

CHAPTER 18

Building Regulations

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ARTICLE A

General Provisions

Section 18.1 Definitions

For the purpose of this chapter, certain words or terms used herein shall be defined as follows:

- (1) **Accessory Use** means any structure and use (such as private garages and sheds) not occupied by human beings as a residence and or dwelling and customarily incidental to and on the same lot with a permitted use, including, but not limited to the following: (a) a garage or parking spaces; (b) sale of produce raised only on the premises; (c) an advertising sign; (d) a customary home occupation (such as the office of a physician or other professional person) incidental to a permitted use; and (e) a swimming pool.
- (2) **Bed and breakfast** means an owner-occupied dwelling unit having no more than one (1) culinary facility and no more than three (3) guestrooms where short-term lodging, with continental breakfast only, is provided for compensation by the owner/operator of the residence.
- (3) **Board** means, unless otherwise noted, the Town Council for the Town of Brusly.
- (4) **Boarding House/Lodging House** means a dwelling occupied by more than four (4) persons living together and occupying a single housekeeping unit with single culinary facilities for compensation, with each individual being charged rental for his/her right to reside in the dwelling.
- (5) **Build** means to erect, convert, enlarge, remodel, reconstruct, or structurally alter a building or structure.

- (6) **Building** means any structure designed or built or used for the support, enclosure, shelter, or protection of persons, animals, chattels, or property of any kind. The definition of the word “building” includes the word “structure,” but any use of the term “building” shall not include the term “mobile building” unless specifically provided in the context of the discussion of the word “building.”
- (7) **Building Official** means the Mayor of the Town of Brusly or a person appointed by the Mayor and approved by the Brusly Town Council.
- (8) **Carport** means a canopy or shed open on at least three (3) sides and attached to, or detached from, the main building for the purpose providing shelter for one (1) or more vehicles. Open non-combustible carports with no side or end walls may be constructed for existing residences to within eighteen (18) inches of a side yard line in any district provided that:
- (1) The existing residence is on a lot of record at least fifty (50) feet wide and is located at least twelve (12) feet from the next adjoining residence.
 - (2) Any carport built under these provisions must be designed and equipped to drain away from adjacent property.
- (9) **District** means a part of the Town wherein regulations of this article are uniform.
- (10) **Drive-in** means an establishment where food or beverage is sold for consumption on the premises, but not necessarily within a building.
- (11) **Dwelling** means a building used entirely for residential purposes and shall not be construed to include trailers/mobile homes.
- (a) A single-family dwelling is a building that contains only one (1) living unit including attached buildings in the case of town houses.
 - (b) A multi-family dwelling that contains more than one (1) living unit.
- (12) **Family means:**
- 1) An individual occupying a single housekeeping unit with single culinary facilities or;
 - 2) Two (2) or more persons who are related by blood, marriage or legal adoption living together and occupying a single housekeeping unit with single culinary facilities or;
 - 3) Not more than four (4) unrelated persons living together by joint agreement and occupying a single housekeeping unit with single culinary facilities on a non-profit, cost sharing basis.
- The term “family” does not include those individuals residing in a boarding house, lodging house, bed and breakfast, inn, hotel, motel, fraternity/sorority residence, and/or group home as defined in this chapter.
- (13) **Fraternity/sorority residence** means a dwelling maintained exclusively for sorority or fraternity members and their guests or visitors, affiliated with an academic or professional college, university or other educational institution.
- (14) **Garage** means a building for storage of motor vehicles.
- (15) **Group home** means a dwelling shared by more than four (4) persons, including resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to reach their maximum potential. Examples of Group Homes include but are but not limited to: Treatment facilities for

illegal use of or addiction to a controlled substance, an alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration or for persons whose residency in the home would potentially constitute a direct threat to the health and safety of other individuals or whose tenancy would potentially result in physical damage to the property of others.

(16) Hotel means an establishment that provides lodging and sometimes meals, entertainment, and various personal services for the public.

(17) House Addition shall mean any increase in the living area of a residential structure. Additions shall be limited to the following:

(a) The house addition shall be occupied by human beings.

(b) The roofs shall be constructed and connected as one (1) residence and the facias shall be constructed at the same elevations of the original residence, except in the cases of one (1) story or two (2) story or visa versa.

(c) Includes enclosure of carports or garages into living area.

(d) Additions of carports or garages are not considered house additions. They shall be considered accessory structures.

(18) Inn means an establishment for the temporary lodging and entertaining of travelers.

(19) Institution means a nonprofit establishment for public use.

(20) Living area means the square feet of floor space within the outside line of walls and includes the total of all space on all floors of a building. Living area does not include porches, garages, or carports.

(21) Living unit means any building or structure occupied by a family.

(22) Loading space means a space within the main building or on the same lot having a minimum dimension of twelve (12) feet by thirty-five (35) feet.

(23) Lot means a parcel of land adequate for occupancy by a use herein permitted.

(24) Lot of record means a lot which is part of a properly approved subdivision, the map of which has been recorded in the office of the Clerk of Court of West Baton Rouge Parish; or a parcel of land which became legally established and defined by deed or act of sale as of the adoption date of this zoning amendment.

(25) Main building means a non-accessory building in which the primary use of the site is conducted. In residential districts, a dwelling shall be deemed to be the main building.

(26) Manufactured Homes and Mobile Homes/House trailers means a structure, transportable in one or more sections, which is eight (8) body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing heating, air conditioning, and electrical systems contained therewith. An unoccupied travel trailer or any other form of recreational vehicle shall not be construed to be a mobile home or house trailer.

- (27) **Mayor** means the Mayor of the Town of Brusly.
- (28) **Motel** means establishment that provides lodging and parking and in which the rooms are usually accessible from an outdoor parking area.
- (29) **Multi-family dwelling** a building or structure that contains more than one (1) living unit
- (30) **Occupy/occupancy** means to live in, reside in, or be a tenant or inhabitant of any dwelling, building or structure. Mere ownership of a dwelling building or structure does not constitute occupancy where the owner does not live in, reside in or inhabit said dwelling, or serve as an industrial, office or commercial tenant of said building or structure.
- (31) **Office building** means a building designed for or used as the offices of professional, commercial, industrial, religious, public, or semipublic persons or organizations.
- (32) **Parking space** means an area on a lot sufficient in size not less than nine (9) feet wide and twenty (20) feet long to store one (1) automobile, and connected to a public street or alley by a driveway not less than ten (10) feet wide.
- (33) **Premises** means land together with any building or structure occupying it.
- (34) **Right-of-way** means a strip of ground dedicated for public use the title to which shall rest in the public for purposes stated in the dedication.
- (35) **Servitude** means a strip reserved by the for public utilities, drainage, and other public purposes, the title to which shall remain in the property owner, subject to the right of use designated in the reservation of the servitude, or a strip of ground designated or intended to be used for access to building or other sites.
- (36) **Setback** means the horizontal distance between the property line and the building foundation line. On a street side, this distance shall be measured from the street right-of-way to the building foundation line.
- (37) **Street** means property dedicated for and accepted for primary public access to lots.
- (a) Local streets mean those streets which are used primarily for access to the abutting properties but do not provide for through traffic. (All streets not designated collector or arterial shall be defined as local).
 - (b) Collector streets mean those streets which carry traffic from local streets to the major system of arterial streets and highways, including the principle entrance streets of a residential development and streets for circulation within such a development. (i.e., St. Francis St., LaBauve St., Vaughan St.).
 - (c) Arterial streets mean those streets and highways which are used primarily for fast, heavy traffic. They are generally several miles long and connect points of major traffic generation such as through highways. (i.e., LA Hwy. 1, Kirkland St, Main St.)
- (38) **Structural alteration** means any change in the supporting members of a building, such as bearing walls or bearing partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls.

- (39) **Structure** means a combination of materials forming a walled and roofed construction including, but not limited to buildings, stadiums, platforms, radio towers, sheds, storage bins and tanks, fences, freestanding signs, air conditioning compressors, satellite receiving stations, and antennas.
- (40) **Swimming pool** means a body of water located outside the confines of a building designed or used for swimming, dipping, or immersion purposes by men, women, or children, of a minimum depth of eighteen (18) inches.
- (41) **Town House** – means a single-family attached dwelling forming part of a series of attached dwellings with property lines and the required firewalls separating each dwelling.
- (42) **Yard** means an open space on the same lot or tract as a building except as provided herein and is unoccupied and unobstructed by a structure. Yard width or depth is the shortest horizontal distance from a lot line to the main building.
- (a) **Front yard** means the area from one (1) side lot line to the other side lot line and between the main building and the street.
- (b) **Side yard** means the area from the front yard line to the rear yard line and from the main building to a side lot line.
- (c) **Back yard** means an open space extending across the rear of the lot between the side lot lines, and being the required minimum horizontal distance between the rear lot line and the nearest point of the main building. (Amended by Ordinance No. 4 of 1986; Ordinance 4 of 2010)

Section 18.2 Building Official

This chapter shall be enforced by a building official who shall be the Mayor or a person appointed by the Mayor and approved by the Brusly Town Council.

Section 18.3 Building Permit Required

It shall be unlawful to construct any building, structure or swimming pool in the Town, or to alter or remodel any building or structure so as to change the bearing walls, beams, supports, roof, electrical, mechanical, or plumbing, without first obtaining a building permit. No structure, building or swimming pool shall be erected until the building official has issued a building permit certifying that the plans and intended use of the land, building, swimming pool and/or structures are in conformity with this chapter. Applications for building permits shall be accompanied by a plan drawn to scale showing actual dimensions of the lot to be built on; the size, shape and location of the building, structure or swimming pool to be erected; and such other information as may be required by the inspectors required to properly enforce this article.

All construction must be started within six (6) months after issuance of building permits and be completed within eighteen (18) months after starting field construction unless extended by the building official for good cause shown within thirty (30) days of the expiration of the permit.

Section 18.4 Occupancy certificates

- (a) No new dwelling, building or structure, whether residential, office, industrial or commercial, shall be occupied until a certificate of occupancy has first been applied for by the occupant and issued by the Building Official. For the purposes of this section, a separate certificate of occupancy

- shall be applied for by the occupant and issued by the Building Official for each separate individual unit of said residential, office, industrial or commercial dwelling, building or structure.
- (b) Except as provided in Section 18.4 (d), no existing unoccupied dwelling, building or structure, to include each separate individual unit thereof, shall be occupied until a new certificate of occupancy has first been applied for by the occupant and issued by the Building Official. For the purposes of this section, a separate certificate of occupancy shall be applied for by the occupant and issued by the Building Official for each separate individual unit of said residential, office, industrial or commercial dwelling, building or structure.
 - (c) Except as provided in Section 18.4 (d), no change in the occupancy and/or use of any dwelling, building or structure, to include each separate individual unit thereof, shall be made until a new certificate of occupancy has first been applied for by the occupant and issued by the Building Official. For the purposes of this section, a separate certificate of occupancy shall be applied for by the occupant and issued by the Building Official for each separate individual unit of said residential, office, industrial or commercial dwelling, building or structure.
 - (d) Changes in the number or composition of family occupants in an owner-occupied dwelling shall not require the application for and issuance of a new certificate of occupancy. In all other cases of a change in the number and/or composition of the occupant/occupants of any dwelling, building or structure, to include each separate individual unit thereof, a new certificate of occupancy shall immediately be applied for by the occupant within seven (7) days of the change in the number and/or composition of the occupant/occupants of said dwelling, building or structure, to include each separate individual unit thereof, in which said change has taken place. In the event of the failure of the occupant to apply for and be issued a new occupancy permit pursuant to this Section, the Mayor shall be authorized, without further notice to the occupant, to take such necessary action as deemed appropriate by the Mayor in accordance with Section 18.14.
 - (e) Every certificate of occupancy shall state that the new occupancy complies with all provisions of Town ordinances.
 - (f) Property owners shall not be authorized to apply for a certificate of occupancy of a residential dwelling, building or structure, to include any separate individual unit thereof, unless they certify to the Building Official in writing that they will actually occupy said residential dwelling, building or structure or separate residential unit of a multi-unit residential dwelling, building or structure as their primary dwelling, and that they are eligible for ad valorem property tax homestead exemption on the property on which said residential dwelling building or structure is located.

Section 18.5 Fees

- (a) No permit as required by the Building Code shall be issued until the fees prescribed in this Section have been paid.
- (b) Valuation is defined to mean “the estimated cost to replace the structure in kind, based on current replacement costs.” The Building Official shall request a complete breakdown of the cost of the structure in the event the work is not covered by a recorded contract and the valuation does not appear reasonable and/or may be computed by the Building Official.

Effective on the first day of February, 2004 the following charges will be assessed upon and collected from Building Contractors performing construction work inside the Town limits of Brusly. The schedule of charges shall be as follows:

1) RESIDENTIAL AND COMMERCIAL CONSTRUCTION

A \$ 75.00 per square foot of living area cost will be applied to determine the valuation of a new residence. A \$ 30.00 per square foot cost will be applied to determine the valuation of accessory structures and/or open areas.

1. For valuations up to \$500,000.00 the fee shall be calculated using the living and open area rates established above and the associated permit fee rates established in the following rate schedule.
2. For valuations above \$500,000.00 the fee shall be \$ 1,080.00 plus \$ 1.50 per thousand dollars above \$500,000.00.
3. For any alteration to a commercial building, if a mechanical, electrical, plumbing or structural inspection is required the fee shall be \$200.00.

PROPOSED RATE SCHEDULE

Cost of Construction (in Dollars)	Permit Fee
0 - 25,000	\$0.00
25,001 - 40,000	\$180.00
40,001 - 50,000	\$200.00
50,001 - 60,000	\$220.00
60,001 - 70,000	\$240.00
70,001 - 80,000	\$260.00
80,001 - 90,000	\$280.00
90,001 - 100,000	\$300.00
100,001 - 110,000	\$320.00
110,001 - 120,000	\$340.00
120,001 -130,000	\$360.00
130,001 - 140,000	\$380.00
140,001 - 150,000	\$400.00
150,001 - 160,000	\$420.00
160,001 - 170,000	\$440.00
170,001 - 180,000	\$460.00
180,001 - 190,000	\$480.00
190,001 - 200,000	\$500.00
200,001 - 210,000	\$520.00
210,001 - 220,000	\$540.00
220,001 - 230,000	\$560.00
230,001 - 240,000	\$580.00
240,001 - 250,000	\$600.00
250,001 - 260,000	\$620.00
260,001 - 270,000	\$640.00
270,001 - 280,000	\$660.00

280,001 - 290,000	\$680.00
290,001 - 300,000	\$700.00
300,001 - 310,000	\$720.00
310,001 - 320,000	\$740.00
320,001 - 330,000	\$760.00
330,001 - 340,000	\$780.00
340,001 - 350,000	\$800.00
350,001 - 360,000	\$820.00
360,001 - 370,000	\$840.00
370,001 - 380,000	\$860.00
380,001 - 400,000	\$880.00
400,001 - 410,000	\$900.00
410,001 - 420,000	\$920.00
420,001 - 430,000	\$940.00
430,001 - 440,000	\$960.00
440,001 - 450,000	\$980.00
450,001 - 460,000	\$1,000.00
460,001 - 470,000	\$1,020.00
470,001 - 480,000	\$1,040.00
480,001 - 490,000	\$1,060.00
490,001 - 500,000	\$1,080.00

(c) There shall be a fee of four hundred fifty dollars (\$450.00) paid for any rezoning request to assist with the costs incurred in complying with state laws and municipal ordinances regarding zoning amendments and public notices. (Ordinance No. 1 of 2009)

These fee rates shall be reviewed by the Mayor and Town Council every four years, after review and recommendation from the Planning Commission.

Sample Fees Per Construction Rates

1. Rate set at: \$75.00 per square foot living area

\$30.00 per square foot open area

\$30.00 per square foot accessory structure(s)

A. A house has 1,700 square feet of living area and 500 square feet of open area for a total of 2,200 square feet.

Living Area: 1,700 x \$75 = \$127,500 Open Area: 500 x \$30 = \$15,000

Construction Cost: \$127,500 + \$15,000 = \$142,500 *match this figure to rate schedule chart to find permit fee*

Permit Fee = \$400

B. A house has 2,200 square feet of living area and 600 square feet open area a total of 2,800 square feet. ϕ

Living Area: $2,200 \times \$75 = \$165,000$

Open Area: $600 \times \$30 = \$18,000$

Construction Cost: $\$165,000 + \$18,000 = \$183,000$ *match this figure to rate schedule chart to find permit fee*

Permit Fee = \$480

ARTICLE B - Building Code

Section 18.6 Adoption of building code

Effective January 1, 2007, pursuant to LA. R.S. 40:1730.21, et seq., there is hereby adopted, for the purpose of regulating the construction, alterations, repairs, equipment, use and occupancy and maintenance of every building or structure or any appurtenance connected or attached to such buildings or structures, excluding farm structures and recreational camps, the Louisiana State Uniform Construction Code. The Louisiana State Uniform Construction Code, and all subsequent amendments, is incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the city. The Louisiana State Uniform Construction Code shall consist of the following:

- (1) International Building Code, 2006 Edition, not including Chapter 1- Administration, Chapter 11- Accessibility, Chapter 27- Electrical and Chapter 29- Plumbing Systems. The applicable standards referenced in that code are included for regulations of construction within this state.
- (2) International Existing Building Code, 2006 Edition, not including Chapter 1- Administration, and the standards referenced in that code for regulations of construction within this state.
- (3) International Residential Code, 2006 Edition, not including Parts 1- Administrative, V- Mechanical, Vii-Plumbing and Viii-Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Appendix J. Existing Building and Structures, is also included for mandatory regulation. For the purpose of this Part, IRC R301.2.1.1 Design Criteria) shall be amended as follows and shall only apply to the International Residential Code, 2006 edition:
 - (a) Amendment of R301.2.1.1 (Design Criteria)
 - (b) Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, shall be added.
 - (c) Item 7, Institute for Business & Home Safety, Optional Code-plus Fortified for Safer Living, shall be added.
 - (d) Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, shall be added.
- (4) International Mechanical Code, 2006 Edition, and the standards referenced in that code Building Restrictions 18 - 3 for regulation of construction within the state.
- (5) The Louisiana State Plumbing Code ((Part XIV (Plumbing) of the State Sanitary Code)) as amended by the state health officer acting through the office of public health of the Department of Health and Hospitals. Nothing in this Part shall be construed so as to prevent the state health officer for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.

(6) International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.

(7) National Electrical Code, 2005 Edition.

Section 18.7 Minimum floor elevation requirements; noncompliance

(a) Except as required by Chapter 15 of this code:

- (1) The minimum floor elevation of any habitable area of a building shall be twelve (12) inches above the crown of the nearest street or twelve (12) inches above the average elevation of surrounding land within three hundred feet (300) feet of the building itself, whichever is lower.
- (2) Notwithstanding (1) above, the minimum floor elevation on a building attached to an existing foundation, building, or structure shall be the same as the existing foundation, building, or structure.

(b) Upon determining the existence of a failure to comply with this section, the mayor shall notify the owner of the property, as determined from the latest assessment rolls, and/or the person alleged to be causing the violation advising that the building permit which authorized such activity is suspended until the violation has ceased. The notice shall be given by personal service or by registered or certified mail, return receipt requested.

Section 18.8 Off-street parking

- (a) **Parking Space** is an area on a lot sufficient in size to store one (1) automobile. This space shall not (except as hereafter noted) be less than nine (9) feet in width and twenty (20) feet in length. This parking space (except for single-family dwellings) shall be served by an aisle or maneuvering area not less than twenty-two (22) feet in depth. Such parking and maneuvering space must be so designed as to eliminate the necessity of backing on or off a public right-of-way. In all uses, twenty (20) percent of the required spaces may be sized to a compact car. These spaces shall not be less than sixteen (16) feet in length and eight (8) feet in width. Aisles or maneuvering area shall be the same.
- (b) **All off-street parking** spaces, aisles, and connecting driveways shall be surfaced with aggregate or permanent paving.
- (c) **Residential:** Single family residential lots shall provide garage or parking spaces for not more than four (4) automobile vehicles, provided that on all residential lots, except on a farm, storage of only one (1) commercial automobile shall be permitted for each four (4) parking spaces. All residential uses shall provide the following minimum number of off-street parking spaces:
 - (1) Single-family detached-2 spaces/unit
 - (2) Single-family attached- 2 spaces/unit
 - (3) Multi-family-2 spaces/unit
 - (4) Dormitories, sororities, and fraternities-1 space each 4 units
 - (5) Hotels and motels-1 space/2beds
 - (6) Apartments and rooming houses-2 spaces/unit
- (d) **Commercial:** All commercial uses shall provide the following off-street parking spaces:

G. F. A. means gross floor area.

 - (1) Office and bank buildings - 1 space/400 sq. ft. G. F. A.
 - (2) Drive-in banks - 1 space/300 sq. ft. G. F. A.
 - (3) Business and professional other than medical 1 space/300 sq. ft. G. F. A.
 - (4) Medical and dental offices and clinics - 1 space/doctor's office plus

1 space/examining room

(5) Shopping goods, retail - 1 space/200 sq. ft. office and display

(6) Convenience goods, retail - 1 space/100 sq. ft. G. F. A.

(7) Furniture sales, retail - 1 space/100 sq. ft. G. F. A.

(8) Personal services and repair - 2 spaces/75 sq. ft. G. F. A.

(9) Restaurants - 1 space/100 sq. ft. G. F. A.

(10) Drive-ins - 1 space/400 sq. ft. G. F. A.

(11) Commercial recreational facilities-(other than below)-1space/300sq.ft. G.F.A.

(12) Bowling alleys - 5 spaces/lane

(13) Skating rinks - 1 space/100 sq. ft. of skating area

(14) Driving ranges - 1 space/tee

(15) New car sales - Sq. space/200 sq. ft. G. F. A.

(16) Used car sales - 1 space/1,500 sq. ft. of lot

(17) Service stations - 4 spaces plus 1 per lube rack

(18) Car washing - 1 space/200 sq. ft. G. F. A.

(e) **Institutional:** Institutional, public, assembly, transportation. All such uses shall provide the following off-street parking spaces:

(1) Churches - Adequate off-street parking to accommodate all church functions

(2) Auditoriums, theaters - 1 space/4 seats or 34 sq. ft.

(3) Schools:

(a) Elementary - 2 spaces/classroom

(b) Junior High- 4 spaces/classroom

(c) High School - 8 spaces/classroom

(4) Museums and libraries -1 space/300 sq. ft. G. F. A.

(5) Hospitals - 1 space bed

(6) Nursing homes -1 space/2 beds

(7) Funeral parlors -1 space/200 sq. ft. G. F. A.

(8) Stadiums and arenas -1 space/4 seats

(9) Transportation terminals -1 space/100 sq. ft. of waiting area

(10) Clubs and lodges -1 space/200 sq. ft. G. F. A.

(11) Welfare and employment agencies -1 space/400 sq. ft. G. F. A.

(f) **Industrial Manufacturing, Warehousing and Wholesale:** All such uses shall provide the following off-street parking spaces:

One (1) space per each two (2) employees on combined two (2) largest shifts

plus

One (1) space for each company vehicle domiciled at the facility

plus

Additional spaces equal to Fifteen (15) percent of total employment to accommodate visitors.

Section 18.9 Concrete driveway; expansion joint required

(a) Any concrete driveway constructed across a public right of way or servitude shall have an expansion joint located between the property boundary line bordering the public right of way or servitude and ten (10) feet inside the property boundary line.

(b) No certificate of occupancy shall be issued for any dwelling, building or structure constructed in violation of this section.

Section 18.10 Construction debris and other waste material

(a) The owner of a building being erected, remodeled, repaired, or demolished or the job contractor shall remove all construction debris, garbage, and rubbish, as such terms are defined in Chapter 14 of this code, resulting from the job. A dumpster may be required, as determined by the building official.

(b) Neither the owner of a building or property nor the job contractor shall dispose of construction debris, garbage, or rubbish by burial on the work site.

(c) Neither the owner of a building or property nor the job contractor shall scatter, spill, throw, deposit, or drop or allow or permit to be scattered, spilled, thrown, deposited, or dropped, any construction debris, garbage, or rubbish on the ground or in any unenclosed area at the work site.

(d) Any violation of this section shall constitute littering under Chapter 23 of this code and shall also constitute a nuisance under Chapter 22 of this code.

(e) No occupancy permit shall be issued until subsections (a), (b), and (c) of this section are complied with.

Section 18.11 Toilet facilities required

Suitable toilet facilities, approved by the municipality, shall be provided and maintained in a sanitary condition for the use of workmen during construction, remodeling, repair, or demolition.

ARTICLE 1

Effective January 1, 2007, pursuant to LA. R.S. 40:1730.21, et seq., there is hereby adopted, for the purpose of regulating the construction, alterations, repairs, equipment, use and occupancy and maintenance of every building or structure or any appurtenance connected or attached to such buildings or structures, excluding farm structures and recreational camps, the Louisiana State Uniform Construction Code. The Louisiana State Uniform Construction Code is incorporated as fully as if set out at length herein and shall be controlling within the corporate limits of the city. The Louisiana State Uniform Construction Code shall consist of the following:

- (1) International Building Code, 2006 Edition, not including Chapter 1- Administration, Chapter 11-Accessibility, Chapter 27- Electrical and Chapter 29- Plumbing Systems. The applicable standards referenced in that code are included for regulations of construction within this state.
- (2) International Existing Building Code, 2006 Edition, not including Chapter 1- Administration, and the standards referenced in that code for regulations of construction within this state.
- (3) International Residential Code, 2006 Edition, not including Parts 1- Administrative, V- Mechanical, Vii-Plumbing and Viii-Electrical. The applicable standards referenced in that code are included for regulation of construction within this state. Appendix J. Existing Building and Structures, is also included for mandatory regulation. For the purpose of this Part, IRC R301.2.1.1 Design Criteria) shall be amended as follows and shall only apply to the International Residential Code, 2006 edition:

- (a) Amendment of R301.2.1.1 (Design Criteria)
 - (b) Item 6, The American Concrete Institute, Guide to Concrete Masonry Residential Construction in High Winds Areas, shall be added.
 - (c) Item 7, Institute for Business & Home Safety, Optional Code-plus Fortified for Safer Living, shall be added.
 - (d) Item 8, Federal Alliance for Safe Homes, Optional Code-plus Blueprint for Safety, shall be added.
- (4) International Mechanical Code, 2006 Edition, and the standards referenced in that code for regulation of construction within the state.
 - (5) The Louisiana State Plumbing Code ((Part XIV (Plumbing) of the State Sanitary Code)) as amended by the state health officer acting through the office of public health of the Department of Health and Hospitals. Nothing in this Part shall be construed so as to prevent the state health officer for enforcing Part XIV (Plumbing) of the State Sanitary Code, the enforcement of which is his statutory and regulatory responsibility.
 - (6) International Fuel Gas Code, 2006 Edition, and the standards referenced in that code for regulation of construction within this state.
 - (7) National Electrical Code, 2005 Edition.

ARTICLE II

Be it further ordained that if any provision of this Ordinance is held invalid, such invalidity shall not effect other provisions, items or applications of this Ordinance, which can be given effect without the invalid provisions, items or application, and to this end the provisions of the Ordinance are hereby declared severable.

ARTICLE III

Be it further ordained that all Ordinances or parts of Ordinances in conflict with this Ordinance be and the same are hereby repealed.(Ordinance 8 of 2006)

Section 18.12 Carports

Open non-combustible carports with no side or end walls may be constructed adjacent to existing residences to within eighteen (18) inches of a side yard line in any district provided that:

- (1) The existing residence is on a lot of record at least fifty (50) feet wide and is located at least twelve (12) feet from any structure on the adjoining property.
- (2) Any carport built under these provisions must be designed and equipped to drain away from adjacent property.

Section 18.13 Accessory structures/uses:

Accessory structures/uses shall meet the following requirements:

- (a) **Advertising signs** pertaining only to the lease, sale, or use of a lot or building on which it is placed and not exceeding a total area of twelve (12) square feet; provided on a lot occupied by a dwelling there may be, for each family housed and home occupations, no more than one (1) sign with a total area of not more than two (2) square feet per sign pertaining to the use of such building or bearing name and the designation of any authorized occupations; and also provided that signs permitted in C-1 Light Commercial, C-2 Commercial and L-1 Light Industrial and L-2 Heavy Industrial districts do not exceed thirty two (32) square feet in size. In B-1 Transition districts, signs must be no greater than fifteen (15) square feet in size.
- (b) **Customary home occupations** (such as the office of a physician or other professional person) shall meet all of the following conditions:
 - (1) Only one (1) non-illuminated sign no larger than two (2) square feet in any area shall be used.
 - (2) Nothing shall be done to make the building appear in any way as anything but a dwelling.
 - (3) No one shall be employed from outside the resident family.
 - (4) Mechanical equipment used shall be only that normally used in, or found in, a single-family dwelling.
 - (5) Beauty salons and similar personal services shall have only one (1) chair for beauty treatment or similar personal service.
- (c) **Accessory buildings or structures** shall contain no bath or shower facilities (i.e., tubs or shower stalls), and shall not be occupied by human beings for as a residence and/or dwelling.
- (d) **Swimming Pools** shall be completely surrounded by a fence or wall constructed not less than four (4) feet in height with openings, holes or gaps therein no larger than four (4) inches in any dimension except for doors or gates; provided however, that a dwelling house or accessory building may be used as part of such enclosure. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep, and capable of keeping such door or gate securely closed at all times when not in actual use; provided however, that the door of any dwelling occupied by human beings and forming any part of the enclosure herein above required not need be so equipped.

Section 18.14 Penalties; Remedies

(a) Any person, corporation, partnership, lessor, lessee, or association of persons violating any provision of this Chapter shall be guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred (\$500) dollars, or confined for not more than sixty (60) days in jail for each offense. Each day the violation continues shall constitute a separate offense.

(b) In case any building and/or structure is erected, constructed, reconstructed, altered, repaired and/or occupied in violation of this Chapter or in violation of the plat showing the proposed lot, building and/or structure to be erected thereon or in violation of the building permit, the Mayor, acting for and on behalf of the Town, in addition to any other remedies, may institute appropriate legal action and/or proceedings in the name of the Town against any individual, body of persons whether incorporated or not, corporation, partnership, joint stock association, limited liability company, lessor, lessee, or association of persons,

which includes any trustee, receiver, assignee or personal representative thereof, to prevent, enjoin, restrain and/or prohibit such unlawful erection, construction, reconstruction, alteration, repairs or occupancy of said building and/or structure.

Section 18.15. Appeals

(a) There shall be a Board of Adjustment, the membership, terms of office, and rights and duties of which shall be as provided in Louisiana R.S. 33:4727. The Board of Adjustment shall adopt rules in accordance with the provisions of this section. Meetings of the Board of Adjustment shall be held at the call of the chairman and at such other times as the Board may deem necessary. All meetings shall be open to the public and proceeded by due advertisement.

(b) The Board shall hear and decide:

(1) Appeals from alleged error in the Building Official's decision.

(2) Appeals for permit variance where exceptional and peculiar hardship would be caused by enforcement of the regulations in this article and where such variance would not substantially derogate from the intent of this article, but not otherwise. The word "variance" shall refer only to variance in the application of height or area permit requirements. The Board of Adjustment shall not be authorized to grant variances in the use of land or to take any other action, the result of which would constitute a change in the zone boundaries under Chapter 19. Where the Board of Adjustment determines a hardship case exists, and the granting of a variance will not deter from the land use goals and principles as stated in Section 19.21 of Chapter 19, a variance may be granted.

(3) Appeals for permits in special cases.

(c) The Board of Adjustment shall (1) always act with due consideration to promoting public health, safety, convenience, and welfare, encouraging the most appropriate use of land and conserving property value; (2) permit no building or use detrimental to a neighborhood, and (3) prescribe appropriate conditions and safeguards in each case.