

Tangipahoa Parish Council
Tangipahoa Parish Gordon A Burgess Governmental Building
206 East Mulberry Street, Amite, LA 70422
Regular Meeting Immediately Following Public Hearing
July 22, 2024

PUBLIC NOTICE Is Hereby Given That The Tangipahoa Parish Council Will Meet In Regular Session on Monday, July 22, 2024 Immediately Following the Public Hearing at 5:30 PM at the Tangipahoa Parish Gordon A Burgess Governmental Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985)748-3211 on the following:

PUBLIC HEARING

- T.P. Ordinance No. 24-18 - An Ordinance to amend and enact Chapter 34-Offenses and Miscellaneous Provisions, Section 34-16-Prohibiting the Sale of Mitragyna Speciosa Korth (Kratom) and/or any of its Analog in Tangipahoa Parish
- T.P. Ordinance No. 24-29 - An Ordinance to amend and enact in Chapter 36-Planning and Development, Article IX-Flood Prevention and Protection, Sections 36-241, 36-283, 36-284 and 36-285
- T.P. Ordinance No. 24-30 - An Ordinance to amend and enact in Chapter 36-Planning and Development, Article V-Standards for Development of Property, Section 36-111-General Improvement Standards - Drainage Requirements
- T.P. Ordinance No. 24-31 - An Ordinance amending and enacting Appendix C, Figure 16
- T.P. Ordinance No. 24-32 - An Ordinance amending and enacting Chapter 36-Planning and Development - Sections referencing Article IX to Article V

CALL TO ORDER

CELL PHONES - Please Mute or Turn Off

INVOCATION Councilwoman Cieutat

PLEDGE OF ALLEGIANCE Councilman Ingraffia (*All Veterans and active military, please render the proper salute*)

ROLL CALL

ADOPTION OF MINUTES regular meeting dated July 8, 2024

PUBLIC INPUT - Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing

PARISH PRESIDENT'S REPORT

- [1.](#) PROCLAMATION Honoring Bella Cervantes, Young Entrepreneurs Academy (YEA!)
- 2. FINANCIAL REPORT
- [3.](#) APPROVAL OF CHANGE ORDER #1 for S. Tangipahoa Roads - Pavement Rehab
- [4.](#) APPROVAL OF CHANGE ORDER #2 for S. Tangipahoa Roads - Pavement Rehab
- [5.](#) APPROVAL OF CHANGE ORDER #3 for S. Tangipahoa Roads - Pavement Rehab
- [6.](#) APPROVAL OF SUBSTANTIAL COMPLETION S. Tangipahoa Roads - Pavement Rehab

REGULAR BUSINESS

- 7. APPROVAL to begin the process to merge the March 2024 annexation by the Village of Tickfaw into precinct 033 boundaries, which entails redrawing boundaries of precinct 121 and 033
- 8. APPROVAL to begin the process to merge precinct 105 with precinct 006 in the Village of Tangipahoa

ADOPTION OF ORDINANCES

- [9.](#) ADOPTION of T.P. Ordinance No. 24-18 - An Ordinance to amend and enact Chapter 34-Offenses and Miscellaneous Provisions, Section 34-16-Prohibiting the Sale of Mitragyna Speciosa Korth (Kratom) and/or any of its Analog in Tangipahoa Parish
- [10.](#) ADOPTION of T.P. Ordinance No. 24-29 - An Ordinance to amend and enact in Chapter 36-Planning and Development, Article IX-Flood Prevention and Protection, Sections 36-241, 36-283, 36-284 and 36-285
- [11.](#) ADOPTION of T.P. Ordinance No. 24-30 - An Ordinance to amend and enact in Chapter 36-Planning and Development, Article V-Standards for Development of Property, Section 36-111-General Improvement Standards - Drainage Requirements
- [12.](#) ADOPTION of T.P. Ordinance No. 24-31 - An Ordinance amending and enacting Appendix C, Figure 16
- [13.](#) ADOPTION of T.P. Ordinance No. 24-32 - An Ordinance amending and enacting Chapter 36-Planning and Development - Sections referencing Article IX to Article V

INTRODUCTION OF ORDINANCES

PUBLIC HEARING on Introduced Ordinances: Monday, August 12, 2024, at 5:30 pm

- [14.](#) INTRODUCTION of T.P. Ordinance No. 24-33 - An Ordinance setting the Millage rates as adjusted for the Levy of Taxes for the Year 2024
- [15.](#) INTRODUCTION of T.P. Ordinance No. 24-34 - An Ordinance to Levy adjusted Millage rates after Reassessment and Roll Forward the Millage rates for the Year of 2024
- [16.](#) INTRODUCTION of T.P. Ordinance No. 24-35 - An Ordinance to abandon the dedication of Estay Lane, Kentwood in its entirety from beginning at Hwy 51 to Dead End, in length .0193 feet, in width 13 feet, gravel surface, located in District 1
- [17.](#) INTRODUCTION of T.P. Ordinance No. 24-36 - An Ordinance to grant a Variance to Section 36-112-Special Classification Property Development Standards, (A)-Mobile/Manufactured Homes Placement Standards for placement on a single lot for Margaret Vaughn & Connie Johnson, Assessment #3417409 in District 6
- [18.](#) INTRODUCTION of T.P. Ordinance No. 24-37 - An Ordinance to provide for an exemption of Parish Government One Cent (1¢) Sales Tax on purchases of Firearms, Ammunition, and Hunting supplies during the State of Louisiana Sales Tax Holiday, September 6-8, 2024
- [19.](#) INTRODUCTION of T.P. Ordinance No. 24-38 - An Ordinance to rescind Ordinance 80-4A Grant of Franchise/Eastern Heights Water Works Associates, Inc.
- [20.](#) INTRODUCTION of T.P. Ordinance No. 24-39 - An Ordinance to amend and enact Chapter 38-Solid Waste, Article II-Collection and Disposal and Article III-Solid Waste Facilities

ADOPTION OF RESOLUTIONS

- [21.](#) ADOPTION of T.P. Resolution No. R24-24 - A Resolution granting approval to Rural Fire Protection District No. 2 of the Parish of Tangipahoa, State of Louisiana (the "***District***"), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of maintaining and operating the District's fire protection facilities, for maintaining, operating and purchasing fire trucks and other fire-fighting equipment and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and service, and providing emergency services to the residents of the District; and further providing for other matters in connection therewith.
- [22.](#) ADOPTION of T.P. Resolution No. R24-25 - A Resolution granting approval to Recreation District No. 39A of Tangipahoa Parish, Louisiana (the "***District***"), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a fifteen (15) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of purchasing and acquiring lands, buildings, equipment and other facilities in the District for recreation to promote the well-being of youths and the general public and to pay the cost of maintaining said facilities with not less than six percent (6%) of the avails of said tax dedicated to the maintenance of existing parks (Velma, Frazier, Autin) and playgrounds in the District; and further providing for other matters in connection therewith.
- [23.](#) ADOPTION of T.P. Resolution No. R24-26 - A Resolution of the Tangipahoa Parish Council-President Government for adoption of intended use and property disposition plan for the State's Restore Louisiana Solutions 4 Program
- [24.](#) ADOPTION of T.P. Resolution No. R24-27 - A Resolution of the Tangipahoa Parish Council-President Government to authorize the Parish President to approve and amend the Federal Programs Procurement Policies for Tangipahoa Parish Government

BOARD APPOINTMENT

- [25.](#) AMITE AREA RECREATION DISTRICT NO. 3 - Accept the resignation of John "Tree" Smith and Approve appointment Major Baker to fill the unexpired term of April 2026, District 3

BEER, WINE, AND LIQUOR PERMITS

- [26.](#) El Lobo Picante
53517 Harvest Lane
Loranger, LA 70446
Class A Beer (On Premise) / Class A/B Liquor
District 4

LEGAL MATTERS

COUNCILMEN'S PRIVILEGES

ADJOURN

Jill DeSouge
Clerk of Council

Daily Star
Please Publish July 18, 2024

Published on Tangipahoa Parish Government website at www.tangipahoa.org and posted @ T.P. Gordon A. Burgess Governmental Building July 18, 2024

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Jill DeSouge at 985-748-2290 prior to 12:00pm (cst) on meeting day describing the Assistance that is necessary.



Proclamation

WHEREAS The [Young Entrepreneurs Academy](#) (YEA!) is a groundbreaking and exciting program transforming local 6th – 12th-grade students into real, confident entrepreneurs. During the 23-week program, the students create business ideas, conduct market research, write business plans, pitch to a panel of investors, and launch their very own companies. The [YEA! Northshore](#) chapter, founded by Shelby P. LaSalle Jr. 9 years ago, serves St. Tammany and Tangipahoa Parish; and

WHEREAS The National program, founded 20 years ago at the University of Rochester, serves thousands of students across America. In 2011, the United States Chamber of Commerce and Campaign for Free Enterprise became a national sponsor and partner of the Academy. The program, in close cooperation with local colleges and universities, community and business leaders, and their organizations, delivers entrepreneurship education to young people in our community and across our nation; and

WHEREAS YEA! is a life-changing program that positively impacts the entire community. From exciting local business guest lectures to dynamic field trips to local companies, students learn how to develop and run an actual enterprise in a fun, project-based approach. Each year, the culmination of the student's work is a pitch to a panel of local business individuals who serve as the Investors. Similar to the television show Shark Tank, the Investors award funds to each student; the funds are awarded solely for the purpose of the student launching their business. Based on the business concept and business plan, as well as the commitment to and energy of the student to their planned company, the Investors select one student from the class as the winning student. The student is awarded an all-expense-paid trip to Rochester, NY, to compete with other YEA! students from across the country in the National Finals for cash prizes and college tuition to the Rochester Institute of Technology; and

WHEREAS For the first time in the 9 years of the *YEA! Northshore* chapter, the Investor Panel selected a top student and a runner-up, Miss Bella Cervantes, to represent the Chapter in the National Finals, which were held on May 3, 2024; and

WHEREAS Bella Cervantes, from Tickfaw, Louisiana is finishing her 6th grade school year through a home-school program. Bella is the CEO of Bella Bead Co, a jewelry company that creates and sells high-quality bracelets for all occasions and everyday wear. While the entire class, community, and *YEA! Northshore Chapter* was thrilled with the awards; they were even more excited when the winning students were invited to participate in the national competition in New York for the first time since the Northshore Chapter began. Each of the national finalists did an outstanding job presenting to a panel of six judges in New York. Three of the 30 students who competed nationally were selected as top winners. One additional student was selected for the People's Choice award. We are incredibly proud to announce that this year's People Choice award winner was Bella Cervantes.

THEREFORE, BE IT RESOLVED, that the Tangipahoa Parish Government and Tangipahoa Parish Council award this Proclamation of Recognition to Miss Bella Cervantes and look forward to seeing her continue to pursue her dreams and transform her ideas into tangible enterprises that will create economic and social value for a better world.

IN WITNESS THEREOF, we do hereby set our signatures and have cause to be affixed the official seal of the Parish of Tangipahoa in Amite, Louisiana, on this 22nd day of July 2024

David Vial, Chairman
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish Government

SMGR0005

Louisiana Department of Transportation and Development Change Order Report		NO.	001
		Date:	07/31/2022
S.P. NO.	H.014048.6	F.A.P. NO.	H014048
Name:	S TANGIPAOHA ROADS - PAVEMENT REHAB	Primary Parish:	Tangipahoa
		Category 3 / 2E	

Project Description:

State Project No. H.014048.6, Tangipahoa Road Rehabilitation

Description of work: milling asphalt concrete, pavement patching, asphalt concrete overlay, and related work.

Explanation and Justification:

Several areas of patching on Wardline Ave experienced 9.5" depths and 11.5" depth exceeding the minimum 8" depth per plan detail thereby warranting two new Over depth Patching items.

The measured quantities on Wardline with appropriate depths and quantities are the following:

11.5" Depths:

Total Square Yardage is 379.18 sy at 3.5" additional depth

9.5" Depth:

Total Square Yardage is 530.25 sy at 1.5" additional depth

Pavement Patching and Over depth is addressed in section 510.06 of LSSRB, 2016 Edition

Adjustment for 11.5" depth

50% of the unit price per inch, \$50.00 per 8" of depth = \$6.25/sy-in x3.5" thickness x 50% = \$10.9375/sy-in.

Adjustment for 9.5" depth

50% of the unit price per inch, \$50.00 per 8" of depth = \$6.25/sy-in x1.5" thickness x 50% = \$4.6875/sy-in.

Cost:

The total cost of this change order results in a net increase of \$6,632.83

Specifications:

It is not the intent of this change to alter the contract specifications governing this contract.

Time:

It is not the intent of this change order to alter the contract time governing this contract.

Attachments:

Attached and made part of this change is:

ATTACHMENT NO. 1:

Change Order Category Worksheet and Reason Code

Attachment NO2:

Signed DOTD Change Order

Project Number H.014048.6

CI-510-01-OD Line Item 0901 = CI-510-01-OD Overdepth- Pavement Patching Over Depth Patching at 3.5"

Funding Category 0001:

Create item for 379.18 SYIN or 100%.

CI-510-01-OD Line Item 0902 = CI-510-01-OD Overdepth- Pavement Patching Over Depth Patching at 1.5"

Funding Category 0001:

Create item for 530.25 SYIN or 100%.

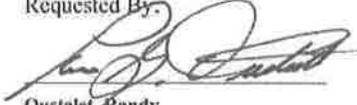
The Project Engineer, verified by his approval of this change order, has confirmed and documented either in the project files or within this change order, that the pricing of items are priced per specification section 109.04, and any extension of contract time meets the

http://s-pmmr-aashto1/SMRemoteReports/COReport_change.asp?projnum=H.014048.6&co... 7/9/2024

requirements of specifications section 108.07. It is mutually agreed by the parties represented to perform and accept the above revisions in accordance with the original contract and applicable specification, and that this change order represents final adjustments for any and all compensation and time due to the Contractor for changes to the project's work referred to herein.

Item No. Proj. / Line Item No.	Item	Major Item	Price per Unit	Change		Current Quantity	Revised Quantity	% Change
		% of Cont.		Quantity	Amount			
CI-510-01-OD H.014048.6 / 0901	Overdepth- Pavement Patching Over Depth Patching at 3.5"	No 0.17%	\$10.94 SYIN	379.180	\$4,147.28	0.000	379.180	New
CI-510-01-OD H.014048.6 / 0902	Overdepth- Pavement Patching Over Depth Patching at 1.5"	No 0.10%	\$4.69 SYIN	530.250	\$2,485.55	0.000	530.250	New
Additional Contract Days Requested None				Change in Amount of Contract:				
				\$6,632.83				

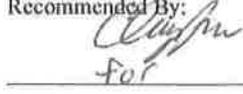
Requested By:



Oustalet, Randy
Resident Engineer

Date: 11/19/2023

Recommended By:



District Administrator

Date: 11-21-23

Accepted By:

Tangipahoa Parish Council
Contractor

Date: 11/19/23

DOTD Chief Const. Engineer

Date: _____

By:



Approved:

Chief Engineer

Date: _____

State Project No. H.014048.6
Plan Change #001
Approved
03323071645
11/19/2023

 11-21-23
Project Coordinator

Original Contract Cost: \$2,428,709.17
Total Approved Change Order to date: \$6,632.83
% of Total Approved Cost: 0.273%

Order	Group	Approver	Date	Action	Comments
1	Contractor	Oustalet, Randy	11/19/2023	Approve	
2	PE- Project Engineer Group	Oustalet, Randy	11/19/2023	Approve	
3	PE- Project Engineer Group	Boutte, Christian	11/21/2023	Approve	
4	Area Engineers	James, Clay	11/21/2023	Approve	

SMGR0005

Louisiana Department of Transportation and Development Change Order Report		NO.	002
		Date:	10/31/2022
S.P. NO.	H.014048.6	F.A.P. NO.	H014048
Name:	S TANGIPAOA ROADS - PAVEMENT REHAB	Primary Parish:	Tangipahoa
		Category 3 / 4C	

Project Description:

State Project No. H.014048.6, Tangipahoa Road Rehabilitation
Description of work: milling asphalt concrete, pavement patching, asphalt concrete overlay, and related work.

Explanation and Justification:

The purpose of this change order is to add item, CI-107-00600 to reimburse the contractor for their actual cost of purchasing their Owner's and Contractor's Protective Liability Policy pursuant to section 107.02.1 of Louisiana Standard Specifications for Roads and Bridges, 2016 Edition.

Cost:

The total cost of this change order results in a net increase of \$6,555.00

Specifications:

It is not the intent of this change to alter the contract specifications governing this contract.

Time:

It is not the intent of this change order to alter the contract time governing this contract.

Attachments:

Attached and made part of this change is:

ATTACHMENT NO. 1:

Change Order Category Worksheet and Reason Code

ATTACHMENT NO.2:

Copy of Invoice and Notary

Attachment NO3:

Signed DOTD Change Order Draft by Contractor

Project Number H.014048.6

CI-107-00600 Line Item 0904 = CI-107-00600 OCP Insurance

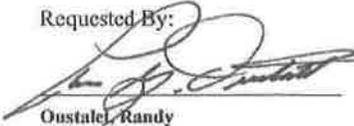
Funding Category 0001:

Create item for 1 EACH or 100%.

The Project Engineer, verified by his approval of this change order, has confirmed and documented either in the project files or within this change order, that the pricing of items are priced per specification section 109.04, and any extension of contract time meets the requirements of specifications section 108.07. It is mutually agreed by the parties represented to perform and accept the above revisions in accordance with the original contract and applicable specification, and that this change order represents final adjustments for any and all compensation and time due to the Contractor for changes to the project's work referred to herein.

Item No. Proj. / Line Item No.	Item	Major Item	Price per Unit	Change		Current Quantity	Revised Quantity	% Change
		% of Cont.		Quantity	Amount			
CI-107-00600	OCP Insurance	No	\$6555.00	1.000	\$6,555.00	0.000	1.000	New
H.014048.6 / 0904		0.27%	EACH					
Additional Contract Days Requested None		Change in Amount of Contract: \$6,555.00						

Requested By:



Date: 4/5/2024

Oustalet, Randy
Resident Engineer

Recommended By:



Date: 4-5-24

District Administrator

Accepted By:

Tangipahoa Parish Council
Contractor

Date: 4/5/24

By: 

DOTD Chief Const. Engineer

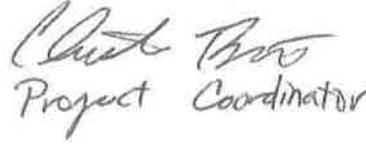
Date: _____

Approved:

Chief Engineer

Date: _____

State Project No. H.014048.6
Plan Change #002
Approved
04082085638
04/05/2024

 4-5-24
Project Coordinator

Original Contract Cost: \$2,428,709.17
Total Approved Change Order to date: \$13,187.83
% of Total Approved Cost: 0.543%

Order	Group	Approver	Date	Action	Comments
1	Contractor	Boutte, Christian	04/05/2024	Approve	Approving on behalf of contractor,
2	PE- Project Engineer Group	Oustalet, Randy	04/05/2024	Approve	
3	Area Engineers	James, Clay	04/05/2024	Approve	

SMGR0005

Louisiana Department of Transportation and Development Change Order Report		NO.	003
		Date:	10/31/2022
S.P. NO.	H.014048.6	F.A.P. NO.	H014048
Name:	S TANGIPAOHA ROADS - PAVEMENT REHAB	Primary Parish:	Tangipahoa
		Category 3 / 8A	

Project Description:

State Project No. H.014048.6, Tangipahoa Road Rehabilitation
Description of work: milling asphalt concrete, pavement patching, asphalt concrete overlay, and related work.

Explanation and Justification:
The purpose of this change order is to reconcile final pay quantities.

Cost:
The total cost of this change order results in a net decrease of (\$12,318.37)

Specifications:
It is not the intent of this change to alter the contract specifications governing this contract.

Time:
It is not the intent of this change order to alter the contract time governing this contract.

Attachments:
Attached and made part of this change is:

ATTACHMENT NO. 1:
Change Order Category Worksheet and Reason Code

Attachment NO2:
Signed DOTD Change Order Draft by Contractor

Project Number H.014048.6

202-02-00010 Line Item 0001 = 202-02-00010 Removal of MAILBOX AND SUPPORT (WOOD, PLASTIC, METAL OR BRICK)
Funding Category 0001:
Increase by 10 EACH or 6.90%.
Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

202-02-38240 Line Item 0002 = 202-02-38240 Removal of Signs and Supports
Funding Category 0001:
Decrease by 78 EACH to zero or -100%.
Existing signs were found in suitable condition warranting no need for removal and replacement.

202-03-38000 Line Item 0003 = 202-03-38000 Relocation of Sign
Funding Category 0001:
Decrease by 20 EACH to zero or -100%.
Existing signs were found in suitable condition warranting no need for removal and replacement.

502-01-00100 Line Item 0004 = 502-01-00100 Asphalt Concrete
Funding Category 0001:
Increase by 701.42 TON or 9.44%.
Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

502-01-00200 Line Item 0005 = 502-01-00200 Asphalt Concrete, Drives, Turnouts and Miscellaneous
Funding Category 0001:
Decrease by 150.82 TON or -61.71%.
There was considerably less drives found then apparently indicated on drawings.

509-01-00100 Line Item 0006 = 509-01-00100 Milling Asphalt Pavement
Funding Category 0001:
Increase by 1577.94 SQYD or 2.34%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

510-01-00102 Line Item 0008 = 510-01-00102 Pavement Patching (8" Minimum Thickness)

Funding Category 0001:

Decrease by 2835.22 SQYD or -13.98%.

While there was a considerable amount of pavement patching there is an inherent difficulty in trying to provide an accurate estimated quantity. This is the primary reason for the considerable 14.0 % underrun.

713-03-02000 Line Item 0010 = 713-03-02000 Temporary Pavement Markings (Broken Line) (4" Width) (10' Le

Funding Category 0001:

Decrease by 0.731 MILE or -6.26%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

713-04-01000 Line Item 0011 = 713-04-01000 Temporary Pavement Markings (Solid Line) (4" Width)

Funding Category 0001:

Increase by 11.628 MILE or 748.26%.

The asphalt overlay design was based on standard road width of 24 ft. Some street widths were found to slightly exceed the 24 ft design width accounting for the overrun.

It was discovered during construction that the estimated quantity for this item was taken as "skip" as opposed to solid line. There will be a similar decrease for Line Item 0018

731-02-00100 Line Item 0017 = 731-02-00100 ReflectORIZED Raised Pavement Markers

Funding Category 0001:

Decrease by 229 EACH or -21.01%.

732-01-02080 Line Item 0018 = 732-01-02080 Plastic Pavement Striping (24" Width) (Thermoplastic 125 mil

Funding Category 0001:

Increase by 1 LNFT or 0.24%.

It was discovered during construction that the estimated quantity for this item was taken as "skip" as opposed to solid line. There will be a similar decrease for Line Item 0018

732-02-02000 Line Item 0019 = 732-02-02000 Plastic Pavement Striping (Solid Line) (4" Width) (Thermopla

Funding Category 0001:

Increase by 0.261 MILE or 2.13%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

732-03-02000 Line Item 0020 = 732-03-02000 Plastic Pavement Striping (Broken Line) (4" Width) (Thermopl

Funding Category 0001:

Decrease by 2.646 MILE or -45.33%.

735-01-00100 Line Item 0022 = 735-01-00100 Mailboxes

Funding Category 0001:

Increase by 10 EACH or 6.90%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

735-02-00100 Line Item 0023 = 735-02-00100 Mailbox Supports (Single)

Funding Category 0001:

Increase by 10 EACH or 6.90%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

736-09-00100 Line Item 0024 = 736-09-00100 Loop Detector

Funding Category 0001:

Decrease by 18 LNFT or -5.36%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

736-12-00000 Line Item 0025 = 736-12-00000 Conductor (2c, Loop Lead in, imsa 50-2, #14 awg, Twisted Pai

Funding Category 0001:

Decrease by 8 LNFT or -5.33%.

Final quantity was based on actual field measurements compared to estimated quantities accounting for a small percentage difference.

CI-999-00010 Line Item 0800 = CI-999-00010 Asphalt Price Adjustment

Funding Category 0001:

Create item for 55436.38 EACH or 100%.

The dollar amounts for these respective items represents payment made for Fuel and AC Adjustments during the project.

CI-999-00040 Line Item 0801 = CI-999-00040 Fuel Price Adjustment

Funding Category 0001:

Create item for 11863 EACH or 100%.

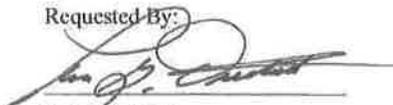
The dollar amounts for these respective items represents payment made for Fuel and AC Adjustments during the project.

The Project Engineer, verified by his approval of this change order, has confirmed and documented either in the project files or within this change order, that the pricing of items are priced per specification section 109.04, and any extension of contract time meets the requirements of specifications section 108.07. It is mutually agreed by the parties represented to perform and accept the above revisions in accordance with the original contract and applicable specification, and that this change order represents final adjustments for any and all compensation and time due to the Contractor for changes to the project's work referred to herein.

Item No.	Item	Major Item	Price per Unit	Change		Current Quantity	Revised Quantity	% Change
				Quantity	Amount			
Proj. / Line Item No.		% of Cont.						
202-02-00010	Removal of MAILBOX AND SUPPORT (WOOD, PLASTIC, METAL OR BRICK)	No	\$11.00	10.000	\$110.00	145.000	155.000	6.90%
H.014048.6 / 0001		0.07%	EACH					
202-02-38240	Removal of Signs and Supports	No	\$11.00	-78.000	-\$858.00	78.000	0.000	100.00%
H.014048.6 / 0002		0.00%	EACH					
202-03-38000	Relocation of Sign	No	\$11.00	-20.000	-\$220.00	20.000	0.000	100.00%
H.014048.6 / 0003		0.00%	EACH					
502-01-00100	Asphalt Concrete	Yes	\$89.18	701.420	\$62,552.64	7429.800	8131.220	9.44%
H.014048.6 / 0004		29.86%	TON					
502-01-00200	Asphalt Concrete, Drives, Turnouts and Miscellaneous	No	\$110.96	-150.820	-\$16,734.99	244.400	93.580	-61.71%
H.014048.6 / 0005		0.43%	TON					
509-01-00100	Milling Asphalt Pavement	No	\$2.38	1577.940	\$3,755.50	67544.000	69121.940	2.34%
H.014048.6 / 0006		6.77%	SQYD					
510-01-00102	Pavement Patching (8" Minimum Thickness)	Yes	\$50.00	-2835.220	\$141,761.00	20283.000	17447.780	-13.98%
H.014048.6 / 0008		35.92%	SQYD					
713-03-02000	Temporary Pavement Markings (Broken Line) (4" Width) (10' Le	No	\$849.71	-0.731	-\$621.14	11.674	10.943	-6.26%
H.014048.6 / 0010		0.38%	MILE					
713-04-01000	Temporary Pavement Markings (Solid Line) (4" Width)	No	\$1496.14	11.628	\$17,397.12	1.554	13.182	748.26%
H.014048.6 / 0011		0.81%	MILE					
731-02-00100	Reflectorized Raised Pavement Markers	No	\$11.00	-229.000	-\$2,519.00	1090.000	861.000	-21.01%
H.014048.6 / 0017		0.39%	EACH					
732-01-02080	Plastic Pavement Striping (24" Width) (Thermoplastic 125 mil	No	\$22.00	1.000	\$22.00	418.000	419.000	0.24%
H.014048.6 / 0018		0.38%	LNFT					
732-02-02000	Plastic Pavement Striping (Solid Line) (4" Width) (Thermopla	No	\$5775.47	0.261	\$1,507.40	12.259	12.520	2.13%
H.014048.6 / 0019		2.98%	MILE					
732-03-02000	Plastic Pavement Striping (Broken Line) (4" Width) (Thermopl	No	\$1925.99	-2.646	-\$5,096.17	5.837	3.191	-45.33%
H.014048.6 / 0020		0.25%	MILE					
735-01-00100	...	No	\$27.50	10.000	\$275.00	145.000	155.000	6.90%

736-09-00100	Loop Detector	No	\$34.65	-18.000	-\$623.70	336.000	318.000	-5.36%
H.014048.6 / 0024		0.45%	LNFT					
736-12-00000	Conductor (2c, Loop Lead in, imsa 50-2, #14 awg, Twisted Pai	No	\$6.05	-8.000	-\$48.40	150.000	142.000	-5.33%
H.014048.6 / 0025		0.04%	LNFT					
CI-999-00010	Asphalt Price Adjustment	No	\$1.00	55436.380	\$55,436.38	0.000	55436.380	New
H.014048.6 / 0800		2.28%	EACH					
CI-999-00040	Fuel Price Adjustment	No	\$1.00	11863.000	\$11,863.00	0.000	11863.000	New
H.014048.6 / 0801		0.49%	EACH					
Additional Contract Days Requested None					Change in Amount of Contract: -		\$12,318.37	

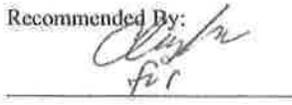
Requested By:



Oustalet, Randy
Resident Engineer

Date: 6/4/2024

Recommended By:



District Administrator

Date: 7-10-24

Accepted By:

Tangipahoa Parish Council
Contractor

Date: 6/6/24

DOTD Chief Const. Engineer

Date: _____

By:



Approved:

Chief Engineer

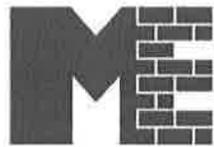
Date: _____

State Project No. H.014048.6
Plan Change #003
Approved
04150122553
06/06/2024

Clayton Furr 7-10-24
Project Coordinator

Original Contract Cost: \$2,428,709.17
Total Approved Change Order to date: \$869.46
% of Total Approved Cost: 0.036%

Order	Group	Approver	Date	Action	Comments
1	Contractor	Boutte, Christian	06/06/2024	Approve	Approving on behalf of Contractor
2	PE- Project Engineer Group	Oustalet, Randy	06/06/2024	Approve	
3	PE- Project Engineer Group	Boutte, Christian	06/07/2024	Approve	
4	Area Engineers	James, Clay	07/10/2024	Approve	



meyer
ENGINEERS + ARCHITECTS

July 12, 2024

VIA EMAIL

Mr. Russell Johnson
Tangipahoa Parish Government
15485 West Club Deluxe Road
Hammond, LA 70403
EMAIL: rjohnson@tangipahoa.org

Re: S. Tangipahoa Roads – Pavement Rehab (CE&I)
Contract No. 4400023076 | S.P. No. H.014048
F.A.P. No. H014048, Tangipahoa Parish
A/E Project No. 20-22023

Dear Mr. Johnson,

We have inspected the above referenced project and recommend accepting the Contract with R.J. Daigle and Sons Contractors, Inc. as completed as of July 10, 2024.

Sincerely,
Meyer Engineers, Ltd.

Donovan Duffy
Donovan P. Duffy, P.E., President

RO/tmt

T. P. Ordinance No. 24-18

AN ORDINANCE TO AMEND AND ENACT CHAPTER 34-OFFENSES AND MISCELLANEOUS PROVISIONS, SECTION 34-16 – PROHIBITING THE SALE OF MITRAGYNA SPECIOSA KORTH (KRATOM) AND/OR ANY OF ITS ANALOG IN TANGIPAHOA PARISH

WHEREAS, Kratom is an herbal extract that comes from the leaves of an evergreen tree (*Mitragyna speciosa*) grown in Southeast Asia. Although people who take kratom believe in its value, researchers who have studied kratom think its side effects and safety problems more than offset any potential benefits; and

WHEREAS, Kratom has been reported to cause abnormal brain functions when taken with prescription medicine. The effects of Kratom become stronger as the quantity taken increases and is known to cause death. Kratom is not currently regulated in the United States, and federal agencies are taking action to combat false claims about kratom; and studies on the effects of kratom have identified many safety concerns and no clear benefits.

WHEREAS, the Tangipahoa Parish Council Government-President does hereby declare that the use of *Mitragyna Speciosa Korth* (Kratom) and/or any of its analogs is a serious problem affecting the health and welfare of all citizens. The Tangipahoa Parish Council Government-President does further declare and determine that all reasonable steps should be taken to prohibit the sale of *Mitragyna Speciosa Korth* (Kratom) and/or any of its analogs in Tangipahoa Parish; and

WHEREAS, the Tangipahoa Parish Council Government-President hereby deems it necessary and proper for good government, order and protection of persons and property, and for the preservation of public health, safety and welfare of the Parish and its inhabitants; and

NOW THEREFOR BE IT ORDAINED, by Tangipahoa Parish Council Government-President, State of Louisiana, Chapter 34 is amended as follows:

Chapter 34 OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE I. IN GENERAL

Sec. 34-16. – Prohibiting the sale of *Mitragyna Speciosa Korth* (Kratom) and/or any of its analog

- (a) It shall be illegal for any person, business, or legal entity to sell, distribute, or possess with the intent to sell or distribute *Mitragyna Speciosa Korth* (Kratom) and/or any of its analogs in the Parish of Tangipahoa.
- (b) Penalties.
 - (1) On a first conviction for a violation of the provisions of subsection (a) the person shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both.
 - (2) On a second conviction for a violation of the provisions of subsection (a) the person shall be fined one thousand dollars (\$1,000.00) or imprisoned for not more than six (6) months, or both.
 - (3) On a third or subsequent offense conviction for a violation of the provisions of subsection (a) the person shall be fined one thousand, five hundred dollars (\$1,500.00) or imprisoned for not more than six (6) months, or both and they shall be subject to a forfeiture of their business license or other occupational license to operate in the Parish.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _ , the foregoing ordinance was hereby declared adopted on this 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 8, 2024

PUBLISHED: July 18, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 22, 2024

DELIVERED TO PRESIDENT: _____ day of July 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July 2024 at _____

T. P. Ordinance No. 24-29

AN ORDINANCE TO AMEND AND ENACT IN CHAPTER 36 – PLANNING AND DEVELOPMENT, ARTICLE IX-FLOOD PREVENTION AND PROTECTION, SECTIONS 36-241, 36-283, 36-284 AND 36-285

Chapter 36 PLANNING AND DEVELOPMENT

Sec. 36-241. Definitions.

(a) Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application. Definitions in this article shall supersede any conflicting definitions in section 36-9.

Accessory Structures means structures that are on the same parcel of property as a principal structure, the use of which is incidental to the use of the principal structure. Accessory structures must be used for parking or storage, be small and represent a minimal investment by owners, and have a low damage potential. Accessory structure size limits are based on flood zone, no larger than one story, two-car garage and shall not be greater than 550 square feet in flood zones indemnified as A zones (A, AE, A1-30, AH, AO, A99, and AR) and not larger than 100 square feet in flood zones identified as V zones (V, VE, V1 30, and VO). Examples of small accessory structures include, but are not limited to, detached garages, storage, and tool sheds, and small boathouses.

Agricultural Structure means structures that are used exclusively for agricultural purposes or uses in connection with production, harvesting, storage, raising, or drying of agricultural commodities and livestock.

Alluvial fan flooding means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant structure means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of future conditions flood hazard means the land area that would be inundated by the one percent annual chance (100-year) flood based on future conditions hydrology.

Area of shallow flooding means a designated AO, AH, AR/AO, AR/AH, or VO zone on the parish's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard means the land in the floodplain within the parish subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the flood hazard boundary map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE, or V. For purposes of these regulations the term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation means the elevation shown on the flood insurance rate map (FIRM) and found in the accompanying flood insurance study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one percent chance of equaling or exceeding that level in any given year (also called the base flood).

Basement means any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated building means, for insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

Existing construction means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. Existing construction may also be referred to as "existing structures."

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the parish.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(a) Means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood elevation study means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood insurance rate map (FIRM) means an official map of the parish, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the parish.

Flood insurance study (FIS). See *Flood elevation study*.

Flood protection system means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a parish subject to a special flood hazard and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

Floodplain or floodprone area means any land area susceptible to being inundated by water from any source (see *Flood or flooding*).

Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term "floodplain management regulations" describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodway. See *Regulatory floodway*.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term "functionally dependent use" includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest adjacent grade means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Levee means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee system means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of section 60.3 of the National Flood Insurance Program regulations.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured home park or subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NGVD) of 1988, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

New construction means, for the purpose of determining insurance rates, structures for which the start of construction commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, the term "new construction" means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by the parish and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the parish.

Primary frontal dune means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Recreational vehicle means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. ~~See Area of special flood hazard-~~ see "area of special flood hazard". **Special hazard area means an area having special flood, mudslide (i.e., mudflow), or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, A99, AH, VO, V1-30, VE, V, M, or E.**

Start of construction, for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term "substantial improvement" does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Variance means a grant of relief by the parish from the terms of a floodplain management regulation. (For full requirements see section 60.6 of the National Flood Insurance Program regulations.)

Violation means the failure of a structure or other development to be fully compliant with this article. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the NFIP regulations is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the North American Vertical Datum (NGVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

~~(b) — The following definitions refer to urban stormwater runoff and non-point source pollution. Point source pollution, such as industrial and wastewater discharges, are governed separately by specific discharge permits issued by the state DEQ and EPA.~~

~~Amenity area means a common area within the development which are provided for active and or passive recreational or social purposes and may be shared between all residents of the development.~~

~~Best management practices (BMPs) means the controls and activities used to prevent stormwater pollution during construction. BMPs can be structural, such as a silt fence, secondary containment for hazardous materials, or seeding disturbed land or non-structural, such as picking up trash, maintaining equipment, or training staff.~~

Bioswales means a vegetated, shallow, linear channel designed to capture, treat, and infiltrate stormwater runoff as it moves downstream. They are typically sized to treat and convey at a minimum the first one inch of stormwater runoff which is the first and often most polluted volume of water resulting from a storm event, also known as the "first flush."

Clean Water Act (CWA) means the primary federal law in the United States governing water pollution. Its objective is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing point and non-point pollution sources, improving wastewater treatment, and maintaining the integrity of wetlands. It is administered by the U.S. Environmental Protection Agency (EPA), in coordination with state governments. The CWA is codified in 40 CFR 100—140, 401—471, and 501—503.

Construction means any human activity that includes clearing, grading, excavation, filling, or other placement, movement, removal, or depositing of soil, rock, organic materials, or earth minerals, and construction of facilities such as roads, parking, playgrounds, and buildings.

Contaminated means containing any material designated by EPA or state DEQ as a pollutant which is introduced into stormwater conveyances by urban stormwater contact with impervious surfaces.

Conveyance means drainage infrastructure that moves water from one place to another, including ditches, bioswales, pipes, canals, and waterways.

Detention pond, sometimes called a "dry pond", means an area which temporarily stores water after a storm, but eventually empties out at a controlled rate to a downstream water body. It also differs from an infiltration basin which is designed to direct stormwater to groundwater through permeable soils or retention pond which is designed to permanently store stormwater.

Discharge means any stormwater, including but not limited to sheet flow and point source, introduced into the MS4, drainage infrastructure, conveyances, ditches, or waterways of the parish, or into waters of the United States.

Facility means any building, structure, property, installation, process or activity from which there is or may be a discharge of a pollutant.

First flush means the first one inch of rain.

Green infrastructure is an approach to stormwater management that protects, restores, or mimics the natural water cycle. At its essence, green infrastructure reduces runoff, increases infiltration, and improves water quality. Green infrastructure is effective, economical, and enhances community safety and quality of life.

Hazardous substance means any of the following: any substance determined to be hazardous according to 40 CFR 171.8 or listed in Table 302.4 of 40 CFR 302 or section 311(b)(2)(A) of the Clean Water Act (33 USC 1317(a) and 1321(b)(1)).

Hazardous waste means any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR 261.

Louisiana discharge permit elimination system (LPDES) permit or national discharge permit elimination system (NPDES) permit means the permit issued by the state DEQ or the EPA, under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States.

Low impact development refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality.

Municipal separate storm sewer system (MS4) means roadside drainage systems, catchbasins, curbs, gutters, ditches, manmade channels, or storm drains used for collecting and/or conveying stormwater that is not intentionally connected with wastewater treatment outflows (combined sewers).

Permeable paving materials means a variety of surfacing techniques for roads, parking lots, and pedestrian walkways, unified under the common goal to allow for infiltration of stormwater runoff. Permeable pavement material surfaces typically include pervious concrete, paving stones, aggregate and interlocking pavers. Porous asphalt shall not be allowed as a permeable paving material. Unlike traditional impervious paving materials, permeable paving systems allow stormwater to percolate and infiltrate through the material and into the aggregate layers and/or soil below. In addition to reducing surface runoff, permeable paving systems can trap suspended solids, thereby filtering pollutants from stormwater. The goal is to control stormwater at the source, reduce runoff, and improve water quality by filtering pollutants in the subsurface layers.

Person means any individual, partnership, firm, company, corporation, association, trust, estate, entity, or any legal representative, agent, or assignee.

Point source means the discharge of pollutants at a specific location from pipes, outfalls, channels, or other discernible or discrete conveyances whose source is identifiable. The term "point source" does not include irrigation flow returns from agricultural stormwater runoff.

Pollutant in urban stormwater runoff means suspended sediments, heavy metals, phosphorus, nitrogen, petrochemicals, bacteria, and other so designated material that is collected by stormwater runoff.

Pollution means the contamination of the physical, thermal, chemical, or biological quality of waters that causes impairment of the designated uses of a water body as stipulated in the current EPA integrated report or renders the water harmful, detrimental, injurious to humans, animal life, vegetation, or impairs the usefulness for the public enjoyment of the water for any lawful or reasonable purpose.

Retention pond, sometimes called a wet pond, means a manmade pond with vegetation around the perimeter, a vegetative littoral shelf, and includes a permanent pool of water in its design. It is used to manage stormwater runoff to prevent flooding and downstream erosion, and improve water quality in an adjacent river, stream, lake or bay.

Sanitary sewage means the domestic sewage and/or industrial waste that is discharged into the sanitary sewer system and passes through the sanitary sewer system to any public or privately owned sewage treatment plant.

Sanitary sewer (or sewer) means the system of pipes, conduits, and other conveyances which carry industrial waste and sanitary sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to any sewage treatment plant.

Sediment means soil, sand, clay, and minerals washed from land into roadways, drainage infrastructure, and waterways, usually during or after a rain. Sediment may cause a reduction in storage capacity, impede drainage, destroy fish nesting areas, clog animal habitats, and cloud waters to such an extent as to prevent sunlight from reaching aquatic biota.

Stormwater means stormwater runoff, surface runoff and drainage runoff. (Agricultural stormwater may be excluded, subject to the provisions of L.A.C. 33:IX.2313.)

Stormwater pollution prevention plan (SWPPP) is a site-specific written document and drawings required by the EPA and state DEQ for LPDES general permits for discharge of stormwater from construction activities (LAR100000 and LAR200000), LPDES multi-sector general permit, or any LPDES individual permit which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

Undisturbed vegetative area means an area where the existing vegetation is left undisturbed during and after construction. Only selective removal of trees that present a hazard to property or people, or non-native invasive vegetative species, shall be removed. Additionally, an undisturbed vegetative area may be an area disturbed by construction that is intended to become an amenity, such as a buffer zone adjacent to a retention pond, that is left with a temporary protective ground cover that allows the natural succession of native plants to become established. Any form of maintenance, mowing, or weed control is prohibited.

Wastewater means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Waters of the United States (WOTUS) means any waters within the federal definition of "waters of the United States" at 40 CFR 122.2, but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the federal Clean Water Act.

Wetland indicator status:

Indicator Code	Indicator Status	Designation	Comment
OB	Obligate wetland	Hydrophyte	Almost always occur in wetlands
FACW	Facultative wetland	Hydrophyte	Usually occur in wetlands, but may occur in non-wetlands
FAC	Facultative	Hydrophyte	Occur in wetlands and non-wetlands
FACU	Facultative upland	Nonhydrophyte	Usually occur in non-wetlands, but may occur in wetlands
UPL	Obligate upland	Nonhydrophyte	Almost never occur in wetlands

Sec. 36-283. Stormwater management and water quality. RESERVE

(a) General standards for stormwater.

(1) Development drainage requirements:

- a. The developer will plan all drainage for his project in accordance with the requirements of the appropriate parish drainage authority and must meet the flood prevention and protection requirements of this article.
- b. The need for a drainage impact study will be determined by the drainage board and/or the parish engineer in consultation with the planning commission.
- c. All areas outside of a parish drainage district authority shall follow the stormwater requirements and the flood prevention and protection requirements of this article.
- d. No individual, partnership or corporation will deepen, widen, fill, reroute, or in any manner change or alter the course or location of existing ditch, or drainage canal without first obtaining written permission from the appropriate parish drainage authority.
- e. Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the subdivider will dedicate an adequate servitude along the stream as determined by the appropriate parish drainage authority.
- f. Adequate provision will be made for the disposal of stormwater subject to the approval of the appropriate parish drainage authority. Necessary storm drainage will be located within the street right-of-way except where it is located in a servitude to facilitate outfall needs or for subdivision interconnection.

g. All subdivision restrictive covenants will include a restriction against any construction, fill matter, or fences in any drainage way, designated drainage servitudes or the parish right of way, without approval from the appropriate parish authority. No fences, sheds, movable or immovable appurtenances shall be placed in designated drainage servitudes. Relocation of said obstructions shall be the sole responsibility of the property owner and the property owner shall bear all cost associated with the relocation.

h. There will be no construction of any drainage facilities prior to the submittal and approval of plans by the appropriate parish drainage authority.

(2) *Development best management practices requirements:*

a. All major subdivisions developments, special use residential commercial developments, and general commercial developments shall include a stormwater pollution prevention plan (SWPPP).

b. BMPs required for sediment and erosion control, stormwater retention, and mitigation during construction:

1. The contractor's use and description of the approved BMPs shall be included with their SWPPP.

2. The contractor shall include all BMPs and provide verification of the SWPPP to the parish prior to construction.

3. Installation of these BMPs may be inspected by the parish for proper maintenance during the project construction phase, unless the state inspects such activity as part of an approved SWPPP.

(3) *BMPs:* Construction activity requirements for major subdivisions and special use residential commercial developments shall comply with Louisiana

Department of Environmental Quality (LDEQ) requirements for developing and submitting a

SWPPP based upon the development size, prior to construction of infrastructure or structures and shall meet the minimum following standards. The contractor is responsible for the SWPPP, maintaining SWPPP documentation, and

implementation.

a. Design of the SWPPP shall meet the latest requirements of the LDEQ. A SWPPP shall be developed and implemented for all developments disturbing one acre or greater. On developments over five acres a SWPPP shall be developed and a permit secured from LDEQ before implementing the SWPPP.

b. The SWPPP document and its LDEQ approval shall be submitted to the parish prior to receiving approval for a land clearing application.

1. Design and construction of the SWPPP BMPs shall meet the minimum requirements of the latest version of LaDOTD standard plans for temporary erosion controls.

2. Once construction begins the SWPPP documents must be maintained, updated, and available on-site to the parish engineer, floodplain administrator, consolidated drainage district administrator, and LDEQ.

3. The SWPPP will contain BMPs components for control measures including methods for sediment control, stabilization practices for disturbed areas, and structural practices. Controls for off-site vehicle tracking of sediment and generation of dust shall be included. The project SWPPP shall demonstrate compliance with local waste and sewer system requirements, description of control methods for construction and waste materials stored on site, and description of control methods for pollutant sources, such as fuels, paints, chemicals, and concrete and asphalt waste.

4. Maintenance of control methods shall be provided in a timely manner to ensure proper operation. Maintenance needs identified by inspection shall be accomplished before the next anticipated storm event or as soon as practicable.

5. Inspections of SWPPP BMPs shall be conducted by the construction contractor or its designee every 14 days, before every anticipated storm event, and within 24 hours of every 0.5-inch rain event. Inspections shall be documented, identify actions required, and included in the SWPPP.

c. Parish government staff are authorized to inspect any infrastructure development site or building construction project site for violations of its SWPPP. All noncompliant conditions or any work being done contrary to the provisions of this article or otherwise required by law or development agreement or which is determined to be in a dangerous or unsafe manner shall be reported to the contractor's on-site representative and a remediation plan will be established. The contractor shall have 48 hours to comply with the remediation plan to correct all violations.

1. If upon a subsequent inspection the violations have not been corrected as per the remediation plan, then a written notice of violation shall be issued, along with a written stop work order.

(i) The parish engineer or designee shall issue in writing the above notices for work to cease on any infrastructure development site within the affected area.

(ii) The building official or designee shall issue in writing the above notices for work to cease on any building construction sites for structures within the affected area.

(iii) Any work shall be immediately stopped by the owner or owner's agent or to the person doing the work.

2. Violations are subject to the fines and penalties stated in section 1-13. Fines shall accrue until a SWPPP notice of compliance is issued by the parish government.

3. Any fines or penalties shall be rectified prior to the issuance of a resume work order.

(b) *General standards for water quality:* Development water quality requirements shall be in accordance with 303(d) of the Clean Water Act, total maximum daily loads (TMDL) as developed by the LDEQ, and in compliance with La Title 51 - Chapter 13, Sanitary Code. All major commercial development projects in the parish, as identified in this chapter, all commercial projects, all change of use for commercial buildings, and all major subdivisions and special use residential commercial developments shall submit a "Request for Preliminary Determination of LPDES Permit Issuance" (RPD) to the LDEQ. Applicants shall provide a copy of LDEQ's response letter to the Tangipahoa Parish Environmental Health - Louisiana Department of Health - Office of Public Health (LDH-OPH). This document must be provided to LDH-OPH before any approvals can be granted by the parish planning or permit departments.

Sec. 36-284. **General standards. RESERVE**

(a) Procedure and minimum requirements for the non-districted areas of the parish.

(1) Areas of poor drainage. Whenever a plat is submitted for an area that is subject to flooding or the development results in a drainage situation that adversely impacts the property of others, the developer shall demonstrate to the parish engineer how any potential adverse impact will be mitigated. In the case of an official designated floodway or special flood hazard area, a plat proposing prohibited types of development as specified in section 36-285, shall be rejected.

(2) Dedication of drainage easements. When a subdivision is traversed by a watercourse, channel or stream, there shall be provided a drainage easement or right of way conforming substantially to the lines of said watercourse, channel or stream, and of a minimum 50-foot width sufficient (as determined by the parish engineer) to maintain said watercourse, channel, or stream.

(3) Design requirements. Design and construction of all drainage shall be in accordance with specifications and standards of the state department of transportation and development (DOTD) unless otherwise directed.

(4) The following design requirement shall be included in a drainage impact study:

a. A watershed map with development site clearly defined and acreage and slope of basins within the watershed area indicated.

b. All drainage shall be predicated on a 100-year storm frequency of 24-hour duration.

c. Inventory of downstream structures of receiving outfall.

d. The minimum grade along the bottom of a drainage course shall ensure a design velocity of at least three feet per second (fps).

e. Design features that reduce the site post-development surface water runoff rate to an amount ten percent less than the pre-development surface water runoff rate based on a 25-year design storm and the 100-year design storm for a 24-hour rain event.

f. Documentation that the development will not obstruct any off-site flows or that it will provide a drainage system to convey that flow through or around the development without increasing the upgradient water surface elevation.

g. Documentation that fill placed in the development will not reduce the flood carrying capacity of a nearby stream which could cause an increase in water surface elevation. A "nearby stream" is one that is located within 500 feet of the development boundary from a "stream" designated on the USGS quadrangular sheet or designated on the Consolidated Gravity Drainage District No. 1 "Lateral Map."

h. Approved jurisdictional determination from the U.S. Army Corps of Engineers.

i. Ditches shall not be utilized for retention calculations.

j. Rear lot line drainage ditch and servitudes should be avoided where practicable. In the event a rear lot line drainage ditch is required, it shall conform to the typical section as shown in the Appendix B to the ordinance from which this chapter is derived. In the cases where there is a large drainage ditch, the servitude may need to be widened to accommodate future maintenance. This servitude shall not be included in any lot sold for home ownership. The parish engineer reserves the right to widen the required servitude based on maintenance needs.

k. Side slope of all surface drainage courses shall have at least a 3H:1V design.

l. All retention and detention ponds shall meet the standards and requirements of subsections (a)(5)a and b of this section.

(5) Low impact developments (LIDs). Low impact developments are recognized methods used to improve water quality. The following are specific LID requirements for projects in the parish. Other proven LIDs may be utilized to improve water quality with the review and acceptance by the parish engineer.

a. Retention ponds utilized for stormwater management in developments shall be constructed to the following standards and submitted to the parish engineer for design approval:

1. All retention ponds shall have a minimum 30-foot-wide buffer measured from the top of the pond. The buffer must remain as an undisturbed vegetative area other than areas designated as maintenance accessways.

2. The undisturbed vegetative area, where feasible, may be used as a bioremediation area to improve stormwater quality.
3. All retention ponds shall provide a means to circulate the retention pond water, with natural or mechanical means, to avoid stagnation that would breed algae and mosquitoes.
4. A ten-foot wide maintenance accessway shall be provided through the buffer area to the pond.
5. A ten-foot wide cleared area around the top edge of the pond will provide maintenance access to the overflow and inlet structures and for general pond maintenance.
6. Maintenance accessways may also contain the minimum four-foot wide pedestrian trail which would designate the pond and buffer as an amenity area.
7. The maintenance accessways shall not be planted with any landscape materials that would interfere with maintenance activities of the pond.
8. For a retention pond and its buffer area to be considered part of the stormwater management area, an amenity area trail shall provide access to a minimum of 50 percent of the buffer area.
9. An amenity area shall have a four-foot wide trail traversing the area and the trail shall be connected to an adjacent trail or to an accessway that is accessible to all of the development's residents.
10. An amenity trail may be located within the undisturbed vegetative area buffer when the area is not used for bioremediation of stormwater. When a trail does traverse through an undisturbed vegetative area, the maximum clearing for the trail shall be eight feet wide.
11. Littoral shelves shall be continuous around the perimeter of the pond when the size of the pond allows, a minimum of 48 inches wide, constructed 12 inches to 36 inches below the designed permanent water level, and planted with emergent, submerged, floating-leaved, or free-floating native vegetation listed in section 36-10. Where possible the littoral shelf shall vary in depth to promote a variety of vegetation types. The littoral shelf need not be continuous around a retention pond due to physical constraints of the site if approved by the parish engineer.
12. The littoral shelf shall be located adjacent to control structures or pipe inlets in order to maximize water quality benefits. The littoral shelf shall be located no closer than 20 feet from any discharge structure or pipe intake as measured from the water side of the discharge structure toward the center of the pond so as to not impede flow.
13. All littoral shelves and any planting in the buffer area shall be designed with native plants. All shrubs planted in the littoral shelf shall be a minimum of one gallon and spaced 36 inches on center maximum. Planting plans shall be stamped by a state-licensed landscape architect or state-licensed landscape horticulturist.
14. All retention ponds side slopes shall have maximum steepness of 4H:1V from the top of the pond bank to the littoral shelf and shall have a slope no steeper than 3H:1V from the littoral shelf to the bottom of the pond.
15. A maintenance program for retention ponds and littoral shelves shall be submitted to the parish engineer for review and acceptance of the program.
16. All detention ponds shall be maintained by the developer until after the formation of a homeowners' association (HOA) or the acceptance by the HOA or other private entity and shall be included in each development's codes, covenants, and deed restrictions as requiring maintenance in perpetuity.

b. Detention ponds utilized for stormwater management for all developments within the parish shall be constructed to the following standards:

1. Detention ponds shall meet the same requirements as retention ponds but shall not be required to have a littoral shelf.
2. Detention ponds shall fully drain within 48 hours of the end of each rain event.
3. All detention ponds shall have a minimum 30-foot buffer measured from the top of the pond. The buffer must remain as an undisturbed vegetative area other than areas designated as maintenance accessways.

business days to comply with the remediation plan to correct all violations. Once improvements are completed, the HOA or private entity must notify the parish's planning department for a new inspection to be conducted. If upon the subsequent inspection the violations have not been corrected as per the remediation plan, then a notice of violation shall be issued. Violations are subject to the fines and penalties stated in section 1-13. Fines shall accrue until a notice of compliance is issued by the parish government. All fines shall be paid prior to the issuance of any new permits for lot development or construction within the development.

(7) Procedural process for review:

- a. *Plan review and board action.* Plans will be reviewed by the parish engineer and the developer or the developer's engineer shall be notified if there are any corrections needed on the final plans. The developer or the developer's engineer shall make corrections, if needed, and submit ten sets of the plans to be reviewed by the planning commission's board at time of final plan approval request. If the plans are approved, a letter granting approval of final plans shall be issued by the planning commission authorizing the developer to begin construction of infrastructure. No work toward the construction of the drainage infrastructure may begin until said letter has been issued. If the plans are rejected the developer has the option to revise the plans and re-submit.
- b. *Completion of construction/maintenance period.* Upon completion of construction, the developer will request an inspection of the drainage improvements by the parish engineer. This request will be by letter and be accompanied by a set of as-built drawings. The as-builts shall profile all drainage facilities at 100-foot intervals. The developer shall rework any drainage facilities that do not meet standards as approved by planning commission.
- c. *Photo evidence of sign placement.* Included with the submittal of the preliminary drainage plan and hydraulic study, the engineer/developer shall include a photo of the notification sign indicating the date, location and time of the planning commission board meeting at which the development will be discussed. Omission of this required submittal shall result in the delayed placement of the proposed development on the planning commission board's agenda.

(b) In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located to be elevated to at least 12 inches above the base flood elevation;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Sec. 36-285. Specific standards.

(a) In all areas of special flood hazard where base flood elevation data has been provided as set forth in section 36-243, 36-266(a)(8), or 36-286(c), the following provisions are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to at least 12 inches above the base flood elevation.
 - a. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection, as proposed in section 36-266(a), is satisfied.
 - b. All standalone enclosed appurtenant structures shall have hydrostatic flood equalizing per this section and shall not exceed 549 square feet.
 - c. All standalone enclosed appurtenant structures 550 square feet or greater shall be elevated to the base flood elevation plus the required freeboard.

- (2) Nonresidential construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to at least 12 inches above the base flood elevation or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this section. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
- (3) *Enclosures.* New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
- A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - The bottom of all openings shall be no higher than one foot above grade.
 - Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (4) *Manufactured homes.*
- Require that all manufactured homes to be placed within Zone A on a parish's FHB or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
 - Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the parish's FIRM on sites:
 - Outside of a manufactured home park or subdivision;
 - In a new manufactured home park or subdivision;
 - In an expansion to an existing manufactured home park or subdivision; or
 - In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as a result of a flood;
 be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to at least 12 inches above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the parish's FIRM that are not subject to the provisions of this subsection (4) be elevated so that the bottom of the longitudinal structural I beam of the manufactured home is at least 12 inches above the base flood elevation.
- (5) *Recreational vehicles.* Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the parish's FIRM either:
- Be on the site for fewer than 180 consecutive days;
 - Be fully licensed and ready for highway use; or
 - Meet the permit requirements of section 36-267(a), and the elevation and anchoring requirements for manufactured homes in subsection (4) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

~~(6) *Prohibited structures and functions.* No facility or structure shall be used by any entities required by the LDEQ and/or EPA to report and/or track flammable, explosives, toxic, or hazardous materials unless stored in a vessel or tank, and in a manner approved by the regulatory agency.~~

~~(b) *Developments that require a water quality impact study (WQIS).*~~

~~(1) *A conservation development may reduce its stormwater management area from 45 percent of the gross development area to 40 percent provided a water quality impact study (WQIS) per section 36-284(a)(6) is provided, and the development implements low impact development (LIDs) methods to detain and treat the first one-inch flush of stormwater. The 25-foot development perimeter buffer area and the 50-foot undisturbed riparian buffer along each side of drainage laterals and channels are stormwater management areas that shall not be reduced.*~~

~~a. *A minimum of 75 percent of the stormwater runoff must be detained in retention or detention ponds meeting the requirements of section 36-284(a)(5).*~~

~~b. *Provide bioretention for all stormwater first flush (one inch) runoff utilizing vegetative bioretention areas, retention ponds, bioswales, constructed wetlands, or existing undisturbed vegetative areas or a combination. Bioretention areas and bioswales shall be constructed of native vegetation as per section 36-10. Individual lot owners are encouraged to construct bioswales and rain gardens on their property if they do not interfere with the development's drainage pattern.*~~

~~c. *Provide a forebay to facilitate sediment removal prior to stormwater entering any retention ponds, detention pond or vegetative bioretention areas.*~~

~~1. *Forebays shall be designed by a state licensed engineer or a state licensed landscape architect.*~~

~~2. *No forebay shall be installed within a road right of way that is eligible for inclusion in parish road maintenance system.*~~

~~d. *All development pavement other than roads eligible for inclusion in the parish road maintenance program shall be constructed with permeable paving materials.*~~

~~1. *Off street parking located within the road right of way may be constructed of permeable paving materials if approved by the parish engineer.*~~

~~2. *Drive aisles for parking lots of common amenities and pads for trash bins may be constructed of impervious paving.*~~

~~3. *Walkways and amenity trails may be constructed of impervious materials with the parish engineer's approval.*~~

4. Individual lot owners are encouraged to use permeable pavement for their driveways, parking, walkways, patios, and other paved areas as allowed by deed restrictions.
5. Any path, walk or trail used as an ADA accessible path of travel must be constructed of materials approved by the parish.
- (2) Any major subdivision or special use residential commercial development other than those specified within this section that provides a WQIS and implements LID methods to improve stormwater quality may reduce its stormwater management area by an area equal in area size to the LID areas, but not greater than five percent of the total development area and use that area for development. The 25-foot development perimeter buffer area and the 50-foot undisturbed riparian buffer along each side of drainage laterals and channels are stormwater management areas that shall not be reduced.
 - a. A minimum of 75 percent of the stormwater runoff must be detained in retention or detention ponds meeting the requirements of section 36-284(a)(5).
 - b. Provide bioretention for all stormwater first flush (one inch) runoff utilizing vegetative bioretention areas, bioswales, constructed wetlands, or existing undisturbed vegetative areas or a combination. Bioretention areas and bioswales shall be constructed of native vegetation as per section 36-10. Individual lot owners are encouraged to construct bioswales and rain gardens on their property if they do not interfere with the development's drainage pattern.
 - c. Provide a forebay to facilitate sediment removal prior to stormwater entering all retention ponds, detention pond or vegetative bioretention areas.
 1. Forebays shall be designed by a state licensed engineer or state licensed landscape architect.
 2. No forebay shall be installed within a road right of way that is eligible for inclusion in parish road maintenance system.
 - d. All development pavement other than roads eligible for inclusion in the parish road maintenance program shall be constructed with permeable paving materials.
 1. Off street parking located within the road right of way may be constructed of permeable paving materials if approved by the parish engineer.
 2. Drive aisles for parking lots of common amenities and pads for trash bins may be constructed of impervious paving.
 3. Walkways and amenity trails may be constructed of impervious materials with the parish engineer's approval.
 4. Individual lot owners are encouraged to use permeable pavement for their driveways, parking, walkways, patios, and other paved areas as allowed by deed restrictions.
 5. Any path, walk or trail used as an ADA accessible path of travel must be constructed of materials approved by the parish.

(6) Accessory structure. Accessory structures to be placed on sites within Zones A1-30, AH, AO and AE on the {local community name} FIRM shall comply with the following:

- a. The structure shall be used only for parking and limited storage;
- b. The structure shall not be used for human habitation. Prohibited activities or uses include but are not limited to working, sleeping, living, entertainment, cooking, or restroom use;
- c. The structure shall be unfinished on the interior.
- d. Structures shall be small in size, not exceed the size of a single story two car garage.
- e. Structures exceeding the size of a single story two car garage will be required to meet all applicable standards of Article 3 Section 3.3, Article 4 Section 4.3, Article 5 Section 5.1 & 5.2 including relevant subsections.
- f. Service facilities such as electrical and heating equipment must be elevated to or above the BFE plus 1 foot;
- g. The structure shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- h. The structure shall be considered low in value, designed to have low flood damage potential and constructed with flood resistance materials;
- i. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement;
- j. Floodway requirements must be met in the construction of the structure;
- k. Openings to relieve hydrostatic pressure during a flood shall be provided below the BFE; and be placed on opposing walls with the net area of not less than 1 square inch for every square foot of the size of the footprint of the structure (Flood Vents);
- l. The openings (flood vents) shall be located no higher than 1 foot above grade;
- m. The openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 8, 2024

PUBLISHED: July 18, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 22, 2024

DELIVERED TO PRESIDENT: _____ day of July 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July 2024 at _____

T. P. Ordinance No. 24-30

AN ORDINANCE TO AMEND AND ENACT IN CHAPTER 36 – PLANNING AND DEVELOPMENT, ARTICLE V-STANDARDS FOR DEVELOPMENT OF PROPERTY, SECTION 36-111 – GENERAL IMPROVEMENT STANDARDS – DRAINAGE REQUIREMENTS

Chapter 36 PLANNING AND DEVELOPMENT ARTICLE V. STANDARDS FOR DEVELOPMENT OF PROPERTY

Sec. 36-111. General improvement standards.

- (a) *Setbacks for residential lots.* All undeveloped residential lots of record shall follow these setback requirements, unless otherwise specified in another section of this chapter or as noted on the recorded plat of existing approved subdivisions.
- (1) Front setback lines shall be a minimum of 25 feet from the property line.
 - (2) A setback of 35 feet is required for the entrance to any residential subdivision fronting on a parish or state road.
 - (3) Side and rear setback shall be ten feet from property lines.
- (b) *Land clearing.*
- (1) Approval of a land clearing permit from the parish is required for any parcel of five acres or more; any major subdivisions; and any special use residential commercial developments as required by the parish and in compliance with department of environmental quality SWPPP requirements.
 - (2) All applications for parcels 20 acres or larger shall include a wetland jurisdictional determination (JD) approved by the U.S. Army Corps of Engineers (Corps) shall also accompany the permit application. If the site does not contain wetlands, any further site development shall follow the applicable development regulations as set forth by the parish. If the site does contain wetlands, those wetlands areas shall be field marked, and no clearing operations shall be performed in those wetlands areas. Any further site development shall not disturb the identified wetlands areas until the site development plan and proposed wetland modifications are approved by the parish. Any wetlands modification shall meet the requirements set forth by the parish and shall be properly permitted by the Corps and the state department of natural resources (if applicable).
 - (3) This pertains to all developments, but specifically excludes the following: single residential structures (homes) with a construction permit, commercial forestry or timber operations with a logging permit, farming operations as defined by the state department of agriculture, and normal maintenance or pruning.
 - (4) Any parcel regardless of having received a logging and/or land clearing permit and which has been cleared or logged such that all or portions of the 25-foot vegetative perimeter buffer has been removed shall not be allowed to be submitted for a major subdivision development or for a special use residential commercial development approval within a 24-month period from the completion date of the clearing operation or until the vegetative perimeter buffer is restored in accordance with section 36-8.
 - (5) For major subdivision developments and special use residential commercial developments a land clearing permit shall not be issued until final approval has been obtained from the planning commission.
 - (6) A land clearing permit shall be required for all major subdivision developments and special use residential commercial developments on parcels of five acres or greater.
 - (7) Limited removal of vegetation for the sole purpose of obtaining information for an existing topographical survey shall not be deemed a violation of this chapter as long as no grubbing is performed.
- (c) *Gravel roads.* As identified for minor residential subdivisions as private roads, gravel roads must meet the following requirements:
- (1) Allowed in developments with eight lots or less;
 - (2) No more than 1,000 feet of roadway; and
 - (3) Restricted from being accepted into the parish maintenance system, until constructed as per parish standards with hard surface.
- (d) *Sewerage and water systems.* All new development of land shall meet the requirements of the parish or utility district and all state and federal regulations as applicable for each type of utility.
- (e) *Addressing.* All lots will be provided with an address from the parish 911 office prior to any structures being located on the lot.

(f) Drainage Requirements

- (1) The developer will plan all drainage for his project in accordance with the requirements of the appropriate parish drainage authority, and any additional parish drainage requirements and must meet the flood prevention and protection requirements in Article IX. Flood Prevention and Protection.
- (2) The need for a drainage impact study will be determined by the drainage board, drainage district administrator, and/or the parish engineer.
- (3) All areas outside of a parish drainage district authority shall follow the stormwater requirements and the flood prevention and protection requirements.
- (4) No individual, partnership or corporation will deepen, widen, fill, reroute, or in any manner change or alter the course or location of existing ditch, or drainage canal without first obtaining written permission from the appropriate parish drainage authority.
- (5) In accordance with LA R.S. 38:215 No developer shall impede the natural flow of drainage.
- (6) Adequate provision will be made for the disposal of stormwater subject to the approval of the appropriate parish drainage authority. Necessary storm drainage will be located within the street right-of-way except where it is located in a servitude to facilitate outfall needs or for subdivision interconnection.

- (7) All subdivision restrictive covenants will include a restriction against any construction, fill matter, or fences in any drainage way, designated drainage servitudes or the parish right-of-way, without approval from the appropriate parish authority. No fences, sheds, movable or immovable appurtenances shall be placed in designated drainage servitudes. Relocation of said obstructions shall be the sole responsibility of the property owner and the property owner shall bear all cost associated with the relocation.
- (8) There will be no construction of any drainage facilities prior to the submittal and approval of plans by the appropriate parish drainage authority.
- (9) All drainage ways within 100' of property boundaries and designated on the USGS quadrangular map or designated on the Consolidated Gravity Drainage District No. 1 "Lateral Map." shall be shown on the plans.

(g) Non-Districted Drainage Areas in the Parish Procedures and Minimum Requirements

- (1) *Areas of poor drainage.* Whenever a plat is submitted for an area that is subject to flooding or the development results in a drainage situation that adversely impacts the property of others, the developer shall demonstrate to the parish engineer how any potential adverse impact will be mitigated. In the case of an official designated floodway or special flood hazard area, a plat proposing prohibited types of development as specified in section 36-285, shall be rejected.
- (2) *Dedication of drainage easements.* When a subdivision is traversed by a watercourse, channel or stream, there shall be provided a drainage easement or right-of-way conforming substantially to the lines of said watercourse, channel or stream, and of a minimum 50-foot width sufficient (as determined by the parish engineer) to maintain said watercourse, channel, or stream.
- (3) *Design requirements.* Design and construction of all drainage shall be in accordance with specifications and standards of the state department of transportation and development (DOTD) unless otherwise directed.
- (4) The following design requirement shall be included in a *drainage impact study*:
 - a. A watershed map with development site clearly defined and acreage and slope of basins within the watershed area indicated.
 - b. All drainage shall be predicated on a 25 and 100-year storm frequency of 24-hour duration.
 - c. Inventory of downstream structures of receiving outfall.
 - d. The minimum grade along the bottom of a drainage course shall ensure a design velocity of at least three feet per second (fps).
 - e. Design features that reduce the site post-development surface water runoff rate to an amount ten percent less than the pre-development surface water runoff rate based on a 25-year design storm and the 100-year design storm for a 24-hour rain event.
 - f. Documentation that the development will not obstruct any off-site flows or that it will provide a drainage system to convey that flow through or around the development without increasing the upgradient water surface elevation.
 - g. Documentation that fill placed in the development will not reduce the flood carrying capacity of nearby stream which could cause an increase in water surface elevation. A "nearby stream" is one that is located within 500 feet of the development boundary from a "stream" designated on the USGS quadrangular sheet or designated on the Consolidated Gravity District No. 1 "Lateral Map".
 - h. Approved jurisdictional determination from the U.S. Army Corps of Engineers.
 - i. Ditches shall not be utilized for retention calculations.
 - j. Rear lot line drainage ditch and servitudes should be avoided where practicable. In the event a rear lot line drainage ditch is required, it shall conform to the typical section as shown in the Appendix C to the ordinance from which this chapter is derived. In the cases where there is a large drainage ditch, the servitude may need to be widened to accommodate future maintenance. This servitude shall not be included in any lot sold for home ownership. The parish engineer reserves the right to widen the required servitude based on maintenance needs.
 - k. Side slope of all surface drainage courses shall have at least a 3H:IV design.
 - l. All retention and detention ponds shall meet the standards and requirements of Low Impact Development a) and b)

(h) Stormwater Management & Water Quality

- (1) *Definitions:* The following definitions refer to urban stormwater runoff and non-point source pollution.
 - Point source pollution, such as industrial and wastewater discharges, are governed separately by specific discharge permits issued by the state DEQ and EPA.
 - Amenity area* - a common area within the development which are provided for active and or passive recreational or social purposes and may be shared between all residents of the development.
 - Best management practices (BMPs)* - the controls and activities used to prevent stormwater pollution during construction. BMPs can be structural, such as a silt fence, secondary containment for hazardous materials, or seeding disturbed land or non-structural, such as picking up trash, maintaining equipment, or training staff.
 - Bioswales* - a vegetated, shallow, linear channel designed to capture, treat, and infiltrate stormwater runoff as it moves downstream. They are typically sized to treat and convey at a minimum the first one inch of stormwater runoff which is the first and often most polluted volume of water resulting from a storm event, also known as the "first flush."
 - Clean Water Act (CWA)* - the primary federal law in the United States governing water pollution. Its objective is to restore and maintain the chemical, physical, and biological integrity of the nation's waters by preventing

point and non-point pollution sources, improving wastewater treatment, and maintaining the integrity of wetlands. It is administered by the U.S. Environmental Protection Agency (EPA), in coordination with state governments. The CWA is codified in 40 CFR 100—140, 401—471, and 501—503.

Construction - any human activity that includes clearing, grading, excavation, filling, or other placement, movement, removal, or depositing of soil, rock, organic materials, or earth minerals, and construction of facilities such as roads, parking, playgrounds, and buildings.

Contaminated - containing any material designated by EPA or state DEQ as a pollutant which is introduced into stormwater conveyances by urban stormwater contact with impervious surfaces.

Conveyance - drainage infrastructure that moves water from one place to another, including ditches, bioswales, pipes, canals, and waterways.

Detention pond, sometimes called a "dry pond", - an area which temporarily stores water after a storm, but eventually empties out at a controlled rate to a downstream water body. It also differs from an infiltration basin which is designed to direct stormwater to groundwater through permeable soils or retention pond which is designed to permanently store stormwater.

Discharge - any stormwater, including but not limited to sheet flow and point source, introduced into the MS4, drainage infrastructure, conveyances, ditches, or waterways of the parish, or into waters of the United States.

Drainage Authority – the authority having jurisdiction over a gravity drainage system. The jurisdiction could have joint authority.

Facility - any building, structure, property, installation, process or activity from which there is or may be a discharge of a pollutant.

First flush - the first one inch of rain.

Green infrastructure - is an approach to stormwater management that protects, restores, or mimics the natural water cycle. At its essence, green infrastructure reduces runoff, increases infiltration, and improves water quality. Green infrastructure is effective, economical, and enhances community safety and quality of life.

Hazardous substance - any of the following: any substance determined to be hazardous according to 49 CFR 171.8 or listed in Table 302.4 of 40 CFR 302 or section 311(b)(2)(A) of the Clean Water Act (33 USC 1317(a) and 1321(b)(A)).

Hazardous waste - any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR 261.

Louisiana discharge permit elimination system (LPDES) permit or national discharge permit elimination system (NPDES) permit - the permit issued by the state DEQ or the EPA, under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States.

Low impact development - refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality.

Municipal separate storm sewer system (MS4) - roadside drainage systems, catchbasins, curbs, gutters, ditches, manmade channels, or storm drains used for collecting and/or conveying stormwater that is not intentionally connected with wastewater treatment outflows (combined sewers).

Permeable paving materials - a variety of surfacing techniques for roads, parking lots, and pedestrian walkways, unified under the common goal to allow for infiltration of stormwater runoff. Permeable pavement material surfaces typically include pervious concrete, paving stones, aggregate and interlocking pavers. Porous asphalt shall not be allowed as a permeable paving material. Unlike traditional impervious paving materials, permeable paving systems allow stormwater to percolate and infiltrate through the material and into the aggregate layers and/or soil below. In addition to reducing surface runoff, permeable paving systems can trap suspended solids, thereby filtering pollutants from stormwater. The goal is to control stormwater at the source, reduce runoff, and improve water quality by filtering pollutants in the subsurface layers.

Person - any individual, partnership, firm, company, corporation, association, trust, estate, entity, or any legal representative, agent, or assignee.

Point source - the discharge of pollutants at a specific location from pipes, outfalls, channels, or other discernible or discrete conveyances whose source is identifiable. The term "point source" does not include irrigation flow returns from agricultural stormwater runoff.

Pollutant in urban stormwater runoff - suspended sediments, heavy metals, phosphorus, nitrogen, petrochemicals, bacteria, and other so designated material that is collected by stormwater runoff.

Pollution - the contamination of the physical, thermal, chemical, or biological quality of waters that causes impairment of the designated uses of a water body as stipulated in the current EPA integrated report or renders the water harmful, detrimental, injurious to humans, animal life, vegetation, or impairs the usefulness for the public enjoyment of the water for any lawful or reasonable purpose.

Retention pond, sometimes called a wet pond, - a manmade pond with vegetation around the perimeter, a vegetative littoral shelf, and includes a permanent pool of water in its design. It is used to manage stormwater runoff to prevent flooding and downstream erosion, and improve water quality in an adjacent river, stream, lake or bay.

Sanitary sewage - the domestic sewage and/or industrial waste that is discharged into the sanitary sewer system and passes through the sanitary sewer system to any public or privately owned sewage treatment plant.

Sanitary sewer (or sewer) - the system of pipes, conduits, and other conveyances which carry industrial waste and sanitary sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to any sewage treatment plant.

Sediment - soil, sand, clay, and minerals washed from land into roadways, drainage infrastructure, and waterways, usually during or after a rain. Sediment may cause a reduction in storage capacity, impede drainage, destroy fish nesting areas, clog animal habitats, and cloud waters to such an extent as to prevent sunlight from reaching aquatic biota.

Stormwater - stormwater runoff, surface runoff and drainage runoff. (Agricultural stormwater may be excluded, subject to the provisions of L.A.C. 33.IX.2313.)

Stormwater pollution prevention plan (SWPPP) - is a site-specific written document and drawings required by the EPA and state DEQ for LPDES general permits for discharge of stormwater from construction activities (LAR100000 and LAR200000), LPDES multi-sector general permit, or any LPDES individual permit which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

Undisturbed vegetative area - an area where the existing vegetation is left undisturbed during and after construction. Only selective removal of trees that present a hazard to property or people, or non-native invasive vegetative species, shall be removed. Additionally, an undisturbed vegetative area may be an area disturbed by construction that is intended to become an amenity, such as a buffer zone adjacent to a retention pond, that is left with a temporary protective ground cover that allows the natural succession of native plants to become established. Any form of maintenance, mowing, or weed control is prohibited.

Wastewater - any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Waters of the United States (WOTUS) - any waters within the federal definition of "waters of the United States" at 40 CFR 122.2, but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirements of the federal Clean Water Act.

Wetland indicator status.

Indicator Code	Indicator Status	Designation	Comment
OBL	Obligate wetland	Hydrophyte	Almost always occur in wetlands
FACW	Facultative wetland	Hydrophyte	Usually occur in wetlands, but may occur in non-wetlands
FAC	Facultative	Hydrophyte	Occur in wetlands and non-wetlands
FACU	Facultative upland	Nonhydrophyte	Usually occur in non-wetlands, but may occur in wetlands
UPL	Obligate upland	Nonhydrophyte	Almost never occur in wetlands

(2) Development best management practices requirements.

- a. All major subdivisions developments, special use residential commercial developments, and general commercial developments shall include a stormwater pollution prevention plan (SWPPP).
- b. BMPs required for sediment and erosion control, stormwater retention, and mitigation during construction.
 - 1. The contractor's use and description of the approved BMPs shall be included with their SWPPP.
 - 2. The contractor shall include all BMPs and provide verification of the SWPPP to the parish prior to construction.
 - 3. Installation of these BMPs may be inspected by the parish for proper maintenance during the project construction phase, unless the state inspects such activity as part of an approved SWPPP.

(3) BMPs. Construction activity requirements for major subdivisions and special use residential commercial developments shall comply with Louisiana Department of Environmental Quality (LDEQ) requirements for developing and submitting a SWPPP based upon the development size, prior to construction of infrastructure or structures and shall meet the minimum following standards. The contractor is responsible for the SWPPP, maintaining SWPPP documentation, and implementation.

- a. Design of the SWPPP shall meet the latest requirements of the LDEQ. A SWPPP shall be developed and implemented for all developments disturbing one acre or greater. On developments over five acres a SWPPP shall be developed and a permit secured from LDEQ before implementing the SWPPP.
- b. The SWPPP document and its LDEQ approval shall be submitted to the parish prior to receiving approval for a land clearing application.
 - 1. Design and construction of the SWPPP BMPs shall meet the minimum requirements of the latest version of LaDOTD standard plans for temporary erosion controls.
 - 2. Once construction begins the SWPPP documents must be maintained, updated, and available on-site to the parish engineer, floodplain administrator, consolidated drainage district administrator, and LDEQ.
 - 3. The SWPPP will contain BMPs components for control measures including methods for sediment control, stabilization practices for disturbed areas, and structural practices. Controls for off-site vehicle tracking of sediment and generation of dust shall be included. The project SWPPP shall demonstrate compliance with local waste and sewer system requirements, description of control methods for construction and waste materials stored on site, and description of control methods for pollutant sources, such as fuels, paints, chemicals, and concrete and asphalt waste.
 - 4. Maintenance of control methods shall be provided in a timely manner to ensure proper operation. Maintenance needs identified by inspection shall be accomplished before the next anticipated storm event or as soon as practicable.

5. Inspections of SWPPP BMPs shall be conducted by the construction contractor or its designee every 14 days, before every anticipated storm event, and within 24 hours of every 0.5-inch rain event. Inspections shall be documented, identify actions required, and included in the SWPPP.
- c. Parish government staff are authorized to inspect any infrastructure development site or building construction project site for violations of its SWPPP. All noncompliant conditions or any work being done contrary to the provisions of this article or otherwise required by law or development agreement or which is determined to be in a dangerous or unsafe manner shall be reported to the contractor's on-site representative and a remediation plan will be established. The contractor shall have 48 hours to comply with the remediation plan to correct all violations.
 1. If upon a subsequent inspection the violations have not been corrected as per the remediation plan, then a written notice of violation shall be issued, along with a written stop work order.
 - (i) The parish engineer or designee shall issue in writing the above notices for work to cease on any infrastructure development site within the affected area.
 - (ii) The building official or designee shall issue in writing the above notices for work to cease on any building construction sites for structures within the affected area.
 - (iii) Any work shall be immediately stopped by the owner or owner's agent or to the person doing the work.
 2. Violations are subject to the fines and penalties stated in section 1-13. Fines shall accrue until a SWPPP notice of compliance is issued by the parish government.
 3. Any fines or penalties shall be rectified prior to the issuance of a resume work order.
- (4) *General standards for water quality.* Development water quality requirements shall be in accordance with 303(d) of the Clean Water Act, total maximum daily loads (TMDL) as developed by the LDEQ, and in compliance with La Title 51 - Chapter 13, Sanitary Code. All major commercial development projects in the parish, as identified in this chapter, all commercial projects, all change of use for commercial buildings, and all major subdivisions and special use residential commercial developments shall submit a "Request for Preliminary Determination of LPDES Permit Issuance" (RPD) to the LDEQ. Applicants shall provide a copy of LDEQ's response letter to the Tangipahoa Parish Environmental Health - Louisiana Department of Health - Office of Public Health (LDH-OPH). This document must be provided to LDH-OPH before any approvals can be granted by the parish planning or permit departments.
- (5) Low impact developments (LIDs). Low impact developments are recognized methods used to improve water quality. The following are specific LID requirements for projects in the parish. Other proven LIDs may be utilized to improve water quality with the review and acceptance by the parish engineer.
 - a. Retention ponds utilized for stormwater management in developments shall be constructed to the following standards and submitted to the parish engineer for design approval:
 1. All retention ponds shall have a minimum 30-foot-wide buffer measured from the top of the pond. The buffer must remain as an undisturbed vegetative area other than areas designated as maintenance accessways.
 2. The undisturbed vegetative area, where feasible, may be used as a bioremediation area to improve stormwater quality.
 3. All retention ponds shall provide a means to circulate the retention pond water, with natural or mechanical means, to avoid stagnation that would breed algae and mosquitoes.
 4. A ten-foot-wide maintenance accessway shall be provided through the buffer area to the pond.
 5. A ten-foot-wide cleared area around the top edge of the pond will provide maintenance access to the overflow and inlet structures and for general pond maintenance.
 6. Maintenance accessways may also contain the minimum four-foot-wide pedestrian trail which would designate the pond and buffer as an amenity area.
 7. The maintenance accessways shall not be planted with any landscape materials that would interfere with maintenance activities of the pond.
 8. For a retention pond and its buffer area to be considered part of the stormwater management area, an amenity area trail shall provide access to a minimum of 50 percent of the buffer area.
 9. An amenity area shall have a four-foot-wide trail traversing the area and the trail shall be connected to an adjacent trail or to an accessway that is accessible to all of the development's residents.
 10. An amenity trail may be located within the undisturbed vegetative area buffer when the area is not used for bioremediation of stormwater. When a trail does traverse through an undisturbed vegetative area, the maximum clearing for the trail shall be eight feet wide.
 11. Littoral shelves shall be continuous around the perimeter of the pond when the size of the pond allows, a minimum of 48 inches wide, constructed 12 inches to 36 inches below the designed permanent water level, and planted with emergent, submerged, floating leaved, or free-floating native vegetation listed in section 36-10. Where possible the littoral shelf shall vary in depth to promote a variety of vegetation types. The littoral shelf need not be continuous around a retention pond due to physical constraints of the site if approved by the parish engineer.
 12. The littoral shelf shall be located adjacent to control structures or pipe inlets in order to maximize water quality benefits. The littoral shelf shall be located no closer than 20 feet from any discharge structure or pipe intake as measured from the water side of the discharge structure toward the center of the pond so as to not impede flow.
 13. All littoral shelves and any planting in the buffer area shall be designed with native plants. All shrubs planted in the littoral shelf shall be a minimum of one gallon and spaced 36 inches on center

maximum. Planting plans shall be stamped by a state-licensed landscape architect or state-licensed landscape horticulturist.

14. All retention ponds side slopes shall have maximum steepness of 4H:1V from the top of the pond bank to the littoral shelf and shall have a slope no steeper than 3H:1V from the littoral shelf to the bottom of the pond.

15. A maintenance program for retention ponds and littoral shelves shall be submitted to the parish engineer for review and acceptance of the program.

16. All retention ponds shall be maintained by the developer until after the formation of a homeowners' association (HOA) or the acceptance by the HOA or other private entity and shall be included in each development's codes, covenants, and deed restrictions as requiring maintenance in perpetuity.

b. Detention ponds utilized for stormwater management for all developments within the parish shall be constructed to the following standards:

1. Detention ponds shall meet the same requirements as retention ponds but shall not be required to have a littoral shelf.

2. Detention ponds shall fully drain within 48 hours of the end of each rain event.

3. All detention ponds shall have a minimum 30-foot buffer measured from the top of the pond. The buffer must remain as an undisturbed vegetative area other than areas designated as maintenance accessways.

4. The undisturbed vegetative area, where feasible, may be used as a bioremediation strip to improve stormwater quality.

5. A ten-foot-wide maintenance accessway shall be provided through the buffer area to the pond.

6. A ten-foot-wide cleared area around the top edge of the pond will be used as a maintenance accessway to the overflow and inlet structures and for general pond maintenance.

7. Maintenance accessways may also contain the four-foot-wide trail and count as an amenity area.

8. The maintenance accessways shall not be planted with any landscape materials that would interfere with maintenance activities of the pond.

9. For a detention pond and its buffer area to be considered as part of the stormwater management area an amenity area trail shall provide access to a minimum of 50 percent of the buffer area.

10. An amenity area shall have a four-foot-wide trail traversing the area and the trail shall be connected to an adjacent trail or to an accessway that is accessible to all of the development's residents.

11. An amenity trail may be located within the undisturbed vegetative area buffer when the area is not used for bioremediation of stormwater. When a trail does traverse through an undisturbed vegetative area, the maximum clearing for the trail shall be eight feet wide.

12. A detention pond's side slopes shall have maximum steepness of 3H:1V.

13. A maintenance program for detention ponds shall be included in the water quality impact study.

14. All detention ponds shall be maintained by the developer until after the formation of a homeowners' association (HOA) or the acceptance by the HOA or other private entity and shall be included in each development's codes, covenants, and deed restrictions as requiring maintenance in perpetuity.

c. Bioretention areas are planted landscape areas designed to receive, detain, infiltrate, and filter stormwater runoff. Bioretention areas include bioswales and undisturbed vegetative areas when properly incorporated into a water quality impact study (WQIS). Bioretention areas shall meet the following requirements:

1. No bioswale shall be installed within a road right-of-way or will be accepted into the parish road maintenance program.

2. Bioswales shall be part of the stormwater management area and shall not be included as part of any individual lot. Ownership and maintenance responsibility of all bioswales shall be either the responsibility of the homeowners' association or a private entity.

3. Areas identified as undisturbed vegetative areas (UVA) and undisturbed vegetative buffer areas may be utilized as bioretention areas as long as stormwater is dispersed into the area as sheet flow that does not cause any erosion in the buffer area. No stormwater flowing out of the undisturbed vegetative area shall cause an adverse impact to any adjoining property or lots and shall be collected and conveyed in an approved manner to a retention pond, detention pond, swale or stream.

4. Only native plants as listed in section 36-10 shall be used in an area designated as a bioretention area.

5. Bioretention areas and bioswales shall be designed by a state-licensed landscape architect to filter and retain pollutants from the first one-inch flush of stormwater. Plans shall be submitted as part of the water quality impact study. All LIDs shall be maintained by the developer until the formation of a homeowners' association or the acceptance by a private entity and shall be included in each development's codes, covenants, and deed restrictions requiring maintenance in perpetuity.

(6) Water quality impact study (WQIS). Where a WQIS is required in section 36-111 (h)(9) it shall meet the requirements below and be submitted to the parish engineer for review and acceptance:

a. The WQIS shall identify low impact developments (LIDs) methods to reduce flood risk and stormwater runoff pollution through preservation of existing vegetation and hydrology, stormwater runoff infiltration and filtration, sediment and erosion control, and stormwater retention and detention.

b. As part of the WQIS plans and details the developer shall identify low impact development methods that will reduce water runoff pollutants to assist the parish in meeting its water quality guidelines.

- c. The development of the WQIS shall follow the process and procedures identified in Stormwater Best Management Practices, East Baton Rouge, Parish-Master Development Program.
- d. The submittal requirements for the WQIS are found in Appendix D to the ordinance from which this chapter is derived.
- e. All stormwater LID methods to be constructed on site must meet engineering and landscape architecture industries standard practices for design, implementation plans, and maintenance plans.
- f. A private stormwater quality design certification signed and sealed by a state-licensed engineer or landscape architect shall be included with all WQIS. See Appendix D to the ordinance from which this chapter is derived for the certification form.
- g. A private stormwater quality maintenance covenant shall be notarized and signed by the developer/owner and recorded with the parish clerk of court and then submitted to the parish engineer. See Appendix D to the ordinance from which this chapter is derived for the required private stormwater quality covenant.
- h. A post-construction inspection report prepared by a state-licensed engineer or landscape architect shall be provided by the party responsible for the development or maintenance of the low impact development methods at the request or on a schedule approved by the parish engineer. The report shall be consistent with the drainage maintenance plan and describe the conditions and recommended maintenance requirements of all components of the water quality impact study, including but not limited to ponds, forebays, bioswales and any subsurface manufactured water quality features. When deficiencies and problems are identified in the report, corrective action shall be completed within 90 days of the submission of the inspection report with evidence that the work has been completed and provided to parish engineer.
- i. Parish government staff are authorized to inspect a development for violations of its private stormwater quality maintenance covenant. All noncompliant conditions shall be reported to the homeowners' association (HOA) or the responsible private entity representative and a remediation plan will be established. The HOA or private entity shall have 30 business days to comply with the remediation plan to correct all violations. Once improvements are completed, the HOA or private entity must notify the parish's planning department for a new inspection to be conducted. If upon the subsequent inspection the violations have not been corrected as per the remediation plan, then a notice of violation shall be issued. Violations are subject to the fines and penalties stated in section 1-13. Fines shall accrue until a notice of compliance is issued by the parish government. All fines shall be paid prior to the issuance of any new permits for lot development or construction within the development.

(7) Procedural process for review.

- a. *Plan review and board action.* Plans will be reviewed by the parish engineer and the developer or the developer's engineer shall be notified if there are any corrections needed on the final plans. The developer or the developer's engineer shall make corrections, if needed, and submit ten sets of the plans to be reviewed by the planning commission's board at time of final plan approval request. If the plans are approved, a letter granting approval of final plans shall be issued by the planning commission authorizing the developer to begin construction of infrastructure. No work toward the construction of the drainage infrastructure may begin until said letter has been issued. If the plans are rejected the developer has the option to revise the plans and re-submit.
- b. *Completion of construction/maintenance period.* Upon completion of construction, the developer will request an inspection of the drainage improvements by the parish engineer. This request will be by letter and be accompanied by a set of as-built drawings. The as-builts shall profile all drainage facilities at 100-foot intervals. The developer shall rework any drainage facilities that do not meet standards as approved by planning commission.
- c. *Photo evidence of sign placement.* Included with the submittal of the preliminary drainage plan and hydraulic study, the engineer/developer shall include a photo of the notification sign indicating the date, location and time of the planning commission board meeting at which the development will be discussed. Omission of this required submittal shall result in the delayed placement of the proposed development on the planning commission board's agenda.
- d. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
 1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
 4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located to be elevated to at least 12 inches above the base flood elevation;
 5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
 6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and
 7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(8) *Prohibited structures and functions.* No facility or structure shall be used by any entities required by the LDEQ and/or EPA to report and/or track flammable, explosives, toxic, or hazardous materials unless stored in a vessel or tank, and in a manner approved by the regulatory agency.

(9) Developments that require a water quality impact study (WQIS).

a. A conservation development may reduce its stormwater management area from 45 percent of the gross development area to 40 percent provided a water quality impact study (WQIS) per section 36-111(h)(6) is provided, and the development implements low impact development (LIDs) methods to detain and treat the first one-inch flush of stormwater. The 25-foot development perimeter buffer area and the 50-foot undisturbed riparian buffer along each side of drainage laterals and channels are stormwater management areas that shall not be reduced.

1. A minimum of 75 percent of the stormwater runoff must be detained in retention or detention ponds meeting the requirements of section 36-111(h)(5).
2. Provide bioretention for all stormwater first flush (one inch) runoff utilizing vegetative bioretention areas, retention ponds, bioswales, constructed wetlands, or existing undisturbed vegetative areas or a combination. Bioretention areas and bioswales shall be constructed of native vegetation as per section 36-10. Individual lot owners are encouraged to construct bioswales and rain gardens on their property if they do not interfere with the development's drainage pattern.
3. Provide a forebay to facilitate sediment removal prior to stormwater entering any retention ponds, detention pond or vegetative bioretention areas.
 - i. Forebays shall be designed by a state-licensed engineer or a state-licensed landscape architect.
 - ii. No forebay shall be installed within a road right-of-way that is eligible for inclusion in parish road maintenance system.

b. All development pavement other than roads eligible for inclusion in the parish road maintenance program shall be constructed with permeable paving materials.

1. Off street parking located within the road right-of-way may be constructed of permeable paving materials if approved by the parish engineer.
2. Drive aisles for parking lots of common amenities and pads for trash bins may be constructed of impervious paving.
3. Walkways and amenity trails may be constructed of impervious materials with the parish engineer's approval.
4. Individual lot owners are encouraged to use permeable pavement for their driveways, parking, walkways, patios, and other paved areas as allowed by deed restrictions.
5. Any path, walk or trail used as an ADA accessible path of travel must be constructed of materials approved by the parish.

(10) Any major subdivision or special use residential commercial development other than those specified within this section that provides a WQIS and implements LID methods to improve stormwater quality may reduce its stormwater management area by an area equal in area size to the LID areas, but not greater than five percent of the total development area and use that area for development. The 25-foot development perimeter buffer area and the 50-foot undisturbed riparian buffer along each side of drainage laterals and channels are stormwater management areas that shall not be reduced.

a. A minimum of 75 percent of the stormwater runoff must be detained in retention or detention ponds meeting the requirements of section 36-111(h)(5).

b. Provide bioretention for all stormwater first flush (one inch) runoff utilizing vegetative bioretention areas, bioswales, constructed wetlands, or existing undisturbed vegetative areas or a combination. Bioretention areas and bioswales shall be constructed of native vegetation as per section 36-10. Individual lot owners are encouraged to construct bioswales and rain gardens on their property if they do not interfere with the development's drainage pattern.

c. Provide a forebay to facilitate sediment removal prior to stormwater entering all retention ponds, detention pond or vegetative bioretention areas.

1. Forebays shall be designed by a state-licensed engineer or state-licensed landscape architect.
2. No forebay shall be installed within a road right-of-way that is eligible for inclusion in parish road maintenance system.

d. All development pavement other than roads eligible for inclusion in the parish road maintenance program shall be constructed with permeable paving materials.

1. Off street parking located within the road right-of-way may be constructed of permeable paving materials if approved by the parish engineer.
2. Drive aisles for parking lots of common amenities and pads for trash bins may be constructed of impervious paving.
3. Walkways and amenity trails may be constructed of impervious materials with the parish engineer's approval.
4. Individual lot owners are encouraged to use permeable pavement for their driveways, parking, walkways, patios, and other paved areas as allowed by deed restrictions.
5. Any path, walk or trail used as an ADA accessible path of travel must be constructed of materials approved by the parish.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 8, 2024

PUBLISHED: July 18, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 22, 2024

DELIVERED TO PRESIDENT: _____ day of July 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July 2024 at _____

T.P. Ordinance No. 24-31

AN ORDINANCE AMENDING AND ENACTING APPENDIX C,
FIGURE 16

BE IT ORDAINED by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance, Appendix C, Figure 16 as attached:

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council shall take effect immediately upon the signature of the Tangipahoa Parish President.

On motion by__ and seconded by __, the foregoing ordinance was hereby declared adopted on this 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 8, 2024

PUBLISHED: July 18, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 22, 2024

DELIVERED TO PRESIDENT: _____ day of July 2024 at _____

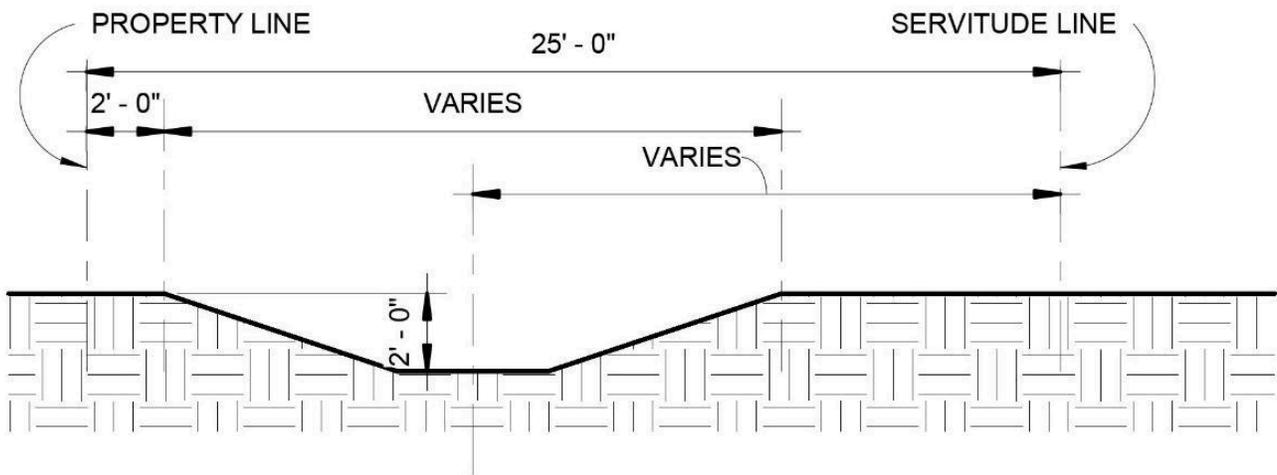
APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July 2024 at _____

APPENDIX C - FIGURE 16

REAR LOT LINE DRAINAGE SERVITUDE



T.P. Ordinance No. 24-32

AN ORDINANCE AMENDING AND ENACTING CHAPTER 36-PLANNING AND DEVELOPMENT – SECTIONS REFERENCING ARTICLE IX TO ARTICLE V

WHEREAS, the adoption of T.P. Ordinance No. 24-29 and T.P. Ordinance 24-30 amends language in Article IX and Article V; and

WHEREAS, Sections 36-143 and 36-224 that reference Article IX needs to be amended to reference Article V as listed below.

CHAPTER 36 PLANNING AND DEVELOPMENT

ARTICLE VI. ADDITIONAL AGENCIES' REQUIREMENTS

Sec. 36-143. General infrastructure reviews and approvals

- (2) *Stormwater:*
 - a. *Development drainage requirements*
 - 2. All areas outside of a parish drainage district authority shall follow the stormwater requirements and the flood prevention and protection requirements of ~~article IX~~ article V of this chapter.

ARTICLE VIII. DEVELOPMENTS WITH SPECIAL PROVISIONS

Sec. 36-224. Renewable energy power plants (solar energy).

- (d) *Provisions for permit review.* Following the provisions of the parish Code, additional or more thorough consideration shall be given to the following as the parish determines whether the project needs to be approved, denied, or conditionally approved:
 - (11) The drainage plan must follow the latest development drainage requirements of the parish (~~article IX~~ article V of this chapter).

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council shall take effect immediately upon the signature of the Tangipahoa Parish President.

On motion by__ and seconded by __, the foregoing ordinance was hereby declared adopted on this 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 8, 2024

PUBLISHED: July 18, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: July 22, 2024

DELIVERED TO PRESIDENT: _____ day of July 2024 at _____

APPROVED BY PRESIDENT: _____

Robby Miller Date

VETOED BY PRESIDENT: _____

Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of July 2024 at _____

T. P. ORDINANCE NO. 24-33

AN ORDINANCE SETTING THE MILLAGE RATES AS ADJUSTED FOR THE LEVY OF TAXES FOR THE YEAR OF 2024

BE IT ORDAINED by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish, State of Louisiana, in regular session convened and conducted in accordance with the open meetings law, a quorum being present, that the following **adjusted** millage(s) are hereby levied on all taxable property shown on the official assessment roll for the year 2024, and, when collected the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied; said millage rates are as follows:

	2024 Millage
Town of Kentwood	1.47
Town of Amite City	1.47
Town of Independence.....	1.47
Town of Ponchatoula	1.47
City of Hammond	1.47
General Parish-Wide Alimony Tax	2.94
(Excepting above Inc. Towns/Cities)	
Library Maintenance Tax #1	2.89
Library Maintenance Tax #2.....	2.71
Health Unit Maintenance Tax.....	3.85
Garbage District No. 1 Maintenance	9.60
Road Lighting District No. 1	1.97
Road Lighting District No. 2	6.00
Road Lighting District No. 4	5.00
Road Lighting District No. 5	6.50
Road Lighting District No. 6	6.50
Road Lighting District No. 7	5.00
T.P. Fire District No. 2.....	9.59
T.P. Fire District No. 2.....	10.00

Sinking Funds:

Road District No. 101 (Kentwood).....	2.50
Road District No. 101 Sub 1 (Kentwood).....	2.50

BE IT FURTHER ORDAINED that the proper administrative officials of the Parish of Tangipahoa, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2024, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon passage by the Tangipahoa Parish Council and signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council and after a public hearing, was submitted to an official vote of said Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T. P. ORDINANCE NO. 24-34

AN ORDINANCE TO LEVY ADJUSTED MILLAGE RATES AFTER REASSESSMENT AND ROLL FORWARD THE MILLAGE RATES FOR THE YEAR OF 2024

BE IT ORDAINED by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish, State of Louisiana, in regular session convened and conducted in accordance with the open meetings law, a quorum being present, that the millage rates be increased but not in excess of the prior year’s maximum rates, on all taxable property shown on the official assessment roll for the year 2024, and, when collected the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied; said millage rates are as follows:

	2024 Adjusted Rate	2024 Actual Levy
Town of Kentwood	1.47	1.53
Town of Amite City	1.47	1.53
Town of Independence.....	1.47	1.53
City of Ponchatoula.....	1.47	1.53
City of Hammond	1.47	1.53
General Parish-Wide Alimony Tax	2.94	3.06
(Excepting above Inc. Towns/Cities)		
Library Maintenance Tax #1.....	2.89	3.00
Library Maintenance Tax #2.....	2.71	2.81
Health Unit Maintenance Tax.....	3.85	4.00
Garbage District No. 1 Maintenance	9.60	10.00
Road Lighting District No. 1	1.97	2.00
T.P. Fire District No. 2.....	9.59	10.00
T.P. Fire District No. 2.....	10.00	10.00

BE IT FURTHER ORDAINED that the Tangipahoa Parish Director of Finance, Parish of Tangipahoa, State of Louisiana, Be and he is hereby directed to furnish the Tax Assessor of the Parish of Tangipahoa, State of Louisiana, with a copy of this ordinance by which the said Assessor is to be governed as to the Tax Levy Fixed by the Tangipahoa Parish Council for extension on the Assessment Roll for the year 2024.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon passage by the Tangipahoa Parish Council and signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council and after a public hearing, was submitted to an official vote of said Council, was read in full, the roll was called on the adoption thereof, and the ordinance was adopted by no less than a two-thirds majority of the total membership of the taxing authority voting in favor as required by Paragraph B of Section 23 of Article VII of the 1974 Louisiana Constitution, and Paragraph B of Section 1705 of Title 47 of the Louisiana Revised Statutes of 1950.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T. P. ORDINANCE NO. 24-35

AN ORDINANCE TO ABANDON THE DEDICATION OF ESTAY LANE, KENTWOOD IN ITS ENTIRETY FROM THE BEGINNING AT HWY 51 TO DEAD END, IN LENGTH .0193 FEET, IN WIDTH 13 FEET, GRAVEL SURFACE, LOCATED IN DISTRICT 1

WHEREAS, a petition has been made by Michael and Kady Ware, sole landowners of property adjacent to said roadway, for the parish abandon said road and revert to the Ware's as property owners of the land:

ESTAY LANE, KENTWOOD IN ITS ENTIRETY BEGINNING AT HWY 51 TO DEAD END, IN LENGTH .0193 FEET, IN WIDTH 13 FEET, GRAVEL SURFACE, LOCATED IN DISTRICT 1, TANGIPAHOA PARISH, STATE OF LOUISIANA

WHEREAS, the Tangipahoa Parish Council is of the opinion that the abandonment of Estay Lane in District 1, Tangipahoa Parish, State of Louisiana is not needed for public purposes

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, acting in accordance with LA R.S. 33:4718, that the dedication of Estay Lane, Kentwood in its entirety beginning at Hwy 51 to Dead End, in Length .0193 feet, in width 13 feet, gravel surface is hereby abandoned and will no longer be maintained by the Tangipahoa Parish Council-President Government.

BE IT FURTHER ORDAINED that all the property encompassing Estay Lane, Kentwood in its entirety beginning at Hwy 51 to Dead End, in Length .0193 feet, in width 13 feet, gravel surface shall revert to Michael and Kady Ware, sole property owners.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____

Robby Miller Date

VETOED BY PRESIDENT: _____

Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T. P. Ordinance No. 24-36

AN ORDINANCE TO GRANT A VARIANCE TO SECTION 36-112-SPECIAL CLASSIFICATION PROPERTY DEVELOPMENT STANDARDS, (A)-MOBILE/MANUFACTURED HOMES PLACEMENT STANDARDS FOR PLACEMENT ON A SINGLE LOT FOR MARGARET VAUGHN & CONNIE JOHNSON, ASSESSMENT #3417409 IN DISTRICT 6

WHEREAS, Margaret Vaughn and Connie Johnson (applicants) are requesting a variance to place one (1) manufactured home on a lot described as Lot 15 Blk 2, Church Village Subdivision, Assessment #3417409, mailing address 43150 Calvary St, Hammond, LA; and

WHEREAS, Margaret Vaughn and Connie Johnson’s lot, Assessment #3417409 measures 60’ x 114.70’=6,838.92 sq feet (.157 acres) for a shortage of 14,941.08 sq feet of the ½ acre (21,780 sq ft) requirement to place one (1) manufactured home; and

WHEREAS, the Tangipahoa Parish Code of Ordinances read in Chapter 36 Planning and Development, Article V Standards for Development of Property, Section 36-112 Special classification property development standards (a) Mobile/manufactured homes placement standards for placement on a single lot, (1) Lot size. An individual parcel of record shall be a minimum of one-half acre for placement of a manufactured home; and

WHEREAS, on July 2, 2024, the Planning Commission voted to **DENY** the variance request by Margaret Vaughn and Connie Johnson, to allow for the placement of one (1) manufactured home on the lot described as Lot 15 Blk 2, Church Village Subdivision, Assessment #3417409, mailing address 43150 Calvary St, Hammond, LA; and

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, that a variance to the section of the Tangipahoa Parish Code of Ordinances, Parish of Tangipahoa, State of Louisiana, be granted to Margaret Vaughn and Connie Johnson to allow for the placement of one (1) manufactured home on the lot described as Lot 15 Blk 2, Church Village Subdivision, Assessment #3417409, mailing address 43150 Calvary St, Hammond, LA, once all other requirements have been satisfied;

BE IT FURTHER ORDAINED that this Ordinance shall become effective immediately upon signature of the Parish President.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T.P. Ordinance No. 24-37

AN ORDINANCE TO PROVIDE FOR AN EXEMPTION OF PARISH GOVERNMENT ONE CENT (1¢) SALES TAXES ON PURCHASES OF FIREARMS, AMMUNITION, AND HUNTING SUPPLIES DURING THE STATE OF LOUISIANA SALES TAX HOLIDAY, SEPTEMBER 6-8, 2024

WHEREAS, Act 453 of the 2009 Regular Session of the Louisiana Legislature enacted the Annual Louisiana Second Amendment Weekend Sales Tax Holiday Act that provides an exemption from state and local sales and use taxes on individuals' purchases of firearms, ammunition and hunting supplies on the first Friday through Sunday each September, and

WHEREAS, the Louisiana R.S. 47:305.54 provides that a governing authority shall exempt from sales tax the same purchases of tangible personal property as has been exempted by the state during sales tax holiday, and;

THEREFORE BE IT RESOLVED, by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana provides for an exemption of parish government one cent (1¢) sales taxes during the State of Louisiana Sales Tax Holiday, September 6-8, 2024.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T.P. Ordinance No. 24-38

AN ORDINANCE TO RESCIND ORDINANCE 80-4A GRANT OF FRANCHISE/EASTERN HEIGHTS WATER WORKS ASSOCIATES, INC.

WHEREAS, April 8, 1980, the Tangipahoa Parish Police Jury adopted Ordinance 80-4A granting a fifty (50) year franchise and establishing a service area for Eastern Heights Water Works Associates, Inc, and

WHEREAS, the Eastern Heights Water Works Associates, Inc will no longer operate the system, and

WHEREAS, the franchise and established service area is no longer required for Eastern Heights Water Works Associates, Inc., and

THEREFORE BE IT RESOLVED, by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana Ordinance 80-4A granting a fifty (50) year franchise and establishing a service area for Eastern Heights Water Works Associates, recorded with the Clerk of Court Book 495 Page 301 shall be rescinded.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T.P. Ordinance No. 24-39

AN ORDINANCE TO AMEND AND ENACT CHAPTER 38-SOLID WASTE, ARTICLE II-COLLECTION AND DISPOSAL AND ARTICLE III- SOLID WASTE FACILITIES

Chapter 38 SOLID WASTE ARTICLE II. COLLECTION AND DISPOSAL DIVISION I. GENERALLY

Sec. 38-35. 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. Additional words, terms, or phrases used in this article may be defined in accordance with the definitions as set in the Louisiana Environmental Regulatory Code, Title 33, Part VII, § 115.

Agricultural waste means nonhazardous waste resulting from the production and processing of agricultural products, including manures, pruning, and crop residues. The term "agricultural waste" does not include solid wastes defined as industrial solid waste in this section.

Charge customer means any person or business that has been approved to have his disposal fees charged and billed by the parish monthly. All possible charge customers must be approved by the parish prior to becoming a charge customer.

Collect means to accumulate solid waste generated by more than one household or commercial establishment, or by storage or processing facility.

Collection means the act of removing solid waste from the storage point at the source of generation.

Collection service means a public or private operation engaged in the collection and transportation of solid waste materials.

Commercial and industrial unit means all premises, locations or entities, public or private, requiring refuse collections within the parish, not a residential unit. All schools are included as commercial and industrial units.

Commercial solid waste all types of solid waste generated by stores, offices, restaurants, warehouses, and other manufacturing activities, excluding residential and industrial solid wastes.

Construction/demolition (C&D) debris means nonhazardous waste generally considered not water-soluble, ~~including, but not limited to, metal, concrete, brick, asphalt, roofing materials such as shingles, sheet rock, plaster, or lumber from a~~ that is produced in the process of construction, remodeling, repair, renovation, or demolition of structures, including buildings of all types (both residential and non-residential), project, but excluding asbestos-contaminated waste, white goods, furniture, trash, or treated lumber. The admixture of construction and demolition debris with more than five percent by volume of paper associated with such debris or any other type of solid waste excluding wood waste or yard waste will cause it to be classified other than construction and demolition debris. Solid waste that is not C&D debris (even if resulting from the construction, remodeling, repair, renovation, or demolition of structures) includes, but is not limited to, regulated asbestos-containing material (RACM) as defined in LAC 33:III.5151. B, white goods, creosote-treated lumber, and any other item not an integral part of the structure.

Department means the state department of environmental quality as created by R.S. 30:2001 et seq.

Disposal means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste on or into any land or water so that such solid waste or any constituent thereof may have the potential for entering the environment or being emitted into the air or discharged into any waters of the state.

Garbage means solid waste that includes animal and vegetable matter from the handling, preparation, cooking, and serving of foods, but that does not include industrial solid waste.

Generator means any person whose act or process produces solid waste as defined in these regulations.

Hazardous waste means waste identified as hazardous in the current Louisiana Hazardous Waste Regulations (LAC 33:V) and/or by the federal government under the Resource Conservation and Recovery Act and subsequent amendments.

Industrial solid waste means solid waste generated by a manufacturing, industrial, or mining process, or which is contaminated by solid waste generated by such a process. The term "industrial solid waste" may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products; by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; and transportation equipment. The term "industrial solid waste" does not include hazardous waste regulated under the state hazardous waste regulations or under federal law, or waste which is subject to regulation under the Office of Conservation's Statewide Order No. 29-B or by other agencies.

Multifamily refers to all residential dwelling units of more than one unit, considered to be condominiums, apartment houses, grouped housing or mobile home parks.

Permit means a written authorization issued by the administrative authority to a person for the construction, installation, modification, operation, closure, or post-closure of a certain facility used or intended to be used to

process or dispose of solid waste in accordance with the Act, these regulations, and specified terms and conditions.

Producer means an occupant of a commercial and industrial unit or a residential unit who generates solid waste or a contractor or builder at a commercial and industrial unit or a residential unit.

Putrescible solid waste means susceptible to rapid decomposition by bacteria, fungi, or oxidation, creating noxious odors.

Residential solid waste means any solid waste including garbage, trash, and sludges from residential septic tanks and wastewater treatment facilities derived from households including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas.

Residential unit means a dwelling within the parish occupied by a person or a group of persons as a residence or place of abode. A residential unit shall be deemed occupied when either water or domestic light and power services are being supplied thereto. A condominium dwelling, whether of single or multilevel construction or separate single-family dwelling units, including apartment units and mobile homes, shall be treated as a residential unit.

Solid waste means any garbage, refuse, or sludge from a wastewater treatment plant, water supply treatment ~~plant or air pollution control facility~~, and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities, and construction/demolition debris. The term "solid waste" does not include solid or dissolved material in domestic sewage; solid or dissolved materials in irrigation- return flows or industrial discharges that are point sources subject to permits under R.S. 30:207~~54~~; or source or special nuclear, or byproduct material defined by the Atomic Energy Act of 1954 (~~68 Stat. 923 et seq.~~), as amended; or hazardous waste subject to permits under R.S. 30:2171 et seq.

Solid waste disposal facility means any facility permitted by the state department of environmental quality for the disposal or processing of solid or industrial waste.

Solid waste management system means the entire process of collection, transportation, storage, processing, and disposal of solid waste by any person engaged in such process as a business or by any municipality, authority, trust, parish or any combination thereof.

Unauthorized dump means a solid waste disposal facility whose operation is not authorized by the parish and/or the department.

Wood waste means ~~yard trash and types of wastes typically generated by sawmills, plywood mills, and wood yards associated with the lumber and paper industry, such as wood residue, refuse, wood-fired boiler ash, and plywood or other bonded materials that contain only phenolic-based glues or other glues that are approved specifically by the state department of environmental quality. Treated or painted lumber is not considered wood waste under this definition.~~ yard trash and types of waste generated by land and right-of-way clearing operations, sawmills, plywood mills, and woodyards associated with the lumber and paper industry, such as wood residue, cutoffs, wood chips, sawdust, wood shavings, bark, wood refuse, wood-fired boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, un-treated or un-painted lumber or wooden pallets are considered woodwaste under this definition.

Yard trash means vegetative matter resulting from landscaping, maintenance, or land clearing operations, including tree and shrubbery leaves and limbs, grass clippings and flowers.

Sec. 38-39. Disposal of solid waste.

- (a) Except as provided in subsection (b) of this section, all persons required to obtain a permit from the parish under section 38-75 shall dispose of all solid waste and rubbish collected pursuant to this section only at a parish-owned facility unless otherwise approved by the parish council and the parish president.
- (b) This section shall not apply to any solid waste and rubbish which is being collected for the specific purpose of resource recovery as that term is defined by the state department of environmental quality.
- (c) This section shall not apply to any ~~household~~ hazardous waste which is collected separately and disposed of at a hazardous waste facility permitted by the state or any other state.
- (d) Notwithstanding the provisions of section 38-71 and in addition to the application of any other local, state or federal rules, regulations and statutes concerning waste handling and disposal, any person required to obtain a permit from the parish under section 38-75 shall be fined \$500.00 per vehicle per day for any violation of this section, each day of violation constituting an individual and separable offense.

DIVISION 2. PERMITS

Sec. 38-84. Disposal restrictions for ~~industrial~~ solid waste at the parish regional landfill.

Due to the greatly increased proportions of ~~industrial~~ solid waste to residential solid waste, each of which is described previously in this article, in various heavily industrialized parishes of the state, there shall be no solid waste disposed of or delivered for disposal to the parish regional landfill from the following parishes within the permitted 100-mile radius of the parish regional landfill, to wit: Jefferson Parish and Orleans Parish. The Parish President shall inform the council when any new parishes are added to the areas of acceptance by the landfill.

ARTICLE III. ~~DUMPS AND LANDFILLS~~ SOLID WASTE FACILITIES

Any facility operating under a LDEQ hazardous waste permit prior to the effective date of this ordinance shall be exempt from this article.

Sec. 38-180. 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. Additional words, terms, or phrases used in this article may be defined in accordance with the definitions from the Louisiana Environmental Regulatory Code, Title 33, Part VII, § 115.

Construction/Demolition (C&D) Debris means nonhazardous waste generally considered not water-soluble that is produced in the process of construction, remodeling, repair, renovation, or demolition of structures, including buildings of all types (both residential and non-residential). Solid waste that is not C&D debris (even if resulting from the construction, remodeling, repair, renovation, or demolition of structures) includes, but is not limited to, regulated asbestos-containing material (RACM) as defined in LAC 33:III.5151. B, white goods, creosote-treated lumber, and any other item not an integral part of the structure.

Hazardous waste means ~~any waste or combination of wastes which because of its quantity, concentration, physical or chemical characteristics may cause or significantly contribute to an increase in mortality or increase in serious irreversible or incapacitating reversible illness or poses a potential presence or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or managed.~~ waste identified as hazardous in the current Louisiana hazardous waste regulations (LAC) 33:V.Subpart 1) and/or by federal government under the Resource Conservation and Recovery Act and subsequent amendments.

Industrial solid waste means solid waste generated by a manufacturing, industrial, or mining process, or which is contaminated by solid waste generated by such a process. The term "industrial solid waste" may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products; by-products; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; and transportation equipment. The term "industrial solid waste" does not include hazardous waste regulated under the state hazardous waste regulations or under federal law, or waste which is subject to regulation under the Office of Conservation's Statewide Order No. 29-B or by other agencies.

Major Modification means any change in a site, facility, process or disposal method, or operation that substantially deviates from the permit or tends to substantially increase the impact of the site, facility, process or disposal method, or operation on the environment.

Minor Modification means any modification that does not meet the criteria for a major modification.

Solid waste means any garbage, refuse, or sludge from a wastewater treatment plant, water supply treatment and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining and agricultural operations, and from community activities, and construction/demolition debris. The term "solid waste" does not include solid or dissolved material in domestic sewage; solid or dissolved materials in irrigation-return flows or industrial discharges that are point sources subject to permits under R.S. 30:20754; or source or special nuclear, or byproduct material defined by the Atomic Energy Act of 1954, as amended; or hazardous waste subject to permits under R.S. 30:2171 et seq.

Solid waste facility, ~~also referred to herein as landfill and/or garbage dump,~~ means a facility used for the disposal of solid waste for permanent long-term or ongoing storage of solid waste and includes all facility types as defined in the Louisiana Environmental Regulatory Code, Title 33, Part VII, Solid Waste. This definition also includes but is not limited to landfills and garbage dumps, as well as depots or transfer stations where solid waste is held on a regular basis, even temporary, for future transport.

~~*Solid waste storage facility* means a site where solid waste is deposited for permanent long-term or ongoing storage of solid waste and includes a depot or transfer station where solid waste is held on a regular basis, even temporarily, for future transport.~~

Type I Facility means a facility used for disposing of industrial solid wastes (e.g., a landfill, surface impoundment, or landfarm). (If the facility is used for disposing of residential or commercial solid waste, it is also a Type II facility.)

Type I-A Facility means a facility used for processing industrial solid waste (e.g., a transfer station (processing), shredder, baler, etc.). (If the facility is used for processing residential or commercial solid waste, it is also a Type II-A facility.)

Type II Facility means a facility used for disposing of residential and/or commercial solid waste (e.g., a landfill, surface impoundment, or landfarm). (If the facility is used for disposing of industrial solid waste, it is also a Type I facility.)

Type II-A Facility means a facility used for processing residential, infectious, or commercial solid waste (e.g., a transfer station (processing), composting municipal solid waste facility, refuse-derived fuel facility, shredder, baler, autoclave, etc.). (If the facility is used for processing industrial solid waste, it is also a Type I-A facility.)

Type III Facility means a facility used for disposing or processing of construction/demolition debris or woodwaste, composting organic waste to produce a usable material, or separating recyclable wastes (e.g., a construction/demolition-debris or woodwaste landfill, separation facility, or composting facility).

Woodwaste means yard trash and types of waste generated by land and right-of-way clearing operations, sawmills, plywood mills, and woodyards associated with the lumber and paper industry, such as wood residue, cutoffs, wood chips, sawdust, wood shavings, bark, wood refuse, wood-fired boiler ash, wood ash, and plywood or other bonded materials that contain only polyurethane, phenolic-based glues, or other glues that are approved specifically by the administrative authority. Uncontaminated, un-treated or un-painted lumber or wooden pallets are considered woodwaste under this definition.

Yard trash means vegetative matter resulting from landscaping, maintenance, or land clearing operations, including tree and shrubbery leaves and limbs, grass clippings and flowers.

Sec. 38-181. Permit required.

- (a) After the effective date of the ordinance from which this article is derived; no solid waste ~~landfill, or any solid waste storage~~ facility, shall be established and/or operated in the parish except by permit duly approved by the parish council-president government in accordance with the provisions of this article. The parish permit shall be in addition to any permits required by the state and ~~for the United States of America and their departments and subdivisions of government~~ federal laws and regulations.
- (b) The ~~parish~~ Tangipahoa Parish regional solid waste facility and/or any other solid waste facility ~~or solid waste storage facility~~ owned and operated by the parish government shall be exempt from all ~~permits, permit renewal, permit modification, or public notice~~ requirements stipulated within this article.
- (c) All permit applications, including renewals and permit modifications, shall be made to the parish council through the clerk of council and shall address all criteria set forth in this article.
- (d) All permit modification applications, requests (including but not limited to exemption requests), or any other documents to be submitted to the Louisiana Department of Environmental Quality (LDEQ) with the intention of modify or change the operation, design, or any other requirements of a solid waste facility shall address all criteria set forth in this article, and be submitted for approval by the parish council-president government prior to submittal by the solid waste facility to LDEQ.
- (e) A request for a notice of intent shall be made to the parish council by the entity or person considering a permit. This notice is to inform the council of the intent of applicant to make application to operate a solid waste landfill or storage facility. This meeting will be for discussion purposes and no action shall be required by council.

Sec. 38-182. Prohibition as to hazardous waste and ~~out of parish garbage and~~ industrial waste.

Type I, Type I-A facilities, facilities accepting hazardous and industrial waste shall be prohibited in Tangipahoa Parish.

- ~~(a) No solid waste landfill or solid waste storage facility shall be permitted to operate within the parish that accepts hazardous waste.~~
- ~~(b) No solid waste landfill or solid waste storage facility shall operate within the parish that accepts industrial waste or Type I solid waste as defined by the state department of environmental quality, generated outside of the parish.~~

Sec. 38-183. Public notice /Public hearing requirements.

Any request for a permit, a major permit modification (as per LAC33:VII), or renewal of a permit to operate a ~~solid waste landfill or~~ solid waste storage facility ~~in the parish~~ made to the parish council-president government shall be governed by the following public notice requirements, to-wit:

- (1) The entity or person requesting a solid waste ~~landfill or solid waste storage~~ facility permit shall publish at his expense a two-inch by two-inch notice in the parish official journal, and therein clearly state an intent to apply for a solid waste ~~landfill and/or solid waste storage~~ facility permit in the parish as follow;
 - (a) Type II Facility advertising requirements:
 - (i) Public Notice shall be published at least 30 days before the **first** public hearing required to be scheduled herein below. The advertisement must state the proposed location, size and type of solid waste ~~landfill or solid waste storage~~ facility sought to be established, as defined by those regulations of the state department of environmental quality. For the first public meeting, this notice shall be publicized as "Initial Public Notice of Proposed ~~Landfill or~~ Solid Waste **Storage** Facility." For the second public meeting, this notice shall be publicized as the "Second and Final Required Public Notice of Proposed ~~Landfill or~~ Solid Waste **Storage** Facility." The public meeting shall be scheduled by the parish council and coordinated with the notices required to be published herein.
 - (ii) The parish council by a resolution must place the item on the published agenda at least 30 days before the item is ever considered. The intent to consider granting a permit pursuant to this article must be published in the parish official journal and the said publication shall state the proposed location, size and type of landfill proposed, as defined by the regulations of the state department of environmental quality. For the first public meeting of the parish council to consider the granting of such a permit, this notice shall be publicized as "Initial Public Notice of Proposed ~~Landfill or~~ Solid Waste **Storage** Facility." For the **second** public meeting, this notice shall be publicized as the "Second and Final Required Public Notice of Proposed ~~Landfill or~~ Solid Waste **Storage** Facility."

- (iii) At least 30 days prior to the **first** public meeting, a good faith attempt to notify the property owners within a 3,000-foot radius of the boundaries of the proposed solid waste ~~landfill or solid waste storage~~ facility shall be made. This notice shall be sent by the applicant through property information obtained by the parish clerk of court. This notice shall be by certified mail, at the applicant's expense, stating the time, place and intent of the hearing. A list of names and addresses to whom the notices were sent including return receipts shall be made available to the parish council.
- (iv) Following preliminary acceptance of the permit application, at a minimum, the parish council shall conduct a second public meeting on this issue. The second public meeting shall be publicized as provided under subsections (i) and (ii) of this section.
- (v) At the second public meeting, the parish council shall consider and vote on the permit application a second time. After due consideration of the impact of the proposed landfill and a thorough hearing of public input, the parish council may vote to deny the permit, request further information or grant a landfill permit subject to final approval by ordinance of the parish council-president government. The final permit shall be approved by the introduction and passage of an ordinance. This section is subject to the parish president's veto power.

(b) Type III Facility advertising requirements:

- (i) Public Notice shall be published, mailed, and posted 30 days prior for the public hearing. This shall be at the expense of the person requesting the landfill application. It must clearly state the intent to apply for the type of landfill. The advertisement must state the proposed location, size and type of landfill sought to be established, as defined by those regulations of the state department of environmental quality.
- (ii) Certified mail shall be sent to all adjacent property owners within a 3,000-foot radius of the boundaries of the proposed landfill. This notice shall be sent by the applicant through property information obtained by the parish clerk of court. Including across streets and highways. A list of names and addresses to whom the notices were sent, including return receipts, shall be made available to the parish council.
- (iii) Public Hearing - the parish council must give due consideration to the impact of these types of proposed landfill facilities at the public meeting. Consideration shall include a review of the application, TRC preliminary review recommendation, and a hearing for public input. Based upon the hearing, the parish council may vote to deny, request further information, or issue acceptance of the landfill application by Resolution. Once a Resolution has been issued the applicant can proceed with the application and submission requirements in Section 38-188.

- (2) A white sign must be a minimum of four by eight feet (4' X 8'). Minimum of four-inch (4) high letters containing, type of commercial property development, developer/owner's name, address and phone number, number of acres in the development, date, time and location of public hearing. Located with no obstructions within twenty-five (25) feet of each public right-of-way on which the tract of the proposed development fronts. Multiple signs are required at corner sites
- ~~(4) The application for a permit to operate a landfill or solid waste storage facility shall address and the parish council will consider the application for permit based upon the criteria for landfill use as set forth in section 38-187.~~
- ~~(5) The parish council must give due consideration of the impact of the proposed landfill or solid waste storage facility at the first public meeting. Consideration shall include review of the thoroughness of the permit application and a thorough hearing of public input. Based upon the first hearing, the parish council may vote to deny the permit, request further information or issue a preliminary acceptance of the landfill permit. Preliminary acceptance may be given by the parish council only after all necessary information has been provided and presented at the public hearing, with the full public hearing and full public consideration of the potential adverse effects of the proposed landfill.~~
- ~~(6) Following preliminary acceptance of the permit application, at a minimum, the parish council shall conduct a second public meeting on this issue. The second public meeting shall be publicized as provided under subsections (a) and (b) of this section.~~
- ~~(7) At the second public meeting, the parish council shall consider and vote on the permit application a second time. After due consideration of the impact of the proposed landfill and a thorough hearing of public input, the parish council may vote to deny the permit, request further information or grant a landfill permit subject to final approval by ordinance of the parish council-president government. The final permit shall be approved by the introduction and passage of an ordinance. This section is subject to the parish president's veto power.~~
- (3) This permitting process has been enacted in order to protect the ability of the parish council-president government to regulate the location, adverse impact of and types of landfills and solid waste storage facilities and does not waive the permitting requirements of the state and its department of environmental quality and/or the United States Environmental Protection Agency.

Sec. 38-184. Length of permit and permit renewal.

Any permit for a solid waste ~~landfill and/or solid waste storage~~ facility in the parish shall ~~be subject to the following, to wit:~~ follow all permit renewal requirements of the LDEQ. The length of the permit issued by the Parish will be determined based on the length of the solid waste permit issued to the facility by LDEQ.

- ~~(1) The initial permit will be for a period of not more than five years.~~

- ~~(2) Permit renewal shall be based upon the same public notice as defined in section 38-183.~~
- ~~(3) Permit renewals shall also be for no more than five years.~~
- ~~(4) The secretary of the state department of environmental quality shall be advised in writing by the parish council-president government of the length of the granted parish approved permit and that any state approved permit must be in accordance with the conditions and limitations of the approved parish permit~~

Sec. 38-185. Request to modify permit ~~to increase size, height, or type of landfill.~~

Any ~~landfill site~~ **solid waste facility** operating under a permit granted by the parish-president government shall not have any changes or modifications that require LDEQ approval (as per LAC33:VII) without approval from the parish council-president government. Those include changes or modifications in operation, design, or in any other requirements of a solid waste facility. Any requests for such changes or modifications shall be made in written by the solid waste facility to the parish-council president government, which will decide if a permit modification application is required. Any major modification (as per LAC33:VII) shall require public notice(s) in accordance with section 38-183. ~~cannot be modified as to its size, height or type of landfill excepting that the modified permit be approved after due notice, which approval shall include public notice as defined in section 38-183.~~

Sec. 38-186. This article shall not be suspended.

The provisions of this article shall not be suspended, laid aside temporarily or modified to consider any particular permit application. This article contains safeguards that are an intrinsic part of the public trust endowed upon the elected members of the parish council and the parish president by the citizens of the parish and the provisions for public notice as set forth in section 38-183 and shall not be modified, waived or varied without the introduction and passage of an ordinance.

Sec. 38-187. Criteria for ~~landfill location~~ **solid waste facility sites.**

Any ~~landfill~~ **solid waste facility** permitted ~~or to be permitted~~ for operation by the parish council-president government pursuant to this article shall meet the following criteria, to-wit:

- ~~(1) The parish government shall consider the extent to which the proposed landfill or solid waste storage facility incorporates recycling. Permits shall include plans for minimum recycling of household waste.~~
- (1)** The parish **council-president** government shall consider the extent to which the proposed ~~landfill or~~ solid waste ~~storage~~ facility impacts public safety and the extent to which the proposed ~~landfill or~~ solid waste ~~storage~~ facility impacts public roads leading to the ~~landfill~~ **facility**. The permit application shall include the anticipated routes and the estimated daily number of trucks accessing the site. This aspect of the permit application shall be reviewed by the parish engineer to determine the impact on public expenditures for road construction and road maintenance. This information shall also be considered in assessing noise impact associated with truck traffic.
- ~~(3) The parish government shall consider whether the proposed landfill and/or solid waste storage facility shall be located adjacent to or sited on public roads.~~
- ~~(4) The parish government shall consider the proposed days of the week and hours of operation which information shall be included in the permit application.~~
- ~~(5) The parish government shall consider the impact of odor. The odor associated with the proposed landfill or solid waste storage facility shall be considered. There shall be included in this consideration the number of persons living in poverty within five miles of the landfill who may not be able to close their windows and may not be able to afford climate control in their homes.~~
- ~~(6) The parish government shall consider the size of the proposed landfill and/or solid waste storage facility. The permit application shall include information as to the proposed size of the said landfill and/or solid waste storage facility.~~
- ~~(7) The parish government shall consider the height of the proposed landfill and/or solid waste storage facility. The maximum elevation of the landfill and/or solid waste storage facility shall be proposed and shall not exceed the sight line of the trees or other features obscuring the facility from the view from homes already existing in the area at the time of the permit.~~
- ~~(8) The parish government shall consider the site management plan. The permit application shall describe how the landfill and/or solid waste storage facility site will be managed to minimize rodents, pests, windblown litter, odors, smoke and dust.~~
- ~~(9) Subject to the approval of the state department of environmental quality permitting process, the proposal shall address what landfill lining, gas and leachate collection systems will be used at any landfill and/or solid waste storage facility and the parish council-president government shall review this information.~~
- ~~(10) Subject to the approval of the state department of environmental quality permitting process, the proposal shall provide valid test results and analysis to identify potential impact on water wells, aquifers and runoff areas. The parish council-president government shall obtain and review this information.~~
- ~~(11) The permit shall include the type of proposed landfill and/or solid waste storage facility, as defined by regulations of the state department of environmental quality. The parish council-president government shall obtain and review this information.~~
- ~~(12) The parish council-president government shall require buffers. A minimum buffer of 1,000 feet must be maintained between the area where waste is land filled or processed and the nearest occupied structure (i.e., home, school or place of worship). Sites should be selected where the 1,000-foot buffer is in mature trees. When siting within mature trees is not possible, the buffer should be landscaped or modified to achieve 100-percent screening of the landfill and/or solid waste storage facility from all area homes, schools, places of worship and public roads.~~
- (2)** The parish **council-president** government shall consider the impact on property value and existing land use. The parish council-president government shall consider, in its assessment of the impact of the proposed ~~landfill and/or~~ solid waste ~~storage~~ facility, the potential negative impact of the proposed ~~landfill and/or~~ solid waste ~~storage~~ facility on the ability of property owners to enjoy their property and

to maintain the property values for the existing land uses including residences, schools, places of worship, businesses, agricultural resources, recreational resources and sportsman resources.

~~(14) Cost considerations shall be provided to the parish council president government by the person or entity seeking the permit pursuant to this article, including, but not limited to, annual payments to offset increased public safety and road upkeep and maintenance expenses associated with the proposed landfill and/or solid waste storage facility.~~

(3) For Type III facilities, a maximum of 4 permanent sites will be allowed in the parish, with a maximum of two (2) sites located south of Highway 40 and a maximum of two (2) sites located north Highway 40.

Sec. 38-188. Application/Submission requirements for Solid Waste Facilities

Applications and all submission requirements must be submitted to the Parish Planning Department. The Technical Review Committee (TRC) will review all submission requirements and reserves the right to ask for additional information to protect the health, safety, and welfare of the public. Once all items have been reviewed and approved by TRC an approval letter will be issued and provided to the Parish Council.

(1) Approval process.

(a) These developments will get preliminary approval by the (TRC), and then forwarded to the parish council.

(b) The parish council will hold a public hearing and a resolution must be passed in order to proceed with LDEQ application as per the requirements in Section 38-183.

(c) Before issuance of any parish permit the TRC shall require all submission documents as required in section 38-188 (2), copies of LDEQ submission application, requirements and LDEQ approved permit. Upon receipt, the TRC will review the DEQ documents to confirm compliance with the provision of this article. Compliance will result in TRC final approval for permitting.

(d) After issuance of the parish permit and all required improvements are completed, as built construction plans shall be presented to TRC for final review and acceptance before any site operations can begin.

(2) Application Requirements, for TRC recommendation to the Parish Council for Resolution

(a) Application

(b) Property deed, owner signature, and any lease agreements

(c) Letter of Intent outlining all operations on the property.

(d) Copy of LDEQ Submission Application and any modifications, if submitted to LDEQ.

(e) Site plan must include the following:

1. Vicinity Map

2. North Arrow

3. Owner and Applicant name

4. Adjacent property owners' names including across the street.

5. Ingress/egress - shall front on a DOTD highway

6. Buffers –

(i) Types II and II-A Facilities - A minimum buffer of 1,000 feet must be maintained between the area where waste is land filled or processed and the nearest occupied structure (i.e., home, school or place of worship). Sites should be selected where the 1,000-foot buffer is in mature trees. When siting within mature trees is not possible, the buffer should be landscaped or modified to achieve 100 percent screening of the landfill and/or solid waste storage facility from all area homes, schools, places of worship and public roads.

(ii) Type III Facilities - A 200-foot buffer zone with an outside 25 ft required to grow in a natural state if not wooded, and if wooded the 25 ft buffer must remain wooded. The internal 175 ft can be used for roadways, infrastructure, buildings, drainage laterals etc. Must follow all DEQ buffer requirements as well.

7. Development site areas. Areas that will be disturbed.

8. Flood zones, Floodways, Laterals etc.

9. Existing and proposed structures on site

10. Council District

11. Adjacent land uses

12. Existing topographic map

13. Landscaping as required by LDEQ.

14. Submission of space reduction methods plan is required. Ex. Compactor or other accepted methods.

15. Water discharge monitoring required with reporting to LDEQ and Tangipahoa Parish Government copies on all DEQ reporting to Tangipahoa Parish Regional Solid Waste Facility (Landfill).

16. Required to meet friable asbestos LDEQ requirements.

17. Flood Zones and Floodways

a. Any improvements, storage materials, etc. in the flood hazard areas or floodway must follow the requirements in Article IX. - Flood Prevention and Protection.

- b. Any improvements in flood hazard areas must adhere to 1' of freeboard.
- c. No items are to be stored or built in a floodway unless considered in the technical data required in Article IX-Flood Prevention and Protection.
- d. Any modification to any watercourse shall meet the standards of the National Flood Insurance Program and shall include an approved Conditional Letter of Map Revision (CLOMR) pre project and a post project Letter of Map Revision (LOMR) reflecting those changes. All submittals must cause a No Rise and all technical data shall be submitted to Tangipahoa Parish Government for approval prior to site modifications as required in Article IX-Flood Prevention and Protection.
- e. Any construction of site levees located within a Special Flood Hazard Area as per the adopted DFIRM including but not limited for containment of runoff shall meet the standards of the National Flood Insurance Program and shall include an approved Conditional Letter of Map Revision (CLOMR) pre project and a post project Letter of Map Revision (LOMR) reflecting those changes. All submittals must cause a No Rise and all technical data shall be submitted to Tangipahoa Parish Government for approval prior to site modifications as required in Article IX-Flood Prevention and Protection.

18. Drainage

- a. Approval required from Drainage District Administrator and/or Parish engineer.
- b. All Parish Drainage, Stormwater, and FEMA requirements must be met in accordance with Chapter 36.
- c. Perimeter levees shall protect from 100-year flood plan required. If in special flood hazard area, condition letter of map revision required prior to construction.
- d. Surface runoff diversion levees, canals, or devices shall be installed to prevent drainage from the units of facility that has not received final cover. System shall be designed to collect and control a 100-year storm event or peak discharge from a 100-year storm event.
- e. Any re-routed drainage lateral must be re-routed fully on the debris site property. A lateral is one that is located within 500 ft of the development boundary from a "stream" designated on the USGS quadrangular sheet or designated on the Tangipahoa Parish Numbered Lateral Map.

3) Submission Requirements for final TRC review

- (a) Application & Copy of Council Resolution
- (b) Property deed, owner signature, and any lease agreements
- (c) All documents as required in Section 38-188 (2)
- (d) DOTD approval required
- (e) SWPPP and NOI from LDEQ
- (f) LDEQ approved permit

Sec. 38-189. Permit Operational Fees.

(1) Types II and II-A Facilities - Any request for a permit or renewal of a permit to operate a solid waste landfill and/or solid waste storage facility in the parish made to the parish council-president government shall include the proposed location, size and type of solid waste landfill and/or solid waste storage facility sought to be established as defined by ~~the regulations of the state department of environmental quality LAC33:VII~~. The applicant shall also include with this request for a permit, ~~or~~ renewal of a permit, or modification of a permit fee made payable to the parish government of \$1,000.00 to defray the expenses associated with investigation and public notification. This advance fee is nonrefundable.

(2) Type III Facilities

- (a) Host fee. As set at the discretion of the parish authority, based on a per unit basis. Host fees may be assessed on a per unit basis for each ton of waste disposed of at the facility. The rate or per unit charge for the host fee will be \$1.00 per ton for the approximate expected or potential adverse impacts to the parish's citizens, water, and air resources, roads, and environment in general; by the need for frequent inspection of the facility by parish personnel; and by the need for parish research and development of alternate, more environmentally benign methods of disposal.

Host fee payments will be remitted to the parish each month based on manifests or other official records of the facility's incoming waste. The following calculation is to be used when scales are not used to determine tonnage:

$$\text{Weight of C\&D Debris} = \text{Volume of C\&D Debris} \times 0.24 \text{ tons/ yd}^3$$

- (b) Site permit. \$100/acre up to \$50,000.00 depending on size of permitted area. The initial site fee shall be used to defer the costs of processing and investigation of the application for permitting public hearings and any referendum held on the application.

This permitting process has been enacted to protect the ability of the parish council-president government to regulate the location, adverse impact of and types of these landfills and does not waive the permitting requirements of the State and its Department of Environmental Quality and/or the United States Environmental

Protection Agency. The permit is granted to begin clearing and development. The occupational license can be issued after the review and approval of as built plans are cleared by the TRC and any outside agencies.

Sec. 38-190. Annual Requirements.

Any solid waste facility permitted for operation by the parish council-president government pursuant to this article shall meet the following criteria

(1) Inspection:

Annual inspections shall be made by the parish environmental services inspector (Code Enforcement) to verify compliance with this article. This shall limit impromptu inspections. Right of entry shall be granted to the inspector parish upon presentation of parish identification. Failure to comply with these regulations and/or deny entry for inspections shall be grounds for letter of noncompliance with specified remediation time frame; citation based on Section 1-13; and/or an immediate cease and desist order.

(2) Recycle Plan:

If the permitted site implements a recycling plan, amounts of material recycled reports are required to be submitted to Tangipahoa Parish Regional Solid Waste Facility (Landfill) yearly by October 1st.

Sec. 38-191. Prohibitions, restrictions and special requirements.

- (a) It shall be unlawful to dispose of or accept hazardous waste or hazardous material in any solid waste ~~landfill or storage~~ facility.
- (b) ~~It shall be unlawful for any solid waste landfill or storage facility to accept any waste generated outside of the parish.~~ **No solid waste facility will be allowed to receive solid waste outside of a 100-mile radius measured from the center point as the main gate of the Tangipahoa Parish Regional Solid Waste Facility.**
- (c) It shall be unlawful to operate any solid waste ~~landfill or storage~~ facility between the hours of ~~6:00 10:00~~ p.m. and ~~6:00 5:00~~ a.m., **except if approved by the parish council-president government for emergency situations.**
- (d) An operable gate shall be placed at the point of the entrance to the solid waste ~~landfill or storage~~ facility and a parish or state road or highway. This gate shall be closed and locked during the hours of ~~6:00 10:00~~ p.m. and ~~6:00 5:00~~ a.m., **except if approved by the parish council-president government for emergency situations.**
- ~~(e) Impromptu inspections shall be made by the parish environmental services inspector to verify compliance with this article. Right of entry shall be granted to the inspector upon presentation of parish identification. Failure to comply with these regulations and/or deny entry for inspections shall be grounds for an immediate cease and desist order to be placed on site by inspector until brought into compliance. Further criminal sanctions are included in section 38-190.~~

~~Sec. 38-190. Construction/Demolition (C&D) Debris Site.~~

~~This type of facility as defined in Section 38-180 and LAC 33:III.5151- B, must follow the regulations in Article VIII: Developments with Special Provisions Section 36-225 and must comply with all DEQ requirements.~~

~~Sec. 38-191. Criminal sanctions.~~

~~Whoever violates the provisions of this article shall be subject to criminal penalties as provided in section 1-13.~~

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 12th day of August, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: July 22, 2024

PUBLISHED: August 8, 2024

OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: August 12, 2024

DELIVERED TO PRESIDENT: _____ day of August, 2024 at _____

APPROVED BY PRESIDENT: _____

Robby Miller

_____ Date

VETOED BY PRESIDENT: _____

Robby Miller

_____ Date

RECEIVED FROM PRESIDENT: _____ day of August, 2024 at _____

T.P. RESOLUTION NO. R24-24

A Resolution granting approval to Rural Fire Protection District No. 2 of the Parish of Tangipahoa, State of Louisiana (the “*District*”), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of maintaining and operating the District’s fire protection facilities, for maintaining, operating and purchasing fire trucks and other fire-fighting equipment and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and service, and providing emergency services to the residents of the District; and further providing for other matters in connection therewith.

WHEREAS, Rural Fire Protection District No. 2 of the Parish of Tangipahoa, State of Louisiana (the “*District*”) adopted a Resolution on July 22, 2024, ordering and calling a special election to be held in the District on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of maintaining and operating the District’s fire protection facilities, for maintaining, operating and purchasing fire trucks and other fire-fighting equipment and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and service, and providing emergency services to the residents of the District (the “*Tax*”), all in the manner conferred by Article VI, Section 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapters 6 and 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the “*District Resolution*”), a copy of which is on file with the Parish Council of the Parish of Tangipahoa, State of Louisiana, as governing authority of the Parish of Tangipahoa, State of Louisiana (the “*Parish Council*”);

WHEREAS, the District has made application to the Parish Council for approval to call and hold such election on Saturday, December 7, 2024, as more fully set forth in the District Resolution;

WHEREAS, Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, grants power to the Parish Council to approve any proposal submitted by the District to levy a tax;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish of Tangipahoa, State of Louisiana, that:

SECTION 1. Pursuant to a request submitted to this Parish Council by the District, approval is hereby granted to the District to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of maintaining and operating the District’s fire protection facilities, for maintaining, operating and purchasing fire trucks and other fire-fighting equipment and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and service, and providing emergency services to the residents of the District (the “*Tax*”), in the manner conferred Article VI, Section 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 40:1501 and the applicable provisions of Chapters 6 and 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority and as more fully set forth in the District Resolution.

SECTION 2. In the event the foregoing propositions pass, approval, consent and authority are hereby granted to the District to levy and collect the Tax described in Section 1 hereof.

SECTION 3. This approval is granted in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. This Resolution shall take effect immediately.

On motion by _____ and seconded by _____, the foregoing Resolution was hereby declared adopted on this the 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

David P. Vial, Chairman
Tangipahoa Parish Council

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

STATE OF LOUISIANA
PARISH OF TANGIPAHOA

I, the undersigned Clerk of the Parish Council of the Parish of Tangipahoa, State of Louisiana (the "**Parish Council**") do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Parish Council on July 22, 2024, granting approval to Rural Fire Protection District No. 2 of the Parish of Tangipahoa, State of Louisiana (the "**District**"), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a ten (10) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of maintaining and operating the District's fire protection facilities, for maintaining, operating and purchasing fire trucks and other fire-fighting equipment and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and service, and providing emergency services to the residents of the District; and further providing for other matters in connection therewith.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Tangipahoa, State of Louisiana on this 22nd day of July, 2024.

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

(SEAL)

T.P. RESOLUTION NO. R24-25

A Resolution granting approval to Recreation District No. 39A of Tangipahoa Parish, Louisiana (the "***District***"), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a fifteen (15) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of purchasing and acquiring lands, buildings, equipment and other facilities in the District for recreation to promote the well-being of youths and the general public and to pay the cost of maintaining said facilities with not less than six percent (6%) of the avails of said tax dedicated to the maintenance of existing parks (Velma, Frazier, Autin) and playgrounds in the District; and further providing for other matters in connection therewith.

WHEREAS, Recreation District No. 39A of Tangipahoa Parish, Louisiana (the "***District***") adopted a Resolution on July 15, 2024, ordering and calling a special election to be held in the District on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a fifteen (15) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of purchasing and acquiring lands, buildings, equipment and other facilities in the District for recreation to promote the well-being of youths and the general public and to pay the cost of maintaining said facilities with not less than six percent (6%) of the avails of said tax dedicated to the maintenance of existing parks (Velma, Frazier, Autin) and playgrounds in the District (the "***Tax***"), all in the manner conferred by Article VI, Section 30 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 33:4566 and the applicable provisions of Chapters 6 and 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "***District Resolution***"), a copy of which is on file with the Parish Council of the Parish of Tangipahoa, State of Louisiana, as governing authority of the Parish of Tangipahoa, State of Louisiana (the "***Parish Council***");

WHEREAS, the District has made application to the Parish Council for approval to call and hold such election on Saturday, December 7, 2024, as more fully set forth in the District Resolution;

WHEREAS, Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, grants power to the Parish Council to approve any proposal submitted by the District to levy a tax;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council, as the governing authority of the Parish of Tangipahoa, State of Louisiana, that:

SECTION 1. Pursuant to a request submitted to this Parish Council by the District, approval is hereby granted to the District to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a fifteen (15) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of purchasing and acquiring lands, buildings, equipment and other facilities in the District for recreation to promote the well-being of youths and the general public and to pay the cost of maintaining said facilities with not less than six percent (6%) of the avails of said tax dedicated to the maintenance of existing parks (Velma, Frazier, Autin) and playgrounds in the District (the "***Tax***"), in the manner conferred Article VI, Section 30 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 33:4566 and the applicable provisions of Chapters 6 and 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority and as more fully set forth in the District Resolution.

SECTION 2. In the event the foregoing propositions pass, approval, consent and authority are hereby granted to the District to levy and collect the Tax described in Section 1 hereof.

SECTION 3. This approval is granted in compliance with the provisions of Article VI, Section 15 of the Louisiana Constitution of 1974, as amended, and Section 1415 of Title 33 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. This Resolution shall take effect immediately.

On motion by _____ and seconded by _____, the foregoing Resolution was hereby declared adopted on this the 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

David P. Vial, Chairman
Tangipahoa Parish Council

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

STATE OF LOUISIANA
PARISH OF TANGIPAHOA

I, the undersigned Clerk of the Parish Council of the Parish of Tangipahoa, State of Louisiana (the "**Parish Council**") do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Parish Council on July 22, 2024, granting approval to Recreation District No. 39A of Tangipahoa Parish, Louisiana (the "**District**"), to call and hold an election on Saturday, December 7, 2024, to authorize the renewal of the levy and collection of a fifteen (15) mill ad valorem tax for a period of ten (10) years, beginning with the year 2026 and ending with the year 2035, for the purpose of purchasing and acquiring lands, buildings, equipment and other facilities in the District for recreation to promote the well-being of youths and the general public and to pay the cost of maintaining said facilities with not less than six percent (6%) of the avails of said tax dedicated to the maintenance of existing parks (Velma, Frazier, Autin) and playgrounds in the District; and further providing for other matters in connection therewith.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council of the Parish of Tangipahoa, State of Louisiana on this 22nd day of July, 2024.

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

(SEAL)

T.P. RESOLUTION NO. R24-26

**A RESOLUTION OF THE TANGIPAHOA PARISH COUNCIL-PRESIDENT
GOVERNMENT FOR ADOPTION OF INTENDED USE AND PROPERTY DISPOSITION
PLAN FOR THE STATE’S RESTORE LOUISIANA SOLUTIONS 4 PROGRAM**

WHEREAS, Tangipahoa Parish Government has prepared an Intended Use and Property Disposition Plan and Policy to be used in conjunction with the State’s Restore Louisiana Solution 4 Program for properties to be covenant or deed restricted, and not to be developed; and

WHEREAS, the State of Louisiana’s Office of Community Development, which administers the Restore Program, has provided a CEA intergovernmental agreement to be signed with Tangipahoa Parish (the LPG-Local Participating Government) for the donation of these properties to Tangipahoa Parish Government when such an Intended Use and Disposition Plan is adopted and the CEA agreement signed by all parties.

THEN, THEREFORE BE IT RESOLVED, that the Tangipahoa Parish Council hereby adopts the Parish’s Intended Use and Property Disposition Plan and Policy as presented herein for use by the Parish when administering this Plan and also endorses Parish President Robby Miller as the proper authority to sign the CEA and related documents on behalf of the Parish, the LPG.

BE IT RESOLVED by the Tangipahoa Parish Council– President Government, governing authority of Tangipahoa Parish, State of Louisiana that the Parish’s Intended Use and Property Disposition Plan and Policy as presented herein for use by the Parish when administering this Plan and also endorses Parish President Robby Miller as the proper authority to sign the CEA and related documents on behalf of the Parish, the LPG.

On motion by __ and seconded by __, the foregoing resolution was hereby declared adopted on this the 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

David P. Vial, Chairman
Tangipahoa Parish Council

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

TANGIPAHOA PARISH GOVERNMENT INTENDED USE AND DISPOSITION PLAN-RESTORE PROGRAM

INTRODUCTION

This Intended Use and Disposition Plan has been developed for properties located in Tangipahoa Parish, LA, received through the Restore Louisiana Solution 4 Voluntary Buyout Program (the “Program”). The Solution 4 Program is limited to High-Risk Areas where properties are either ineligible for federal repair (eg floodways and V-zones) or other high-risk areas that have been identified on a case-by-case basis, in order to move residents out of harm’s way, as well as to help facilitate the natural watershed, thereby improving local drainage.

The focus and purpose of this Intended Use Plan (the “Plan”) is to establish a framework to facilitate proper procedures for the maintenance and intended use of properties received or acquired as part of the program. The primary objective of the plan is to conserve all properties as open space (with no further development), as directed in the Federal Register Notice (FR-6303-N-01).

INTENDED USE PLAN

The Tangipahoa Parish Government (the “Parish” or LNG) will ensure ongoing compliance with all federal, state, and local regulations, policies, guidelines, and requirements, as they relate to the application and use of State and federally funded property. (see Intended Use CEA Page 5, Paragraph 1) & Paragraph 4: If the LPG designates another entity to accept the property from the State’s Louisiana Land Trust (LLT) on its behalf, then the LPG Parish must obtain the necessary agreements with such entity to ensure the LPG’s obligations, as stated above, are met. Tangipahoa Parish Government intends all properties involved to remain as open space which positively impacts air quality and acts as a natural habitat for wildlife., with mitigation of flooding. Property will be maintained in perpetuity for a use that is compatible with open space, recreation or floodplain and wetlands management practices. A land use restriction covenant, filed in the Parish’s Courthouse, will be placed on the land to restrict use to eligible activities (see below).

No new structure will be erected on property acquired or accepted under the buyout program, and this Plan, other than:

- a. a public facility that is open on all sides and functionally related to a designated open space (e.g., a park, campground, or outdoor recreation area);
- b. a restroom; or
- c. a flood control structure

Non-structural used can be permitted for such properties and would typically include gardening, forestry, or agricultural purposes.

The transfer of any of the program’s properties to a person or entity other than the Tangipahoa Parish Government shall only occur after adoption of a Parish ordinance prohibiting the issuance of building permits for any and all structures in violation of the Plan’s open space covenants and any such transfer will be subject to the recorded Conservation Servitude.

The Act of Transfer, including the open space Conservation Servitude or a deed restriction, shall be signed by both Tangipahoa Parish Government and the property transferee and filed by a representative employee from Tangipahoa Parish into the Tangipahoa Parish’s Clerk of Court’s office within 48 hrs. of execution of property transfer. (See the State CEA Page 18 #3)

Road Home CEA Section VI Paragraph 3 shows that the Parish will:

“Receive, maintain, dispose, and restrict use of property acquired through the Restore Program, in compliance with Program requirements; will confirm and report to Executive Director of the State Restore OCD office the ongoing compliance of the use of the property, including incidents of non-compliance on an annual basis...”, as required by the requirements of the Restore Louisiana Homeowner Program (RLHP) 20-21 Solution 4 Voluntary Acquisition and Buyout Program.

ONGOING COMPLIANCE and MAINTENANCE PLAN

Tangipahoa Parish Government will be responsible for maintenance of the Restore properties including, but not limited to, removal of litter and/or debris, grass cutting where and when appropriate, clearing, and attending to any other special needs of the property (See State CEA Page 24).

RECORD KEEPING

Tangipahoa Parish Government shall maintain all records required by the State CEA Page 9: 24 CFR 570.506 that are pertinent to the activities to be funded under this Intended Use and Disposition Plan for a period of time as required by the Restore Program after disposition, or transfer of property to an person or entity other than the Tangipahoa Parish Government.

OTHER: Note that the Parish LPG and its designees agree not to discriminate unlawfully in its employment practices and will perform its obligations under this plan without regard to race, color, religion, sex, sexual orientation, national origin, veteran status, political affiliation, age or disabilities.

If this Plan is amended, such amendment must be submitted to, and approved by, the State Road Home Authority/Louisiana Land Trust prior to finalization of the amendment.

Approved by Tangipahoa Parish Council-President Government Resolution No. R24-26 on this 22nd day of July, 2024.

T.P. RESOLUTION NO. R24-27

**A RESOLUTION OF THE TANGIPAHOA PARISH COUNCIL-PRESIDENT
GOVERNMENT TO AUTHORIZE THE PARISH PRESIDENT TO APPROVE AND AMEND
THE FEDERAL PROGRAMS PROCUREMENT POLICIES FOR TANGIPAHOA PARISH
GOVERNMENT**

WHEREAS, the Parish has prepared an updated procurement policy and procedures that are focused on meeting procurement guidelines for use of federal funds by Tangipahoa Parish, and

WHEREAS, recent federal funding to the Parish from State or federal agencies and proposed funding from such agencies have requested review and adoption of a procurement policy to guide the Parish in meeting 2 CFR 200 administrative standards for procurement.

THEN, THEREFORE BE IT RESOLVED, that the Tangipahoa Parish Council hereby adopts the Procurement Policy and procedures presented herein for use by the Parish when administering any covered funding.

On motion by __ and seconded by __, the foregoing resolution was hereby declared adopted on this the 22nd day of July, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

David P. Vial, Chairman
Tangipahoa Parish Council

Jill DeSouge, Council Clerk
Tangipahoa Parish Council

Robby Miller, President
Tangipahoa Parish

TANGIPAHOA PARISH GOVERNMENT

PROCUREMENT/CONTRACT POLICY AND PROCEDURES FOR USE OF FEDERAL OR STATE FUNDS IN TANGIPAHOA PARISH ADMINISTRATION

These policy provisions are intended to serve as the legal authority for the procurement of supplies, equipment, construction services, and professional services for the Tangipahoa Parish Government, hereinafter the Parish, in the conduct of all of its Federal programs and the Parish's purchases. These policy provisions meet the Federal grant standards established in 2 CFR 200.317-326.

PURPOSE

The purpose of this Statement of Procurement Policy is to (1) provide for the fair and equitable treatment of all persons or firms involved in purchasing by Parish; (2) assure that supplies, services, and construction are procured efficiently, effectively, and at the most favorable prices available to the Parish; (3) promote competition in contracting; provide safeguards for maintaining a procurement system of quality and integrity; and (4) assure that Parish purchasing actions are in full compliance with applicable State laws, Federal standards, Parish ordinances, regulations or other relevant policies.

PROCUREMENT AUTHORITY AND ADMINISTRATION

The primary purchasing/procurement authority for the Parish shall be the Purchasing Agent. All procurement transactions shall be conducted and administered by the Parish's Purchasing Agent.

The Parish Purchasing Agent shall insure that there are sufficient unencumbered funds available

to cover the anticipated cost of each procurement before contract award or modification (including change orders), work is inspected before payment, and payment is made promptly for contract work performed and accepted.

The Parish Purchasing Agent shall insure the appropriate method of procurement is used for the particular purchase considering Federal, State and Parish dollar thresholds.

The Parish Purchasing Agent shall insure the appropriate contract and prices are applied to the particular purchase.

The Parish Purchasing Agent shall insure that contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

The Parish Purchasing Agent shall give consideration to such factors as the contractor's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

The Parish Purchasing Agent shall establish and maintain a contract administration system to ensure that contractors perform in accordance with their contracts, which provides for the proper inspection of supplies, services, or construction, as well as monitoring contractor performance, status reporting on construction contracts, and similar matters.

CODE OF CONDUCT

No employee, officer, or agent of the Parish shall participate in the selection or the award or administration of a contract supported by public funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer, or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, or any covered person listed in R.S. 42 §1112(B) has a financial or other interest in the firm selected for award.

No officer, employee, or agent of the Parish shall solicit or accept gratuities, favors, or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial, or the gift is an unsolicited item

of nominal intrinsic value. No employee, officer, or agent of the Parish shall knowingly use confidential information for actual or anticipated personal gain.

FAIR AND OPEN COMPETITION

The goal of the Parish is to conduct all its procurement activities to provide the most qualified contractors or best products in a manner that also discourages and prevents favoritism, collusion,

fraud, waste, and abuse and to ensure objective contractor performance and eliminate any unfair

competitive advantage. The Parish will carry out all procurement activities in a manner that provides maximum free and open competition.

The Parish will exclude any contractors or potential contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals from competing for such procurements. In addition, State law provides the above shall further be prohibited from participating as subcontractors related to the award of that procurement.

The Parish shall not make any uncompetitive awards to an existing contractor and shall not make

a federally funded award or reimburse from such award to a contractor based upon any form of agreement or understanding for general, unspecified services or broad types of services entered

into in advance of work to be done.

The Parish will not enter into any arrangement or agreement [implied or express] to prepare a grant (or development) application on a "no fee" basis and then compensate the contractor by paying a contingent fee or other compensation from the grant award.

The Parish will avoid situations that create unequal access to information that can occur when a contractor has access to nonpublic information as part of its performance under another contract

with the Parish and where that information may provide the contractor with a competitive advantage in a later competition for a Parish contract.

Procurement procedures will not restrict or eliminate competition.

The Parish shall not place unreasonable requirements on firms in order for them to qualify to do business. Nor will the Parish encourage or participate in noncompetitive practices among firms.

The Parish is alert to organizational conflicts that would jeopardize the negotiation process and limit competition. The Parish will not require unnecessary experience or bonding requirements.

Contractors wanting to do business with the Parish must not hire a person to solicit or secure a contract for a commission, percentage, brokerage, or contingent fee, except for bona fide established commercial selling agencies.

Any alleged violations of these standards of conduct shall be referred to the Parish's Attorney. Where violations appear to have occurred, the offending employee, officer, or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

SOLICITATIONS AND ADVERTISEMENTS

All solicitations of bids or offers shall clearly set forth all requirements which bidders or offerors must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications.

The Parish Purchasing Agent shall incorporate a clear, accurate description of the technical requirements for the material, service, or product to be procured in all solicitations of offers. In competitive procurements, these descriptions shall not contain features which unduly limit competition.

The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible.
A

"e; brand name or equal& quote; description may be used to define the performance or other salient

requirements of procurement, but equivalent products must be acceptable. The specific features of the named brand which must be met by bidders/offerers shall be clearly stated.

The Parish Purchasing Agent shall determine what regulatory and/or statutory requirements for publicizing or advertising are applicable to the procurement.

The Parish Purchasing Agent shall make a determination as to whether a particular procurement

will require more than the minimum statutory or regulatory geographic and/or solicitation time period will be necessary to achieve effective competition and will make the appropriate

adjustments. The Parish Purchasing Agent shall take into consideration the market area to be reached by the advertising method chosen and the number of potential vendors in that market area.

The nearest metropolitan statistical area [MSA] to the Parish is the City of Hammond, whose largest general circulation newspaper is The Daily Star (Hammond, LA). Notwithstanding any other publication designated as the "official journal," all procurement actions requiring advertisement will be published in The Daily Star (Hammond, LA), at minimum.

The Parish maintains a website at www.tangipahoa.org which is available for the conduct of procurement solicitations and advertisements.

The Parish provides an additional bidding option: a uniform and secure electronic interactive system for submitting bids or proposals utilizing Central Bidding:

www.centralauctionhouse.com/Category/81/TangipahoaParishGovernment.

For all procurement activities requiring formal advertising the Parish will publish its bids and proposals in The Daily Star (Hammond, LA). In order to achieve maximum effective competition, the Parish is authorized to publish in other MSA newspapers if needed to increase the number of potential vendors.

The Parish may also publish in any applicable trade journals or industry publications.

The Parish may conduct direct solicitations in addition to the required formal advertising requirements, provided that all pertinent information is provided equally to all prospective vendors.

CONTRACTING WITH SMALL AND MINORITY BUSINESS, WOMEN BUSINESS ENTERPRISES, AND LABOR SURPLUS AREA FIRMS

The Parish shall take affirmative steps to assure that small and minority firms, women's business

enterprises, and labor surplus firms are solicited whenever they are potential qualified sources.

The Parish shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be

developed which will include participation by such businesses. The Parish shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

SUSPENSION AND DEBARMENT

Contracts for Federal awards shall not be awarded to debarred, suspended, or ineligible contractors. Contractors may be suspended, debarred, or determined ineligible by any Federal agency in accordance with HUD regulations (24 CFR Part 24) or by other Federal agencies (e.g.,

Department of Labor, for violations of Secretary of Labor Regulations) when necessary to protect the Parish in its business dealings.

PROTESTS

Any bidder or offeror who desires to protest the solicitation shall submit in writing to the Parish or Parish Purchasing Agent at least 10 working days before the bid opening or the due date of the proposal.

Any bidder or offeror who desires to protest the award or decision to award a contract shall submit the protest in writing to the Parish or Parish Purchasing Agent no later than 3 working days after the award or the announcement of the decision to award, whichever occurs first.

At minimum written protests will include:

Name, address, fax, and telephone numbers of the protester [including company name], the identity or description of the solicitation or contract number, and a detailed statement of the legal and factual grounds for the protest, including a description of the resulting prejudice to the protester.

CONTRACT TYPES

The Parish Purchasing Agent shall use the appropriate type of contract described below as determined by the nature of the purchase.

Firm fixed price. This contract type requires the delivery of products or services at a specified price, fixed at the time of the contract award, and not subject to any adjustment on the basis of

the contractor's cost experience in performing the contract. It is appropriate for use when fair and

reasonable prices can be established at the time of award; definite design or performance specifications are available, products are off-the-shelf or modified commercial products or services for which realistic prices can be offered, and any performance uncertainties can be identified, and reasonable cost estimated in advance. A purchase order issued by the Parish Purchasing Agent, and which specifies the product, quantity of supplies, or scope of services ordered, contains a determinable date by which delivery of the product, supplies, or performance

of the services is required, and contains a definitive price not subject to any contingencies may be considered a fixed price contract upon the acceptance and execution by the Parish Purchasing

Agent.

Cost-reimbursement. Cost-reimbursement types of contracts provide for payment of allowable incurred costs, to the extent prescribed in the contract. These contracts establish an estimate of total cost for the purpose of obligating funds and establishing a ceiling that the contractor may not exceed (except at its own risk) without the approval of the Parish Purchasing Agent. Unlike a fixed-price contract, the contractor may not necessarily receive the total amount of the cost ceiling. Cost-reimbursement contracts are suitable for use only when uncertainties involved in contract performance do not permit costs to be estimated with sufficient accuracy to use any type

of fixed-price contract.

Time and Materials contract. Under these contracts, the contractor's services are pre-priced (usually, in terms of hours) in the contract, and the Parish Purchasing Agent orders services in unit amounts (e.g., hours) as needed until the funds in the contract are exhausted. The Parish may

use this type of contract only after the Parish Purchasing Agent determines that no other contract

is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk.

For reimbursement under Federal award, the Parish must have obtained prior written approval from the Federal or pass through agency.

Contract Options

The Parish may include options for additional quantities or performance periods in its contracts if

they meet all the following requirements:

Options be included in contracts, provided that:

- A. The option is contained in the solicitation;
- B. The option is a unilateral right of the Parish;
- C. The contract states a limit on the additional quantities and the overall term of the contract;
- D. The options are evaluated as part of the initial competition;
- E. The contract states the period within which the options may be exercised;
- F. The options may be exercised only at the price specified in or reasonably determinable from the contract; and
- G. The options may be exercised only if determined to be more advantageous to the Parish than conducting a new procurement.

The inclusion of an additional scope of work to the original scope contained in the solicitation is not considered to be an option and will require conducting a new procurement.

TYPES OF PRICES

The Parish Purchasing Agent shall insure the appropriate type of price(s) as determined by the nature of the purchase are included in the contract. The percentage of construction cost or any other indefinite metric will not be used for price determination in any contract funded in whole or in part with Federal funds.

Below are descriptions of four different categories of prices. The types of prices are closely associated with types of contracts; Lump Sum and/or Unit Price with specified quantity for a Fixed Price contract. A Cost- Reimbursement contract may have Lump sum or Unit Price components in addition to Billable Hours and/or Reimbursable Costs.

Lump Sum Price

For definable work product or deliverable, whose value can be expressed as a single price inclusive of all production costs [labor, materials and purchased service costs, allowable overhead and profit]. The contractor will bear all the risks in producing the work product or

deliverable at the agreed upon price. Because of the presumed certainty of contract task or item performance that qualifies a contract task or item as a Lump Sum price no adjustments to contract price are permitted. For fixed-price contracts, no change in quantities for any Lump Sum

task(s) or item(s) would be permitted. Payment of the total contract price will be made upon satisfactory performance, delivery, and final acceptance of contract task(s) or item(s).

Unit Price

For definable work products or deliverables whose value can be expressed as a single price inclusive of all production costs [labor, materials, purchased service costs, allowable overhead, and profit] for contract tasks or items and will be needed in two more iterations at the same agreed upon price. The contractor agrees to bear all the risks and cost variance in producing or performing the contract tasks or items at the agreed-upon price per unit and for the quantities specified. For fixed-price contracts, no change in quantities is permitted without an approved change order. If certain unit prices are contained in the initial contract, no deviations shall be

allowed in computing negotiated change order costs. In cases where there is a discrepancy between the base bid total and the sum of the extended unit prices, the unit price bid shall govern.

Billable Hours

For work efforts that are composed of predominately personnel compensation costs with a minimum of outside purchases of materials and services needed to produce a work product or provide a service; the contractor will be reimbursed for applied work efforts at the agreed upon billable hourly rate(s) inclusive of direct labor compensation, overhead, general and administrative expenses, and profit [fully burdened] by job title. Billable hours may be utilized for services or products that have a definitive accomplishment or product or may be used to reimburse work efforts for a scope of services with an accomplishment that cannot be estimated accurately.

Reimbursable Costs

For work, efforts that require significant outside purchases of materials, services or from subcontractors in addition to the contractor's personnel compensation costs needed to produce a

work product or service. The contractor's personnel compensation costs will be reimbursed for

applied work efforts at the agreed-upon hourly rate(s) by job title. The contractor's itemized outside purchases of materials and services will be reimbursed at invoice cost identifying items by quantities and/or cost per unit.

COST REASONABLENESS

The Parish Purchasing Agent shall ensure that all contract awards are based upon a price or cost

reasonableness determination. Normally, competition establishes price reasonableness. A price analysis is conducted by comparing lump sum prices – not cost estimates - received from contractors in a competitive pricing situation (e.g. when sealed bids are obtained).

In situations where there is minimal or no price competition, the Parish Purchasing Agent must obtain a breakdown of the proposed costs and perform a cost analysis.

The Parish Purchasing Agent will require a cost analysis when:

Using the competitive proposal (or “negotiated”) method of contracting, e.g., for acquiring professional, consulting, or Architect/engineering (A/E) services when there are other evaluation factors besides price or cost. Under the competitive proposal method, offerors are required to submit cost proposals that show the elements (e.g., labor, materials, overhead, and profit) of their

proposed costs or price.

Cost analysis will be used whenever there is no price competition.

Negotiating a contract with a sole source, i.e., not soliciting competitive bids or offers.

After soliciting competitive sealed bids, you receive only one bid, and it differs substantially from your independent estimate of the contract price.

The Parish Purchasing Agent will insure there will be adequate documentation to support contractor billings so that auditors may assess whether the amount paid for the services was reasonable. The Parish Purchasing Agent will require contractors to provide written billings with “sufficient detail,” to show what the contractor did, and the time required, if the billable hour or reimbursable cost pricing method is used. Contractors must be willing to provide work products

or other evidence of tasks performed.

PROCUREMENT RECORDS

These records shall include, but shall not necessarily be limited to, the following:

- A. Rationale for the method of procurement (if not self-evident);
- B. Document the basis for determining that price or rate quotations were obtained from an adequate number of qualified sources.
- C. Copies of bid and proposal advertisements and all responses
- D. Documentation of quote, bid or proposal solicitations and all responses including any vendors contacted through the direct solicitation,
- E. Documentation will also include evaluation/scoring documents and notes on interviews or negotiations. For competitive proposals, the file will also include the selection criteria utilized,
- F. Document the basis for the contract price, a copy of the bid tabulation form, or a Copy of the completed Cost Reasonableness form for services.
- G. Selection of contract type
- G. Written statement explaining the basis of contractor selection
- H. A copy of the contract documents awarded or issued and signed by the Parish Purchasing Agent;
- I. Copies of prior canceled, withdrawn or superseded solicitations; copies of withdrawn or rejected bids or proposals;
- J. Basis for contract modifications; and
- K. Related contract administration actions including contractor clearance

FEDERAL CONTRACT PROVISIONS

The Parish shall include the provisions of 2 CFR 200 Appendix II in every contract funded with a Federal award. In addition, the Parish will include the required contract provisions of 24 CFR Part 75 for awards funded by the U.S. Department of Housing and Urban Development.

PROCUREMENT METHODS AND PROCEDURES.

The Parish Purchasing Agent shall use the appropriate method of procurement and follow the applicable procurement procedures as determined by the nature of the purchase and the applicable Federal/State price/cost thresholds as they are listed in the Procurement Methods and

Procedures Section. The Parish Purchasing Agent shall never divide or separate any purchase requirements in order to avoid any State or Federal threshold regarding the required method of

procurement. For public works projects under \$250,000, the Parish Purchasing Agent shall make

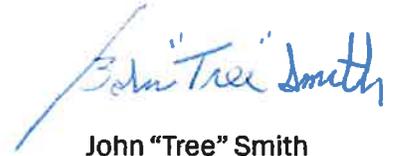
a determination on whether to use its advertised sealed bid procedure, small purchase or possibly

competitive proposals.

DEAR MR. JOSEPH AND COUNCIL MEMBERS

I thank all of you for allowing me the opportunity to serve on the Amite Recreation District #3 Board for the last several years. This letter is to inform you that I am resigning from this board position effective June 7, 2024.

Thank you, Mr. Joseph and the council members, for the opportunity to serve the great people of district #3.



John "Tree" Smith



P.O. BOX 215 • AMITE, LA 70422
(985) 748-3211 • FAX (985) 748-8994
www.tangipahoa.org

BOARD / COMMITTEE NEW APPOINTEE

Name: Major Baker

Board of Interest: Recreational

APPOINTED BY: _____

Mailing Address
PO Box 1287 Amite LA 70422

Physical Address
11457 George McCoy Rd Amite LA

Home Phone 985-748-6107

Cell Phone 985-517-7291

Email Address mjbaker19@gmail.com

Occupation: Electrician

Years of Residence in Tangipahoa Parish: 36

Have you served on any Parish board/committee previously? YES NO

If Yes, what board/committee(s): _____

By signing below, I certify that the foregoing information is true and correct

Major D Baker

7-2-2024

Signature

Date

COUNCIL

DARRELL SINAGRA
DISTRICT 1
EMILE "JOEY" MAYEAUX
DISTRICT 6

JOHN INGRAFFIA
DISTRICT 2
LIONELL WELLS
DISTRICT 7

LOUIS "NICK" JOSEPH
DISTRICT 3
DAVID P. VIAL
DISTRICT 8

JOSEPH HAVIS
DISTRICT 4
BRIGETTE HYDE
DISTRICT 9

H.G. "BUDDY" RIDGEL
DISTRICT 5
STRADER CIEUTAT
DISTRICT 10



Daniel Edwards
SHERIFF & EX-OFFICIO TAX COLLECTOR

Dennis Pevey
Chief Criminal Deputy

Date: : April 16, 2024

Tangipahoa Parish Council
P.O. Box 215
Amite, LA 70422

Dear Tangipahoa Parish Council Members:

The following has applied for a liquor license through the Tangipahoa Parish Sheriff's Office

Business Name and Physical Location:

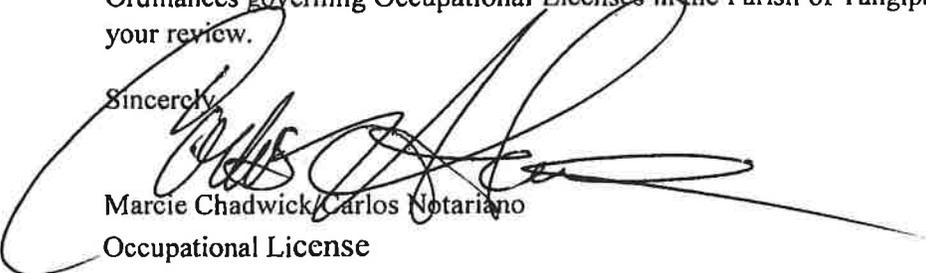
EL LOBO PICANTE LLC
53517 HARVEST LANE
LORANGER LA 70446

License Type:

- Class A Beer (On Premise)
 Class B Beer (Package Only)
 Class A/B Liquor

The applicant has completed all paperwork requirements set forth under the Tangipahoa Parish Council Code of Ordinances governing Occupational Licenses in the Parish of Tangipahoa. Attached is the applicant's paperwork for your review.

Sincerely,


Marcie Chadwick/Carlos Notariano
Occupational License

/mc

Enclosures



Marcie Chadwick <chadwickm@tpso.org>

Re: Letter to TPC - El Lobo Picante

1 message

Carlos Notariano <notarianoc@tpso.org>
To: Marcie Chadwick <chadwickm@tpso.org>

Tue, Apr 16, 2024 at 3:48 PM

Site inspection approval

This location is good to go. ✓
Sent from my iPhone

On Apr 16, 2024, at 12:27 PM, Marcie Chadwick <chadwickm@tpso.org> wrote:

Hi Carlos,

The new owner of El Lobo Picante, LLC located at 53517 Harvest Lane in Loranger has completed all paperwork and we're waiting on her to return a copy of her temporary permit to operate. Please see if this location passes the site inspection.

Sincerely,
Marcie Chadwick
Property Tax Division



Tangipahoa Parish Sheriff Office
313 East Oak Street
Amite, LA 70422
Ph. (985) 748-3347
Fax (985) 748-3345



GERALD STICKER

SHERIFF | EX-OFFICIO TAX COLLECTOR

Date: 7/8/2024

Tangipahoa Parish Council
P.O. Box 215
Amite, LA 70422

Dear Tangipahoa Parish Council Members:

The following has applied for a liquor license through the Tangipahoa Parish Sheriffs Office

Business Name and Physical Location:

EL LOBO PICANTE

53517 HARVEST LANE

LORANGER, LA 70446

License Type:

Class A Beer (On Premise)

Class B Beer (Package Only)

Class A/B Liquor

The applicant has completed all paperwork requirements set forth under the Tangipahoa Parish Council Code of Ordinances governing Occupational Licenses in the Parish of Tangipahoa Attached is the applicant's paperwork for your review.

Sincerely,

Marcie Chadwick

Marcie Chadwick

Occupational License

/mc

Enclosures