. **Exterior wall envelope.** Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membranes and details around openings. The construction documents include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.
- (b) ***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. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official or his designee is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.
- (c) ***Examination of documents.*** The building official shall examine or cause to be examined the accompanying construction documents for code compliance and shall ascertain by such examination whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.
  - (1) ***Approval of construction documents.*** When the building official approves the issuance of a permit, the construction documents shall be approved, in writing or by a stamp, as "reviewed for code compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his designee.
  - (2) ***Previous approvals.*** This code shall not require changes in the construction documents, construction or designated use of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.
  - (3) ***Phased approval.*** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed

statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

(4) *Design professional in responsible charge.*

a. *General.*

1. When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.
2. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

b. *Deferred submittals.*

1. For the purposes of this section, the term "deferred submittals" means those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.
2. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.
3. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official.

(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.

(e) *Retention of construction documents.* One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

(Code 1997, § 18-6; Ord. No. 07-01, 2-21-2007)

Sec. 18-40. - Temporary structures and uses.

- (a) *General.* The building official is authorized to issue a permit 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 building official or his designee is authorized to grant extensions for demonstrated cause.
- (b) *Conformance.* Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.
- (c) *Temporary power.* The building official or his designee is authorized to give permission 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 building official or his designee is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

(Code 1997, § 18-7; Ord. No. 07-01, 2-21-2007)

Sec. 18-41. - Fees.

- (a) *Payment of fees.* A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.
- (b) *Schedule of permit fees.*
  - (1) On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the fee schedule as established by the council.
  - (2) A building permit shall not be issued, nor shall the application for a building permit be accepted, until the fees prescribed in this section shall have been paid. Nor shall an amendment to a permit application be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid. A certificate of occupancy shall not be issued, nor shall the certificate of occupancy application be accepted, until the fees prescribed in this section have been paid.
  - (3) 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.
- (c) *Building permit valuations.* Building permit valuation includes 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.
- (d)

*Work commencing before permit issuance.* Any person who, without prior approval from the building official, commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the council that may be in addition to the required permit fees.

- (e) *Related fees.* The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of compliance to the law.
- (f) *Refunds.* The South Central Regional Construction Code Council is authorized to establish a refund policy.

(Code 1997, § 18-8; Ord. No. 07-01, 2-21-2007; Ord. No. 07-05, 6-6-2007; Ord. No. 08-16, 11-19-2008; Ord. No. 10-09, 8-18-2010; Ord. No. 14-15, 12-3-2014; Ord. No. 17-02, 2-7-2017)

Sec. 18-42. - Inspections.

- (a) *General.* Construction or work for which a permit is required shall be subject to inspection by the building code official or his designee 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 code or of other ordinances of the parish. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the parish shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor his designee nor the parish shall be liable for expenses 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 inspection.* 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 includes excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.
  - (1) *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 subfloor.
  - (2) *Plumbing, mechanical, gas and electrical systems inspections.*
    - a. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspections.
    - b.

Exception. Back-filling of ground-source heat pump loop systems tested in accordance with approved standards. One prior to inspection shall be permitted.

- (3) *Floodplain inspections.* For construction in areas prone to flooding, as established by the parish, upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including basement.
- (4) *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.
- (5) *Fire-resistance-rated construction inspection.* Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction 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.
  - a. *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.
  - b. *Masonry walls.* For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.
- (6) *Energy efficiency inspections.* Inspections shall be made to determine compliance with the energy conservation code and shall include, but not be limited to, inspections for envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.
- (d) *Other inspections.* In addition to the called inspections above, the building official or his designee may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building official.
- (e) *Final inspection.* Final inspection shall be made after the permitted work is complete and prior to occupancy.
- (f) *Inspection agencies.* The building official or his designee is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.
- (g) *Inspection requests.* It shall be the duty of the permit holder or his 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 code to provide access to and means for inspection of such work.
- (h) *Approval required.* No work shall be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official or his designee. The building official or his designee, upon notification, shall make the requested inspections 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 code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official or his designee.

(Code 1997, § 18-9; Ord. No. 07-01, 2-21-2007)

Sec. 18-43. - Certificate of occupancy.

(a) *Use and occupancy.*

(1) 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 building official or his designee 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 code or of other ordinances of the parish. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the parish shall not be valid.

(2) Exceptions. Certificates of occupancy are not required for work exempt from permits under section 18-38(b) or accessory buildings or structures.

(b) *Change in use.* Changes in the character or use of an existing structure shall not be made except as specified in the International Building Code.

(c) *Certificate issued.* After the building official or his designee inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the parish, the building official or his designee shall issue a certificate of occupancy which shall contain the following:

(1) The building permit number.

(2) The address of the structure.

(3) The name and address of the owner.

(4) A description of that portion of the structure for which the certificate is issued.

(5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy was permitted.

(6) The name of the building official.

(7) The edition of the code under which the permit was issued.

(8) The type of construction.

(9) The design occupant load.

(10) If an automatic sprinkler system is provided, whether or not the sprinkler system is required.

(11) Any special stipulations and conditions of the building permit.

(d) *Temporary occupancy.* The building official or his designee is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion can be occupied safely. The building official or his designee shall set a time period during which

the temporary certificate of occupancy is valid.

- (e) *Revocation.* The building official or his designee is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

(Code 1997, § 18-10; Ord. No. 07-01, 2-21-2007)

Sec. 18-44. - Service utilities.

- (a) *Connection of utilities.* No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official or his designee.
- (b) *Temporary connection.* The building official or his designee 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 building official or his designee shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in section 18-35(d) 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 building official or his designee 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.

(Code 1997, § 18-11; Ord. No. 07-01, 2-21-2007)

Sec. 18-45. - Board of appeals.

- (a) *General.* In order to hear and decide appeals of orders, decisions or determinations made by the building official or his designee relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of building code appeals (BBCA) shall be appointed the parish president with consultation from director of operations and permitting/code enforcement staff and recommendation from parish council. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

- (1) Board of building code appeals manual (attached).

(Code 1997, § 18-12; Ord. No. 07-01, 2-21-2007; Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-46. - Violations.

- (a) *Unlawful acts.* It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.
- (b) *Notice of violation.* The building official or his designee is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or use of a building or structure in violation of the provisions of this code, or in violation of a detailed statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- (c) *Prosecution of violation.* If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of each jurisdiction to institute the appropriate proceeding of law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.
- (d) *Penalties.* Any person who violates a provision of this code 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 building official or his designee, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

(Code 1997, § 18-13; Ord. No. 07-01, 2-21-2007)

#### Sec. 18-47. - Stop work orders.

- (a) *Notice to owner.* Upon notice from the building official or his designee that work on any building or structure is being prosecuted contrary to the provisions of this code 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.

(Code 1997, § 18-14; Ord. No. 07-01, 2-21-2007)

#### Sec. 18-48. - Unsafe structures and equipment.

- (a) *Conditions.* Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe

structures shall be taken down and removed or made safe, as the building official or his designee deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

- (b) *Record.* The building official or his designee shall cause a report to be filed on an unsafe condition. The report shall state the use of the structure and the nature of the unsafe condition.
- (c) *Notice.* If an unsafe condition is found, the building official or his designee shall serve on the owner, agent or person in control of the structure a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.
- (d) *Method of service.* Such notice shall be deemed properly served if a copy thereof is:
  - (1) Delivered to the owner personally;
  - (2) Sent by certified or registered mail addressed to the owner at the last-known address with the return receipt requested; or
  - (3) Delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
- (e) *Restoration.* The structure or equipment determined to be unsafe by the building official or his designee is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of use occurs during the restoration of the structure, such repairs, alterations, additions or changes of use shall comply with the requirements of this code.

(Code 1997, § 18-15; Ord. No. 07-01, 2-21-2007)

Secs. 18-49—18-69. - Reserved.

### ARTICLE III. - PUBLIC BUILDINGS; CERTIFICATE OF OCCUPANCY

Sec. 18-70. - Certificate of occupancy required for buildings used for public assembly.

It shall be unlawful for any owner or occupant to use any structure, watercraft or movable for public assembly for the purpose of amusement, entertainment, dancing, educating, working, worshipping, manufacturing, hospitalization, asylum, eating, drinking, lodging or furnishing sleeping accommodations without first obtaining a certificate of occupancy from the permitting and planning office for the use of the structure, watercraft or movable for such purposes.

Sec. 18-71. - Minimum requirements for certification established.

It shall be unlawful for the owner or occupant of any structure, watercraft or movable to use any structure, watercraft or movable for the purposes stated in section 18-70, unless such floor or story to the structure, watercraft or movable is provided in case of fire or panic with adequate means of ingress or egress, not less than two in number, properly illuminated and remote from each other, together with adequate passageways to all entrances and exits. The required exits shall provide free and unobstructed access to a street or alleyway, and the width of side alleyways shall be equal to the sum of the widths of the exits leading thereto.

(Code 1990, § 5:101; Code 1997, § 18-32)

Sec. 18-72. - Obstruction of exits prohibited.

It shall be unlawful for any person in any manner to bolt, lock, obstruct or block any passageway, or to permit the bolting, locking, obstructing or blocking of such means of ingress or egress, or the entrances or exits provided, while a structure, watercraft or movable is being used for the purposes stated in section 18-70.

(Code 1990, § 5:102; Code 1997, § 18-33)

**State Law reference**— Similar provisions, R.S. 40:1583.

Sec. 18-73. - Storage of combustible or explosive matter prohibited.

It shall be unlawful for any occupant or owner to store or permit the storing of combustible or explosive matter or the accumulation of rubbish, wastepaper, boxes, shavings or highly flammable materials in any structure, watercraft or movable while same is being used for the purposes designated in section 18-70.

(Code 1990, § 5:103; Code 1997, § 18-34)

**State Law reference**— Unlawful storage of explosives, R.S. 40:1472.12.

Sec. 18-74. - Order to correct or remove hazardous conditions.

Whenever any officer or inspector shall find in any structure, watercraft or movable, while used for the purposes designated in section 18-70, any violation of the provisions of this article, he shall order the hazards or violations to be removed or remedied forthwith.

(Code 1990, § 5:105; Code 1997, § 18-35; Ord. No. 07-01, 2-21-2007)

Sec. 18-75. - Notice to owner to correct and remove hazardous conditions.

The service of any order specified in this section shall be made upon the owner or the occupant of the premises by either delivering a true copy of the order to such owner or occupant personally or delivering the order by leaving it with any person in charge of the premises, and if no person is found upon the premises, by affixing a

copy of the order in a conspicuous place on the door to the entrance of the premises; or, if the owner is absent from the parish, and no person is found on the premises, service may be made by mailing a copy of the order to the owner at his last-known post office address.

(Code 1990, § 5:106; Code 1997, § 18-36; Ord. No. 07-01, 2-21-2007)

Sec. 18-76. - Compliance with order; failure to comply.

- (a) Any order issued by the sheriff or any person designated by him as an inspector pursuant to this article shall be complied with by the owner or occupant of such structure, watercraft or movable, subject to appeal within 24 hours to the parish president, who shall, within five days, review such order and file his decision thereon; and unless the order is revoked or modified, it shall remain in full force and be obeyed by the owner or occupant. Any owner or occupant failing to comply with such order within five days after appeal shall have been determined, or if no appeal is taken, within ten days after the service of the order, shall be liable to the penalty as provided in section 1-13.
- (b) After the lapse of the time provided in subsection (a) of this section, the sheriff or any person designated by him as an inspector shall, upon failure of any owner or occupant to comply with an order issued, direct the utility companies in writing to immediately discontinue electric and/or gas service to the premises on which the violations occurred. Failure of the light and gas utility companies to comply with the direction to discontinue service shall make the utility companies subject to the penalties of this article.

(Code 1990, § 5:107; Code 1997, § 18-37; Ord. No. 07-01, 2-21-2007)

Sec. 18-77. - Investigation of fires occurring within parish.

The sheriff or any person designated by him as an inspector shall cooperate with the state fire marshal in the investigation of the cause, origin and circumstances of fires occurring in the parish. It shall be the duty of the sheriff to request the state fire marshal to cooperate with him in the investigation of the cause, origin and circumstances of any fire occurring in the parish that, in the opinion of the sheriff, warrants investigation.

(Code 1990, § 5:108; Code 1997, § 18-38; Ord. No. 07-01, 2-21-2007)

Sec. 18-78. - Liability of owner.

Nothing contained in this article shall relieve or lessen the responsibility or liability of any person for injury or damage caused to others from any work performed by that person or by any structure, watercraft, movable or equipment owned, controlled, installed, operated or used by him; nor shall the parish or any officer, agent or employee of the parish, incur or be held to assume any liability by reason of any permit, certificate of inspection or certificate of occupancy issued as provided in this article, or by any person of any acts performed pursuant to any provisions of this article.

(Code 1990, § 5:112; Code 1997, § 18-39; Ord. No. 07-01, 2-21-2007)

Sec. 18-79. - Violations, penalties.

Any person owning, operating or occupying any structure, watercraft or movable in violation of any of the provisions of this article shall, upon conviction thereof before any court of competent jurisdiction, be punished as provided in section 1-13.

(Code 1990, § 5:113(A); Code 1997, § 18-40; Ord. No. 07-01, 2-21-2007)

Secs. 18-80—18-101. - Reserved.

## ARTICLE VI. - UNSIGHTLY AND UNSAFE BUILDINGS AND PREMISES

*Footnotes:*

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**State Law reference**— *Cutting of grass and obnoxious weeds, R.S. 33:1236(21)*.

Sec. 18-206. - Statement of purpose and scope.

- (a) 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 removed of tall grass and weeds and made free of any nuisance. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.
- (b) The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.
- (c) This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

(Code 1997, § 18-176; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-207. - 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:

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

*Condemn* means to judge unfit for occupancy.

*Imminent danger* means a condition which could cause serious or life-threatening injury or death at any time.

*Lot* means a tract or portion of a subdivision or other parcel of land intended as a unit for the purpose of, whether immediate or future, building development.

*Nuisance* means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

*Occupancy* means the purpose for which a building or portion thereof is utilized or occupied.

*Occupant* means any individual living or sleeping in a building, or having possession of a space within a building.

*Owner* means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state or parish as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

*Parish* means the parish president through the director of operations or his designee.

*Premises* means land and/or the buildings upon it.

*Secured* means closing of the building or structure by means of placing or attaching boards or other materials over doors, windows, and other means of entrance in order to prohibit persons from entering the building or structure and in order to maintain it in its present condition without further damage to such building or structure or danger to the public welfare and safety.

*Structure* means any building, structure, mobile or manufactured home, or portion thereof used for residential, business or industrial purposes.

*Structure unfit for human occupancy* means whenever the parish finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin- or rat-infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

*Tall grass/weeds* means grass or weeds more than 12 inches measured perpendicular from the ground.

*Unsafe equipment* includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structures.

*Unsafe structure* means a structure that is found to be derelict, dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible, or that constitutes a fire hazard.

(Code 1997, § 18-177; Ord. No. 05-11, § 1, 11-16-2005; Ord. No. 22-05, 7-6-2022)

Sec. 18-208. - Maintenance.

Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the proper maintenance of buildings, structures and premises.

(Code 1997, § 18-178; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-209. - Liability.

- (a) The parish, its officers and employees, charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and are hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.
- (b) Any suit instituted against the parish or any of its officers or employees because of an act performed in the lawful discharge of duties and under the provision of this code shall be defended by the parish legal representation until the final termination of the proceedings. The parish shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provision of this code, and any officer or employee of the parish acting in good faith and without malice shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

(Code 1997, § 18-179; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-210. - Duties and powers.

- (a) The parish shall enforce the provisions of this code.
- (b) The parish shall make all of the required inspections, or shall accept reports of inspection by its staff. All reports of such inspections shall be in writing and be signed by the person making the inspection. The parish is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the parish president.
- (c) The parish is authorized to enter the structure or premises at reasonable times in order to conduct inspections in connection with this article, which shall be subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the parish is authorized to

pursue recourse as provided by law as deemed necessary to make a determination as to the nature of the structure and/or equipment with regard to this article. The parish representative shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

- (d) The parish shall issue all necessary notices or orders to ensure compliance with this code unless specified elsewhere herein. A record of all such activities shall be kept in accordance with the state laws for public records.

(Code 1997, § 18-180; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-211. - Form of notice.

- (a) Whenever the parish determines that there has been a violation of this code or has grounds to believe that a violation has occurred, written notice shall be given in the following manner to the property owner of record of the violation and appropriate corrective action. The notice shall contain the following information. Notice for condemnation procedures shall follow these same steps.
- (1) Include a description of the real estate sufficient for identification (address, lot and block number, tract number, etc.).
  - (2) Include a statement of the violation and why the notice is being sent.
  - (3) Include a corrective order with a statement that the securing or removal of such building 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, and an identification of the tasks required to bring the dwelling unit or structure into compliance with the provisions of this Code.
  - (4) Inform the property owner of the right of appeal.
  - (5) Include a statement of the right to file a lien in accordance with section 18-219.
- (b) If the person refuses to comply with the requirements of the first notice, a second notice shall be served on the person heretofore named notifying the person that unless the corrective actions, improvements or repair work are commenced within 24 hours of receipt of the second notice, the parish will enter upon the premises, placard same, close up and barricade all 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 and/or demolish the premises. In this regard, the parish president may advertise for bids, which shall be submitted to the director of operations for final disposition.
- (c) The removal of the placard by the owner or agent with vested interest in the property shall be considered a violation of this article.

(Code 1997, § 18-181; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-212. - Service of notice.

- (a) The requirement for notice to the owner required by this article shall be deemed satisfied when:

- (1) Notice is served upon the owner by the parish enforcement official (planning/permitting supervisor), or in the same manner as service of a citation or other process, whether made by the sheriff, deputy sheriff, or constable, only after the parish enforcement official visits the property that the complaint was filed against and justifies the complaint. The parish president shall approve any and all service of notice.
  - (2) The parish enforcement official shall verify from the clerk of court's office that no liens/mortgages are on said property, also verify that all utility service connections have been disconnected, especially if utility connections are not billed to the landowner. Seven days should be allowed to perform these tasks associated with subsection (a)(1) or (2) of this section. If a lien/mortgage is found on said property, then notification of service of notice shall be forwarded to the lien/mortgage holder.
  - (3) Notice is served by a personal visit from the parish enforcement official, and allowing seven days to serve such notice from the date of the filed complaint. If the owner is unable to be served after the seven days, then notice shall be served by certified mail with return receipt signed by the landowner. Notice shall be sent to the same address listed on the tax roll of the parish. A total of 14 days shall be allowed for the notice to be returned by certified mail.
  - (4) If the owner is absent or is unable to be served in accordance with subsection (a)(1), (2), or (3) of this section, notice is made by posting in a conspicuous place in or about the structure affected by such notice, a copy of the notice as returned and publication once a week for two weeks consecutively in the official journal. A total of 14 days shall be allowed with publication in the official journal.
- (b) Once a building, structure or premises has been condemned by the order of the parish president, the parish shall post a sign, three feet by four feet in size, upon or near the center of the property, at least ten feet inside the servitude of the property, notifying the public of the classification of the building or structure as a vacant inhabitable structure, and post the date the structure is scheduled for demolition. The scheduled demolition date should be 30 days from the day the sign is installed.
- (c) The criminal penalties for trespassing and vandalism shall be stated on this sign. The sign shall read as follows:

"In accordance with the Code of Ordinances, article V, sections 18-206 through 18-220, this structure has been classified as a vacant, uninhabitable building. Trespassing and vandalism are prohibited and punishable by law. The penalty for trespassing and vandalism is a fine of not more than \$250.00 or imprisonment for not more than 20 days, or both."

(Code 1997, § 18-182; Ord. No. 05-11, § 1, 11-16-2005; Ord. No. 15-06, 6-3-2015)

Sec. 18-213. - Transfer of ownership.

It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of

any compliance order or notice of violation issued by the parish and shall furnish to the parish a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

(Code 1997, § 18-183; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-214. - Investigation and notice.

- (a) When a structure or equipment is found to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the following provisions.
- (b) If the structure is determined to be vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the parish is authorized to post a placard of condemnation on the premises and order the structure boarded up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the parish shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a tax lien upon such real estate and may be collected by the sheriff through an annual tax bill or any other legal resource.
- (c) Whenever the parish has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person responsible for the structure or equipment in accordance with this section. If the notice pertains to equipment, it shall also be placed on the condemned equipment.
- (d) Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the parish shall post on the premises or on defective equipment a placard bearing the term "condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. This placard shall only be removed at the direction of the parish upon its determination that the defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard shall be subject to the penalties provided herein.
- (e) Any occupied structure condemned and placarded by the parish shall be vacated as ordered. Any person who shall enter or occupy a placarded premises or shall operate or attempt to transport placarded equipment, and any owner or any person responsible for the premises who shall let anyone enter or occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided in section 1-13.

(Code 1997, § 18-184; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-215. - Emergency measures.

- (a) When, in the opinion of the parish, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the parish is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The parish shall cause to be posted at each entrance to such structure a notice reading as follows:

"This structure is unsafe and its occupancy has been prohibited in accordance with the Code of Ordinances, article V, sections 18-206 through 18-220."

- (b) It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.
- (c) Notwithstanding other provisions of this code, whenever, in the opinion of the parish, there is imminent danger due to an unsafe condition, it shall order the necessary work to be done, including the boarding up of openings to render such structure temporarily safe whether or not the legal procedure herein described has been instituted, and it shall cause such other action to be taken as deemed necessary to meet such emergency. The parish shall proceed to employ private assistance to perform the required work if necessary in order to proceed as expeditiously as possible.
- (d) When necessary for public safety, the parish shall temporarily close structures and close sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.
- (e) Any costs incurred by the parish, including the cost of private contractors, in the performance of emergency work, shall be submitted for payment to the property owner of record and any unpaid costs shall be added as a lien to the property in accordance with the procedure described in section 18-219.
- (f) Any person ordered to take emergency measures shall comply with such order immediately. Any affected person shall thereafter, upon petition directed to the parish council, be afforded a hearing as described in section 18-217.

(Code 1997, § 18-185; Ord. No. 05-11, § 1, 11-16-2005)

#### Sec. 18-216. - Demolition.

- (a) Upon the concurrence of the parish president, when the parish determines that the structure is so old or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, it shall order the owner of the property upon which the structure or equipment is located to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

- (b) The parish shall provide notice to the owner of record in accordance with section 18-214.
- (c) The parish president, through the director of operations, shall cause the structure and/or equipment to be demolished and removed, either through parish work forces or by contract or arrangement with private persons, and the cost of such demolition and removal shall be submitted to the owner for payment. Any past due charge shall be added against the real estate upon which the structure or equipment is located and shall be a lien upon such real estate.

(Code 1997, § 18-186; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-217. - Owner's right to appeal.

Any person affected by a decision or order made pursuant to this chapter shall have the right to appeal to the St. James Parish Board of Building Code Appeals. See section 18-45 for the board of building code appeals manual.

(Code 1997, § 18-187; Ord. No. 05-11, § 1, 11-16-2005; Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-218. - Appeal from the board of building code appeals order.

- (a) The owner, occupant, agent or other representative of the owner may appeal from the decision of the St. James Parish Board of Building Code Appeals to the district court having jurisdiction over the property.
- (b) Either party may appeal from the judgment of the district court as in other cases.

(Ord. No. 25-13, Exh. A, 8-6-2025)

**Editor's note**— Ord. No. 25-13, Exh. A, Aug. 6, 2025, amended § 18-218 in its entirety, in effect repealing and reenacting said § 18-218 to read as set out herein. The former § 18-218 pertained to appeal from parish council order and derived from Code 1997, § 18-188; Ord. No. 05-11, § 1, adopted Nov. 16, 2005.

Sec. 18-219. - Imposition of lien and privilege.

- (a) All expenses incurred by the parish in the enforcement of this article shall be borne by the person owning the premises or building, including all fines, attorney fees, the cost of locating the owner, notification of the owner, securing the property and/or demolishing the property, and the enforcement and collection of the amount due to the parish. The parish shall notify the owner thereof of the costs incurred and request payment or reimbursement. Such notice shall be made as specified in this chapter. Upon failure of the owner to pay or reimburse the charges, the parish shall file an affidavit signed by the parish president and an invoice reflecting the amount of such costs and charges in the mortgage office of the parish clerk of court. The affidavit includes a description of the property sufficient to reasonably identify the immovable property; and the affidavit, when so filed and recorded, shall operate as a lien and a privilege in favor of the parish against the property on which the building, dwelling, structure, equipment or premises was removed, repaired or demolished and shall be added to the annual ad valorem tax bill of the property involved.

(b)

In addition to the lien amount, the parish shall be entitled to recover all costs of court and attorney fees incurred in the locating of the owner and the notification to the owner. The parish may also recover interest on the amounts secured by the lien, which interest shall not exceed the legal rate of judicial interest and shall be computed from the date of recordation of the lien, until paid. The parish's privilege and lien shall prime all other liens or privileges against the property filed after the notice to the owner is filed, regardless of the date on which the parish's lien and privilege is perfected, except that the parish's lien and privilege will not prime other tax liens against the property.

- (c) The lien and privilege shall not be canceled until after payment of all amounts, including costs, attorney fees and interest.
- (d) The parish may offer for sale and subsequently sell or otherwise convey property for which the owner fails to pay a lien imposed pursuant to this code. The procedure for such notice, advertisement, and sale of the property shall be governed by the law applicable to the sale of real property for delinquent parish taxes, except that the property owner's right of redemption shall be limited to six months from the time the property is sold. Redemption shall require reimbursement of any expenses incurred by the purchaser in the purchase and renovation of the property in addition to payment of liens placed on the property pursuant to this section, interest thereon and any amounts required by law applicable to the redemption of property sold for delinquent taxes.
- (e) The amount of any parish lien operating against the property and any interest accruing thereon may be canceled in whole or in part by the parish council in order to facilitate the sale or disposition of the property for the unpaid lien.
- (f) This section shall not apply to buildings or appurtenances on agricultural land when such land is used for agricultural purposes.

(Code 1997, § 18-189; Ord. No. 05-11, § 1, 11-16-2005)

Sec. 18-220. - Violations; penalty.

- (a) If any person violates any provision of this article or by any means or actions prevents or attempts to prevent any employee of and/or other person authorized by the parish from carrying out the provisions of this article, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, may be punished as provided in section 1-13.
- (b) The fact that the parish may cause the 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 parish council; and the violation or disregard of such orders shall be considered a violation of this article.

(Code 1997, § 18-190; Ord. No. 05-11, § 1, 11-16-2005)

ARTICLE VII. - ABANDONED MOTOR VEHICLES, JUNK AND MACHINERY

Sec. 18-221 - Abandoned vehicles, major appliances, and other junk prohibited on public and private property

- (a) *Prohibition on public property.* No person, firm or corporation shall store or abandon junk, wrecked or used automobiles or other motor vehicles, or any part thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, etc., or machinery or other metal or tin on any vacant lot, or any unused portion of an occupied lot, neutral ground, street or sidewalk within the parish.
- (b) *Prohibition on private property.* No person, firm or corporation shall store or abandon junk, wrecked or used automobiles or other motor vehicles, or any parts thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, etc., or machinery or other metal or tin on any vacant lot within the parish.
- (c) *Exceptions.* The provisions of this section shall not apply to the following:
  - (1) Any junked, abandoned, and/or inoperative vehicle or machinery which is completely enclosed within a building in a manner that is not otherwise visible from the street or other public or private property.
  - (2) Any motor vehicle in operable condition specifically adapted or constructed for racing or operation on privately-owned drag strips or raceways.
  - (3) An antiqued vehicle.
  - (4) Any junk, wrecked or used automobiles or other motor vehicles, or any parts thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, ranges or machinery or other metal, tin or other items that are situated or stored in an appropriate storage place or depository that is maintained at a location that possesses an occupational license to do business as a salvage or junk yard. In such instances, the salvage or junk yard must be surrounded by a minimum seven-foot-high wood, masonry or other appropriate fence as approved by the parish in order to screen the material from the public's view and prevent unauthorized ingress and egress to the property.

(Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-222. - 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:

*Abandoned motor vehicle* means a motor vehicle that is inoperable and is left unattended on public property for more than 72 hours, or is inoperable and left unattended on the shoulder or right-of-way of an interstate or a public highway for more than 72 hours, or a motor vehicle that has remained illegally on public property for a period of more than 72 hours, or a motor vehicle that has remained on private property without the consent of the owner or person in control of the property for more than 72 hours.

*Antiqued vehicle* means any motor vehicle that is 25 years or older and that is substantially in its original condition. Such vehicles must be registered as antiques and display antique license plates.

*Junk, wrecked or used automobile or motor vehicle* means any motor vehicle which is totally inoperable, left unattended on any unused portion of any occupied lot, neutral ground, street or sidewalk, and is so damaged or dismantled as to be a total loss.

*Total loss* means the cost to repair a damaged or dismantled motor vehicle exceeds the value of said vehicle as determined by any recognized national appraisal book.

(Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-223. - Notice to remove abandoned property; failure to remove; removal by parish; disposition.

- (a) *Public property.* Whenever any junk, wrecked or used automobiles or other motor vehicles, or any parts thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, etc., or machinery or other metal, tin or other discarded items appear to have been abandoned by the owner on public property, the parish shall place a notice on the vehicle or other item, citing this section and giving warning that, after 72 hours, the vehicle or other item shall be considered on public property and will be towed or hauled off at the property owner's expense or the party responsible for placing the items on the public land. The notice placed on the vehicle, junk or other discarded item includes the following:
  - (1) The date the notice was placed on the item.
  - (2) The date the notice expires.
  - (3) A reference to this code.
  - (4) Parish contact information regarding further information on the matter.
- (b) *Private property.* Whenever any junk, wrecked or used automobiles or other motor vehicles, or any parts thereof, or any other junk, discarded or abandoned major appliances, such as refrigerators, freezers, etc., or machinery or other metal, tin or other discarded items appear to have been abandoned by the owner on private property, the parish shall send a written notice by certified return receipt mail to the owner of the property upon which the items are located that the property must be cleaned and the items removed within 15 days of receipt of the written notice. At the end of that time, should the owner fail to respond or complete the task, the parish shall send a second written notice by certified return receipt mail again notifying the owner that the property upon which the junk material is located must be cleaned and the items removed within 15 days of the receipt of the notice or the parish will proceed to remove said material and any unpaid cost thereof shall constitute a special lien to be added to the tax rolls for that property. The parish, through the appropriate department, shall proceed upon expiration of the 15 days to cause the material to be removed and disposed of in any manner it may see fit, all at the owner's expense.

(c)

*Records to be kept.* The parish shall keep a complete record of all items removed in accordance with this chapter and the names and addresses of the towing companies, the scrap iron dealers or others to whom items were taken or who picked them up.

(Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-224. - Disposal of property of unknown owners.

Should the owner of the abandoned property not be known, the parish will place a notice on the item in accordance for 15 days. At the end of that time, if no one claims or removes the items, the parish may take steps to remove the items from where abandoned to any other location where it shall be held for a period of 30 days, after which, if not claimed by the owner, such property shall be disposed of in accordance with the state laws for salvage property.

(Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-225. - Imposition of lien and privilege.

- (a) The parish may collect from the owner of the property and/or the owner of the abandoned or junked vehicles, machinery, equipment, or appliances the cost of cleanup and removal, including all attorney fees, the cost of locating the owner, notification of the owner, securing the property and/or demolishing the property, and the enforcement and collection of the amount due to the parish. The parish shall send to the owner thereof an invoice of the costs incurred and request payment or reimbursement. Upon failure of the owner to pay or reimburse the charges, the parish shall file an affidavit signed by the parish president and an invoice reflecting the amount of such costs and charges in the mortgage office of the parish clerk of court. The affidavit includes a description of the property sufficient to reasonably identify the location and a description of the action taken to clean up the property; and the affidavit, when so filed and recorded, shall operate as a lien and a privilege in favor of the parish against the property upon which the vehicle or junked equipment and materials were removed and shall be added to the annual ad valorem tax bill of the property involved.
- (b) The parish may also recover interest on the amounts secured by the lien, which interest shall not exceed the legal rate of judicial interest and shall be computed from the date of recordation of the lien, until paid. The parish's privilege and lien shall prime all other liens or privileges against the property filed after the notice to the owner is filed regardless of the date on which the parish's lien and privilege is perfected, except that the parish's lien and privilege will not prime other tax liens against the property.
- (c) The lien and privilege shall not be canceled until after payment of all amounts, including costs, attorney fees and interest.

(Ord. No. 25-13, Exh. A, 8-6-2025)

Sec. 18-226. - Penalty for violation of article.

- (a) The fact that the parish may cause the premises to be cleaned and the abandoned vehicles, equipment, etc., to be removed 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, and the violation or disregard of such orders shall be considered a violation of this article.
- (b) In addition to the costs incurred by the parish, the owner may also be subjected to a fine. The first violation of the provisions of this article shall be punished by a fine of not more than \$1,000.00, at the discretion of the court. A second violation shall be punished by a fine of not more than \$1,500.00, or by imprisonment for not more than 30 days, or both, at the discretion of the court. Upon a third violation, the parish shall initiate the disconnection of all public utility services to the subject property, in accordance with applicable laws and regulations.

(Ord. No. 25-13, Exh. A, 8-6-2025)

**State Law reference—** Penalty for ordinance violations, R.S. 33:1243.

*Footnotes:*

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**State Law reference**— *Parish health units, R.S. 40:12 et seq.*

## ARTICLE I. - IN GENERAL

Sec. 54-1. - Sewage disposal systems required.

- (a) All persons, when constructing a new residential or commercial structure or establishing a mobile home site, shall make provisions for the installation, connection, and operation of an approved sewerage treatment system in accordance with chapter 13 of the state sanitary code and chapter 102.
- (b) All persons shall be refused permanent utility service until adequate written proof is presented to the parish permitting office that a sewerage treatment system has been approved by the appropriate representatives of the state department of health and hospitals charged with enforcing the provisions of the state sanitary code and has met the requirements of the parish subdivision regulations.
- (c) No sewerage treatment, collection, or disposal system shall be approved by the state or parish which does not comply with the regulations regarding subdivisions of property and sanitary sewerage of this Code.
- (d) The parish may require any new or existing structure that is within 300 feet of a public sewerage treatment system to tie into the parish sewerage treatment system.

(Code 1990, § 10:1; Code 1997, § 58-1; Ord. No. 06-18, 12-20-2006)

Secs. 54-2—54-20. - Reserved.

## ARTICLE II. - NUISANCES

Sec. 54-21. - Statement of purpose.

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 the removal of tall grass, weeds, underbrush, trash, and junk from property and that said property is made free of any nuisance.

(Code 1997, § 58-61; Ord. No. 03-08, 10-15-2003; Ord. No. 09-07, 5-6-2009)

Sec. 54-22. - 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:

*Annual notice* means the notice to the property owner of a potential violation of this article.

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

*Developed residential property* means any subdivided tract of land, squares/lots, in whole or in part, in which capital improvements have been made.

*General cleanup* means the process whereby trash must be removed from the property prior to conducting regular maintenance.

*Lot* means a tract or portion of a subdivision or other parcel of land intended as a unit for the purpose of, whether immediate or future, building development.

*Notice of violation* means the notice of an existing violation of this article.

*Nuisance* means anything that interferes with the use or enjoyment of property, endangers personal health or safety, or is offensive to the senses.

*Parish* means the Parish of St. James or any authorized agent of the Parish of St. James.

*Person/owner* means individual, corporation, partnership, firm, or other legal entity.

*Premises* means land and/or the buildings upon it.

*Regular maintenance* means the process of entering upon any developed residential tract of land and removing or cutting all tall grass with equipment designated specifically for that purpose.

*Residential property* means any tract of land which has been subdivided into squares/lots, in whole or in part, primarily for residential purposes. Residential property must be sub-classified as either developed or undeveloped.

*Tall grass in developed residential property* means grass or weeds more than 12 inches long, measured perpendicular from the ground.

*Trash and junk* means refuse, household garbage, household debris, rubbish, shopping carts, litter, discarded building materials or debris and any other deleterious, discarded or noxious matter.

*Underbrush* means small trees, shrubs, vines, weeds, etc., growing beneath taller trees on residential and/or commercial property.

(Code 1997, § 58-62; Ord. No. 03-08, 10-15-2003; Ord. No. 09-07, 5-6-2009)

Sec. 54-23. - Prohibitions.

- (a) It shall be unlawful for any person, firm or corporation owning or occupying any developed residential property within the parish to allow the accumulation of trash and junk, or permit the growth of tall grass, underbrush and/or weeds upon the property or any sidewalk abutting the property.
- (b) It shall be unlawful for any person, firm or corporation owning or occupying any industrial, commercial or agricultural property within the parish to allow the accumulation of trash and junk, or permit the growth of tall grass, underbrush and/or weeds within the initial 50 feet of the property, located around the entire perimeter of the property, measured from the property lines.
- (c) It shall be unlawful for any person, firm or corporation owning or occupying any buffer zone within the parish to allow the accumulation of trash and junk, or permit the growth of tall grass, underbrush and/or weeds upon the property.
- (d) Exceptions. The prohibitions of this article shall not include the following:
  - (1) Land area which is actively devoted to the production or cultivation, either for sale or owner/occupant use, of grass for the subsequent processing into hay; except where the property falls within a buffer zone.
  - (2) Land which contains and is stocked by forest trees of any size and species for at least the previous three years; except where that land falls within a buffer zone.
  - (3) Land which is classified as wetlands.

(Code 1997, § 58-63; Ord. No. 03-08, 10-15-2003; Ord. No. 09-07, 5-6-2009)

#### Sec. 54-24. - Classifications of property defined.

The maintenance of all property within the unincorporated areas of the parish regarding the removal of weeds, grass, trash, junk, or other noxious matter will fall under one of the following classifications, as defined herein:

- (1) *Commercial property*. Any tract of land primarily used for commercial/business purposes.
- (2) *Industrial property*. Any tract of land primarily used for industrial purposes.
- (3) *Residential property*. Any tract of land, which is primarily used for residential purposes, or any vacant property which is contained in an existing subdivision of land, which is used primarily for residential purposes.
- (4) *Buffer zone*. Land adjacent to and within 30 feet of commercial, industrial, and/or residential property and all lands within 100 feet of an inhabited structure. All agricultural land is excluded.
- (5) *Agricultural property*. Any tract of land primarily used for farm purposes.
- (6) *Developed residential property*. Any subdivided tract of land, square/lots, in whole or in part, in which capital improvements have been made. The property is basically cleared and located within any subdivision phase of which at least 75 percent is developed. Property may contain small and large trees and/or structures.

(Code 1997, § 58-64; Ord. No. 03-08, 10-15-2003; Ord. No. 09-07, 5-6-2009)

- (a) Upon the written and signed complaint of any resident of the parish, the parish president's office shall investigate and take pictures of said property for verification of validity.
- (b) Before cutting, destruction and/or removal, as provided for in this article, the owner of the property shall be notified of the nature of the violation, the property location and the corrective action to be taken within ten days after notice is deemed to have been received. Said notice shall be given to any person, firm or corporation owning or occupying the property by certified return receipt mail, by personal service or domiciliary service by an official of the parish or by advertising in the official journal. If notice is given by publication, then the owner shall have ten days from the date of publication. Each shall note the "must cut by date" which shall be the tenth day after the date of the mailing and signage shall be placed upon the property.
- (c) Multiple violations. If the property owner has been notified pursuant to this section at any time during the preceding 12 rolling months (not calendar) and has failed to take corrective action, the parish may undertake the cutting, destruction, or removal of noxious weeds, grass, or other deleterious, unsanitary, or noxious growths or trash, without notice, on a regular basis, or as needed, to comply with section 54-23, not to exceed three times per year. Prior to undertaking corrective action pursuant to this section, the parish shall file and record an affidavit signed by designated parish personnel, which includes the following:
  - (1) A description of the property which includes the municipal address of the site (if known) and the street name;
  - (2) A photograph of the property sufficient to reasonably identify its unsafe or unsanitary condition, and to justify the necessity for cutting, destroying, removing tall grass, weeds, other noxious growths or trash; and
  - (3) A statement and copy of the original violation notice (letter or notice from publication) that reflects the property owner's failure within the last 12 rolling months to take corrective action after initial notification was served and the opportunity to comply has expired.
- (d) If the parish remedies the violation, the amount charged by a contractor and/or all expenses incurred in determining the identity of the owner in serving, sending, or providing notice and enforcing the provisions of this article shall be charged directly to the owner of the property.
- (e) The property owner shall have 30 days from the date of invoicing by the parish to pay, in full, the charges incurred.
- (f) The failure of the owner to pay, in full, for the charges incurred shall result in a special assessment to be filed with the clerk of court who shall forthwith record same in the mortgage records of said parish. Such assessment so filed and recorded shall operate as a lien and privilege against the immovable property therein assessed. The amount thereof, plus 15 percent collection charges, shall also be included in and form part of the annual ad valorem taxes due on said property by the owner.
  - (1)

The lien, when so filed and recorded, shall operate as a lien and privilege in favor of the parish and rank from the date of filing of the assessment in the mortgage records of the parish, and shall prime all other claims, mortgages, and liens, excluding taxes and any other provisions mandated by state and federal laws.

(2) The parish shall adopt an ordinance levying the charges as an assessment to be added to the annual ad valorem tax bill of the property involved, and when collected, shall be credited to the general fund of the parish. The ordinance shall be forwarded to the tax collector and tax assessor of the parish.

(g) Legal proceedings to enforce the lien and/or collect the charges may be filed in any court of competent jurisdiction. The parish shall maintain a record of all charges cross-indexed to the tax rolls, which shall be open to inspection at all times and shall constitute legal notice to the purchasers of the property or parties lending money thereon of the assessment.

(Code 1997, § 58-65; Ord. No. 03-08, 10-15-2003; Ord. No. 09-07, 5-6-2009; Ord. No. 09-10, 7-1-2009; Ord. No. 22-05, 7-6-2022)

#### Sec. 54-26. - Contents of notice.

The notice shall contain the following:

- (1) A description of the premises.
- (2) A statement of the particulars in which the lot and/or premises are unsafe or dangerous.
- (3) An order outlining the manner in which the premises are to be made safe and secure.

(Code 1997, § 58-66; Ord. No. 03-08, 10-15-2003)

#### Sec. 54-27. - Authority to enforce.

The parish is empowered and authorized to enforce these provisions against the same lot, place, or area within the parish as often as violations may occur during a calendar year and nothing herein shall be construed so as to prevent the levying or assessment of costs for the removal of said tall grass and/or trash found growing, lying, or located on private property for one or more times during any calendar year.

(Code 1997, § 58-67; Ord. No. 03-08, 10-15-2003)

#### Sec. 54-28. - Owner's right to appeal.

- (a) The owner shall have the right to appeal to the parish president's office, through the director of operations.
- (b) If the owner, agent, occupant, or other representative of the property disputes the findings and recommendations of the parish president's office, he shall have the right to appeal to the council and may request a full hearing within 30 days of service of notice.
- (c) The decision and order of the council shall be in writing and shall be final.

Sec. 54-29. - Immediate danger or hazard.

Notwithstanding anything contained herein to the contrary, the parish may take immediate steps to remove any and all tall grass and/or trash located on or upon any property within the parish where there is presented to the parish evidence of the presence of immediate danger or hazard to the health, safety, and welfare of adjoining property or to the citizens of the parish. All other provisions as contained in this article, not contrary to this section, shall be applicable, including levying and assessment of costs in such case.

(Code 1997, § 58-69; Ord. No. 03-08, 10-15-2003)

Sec. 54-30. - Violations; penalty.

If any person violates any provision of this article or by any means or action prevents or attempts to prevent any employee of and/or other person authorized by the parish from carrying out the provisions of this article, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, may be punished as provided in section 1-13.

(Code 1997, § 58-70; Ord. No. 03-08, 10-15-2003)

*Footnotes:*

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**State Law reference**— *Uniform Standards Code for Manufactured and Modular Housing, R.S. 51:911.21 et seq.*

## ARTICLE I. - IN GENERAL

Secs. 70-1—70-18. - Reserved.

## ARTICLE II. - MOBILE HOME PARKS AND SITES; CAMPGROUNDS

### DIVISION 1. - GENERALLY

Sec. 70-19. - 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:

*Accessory building* means a detached subordinate structure, the use of which is clearly incidental and related to that of the principal structure (mobile home), and which is located on the same lot.

*Accessory structure* means any structural addition to the recreational vehicle or site, including awnings, cabanas, carports, garages, porches, storage cabinets, storage sheds, and similar appurtenant structures.

*Applicant* or *agent* means a person who may or may not own the RV park but is the person responsible for the day-to-day operations including records and license of the RV park or campground.

*Biodegradable* means capable of being decomposed by biological agents, especially bacteria.

*Campground* means any area or tract of land used to accommodate two or more camping units for a period not to exceed 30 days.

*Camping unit* means any pick-up camper, motor home, travel trailer, tent trailer or similar mobile unit not exceeding eight feet in body width or 32 feet in body length and designed for recreation, vacation, and other general temporary dwelling purposes.

*Campsite (camping unit space)* means a plot of ground within a campground designed for the accommodation of one camping unit as herein defined.

*Controlling interest* means a person or developer who controls at least 51 percent of ownership.

*Diagonal tie* means a tie-down intended to primarily resist horizontal forces, but which may also be used to resist vertical forces.

*Dry hydrant* means an unpressurized, permanently installed pipe that has one end below the water level of a lake, pond or container.

*Full-time employee* means a person who is responsible for maintenance of the RV park or campground. This person may or may not be the owner of the RV park or campground.

*Ground anchor* means any device of the mobile home stand designed to transfer mobile home anchoring loads to the ground.

*Health authority* means the state department of environmental quality and the parish health unit.

*Individual mobile home site* means a parcel of land that has been so designated and improved for the placement of one and only one mobile home for residential occupancy and any accessory buildings, structures and equipment for the exclusive use of the occupants.

*License* means a written document issued by the council or its authorized representative permitting the operation and maintenance of a mobile home park, RV park or campground under this article.

*Lot* means a parcel of land occupied by one mobile home and the accessory buildings or uses customarily incident to it, including such open spaces as are arranged and designed to be used in connection with the mobile home.

*Mobile home* means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating and air conditioning, and electrical systems contained therein; except that the term "mobile home" includes any structure which meets all the requirements of this definition except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the fire marshal and complies with the standards established by R.S. 51:911.21 et seq. For the purposes of this article, the terms "mobile home," "manufactured home" and "manufactured housing" may be used interchangeably and apply only to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development.

*Mobile home park* means a parcel or tract of land under single ownership that has been planned and improved for the placement thereon of mobile homes for dwelling purposes.

*Mobile home space or lot* means a parcel of land in a mobile home park or subdivision designated for the accommodation of one mobile home, its accessory buildings or structures, and accessory equipment for the exclusive use of the occupants.

*Mobile home stand* means that part of an individual mobile home space which has been planned and improved for placement of the mobile home and additions or attachments thereto.

*Mobile home subdivision* means a residential subdivision designed exclusively for and occupied only by mobile homes in which the homes and land are owned by the occupants. Such a subdivision shall not be included in the definition of a mobile home park and shall be regulated by chapter 102.

*Opaque fence* means a fence made of solid materials designed to shield from public view the RV park or campground (i.e., it's difficult to see through or perceive).

*Permit* means a written document issued by the health authority permitting the maintenance and operation of a mobile home park under the provisions of the state sanitary code.

*Permitting official* means the official of the parish responsible for the permitting of electrical, mechanical and plumbing associated with a property.

*Public use phone* means a phone used by registrants of the RV park or campground for emergency purposes. It must be available 24 hours per day, seven days per week.

*Recreational vehicle* or *RV* means any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping or travel use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.

*Recreational vehicle park or campground (RV park)* means any lot, tract, or parcel of land upon which accommodation is provided for two or more recreational vehicles used as living or sleeping quarters by the day, week, or month, whether a charge is or is not made. A recreational vehicle park or campground is a unified development of recreational vehicle spaces provided for recreational vehicle use with or without community facilities and permitted permanent buildings.

*Recreational vehicle site or campground site* means that part of a lot or area in a recreational vehicle park or campground that has been reserved for the placement of one recreational vehicle or RV.

*State office of public health* means the office of public health of the state department of health and hospitals.

*Structure* means that which is built or constructed; an edifice or building of any piece or work artificially built up or composed of parts joined together in some definite manner.

*Tie-down* means a strap, cable or security device used to connect the mobile home to ground anchors.

(Code 1997, § 74-31; Ord. No. 13-08, 8-21-2013)

Sec. 70-20. - Authority.

This article is adopted in accordance with the provisions of R.S. title 33.

(Code 1997, § 74-32; Ord. No. 13-08, 8-21-2013)

Sec. 70-21. - Purpose.

This article is adopted for the purposes of protecting and promoting the health, safety, and general welfare of the parish; providing for the proper arrangement and width of streets in relation to other existing or planned streets; preventing overcrowding of the land and undue congestion of the population; providing adequate and convenient open space for vehicular traffic and parking, utilities, and access for emergency and service apparatus by:

- (b) The planning commission will study the variance requested and all comments, and approve or disapprove the variance. In case of disapproval, the planning commission shall communicate its reasons to the council upon request of the petitioner.
- (c) The council will study the variance requested and the comments of the planning commission; and if, in its opinion, a departure can be made without destroying the intent of this article, the requested variance shall be approved and the reasons for approval entered into the minutes of the meeting, with the party requesting the variance being informed of the decision in writing. If the requested variance is disapproved, the reason for disapproval shall be entered in the minutes of the meeting, and the party requesting the variance shall be informed of such in writing.
- (d) In no case shall any variance, modification or waiver be more than a minimum easing of the requirements.

(Code 1990, § 26:339; Code 1997, § 74-284)

## ARTICLE III. - MANUFACTURED AND MOBILE HOMES

### DIVISION 1. - GENERALLY

#### Sec. 70-288. - Definitions.

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

*Mobile home.* Prefabricated trailer-type housing units that are semi-permanently attached to land, either the owner's fee land or leasehold. A mobile home is a movable or portable structure designed and constructed on its own chassis and intended for connection to utilities for year-round occupancy as a dwelling. Any dwelling unit that qualifies as a manufactured or modular home according to the definitions herein is not considered a mobile home. Furthermore, a travel trailer is not considered a mobile home.

*Manufactured or mobile home lot.* A parcel of land for the placement of a manufactured or mobile home and the exclusive use of its occupants.

*Manufactured housing.* Dwelling units are constructed primarily at a plant or facility on a production line basis and delivered to the site as an assembled unit or in modular form. Manufactured housing specifically refers to housing built to 42 U.S.C. Sec. 5403 Federal Manufactured Home Construction and Safety Standards set by the U.S. Department of Housing and Urban Development (HUD). Such housing units are built on an integral chassis for transport but are permanently installed on a lot and are designed for residential occupancy when connected to the required utilities. For the purposes of the parish land use policy, a manufactured home is a single-family home.

*Modular building.* A structure transportable in one or more sections, which is designed for use only with a permanent slab/foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the state's uniform building code and local building codes, and which is approved by

the building code officer and if so required the state fire marshal.

*Setback.* The required minimum horizontal distance between the lot or property line and the nearest front, side, or rear line (as the case may be) of the building, including terraces or any covered projection thereof, excluding steps.

*furthest building projection.* This shall mean the outside edge of the building roofline or other projections, including the eaves, covered porches, carports, garages, balconies, etc. It does not include patios, steps, or other accessory features that do not cover the land.

*Side yards.* There shall be a total minimum width of 15 feet for both side yards. At least one side yard shall have a minimum width of ten feet and one side yard shall have a minimum width of five feet in order to accommodate the effluent reduction field. Side yards are to be measured from the side property line to the furthest building projection.

*Front yard.* No less than 20 feet from the front property line. This distance is measured from the property line (not the edge of the street pavement) to the edge of the furthest building projection.

*Rear yard.* No less than 15 feet as measured from the rear property line to the furthest building projection.

*Accessory structures.* A detached accessory structure to a main building such as a detached garage, storage building, etc., shall be no closer than five feet from a side or rear property line unless:

- (1) The structure requires a separate sewer plant.
- (2) Where drainage servitude runs parallel to property lines, along the location where the accessory structure is to be placed, all setback standards identified herein must be followed.

*Recreational trailers or vehicles* are transportable and are built on a permanent chassis and are designed for use with or without a permanent foundation when connected to the required utilities. The term includes trailers, travel trailers, and other similar vehicles placed on a site for temporary occupancy in approved recreational vehicle parks. Such vehicles that are located on sites and that are occupied for greater than 180 consecutive days must comply with the town and parish floodplain management codes and must be elevated and tied down according to such standards.

(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-289. - Prohibited on certain sites.

No manufactured or mobile home shall be located, established, and operated within the unincorporated limits of the parish on any lot containing less than 12,000 square feet, and not more than two mobile homes or manufactured homes shall be placed on each lot.

(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-290. - Permit required.

- (a) Manufactured and mobile homes may not be moved into the parish unless an application for a permit is first completed. The permit application shall include the following information at a minimum.
  - (1) The manufactured or mobile home movers must contact the parish at least seven days before moving the mobile home for placement and occupancy into the parish.
  - (2) Mover's license number.
  - (3) Mover's insurance information.
  - (4) The date that the home will be moved.
  - (5) Notarized letter from the landowner granting permission to the applicant to place the home on a lot of record or within an approved park.
  - (6) Plot plan showing the placement of the home on the designated plot.
  - (7) The age of the mobile home, its VIN, make, model, and tax ID number.
  - (8) Approval from the health department.
  - (9) Approval from the levee board if located within 1,500 feet of the levee.
  - (10) Proof of ownership or rental/lease agreement for the home.
  - (11) Water and/or gas deposit/connection fee must be paid at the time of permit issuance.
  - (12) Police escort.
- (b) Tapping fee, servitude, and labor/material forms required for new service.
- (c) Applicant must obtain a permit. Once permitted.
  - (1) Mobile home may be moved to the site for complete installation. Once installed.
  - (2) The inspector will certify that all codes and standards have been met, the installation sticker is placed on the mobile home, and an address (minimum four-inch numbers) is visible on the side of the mobile home facing the road before a certificate of occupancy shall be released.

(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-291. - Manufactured housing and mobile home standards.

- (a) The purpose of this section is to provide minimum standards to safeguard public health, property, and public welfare in the Parish of St. James by establishing standards for the placement of manufactured and mobile homes on individual lots in the parish and distinguishing between manufactured and mobile homes.
- (b) All new and allowable replacement manufactured and/or mobile homes shall meet the following standards:
  - (1) Mobile homes are only allowed as nonconforming uses.
  - (2) Manufactured homes must conform to the 1994 HUD minimum standards for manufactured homes and any mobile homes older than five years old are subject to inspection prior to issuance of permit.
  - (3) A manufactured or mobile home shall be used only as a single-family dwelling.

- (4) Manufactured or mobile homes are not permitted in the parish for commercial purposes
- (5) Each manufactured and mobile home shall be permanently sited (nonmobile), i.e. secured in place and an adequate and stable foundation for the placement of anchors and tie-downs such as screw augers, arrowhead anchors, or other devices shall be provided.
  - a. All towing apparatus, wheels, axles, and transport lights shall be removed as part of the installation process, unless adequate space is available and will not impede setbacks or servitudes.
- (6) Additions to manufactured or mobile homes.
  - a. The home must have one of the following: stairs, porches, entrance platforms, ramps, or other means of entrances and exits installed or constructed at all exterior doors, with porches or platforms. Hand railing must be provided if there are more than four steps.
  - b. In accordance with the 2021 code cycle of the IRC (International Residential Code), porches, canopies, carports, utility rooms, storage rooms or other additions shall not be attached to a manufactured or mobile home unless such structure is free-standing, self-supporting, and not dependent on the home as a supporting structure. Additions and alterations, as well as additional structures, shall require a separate and applicable permit.
  - c. Any additions or alterations shall be subject to the parish building codes and may not modify the manufactured or mobile home structural frame, including that entrances may not be altered.
- (7) The manufactured or mobile home shall be placed on an excavated and backfilled permanent foundation.
  - a. The under-home ground shall be cleaned of all vegetation and organic material, such as stumps, roots, etc., except grass not exceeding three inches in height. The area beneath and around the house shall be sloped or properly drained so that water will not accumulate under the home. Pier foundations or stands shall be set on stable soil or compacted fill.
- (8) The manufactured or mobile home shall be enclosed with skirting at the perimeter to meet the following requirements:
  - a. Individual manufactured housing units shall be skirted around the perimeter of the unit to conceal the underbody from view in a manner compatible with the appearance and construction of the manufactured housing unit.
  - b. Skirting shall be vented and be manufactured of certified fire-resistant material.
  - c. Skirting shall be installed in a manner to resist damage under normal weather conditions and shall be properly maintained.
  - d. All skirting shall be installed before the issuance of a certificate of occupancy. In the event that such installation is delayed due to weather or for other similar reasons, a temporary certificate of occupancy may be issued for a period not to exceed 45 days.
- (9)

The manufactured home shall have exterior siding and roofing which, in color, material, and appearance, are similar to the exterior siding and roofing material commonly used on residential dwellings within the community or which is comparable to the predominant materials used on surrounding dwellings as determined by the town, including the following:

- a. Vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint).
  - b. Cedar or other wood siding.
  - c. Wood grain, weather-resistant, press board siding.
  - d. Stucco siding.
  - e. Brick or stone veneer.
- (10) A manufactured home shall have a roof finished with a Class C or better roofing material that is commonly used in standard residential construction.
- a. The manufactured home shall have a pitched roof, except that no standards shall require a slope of greater than a nominal three feet in height for each 12 feet in width.
  - b. A manufactured home shall have an eave projection for all roof structures of no less than six inches, excluding any gutters.
  - c. Exceptions will be made for legally permitted older manufactured or mobile homes that cannot meet the newer roofing requirements.
- (11) A driveway with a minimum width of ten feet shall be provided with automobile parking off a public right-of-way of at least two spaces, if space is available. Parking may be in tandem. Driveway shall consist of asphalt, concrete, brick pavers, or gravel. Prolonged parking, for a dwelling unit, on a public right-of-way shall be prohibited.

(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-292. - Nonconforming manufactured and mobile homes.

- (a) Manufactured or mobile homes legally located and existing in the parish at the time this code is adopted may continue to be occupied. These mobile homes may be upgraded and replaced, regardless of the land use district they occupy, if the upgrading and replacement meet all of the current parish requirements, including, but not limited to anchoring, skirting, model, year, and condition.
- (b) Manufactured homes with no HUD code seal are not permitted in the parish unless such are pre-existing and shall be treated as nonconforming.
- (c) In the event that a nonconforming manufactured or mobile home is destroyed by fire, act of God, or natural disaster, the remaining structure shall be removed, and a replacement manufactured home or mobile home shall be permitted. The replacement manufactured home or mobile home shall comply with the "installation standards" noted herein. This provision shall not apply to dilapidated manufactured or mobile homes that are condemned under provisions of local ordinances or state statutes, i.e., no replacement manufactured home will be permitted to be installed at a condemned site (unless land use approval received from planning commission).

Sec. 70-293. - Illegally placed manufactured or mobile homes.

- (a) Manufactured, mobile homes or construction trailers illegally placed on a parcel of land in the parish or moved without parish approval must be removed within 30 days from the date the owner or mover receives notice from the parish. Failure to comply shall subject the owner or responsible party to applicable fines as established by parish ordinance. penalties and violations are as follows:
  - (1) First offense: \$500.00 (homeowner); \$500.00 (contractor).
  - (2) Second offense: \$500.00 (homeowner); \$500.00 (contractor).
  - (3) Third offense: Removal of public utilities (homeowner); termination of parish contractor registration and denial of any permit (contactor).
- (b) Any manufactured home, mobile home, or construction trailer that is unlawfully placed along a public roadway or left unattended on private property during transport shall be removed within 24 hours of receipt of written notice from the parish by the owner or the party responsible for the placement or transport thereof. Failure to comply shall subject the owner or responsible party to applicable fines as established by parish ordinance. Penalties and violations are as follows:
  - (1) First offense: \$500.00 (contractor).
  - (2) Second offense: \$500.00 (contractor).
  - (3) Third offense: Termination of parish contractor registration (contactor).

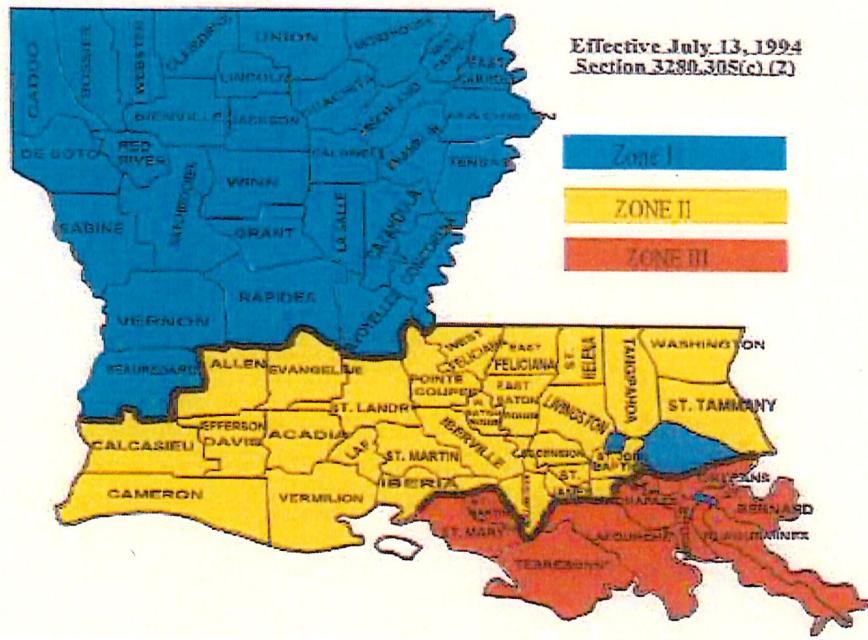
(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-294. - Basic wind zone map.

Each manufactured home must be designed according to the federal Manufactured Home Construction and Safety Standards at 24 CFR 3280, commonly called the HUD Code. The HUD code stipulates, at §3280.305(c)(1) and §3280.305(c)(2), that the home shall be designed and constructed to conform to one of three wind load zones. The appropriate wind zone used in design depends on where the home will be initially installed. Homes designed and constructed to a higher wind zone can be installed in a lower wind zone (a Wind Zone III home can be installed in a Wind Zone I or II location). However, a Wind Zone I home cannot be installed in either a Wind Zone II or III area.

Wind loads (a lateral load) must be resisted by the home. The home must be capable of transferring these imposed lateral loads to the home's stabilizing devices without exceeding the allowable stresses and other deflection requirements. Wind Zone I, Wind Zone II and Wind Zone III are identified on the basic wind zone map above. The manufactured home producer designs the home to resist the wind load, which is measured in pounds per square foot. Wind Zone I equates to a 70 mile per hour fastest-mile wind speed. Wind Zone II equates to a 100 mile per hour fastest-mile wind speed. Wind Zone III equates to a 110 mile per hour fastest-mile wind speed. (State Section 3280(c)(2)).

- (1) Mobile homes and manufactured homes with a wind zone rating of Zone 1 shall not be permitted in the Parish.



(Ord. No. 25-12, Exh. A, 8-6-2025)

Sec. 70-295. - Board of appeals.

- (a) Disputes pertaining to article III shall be presented before the building board of appeals as mentioned herein.
  - (1) An application for appeal shall be based on a claim that the true intent of the building code, a section of the code, or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed.
- (b) To consider and determine the true intent and meaning of this article or any of the related regulations.
- (c) The board shall not have the authority to waive the requirements of the building code but shall have the authority to grant modifications and variances to these articles, which shall then be recorded and entered in the files of the permitting office.
- (d) Decisions rendered are legal and binding on both the appellant and the building official. Final decisions of the board may be appealed through the 23rd Judicial Court.

(Ord. No. 25-12, Exh. A, 8-6-2025)

## **Links:**

1. Public Meetings Law

[https://legis.la.gov/LegisDocs/CLE/2021/Open\\_Meetings\\_Law.pdf](https://legis.la.gov/LegisDocs/CLE/2021/Open_Meetings_Law.pdf)

2. Public Records Law

<https://www.legis.la.gov/legis/Law.aspx?d=99632>

3. Robert's Rules of Order

<https://robertsrules.org/robertsrules.pdf>

4. Louisiana Ethics Training

<https://laethics.net/EthicsTraining/login.aspx>

# Board of Building Code Appeals Process

