

RESOLUTION NO. 24-

The following Resolution was offered by Council Member Schulz who moved its adoption:

1 A Resolution authorizing the Plaquemines Parish Community Action Agency to
2 prepare and file an application with the Louisiana Department of Transportation
3 and Development, on behalf of the Plaquemines Parish Government, for a grant
4 under 49CFR 5311, Formula Grant for Rural Areas and/or 49 CFR 5339, Grants
5 for Bus and Bus Facility Program, as amended, to provide public rural
6 transportation to the residents of Plaquemines Parish and further authorizing
7 Plaquemines Parish President to execute and file with such application an
8 assurance or any other documents required; and otherwise to provide with respect
9 thereto.

10
11 DIGEST: A Resolution authorizing the Plaquemines Parish Community Action Agency to
12 prepare and file an application with the Louisiana Department of Transportation and
13 Development, on behalf of the Plaquemines Parish Government, for a grant under 49CFR 5311,
14 Formula Grant for Rural Areas to provide public rural transportation to the residents of
15 Plaquemines Parish and further authorizing Plaquemines Parish President to execute and file
16 with such application an assurance or any other documents required. *The digest is for*
17 *informational purposes only and is superseded by the language of the actual ordinance or*
18 *resolution.*

19
20 WHEREAS, the Secretary of Transportation and Development is authorized to make grants for
21 mass transportation projects; and

22
23 WHEREAS, the contract for financial assistance will impose certain obligations upon the
24 Council, including the provisions by it of the local share of the project costs; and

25
26 WHEREAS, it is required by the Louisiana Department of Transportation and Development in
27 accordance with the provisions of Title VI of the Civil rights Act of 1964, that in connection with
28 the filing of an application of assistance that it will comply with Title VI of the Civil Rights Act
29 of 1964 and the U.S. Department of Transportation requirements thereunder; and

30
31 WHEREAS, it is the goal of the Plaquemines Parish Government that minority business
32 enterprises be utilized to the fullest extent possible in connection with this project, and that
33 definitive procedures shall be established and administered to ensure that minority businesses
34 shall have maximum feasible opportunity to compete for contracts when procuring construction
35 contracts, supplies, equipment or consultants and other services;

36
37 NOW, THEREFORE:

38
39 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Plaquemines
40 Parish Community Action Agency is hereby authorized to prepare and file an application on
41 behalf of the Plaquemines Parish Government with the Louisiana Department of Transportation
42 and Development, to aid in the financing of operating and/or capital assistance projects pursuant
43 to the Rural Public Transit Program, for a grant under 49CFR 5311, Formula Grant for Rural
44 Areas and/or 49 CFR 5339, Grants for Bus and Bus Facility Program, as amended, to provide
45 public rural transportation to the residents of
46 Plaquemines Parish.

47
48 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it
49 hereby authorizes the President of the Plaquemines Parish Government to execute and file with
50 such application an assurance or any other document required by the Louisiana Department of
51 Transportation and Development effectuating the purpose of Title VI of the Civil Rights Act of
52 1964, as amended.

53
54 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
55 Superintendent of the Plaquemines Parish Community Action Agency is hereby authorized to
56 furnish such additional information as the Louisiana Department of Transportation and
57 Development may require in connection with the application or the project.

58

59 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
60 Plaquemines Parish President is authorized to set forth and execute affirmative minority business
61 policies in connection with the project's procurement needs.

62
63 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
64 Parish President is authorized to execute grant contract agreements on behalf of the Plaquemines
65 Parish Government with the Louisiana Department of Transportation and Development for aid in
66 the financing of the operating or capital assistance projects.

67
68 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT this
69 Resolution is applicable for a period of one year unless revoked by the Governing Body and
70 copy of such revocation shall be furnished to the Department of Transportation and
71 Development.

72
73 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
74 Secretary of this Council is hereby authorized and directed to immediately certify and release
75 this Resolution and that Parish employees and officials are authorized to carry out the purposes
76 of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

77
78

RESOLUTION NO. 24-

The following Resolution was offered by Council Member Schulz who moved its adoption:

1 A Resolution authorizing the Plaquemines Parish Community Action Agency to
2 prepare the necessary application to the Louisiana Housing Corporation (LHC)
3 for a grant to provide utility assistance to the residents of Plaquemines Parish for
4 the Fiscal Year 2025 and authorizing the President of the Plaquemines Parish
5 Government to sign and submit said application and contract; and otherwise, to
6 provide with respect thereto.

7
8 DIGEST: A Resolution authorizing the Plaquemines Parish Community Action Agency to
9 prepare the necessary application to the Louisiana Housing Corporation (LHC) for a grant to
10 provide utility assistance to the residents of Plaquemines Parish for the Fiscal Year 2025 and
11 authorizing the President of the Plaquemines Parish Government to sign and submit said
12 application and contract. *The digest is for informational purposes only and is superseded by the*
13 *language of the actual ordinance or resolution.*

14
15 WHEREAS, the Louisiana Housing Corporation (LHC) plan to provide home energy assistance
16 to eligible households within Plaquemines Parish, for the fiscal year 2025;

17
18 NOW, THEREFORE:

19
20 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes
21 the Plaquemines Parish Community Action Agency to prepare the necessary application to the
22 Louisiana Housing Corporation (LHC) for receiving and administering a grant to provide utility
23 assistance to the residents of Plaquemines Parish for the Fiscal Year 2025.

24
25 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it
26 hereby authorizes the President of the Plaquemines Parish Government to sign said application
27 and contract and a fully executed copy of the contract will be on file in the legal department.

28
29 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
30 Secretary of this Council is hereby authorized and directed to immediately certify and release
31 this resolution and that Parish employees and officials are authorized to carry out the purposes of
32 this resolution, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 24-

The following Resolution was offered by Council Member Schulz who moved its adoption:

1 A Resolution authorizing the Plaquemines Parish Community Action Agency to
2 prepare the necessary application to the Louisiana Workforce Commission
3 receiving the Community Services Block Grant Funds for the Program Year 2025
4 and authorizing the President of the Plaquemines Parish Government to sign and
5 submit said application and contract; and otherwise to provide with respect
6 thereto.

7
8 DIGEST: A Resolution authorizing the Plaquemines Parish Community Action Agency to
9 prepare the necessary application to the Louisiana Workforce Commission receiving the
10 Community Services Block Grant Funds for the Program Year 2025 and authorizing the
11 President of the Plaquemines Parish Government to sign and submit said application and contract
12 for fiscal year 2025. *The digest is for informational purposes only and is superseded by the*
13 *language of the actual ordinance or resolution.*

14
15 WHEREAS, the Louisiana Workforce Commission, through the Community Services Block
16 Grant Act, has designated the eligible entity for administering the funds for the program year
17 2025 within the Parish of Plaquemines; and

18
19 WHEREAS, the Plaquemines Parish Community Action Agency has received federal and state
20 recognition as the eligible entity within the Parish of Plaquemines for receiving and
21 administering Community Services Block Grant Funds;

22
23 NOW, THEREFORE:

24
25 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby designates
26 and authorizes the Plaquemines Parish Community Action Agency to prepare the necessary
27 application to the Louisiana Workforce Commission for receiving and administering the
28 Community Services Block Grant Funds for the program year 2025.

29
30 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it
31 hereby authorizes the President of the Plaquemines Parish Government sign said application and
32 contract.

33
34 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
35 Secretary of this Council is hereby authorized and directed to immediately certify and release
36 this resolution and that Parish employees and officials are authorized to carry out the purposes of
37 this resolution, both without further reading and approval by the Plaquemines Parish Council.

38

RESOLUTION NO. 24-

The following Resolution was offered by Council Member Schulz who moved its adoption:

1 A Resolution establishing the dates, times and places of public hearings on the
2 proposed 2025 Operating Budget and on the proposed Capital Improvements
3 Budget covering a period of at least five years as submitted by the Parish President;
4 to authorize the Council Secretary to place the necessary Public Notice in the
5 Plaquemines Gazette pursuant to Section 7.02 A and Section 7.05 C of the Charter
6 for Local Self-Government, Parish of Plaquemines; and otherwise to provide with
7 respect thereto.

8 NOW, THEREFORE:

9 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT in accordance with
10 Section 7.02 A of the Charter for Local Self-Government, Parish of Plaquemines, it hereby
11 establishes budget hearings on the proposed 2025 Operating Budget for the Parish of Plaquemines
12 and the proposed Capital Improvement Budget for the years 2025, 2026, 2027, 2028 and 2029 for
13 the Parish of Plaquemines on November 18, 2024, at _____ a.m./p.m. in the Belle
14 Chasse Council Chambers, located at 333 F. Edward Hebert Blvd., Bldg. 203, Belle Chasse, and
15 that said Budget Hearings shall continue, thereafter, until the Budget Hearings are canceled or
16 concluded, on November _____, 2024.

17
18 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby
19 authorizes and directs the Secretary of this council to place the necessary advertisement in the
20 Parish Official Journal in accordance with Section 7.02 A and Section 7.05 C of the Charter for
21 Local Self-Government for the Parish of Plaquemines.

22 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
23 Secretary of this Council is hereby authorized and directed to immediately certify and release this
24 Resolution and that Parish employees and officials are authorized to carry out the purposes of this
25 Resolution, both without further reading and approval by the Plaquemines Parish Council.

R E S O L U T I O N N O . 2 4 -

The following Resolution was offered by Council Member Champagne who moved its adoption:

1 A Resolution authorizing the Parish President, on behalf of the Plaquemines Parish
2 Council, to certify to the Louisiana Department of Transportation and Development
3 that the Plaquemines Parish Government has complied with all FHWA/DOTD
4 requirements in 2024 relative to bridges located in Plaquemines Parish under the
5 Plaquemines Parish Government's jurisdiction; and otherwise to provide with
6 respect thereto.

7
8 Digest: Plaquemines Parish Government (PPG) participates in the Off-System Bridge Program
9 offered through the Louisiana Department of Transportation & Development (LADOTD). Being
10 involved in this program offers funding opportunities but also mandates certain requirements on
11 publicly traveled bridges. As a participating party, PPG must perform interim inspections and
12 ensure the required signage are in place. PPG must attest to this annually which is satisfied through
13 the requested resolution. *The digest is for informational purposes only and is superseded by the*
14 *language of the actual ordinance or resolution.*

15 WHEREAS, the United States Congress enacted the Code of Federal Regulations which mandates
16 that all structures defined as bridges located on all public roads shall be inspected, rated for safe
17 load capacity and posted in accordance with the National Bridge Inspection Standards and that
18 each state maintain a current inventory of said bridges; and

19 WHEREAS, it is the responsibility of Plaquemines Parish to inspect, rate and load and post those
20 bridges under its jurisdiction in accordance with the standards delegated to Plaquemines Parish by
21 the Louisiana Department of Transportation and Development;

22 NOW, THEREFORE:

23 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby authorizes
24 the Parish President, on behalf of the Plaquemines Parish Council, to certify to the Louisiana
25 Department of Transportation and Development that the Plaquemines Parish Government has
26 complied with all FHWA/DOTD requirements in 2024 relative to bridges located in Plaquemines
27 Parish under the Plaquemines Parish Government's jurisdiction.

28 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
29 Secretary of this Council is hereby authorized and directed to immediately certify and release this
30 Resolution and that Parish employees and officials are authorized to carry out the purposes of this
31 Resolution, both without further reading and approval by the Plaquemines Parish Council.

- 49 (a) It shall be unlawful for any person, natural or juridical, which shall include owners of
50 immovable property, their agents, tenants, or representatives, to act contrary or be in violation
51 of any parish ordinance regulating the maintenance of structures and premises and the
52 occupancy thereof.
- 53 (b) Repairs, additions, and alterations to or demolition of a structure or premise, or changes of
54 occupancy, shall be done in accordance with all applicable codes. Nothing in this Chapter
55 shall be construed to cancel, modify, or set aside any other provision of law.
- 56 (c) The provisions of this Chapter shall not be construed to abolish or impair existing remedies
57 relating to the removal or demolition of any building or structure which is dangerous, unsafe,
58 or unsanitary.

59 ARTICLE II. - DEFINITIONS

60 Section 24-5. - Definitions.

- 61 (a) For the purposes of this Chapter, the following terms shall have the meanings provided by this
62 Section ascribed to them.
- 63 (b) Terms not defined in this Chapter but defined in other provisions of law shall have the
64 meanings ascribed to them therein.
- 65 (c) Where terms are not defined in this Section or other provisions of law, they shall have their
66 ordinarily accepted meanings as their use and context implies.
- 67 (d) Words are interchangeable insofar as words stated in the present tense include the future,
68 words stated in the masculine gender include the feminine, words in the singular include the
69 plural, and words in the plural include the singular.
- 70 (e) Whenever the words "structure," "accessory structure," "building," or "dwelling unit" are
71 stated in this Chapter, they shall be construed as though they were followed by the words "or
72 any part thereof."

73 *Accessory structure.* A structure that is incidental to that of the main structure. Examples
74 without limitation include garages, carports, sheds, laundry rooms, green houses, and tool rooms.

75 *Abate.* Repair, rehabilitate, vacate, demolish, or any other action provided by the
76 administrative hearing officer to correct violations of this Chapter or applicable codes.

77 *Applicable Codes.* Provisions of the Parish Code of Ordinances, including without limitation
78 Chapter 7 Buildings and Building Regulations, Chapter 9 Drainage and Flood Control, Chapter 10
79 Fire Prevention and Fire Protection, Chapter 13 Health and Sanitation, Chapter 15 Motor Vehicles
80 and Traffic, Chapter 16 Nuisances, Chapter 18 Planning and Development, Chapter 20
81 Subdivisions, Chapter 21 Trailer Parks, Recreational Vehicle Parks and Campgrounds, Ordinance
82 No. 142 the "Comprehensive Zoning Ordinance," as amended, and any other adopted Ordinances
83 regulating structures and premises for the protection, health welfare and safety of the people of
84 Plaquemines Parish.

85 *Approved.* Acceptable to the code official.

86 *Building.* Any structure used or intended for supporting or sheltering any use or occupancy.

87 *Code officials.* Persons who are charged with the administration and enforcement of this
88 Chapter and applicable codes by law or as designated by the Parish President or his duly authorized
89 representative.

90 *Demolition.* Tearing down, razing, and the removal of all resulting debris and material.

91 *Equipment.* Necessary items for a particular purpose.

92 *Hearing officer.* An administrative adjudication hearing officer acting pursuant to this
93 Chapter.

94 *Imminent danger.* A condition which immediately threatens the protection, health, welfare
95 and safety of the people of Plaquemines Parish.

96 *Operator.* Any person who has charge, care, or control of a structure or premise which is
97 let or offered for occupancy.

98 *Owner.* Any natural or juridical person recorded in the official public record of the Assessor
99 or Clerk of Court of the 25th Judicial District as holding title or ownership interest in real property.

100 *Parish.* Plaquemines Parish Government.

101 *Pool.* Any natural or manmade cavity, which may hold water, normally used for swimming
102 or garden features.

103 *Premises.* A lot, plot, or parcel of land together with all or any part of any buildings or
104 structures located thereon usually devoted to a particular use, including accessory structures and
105 open spaces required or used in connection with that particular use.

106 *Structure.* That which is built or constructed.

107 *This Chapter.* Chapter 24 of the Parish Code of Ordinances for the Parish of Plaquemines,
108 Louisiana.

109 *Uninhabitable.* Not fit for habitation.

110 *Vacant structure.* A structure that:

111 (1) Is without visible signs of continuous human habitation by persons legally entitled
112 to be on the premises;

113 (2) Is substantially devoid of functional contents pertaining to the operations or
114 activities customary to occupancy; or

115 (3) Is unsecured, such that it is accessible without force to trespassers or other
116 unauthorized persons.

117 *Vacancy.* May be indicated by the absence of utility usage, broken windows, broken doors,
118 or collapsing or dilapidating features that pose a danger to the health, welfare and safety of persons
119 or surrounding properties. Any property that is capable of lawful occupancy and actively being
120 marketed by its owners for sale or rent shall not be deemed vacant.

121 *Vacant land.* A lot, plot, or parcel of land without a structure.

122 *Workmanlike.* Executed in a skilled manner and performed with the same degree of care,
123 skill, and diligence as would be ordinarily exercised by a competent practitioner of the same
124 profession performing similar work under the same or similar circumstances suitable for its
125 intended purpose and free from defects in workmanship or materials.

126 ARTICLE III. – ADMINISTRATION

127 Section 24-6. - Code enforcement.

128 Code officials shall be responsible for the administration and enforcement of this Chapter
129 and Applicable Codes.

130 Section 24-7. - Liability.

131 Code officials and other parish personnel or their representatives charged with the
132 enforcement of this Chapter and applicable codes shall not be rendered personally liable for any
133 damage that may occur to persons or property because of any act in the discharge of their official
134 duties. Code officials and other parish personnel or their representatives shall not be liable for costs
135 in any action, suit, or proceeding that is instituted pursuant to the enforcement of the provisions of
136 this Chapter and applicable codes.

137 Section 24-8. - General duties.

138 (a) Code officials are hereby authorized and directed to enforce the provisions of this Chapter and
139 Applicable Codes. Code officials shall have the authority to render interpretations of this
140 Chapter and Applicable codes and adopt policies and procedures clarifying the application of
141 said provisions. Such interpretations, policies, and procedures shall be in conformity with the
142 intent and purpose of this Chapter and Applicable Codes. Such policies and procedures shall
143 not have the effect of waiving requirements specifically provided for in this Chapter and
144 Applicable Codes. Code officials and any designees thereof charged with the enforcement of
145 this Chapter and Applicable codes are authorized to make inspections, administer, and enforce
146 the provisions of this Chapter and Applicable Codes.

147 (b) Requirements not specifically covered by law but necessary for the strength, stability, and
148 proper operation of an existing fixture, structure, or equipment for the protection, health,
149 welfare, and safety of the people of Plaquemines Parish shall be determined by code officials.

150 Section 24-9. - Inspections.

151 Code officials shall make all the required inspections or may accept inspection reports
152 certified by approved individuals. All inspection reports shall be in writing. Code officials are
153 authorized to engage expert opinions if necessary to report upon any technical issues that may
154 arise.

155 Section 24-10. - Right of entry.

156 (a) In the performance of his or her duties, code officials may enter any lands, structures, or
157 premises in Plaquemines Parish to enforce the provision of this Chapter and Applicable Codes,
158 at any reasonable time, as provided herein.

159 (b) Prior to entering any land, structure, or premises to enforce this Chapter or Applicable Codes,
160 code officials must give notice of their intent to enter. Notice shall be in writing and provide
161 the date and time at which the code official will be present for an inspection. The notice shall
162 also inform the owner or occupant, or both, that he or she may request to reschedule the
163 inspection to another reasonable date and time, not to exceed seven (7) days from the date and
164 time provided for in the notice, by contacting the code official before the stated date.

165 (c) If the property is occupied, notice shall be provided by certified or registered mail to the
166 occupant or the person with an apparent right of possession, with a courtesy copy mailed to
167 the owner at the owner's last known address from the Assessor's records, and conspicuously
168 posted at or near the entrance to the structure or premises to be inspected. If the property is
169 vacant, the notice shall be mailed or delivered to the last known address of the owner from the
170 Assessor's records.

171 (d) After notice has been provided, if the person notified fails to arrange for, denies, or unduly
172 delays entry, the code official may seek a petition for a right of entry by court order. The court
173 shall grant the petition upon determining that:

174 (1) The notice required by subparts (b) and (c) of this section have been provided; and

175 (2) The petition establishes probable cause that an inspection will reveal any violations of
176 this Chapter or Applicable Codes.

177 (e) The petition for right of entry shall be verified by the code official and accompanied by a
178 sworn and signed affidavit containing facts within the personal knowledge of the affiant that
179 probable cause exists that violations of this Chapter or Applicable Codes exist on the property
180 which warrant inspection.

181 (f) Any inspection conducted pursuant to a court order permitting right of entry shall be made
182 within fifteen (15) calendar days of the date the order is issued, unless otherwise provided in
183 the order.

184 (g) Neither a court order nor prior notice is required in any of the following circumstances:

185 (1) Entry is by permission of an owner or occupant upon the code official presenting
186 credentials and requesting entry, or at the request of an owner or occupant of the land,
187 structure, or premises, or by a person with an apparent right of possession; or

188 (2) If the land, structure, or premises is vacant, visibly open and obviously accessible to
189 members of the general public and violations of this Chapter and Applicable codes are in
190 plain view; or

191 (3) Immediately after an accident or disaster that causes the code official to believe that
192 immediate entry is necessary for investigative purposes for the protection, health, welfare
193 and safety of the people of Plaquemines Parish and surrounding properties.

194

195 ARTICLE VI. - PROCEDURE AND SPECIFIC DETERMINATIONS

196 Section 24-11. - Procedure.

197 Notwithstanding other enforcement provisions and remedies available under law, whenever a
198 code official determines that a violation of this Chapter or Applicable Codes exists or has grounds
199 to believe that a violation has occurred, notice, hearing, appeal and all procedures and remedies
200 related thereto, including the collection of resultant debts and liens, shall be administered as
201 provided for in this Chapter.

202 Section 24-12. - Specific determination—Blight and public nuisance.

203 Any structure or premise that is uninhabitable or hazardous, or both, because its physical
204 condition constitutes a threat to public health and safety or lacks the facilities and equipment
205 required by this Chapter or Applicable Codes, may be declared a blight or public nuisance, or both,
206 by a hearing officer. If the Parish demolishes any uninhabitable and hazardous structure located
207 on the premises, the blight and public nuisance order shall not be deemed satisfied.

208 Section 24-13. - Abatement.

209 An owner shall abate or cause a structure or premise to be abated in accordance with the
210 hearing officer's order. If the offender fails to abate within the time prescribed by the hearing
211 officer, the code official may cause the premises to be abated by parish employees or third-party
212 contractors without further notice or hearings, and the costs of abatement shall be charged against
213 the premises and shall result in an lien upon such property. A certified copy of the statement of
214 costs reflecting the amount of such charges shall be filed with the recorder of mortgages, which
215 shall operate as a lien and privilege in favor of the Parish against the property.

216 Section 24-14. - Abatement manner.

217 (a) A hearing officer shall order any and all necessary and lawful measures to correct or abate
218 any violations, including without limitation repairing the premises to ensure compliance with
219 this Chapter and Applicable codes, securing the premises from entry by others, and
220 demolishing any unsafe buildings or structures upon the premises. The correction, repair, or
221 alteration of any violation shall be completed within the time frame required by the hearing
222 officer's order.

223 (b) Any repairs, maintenance work, alterations or installations which are caused directly or
224 indirectly by the enforcement of this Chapter and Applicable Codes shall be executed and
225 installed in a workmanlike manner and, if applicable, installed in accordance with the
226 manufacturer's instructions.

227 Section 24-15. - Abatement by demolition.

228 Upon recommendation by a code official, if in the opinion of the hearing officer the facts
229 justify that a building or structure is unsafe and by reason of its nature or condition endangers the
230 public health, welfare or safety, he may order the building or structure to be abated by
231 demolition. The order shall provide the specific violations of this Chapter and Applicable Codes
232 that justify abatement by demolition. The following additional provisions shall apply to
233 demolition abatement orders:

234 (a) If the owner of the building or structure fails or refuses to comply with the order and fails
235 to appeal therefrom within the legal delays provided herein, the Parish may proceed with
236 the demolition or removal of the building or structure, in which case neither the Parish,
237 any employee of the parish, or person acting on behalf of the Parish shall be liable for
238 damages.

239 (b) Prior to the demolition, the Parish shall serve notice upon the owner via certified or
240 registered U.S. Mail information that the owner's period of time to comply with the
241 hearing officer's order has expired, requiring The Parish to take actions at the owner's
242 expense. Notice shall also be attached to a door or entrance of the building or structure
243 forty-eight (48) hours prior to a demolition authorized by this Section.

244 (c) The Parish is hereby authorized to file suit in 25th Judicial District Court for the State of
245 Louisiana to enforce any action or order made pursuant to this Chapter, including without
246 limitation restraining orders, injunctions, writs of mandamus, contempt proceedings, and
247 evictions.

248 Section 24-16. - Abatement by boarding.

249 If an abatement is ordered by boarding a structure to secure the premises from entry by
250 others, the following additional provisions shall apply:

251 (a) All windows and doors shall be boarded as provided herein to be watertight and prevent
252 entry by unauthorized persons.

253 (b) Boarding shall be painted to correspond to the color of the existing structure unless
254 otherwise approved by the code official.

255 (c) All waste, rubbish, and debris shall be removed from the interior of the structure prior to
256 boarding.

- 257 (d) Wood boarding shall not remain for more than six months, unless approved by the code
258 official, and the following factors shall be considered by the code official prior to granting
259 approval:
- 260 (1) The age of the structure,
 - 261 (2) The architectural significance of the structure,
 - 262 (3) The historic significance of the structure, and
 - 263 (4) The integrity of the boarding materials.
- 264 (e) Boarding materials shall be as follows:
- 265 (1) Boarding sheet material shall be a minimum of ½ thick wood structural panels
266 complying with the Building Code, as amended, and/or any other materials approved
267 by the code official.
 - 268 (2) Boarding framing material shall be minimum nominal 2-inch by 4-inch solid sawn
269 lumber complying with the Building Code, as amended, and/or any other materials
270 approved by the code official.
 - 271 (3) Boarding fasteners shall be minimum 3/8-inch diameter carriage bolts of such a
272 length as required to penetrate the assembly and as required to adequately attach the
273 washers and nuts. Washer and nuts shall comply with the Building Code, as
274 amended, and/or any other materials approved by the code official.
- 275 (f) Boarding installation shall be in accordance with the following provisions or by any other
276 means approved by the code official.
- 277 (1) The boarding sheet material shall be cut to fit the door or window opening neatly or
278 shall be cut to provide an equal overlap at the perimeter of the door or window.
 - 279 (2) Windows shall be opened to allow the carriage bolt to pass through or the window
280 sash shall be removed and stored. The 2-inch by 4-inch strong back framing material
281 shall be cut a minimum two inches wider than the window opening and shall be
282 placed on the inside of the window opening six inches minimum above the bottom
283 and below the top of the window opening. The framing and boarding shall be pre-
284 drilled. The assembly shall be aligned and the bolts, washers, and nuts shall be
285 installed and secured.
 - 286 (3) The door opening shall be framed with a minimum 2-inch by 4-inch framing material
287 secured at the entire perimeter and vertical members at a maximum of 24 inches on
288 center. Blocking shall also be secured at a maximum of 48 inches on center vertically.
289 Boarding sheet material shall be secured with screws and nails alternating every six
290 inches on center.
 - 291 (4) Doors shall be secured by the same method as for windows or door openings. One
292 door to the structure shall be available for authorized entry and shall be secured and
293 locked in an approved manner.

294 ARTICLE VII. - EMERGENCY PROCEDURES

295 Section 24-17. - Emergency procedures.

- 296 (a) In an emergency where life, health, property or public safety is in imminent danger, a code
297 official may take any necessary actions to protect the endangered life, health, property or
298 public safety without complying with the notice and hearing provisions of this Chapter.
- 299 (b) An imminent danger to life, health, property or public safety exists whenever there is a
300 substantial likelihood that serious injury to persons or property will occur prior to fully
301 complying with the notice and hearing provisions provided in this Chapter.
- 302 (c) If a determination is made that an emergency exists, when practical, a code official shall
303 immediately cause a notice of such determination to be posted conspicuously on the structure
304 or at the entrance of the premises. The notice shall state the nature of the emergency that
305 exists, that imminent actions may be taken to ameliorate the dangerous or unsafe conditions
306 that created the emergency, and that any abatement actions will be taken without further notice
307 or hearing. The notice shall include the name and contact information of said code official.

- 308 (d) In all emergencies the code official must cause the dangerous or unsafe conditions that created
309 the emergency to be photographed before any work or operation begins to eliminate the
310 dangerous or unsafe conditions.
- 311 (e) Any determination that an emergency demolition is necessary to protect life, health, property
312 or public safety shall be made by the Chief Building Official or by the Parish President's
313 designee.
- 314 (f) Upon any determination that a health emergency exists, which may cause the introduction,
315 spread, or transfer of any infectious or communicable disease, or that implicates any noxious
316 element that is physically harmful to the health of individuals, the Superintendent of the Health
317 Department shall be notified.
- 318 (g) When necessary for the public safety, a code official may temporarily close adjacent structures
319 with permission of the Parish President and close adjacent sidewalks, streets, and other public
320 right of ways and prohibit them from being used.
- 321 (h) Any pool that fails to comply with the fencing or filtration requirements under parish or state
322 law shall be deemed an emergency to the health, safety, and welfare of the public, permitting
323 immediate remediation of the pool to prevent injury. Code officials shall have the authority to
324 immediately fill improperly secured or stagnant pools. The Parish or persons acting under its
325 authority may, at any reasonable time, enter upon the premises or lot to immediately fill in
326 any pool found to be out compliance with the law.
- 327 (i) Liability for expenses incurred for performing work under this Section and the procedure for
328 collecting resultant debts and liens are provided for in this Chapter.

329 ARTICLE VIII. - ADMINISTRATIVE PROCEDURES

330 Section 24-18. - Definitions.

331 For the purposes of this Article, the following terms shall have the meanings ascribed to them,
332 except when the context clearly indicates a different meaning:

333 *Code violation* means a civil violation of any provision of this Chapter or Applicable Codes,
334 as amended.

335 *Order, judgment, or notice of judgment* means any lawful and enforceable administrative act
336 of the hearing officer.

337 *Unoccupied* means having no legal occupants, vacant.

338 *Offender* means persons, natural or juridical, who has been found liable for a code violation
339 or ordered to abate or correct a violation in an order issued by a Hearing Officer under this Article.

340 Section 24-19. – Authorization.

341 Code officials having a responsibility for the enforcement of code violations may enforce
342 violations against the owners of immovable property or their agents, tenants, or representatives,
343 pursuant to the administrative adjudication procedures established in this Chapter.

344 Section 24-20. - Appointment of hearing officer.

345 (a) Administrative adjudication proceedings under this Chapter shall be conducted before a
346 hearing officer who has been licensed to practice law in Louisiana for at least three (3) years.

347 (b) Hearing officers shall be appointed by the President and confirmed by a majority vote of the
348 Parish Council. Hearing officers shall serve four years, but in no case serve beyond the current
349 term of the Parish President that nominated him or her, without renomination and confirmation
350 by the Parish Council.

351 (c) Hearing officers shall be sworn in before the Parish Attorney or some other legal
352 representative of the Parish to uphold the constitution and laws of the United States and the
353 State of Louisiana, the Charter for Local Self-Government for Plaquemines Parish, Louisiana
354 and any and all ordinances enacted pursuant thereto.

355 Section 24-21. - Authority of hearing officer.

356 Hearing officers who have been appointed and sworn in accordance with Section 24-20 shall
357 have the authority to hear and decide all code violations of this Chapter or Applicable Codes.

358 Section 24-22. - Powers of a hearing officer.

- 359 The hearing officer shall have the power to:
- 360 (a) Administer oaths and affirmations;
 - 361 (b) Issue orders compelling the attendance of witnesses and alleged offenders and the
362 production of documents;
 - 363 (c) Determine whether an alleged offender is liable for code violations;
 - 364 (d) Levy fees, costs, and monetary penalties;
 - 365 (e) Order offenders to correct violations within a stipulated time;
 - 366 (f) Take any and/or all necessary and lawful measures to effect corrections of the violation
367 if the offender fails to do so within the time allocated by the hearing officer; and,
 - 368 (g) Record orders, judgments, notices of judgments, or liens in the mortgage office of the
369 Clerk of Court.

370 Section 24-23. - Procedure for hearing.

- 371 (a) Whenever a code official having enforcement responsibility determines that a code violation
372 exists, a notice of violation shall be provided to the owners and any other interested parties
373 the code official deems necessary.
- 374 (b) A notice of violation shall:
 - 375 (1) Be in writing;
 - 376 (2) Provide the address of the cited property;
 - 377 (3) Provide the date of the inspection;
 - 378 (4) Provide notice of alleged code violations at the cited property;
 - 379 (5) Provide the mailing address and telephone number of the code official's office;
 - 380 (6) Provide the time, date, and location of the administrative hearing whereby the alleged
381 code violation shall be heard and adjudicated;
 - 382 (7) Provide notice that the failure to appear at the administrative hearing or respond as
383 permitted in this Article may be considered an admission of liability for the alleged
384 violation, unless the hearing officer finds by clear and convincing evidence to the
385 contrary;
 - 386 (8) Provide the risk of fees, penalties, costs, and liens that may be imposed for continued
387 violations; and,
 - 388 (9) Provide the risk of remedial measures that may be ordered by a hearing officer to correct
389 or abate code violations.
- 390 (c) Prior to holding an administrative hearing pursuant to this Chapter, the alleged offender shall
391 be notified at least fifteen (15) days in advance of the date that such a hearing is scheduled.
392 Notice shall be personally served or sent to the alleged offender by regular and certified or
393 registered U.S. Mail at the address listed in the records of the Assessor's office. The postmark
394 date shall be deemed to be the date of delivery. Any notice returned by the U.S. Postal Service
395 shall be considered as having fulfilled the notice requirement. Proof of notification and
396 attempts at service shall be entered in the record for each case prior to the hearing.
- 397 (d) In addition to the service provided in subsection (c), a copy of the notice of violations shall be
398 affixed in a prominent location on the property upon which violations are alleged or, if safe
399 access to the property is not reasonably practicable, on some prominent fixture on the adjacent
400 public right-of-way as near as possible to the property at least five (5) days in advance of the
401 date of the hearing. It shall be unlawful for any person other than an agent of the parish to
402 remove a notice posted on the public right-of-way prior to the commencement of the hearing.
403 Any person found guilty of violating the preceding sentence shall be fined not more than five
404 hundred dollars, or imprisoned for not more than six (6) months, or both.
- 405 (e) Any person charged with code violations may present any relevant evidence and testimony at
406 such hearing and may be represented by an attorney. An alleged offender's physical presence
407 shall not be required at the hearing if documentary evidence duly verified by such person is
408 submitted to the hearing officer by a code official prior to the date of the hearing. Nothing
409 contained herein shall be construed to limit the authority or the ability of a hearing officer to
410 determine an alleged offender's liability based solely upon submitted documentary evidence.

411 It shall be considered an admission of liability for the charged violation if the alleged offender
412 fails to appear at the hearing to present evidence and fails to submit documentary evidence
413 prior to the date of the hearing for the hearing officer to consider.

414 (f) Any order compelling the attendance of witnesses or the production of documents may be
415 enforced by any court of competent jurisdiction.

416 (g) Any administrative adjudication hearing held under the provisions of this Article shall be
417 conducted in accordance with the rules of evidence of the Administrative Procedure Act,
418 L.R.S. 49:950, *et seq.* Testimony of any person shall be taken under oath and by audio or
419 video recording.

420 (h) The hearing officer shall issue a final order, judgment, or notice of judgment within thirty (30)
421 days of the hearing, excluding legal holidays. A copy of the final order, judgment, or notice
422 of judgment may be personally served and shall be sent to the offender by regular and certified
423 or registered U.S. Mail within fourteen (14) days of issuance. The order, judgment, or notice
424 of judgment shall:

425 (1) Be signed by the hearing officer;

426 (2) State whether the alleged offender is liable for each violation and any specific
427 determinations thereto;

428 (3) Provide the amount of fees, costs, and penalties assessed for each violation;

429 (4) Provide the defects to be corrected and the extent by which each violation shall be
430 corrected, repaired, and/or abated;

431 (5) Provide a reasonable period of time by which each violation shall be corrected, repaired
432 or abated;

433 (6) Notify the offender of their right to appeal; and

434 (7) Notify the offender that the Parish may act to abate violations if the offender fails to act
435 in accordance with the order, judgment, or notice of judgment, where applicable.

436 (i) The Parish may enforce any order assessing fees, costs, and penalties, and/or stipulating a
437 required correction, repair, or abatement measure.

438 (k) In cases regarding blighted or abandoned property, the Parish and hearing officer shall provide
439 notice to the property owners and to all mortgagees of record as required by Paragraphs (D)(2)
440 and (F)(2) of L.R.S. 13:2575.

441 Section 24-24. - Penalties.

442 (a) A penalty may be imposed by the hearing officer for each violation existing on, in, or upon
443 any structure or premise. There is hereby authorized a civil penalty not to exceed five hundred
444 dollars (\$500.00) for each violation of this Chapter or Applicable Codes. Each day that a
445 violation continues after due notice has been served shall be deemed a separate offense.

446 (b) A schedule of monetary penalties may be established by ordinance providing specific penalty
447 amounts for specific code violations, but if no schedule of monetary penalties is established
448 by ordinance, then by the hearing officer's discretion, not to exceed an amount provided in
449 subsection (a) of this Section.

450 Section 24-25. - Costs.

451 (a) Costs and expenses, in addition to the penalties provided for herein, that may be recovered
452 and enforced against an offender under this Chapter include:

453 (1) The Parish's direct cost for abatement;

454 (2) Costs of salary and all applicable overhead of parish staff and contract personnel involved
455 in the investigation, enforcement, and/or remediation or abatement of a violation;

456 (3) The Parish's costs for equipment use or rental;

457 (4) Attorney's fees;

458 (5) Reasonable hearing and/or court costs including but not limited to hearing officer and
459 witness fees;

460 (6) Costs of engineering and other technical services and studies as may be required;

- 461 (7) Costs of monitoring programs necessary for correcting, monitoring, abating, or mitigating
462 violations; and
- 463 (8) Any other fee, cost, or expense reasonably and rationally related to the Parish's
464 enforcement actions to bring violations into compliance or to abate or correct a violation
465 of local, state, or federal law.

466 (b) At any point in the enforcement process after the time for voluntary compliance has expired
467 or following the conclusion of the Parish's enforcement/abatement actions, the Parish shall
468 notify the offender of the proposed full cost of recovery and penalties against the real property
469 that was the subject of the enforcement/abatement action. The notice issued must provide a
470 cost schedule and contain a date not less than thirty (30) days from the date of mailing
471 providing a hearing with an administrative hearing officer to appeal the accuracy and
472 reasonableness of the costs.

473 (c) If payment is not received within thirty (30) days of mailing the notice of the full costs of
474 recovery and penalties, or following any appeal upholding all or part of the full costs of
475 recovery and penalties, whichever occurs later, the Parish may lien the property that was
476 subject to the enforcement/abatement action for all applicable costs and penalties by filing and
477 recording the cost recovery notice or administrative hearing judgment affirming appropriate
478 costs and penalties with the Clerk of Court for the Parish of Plaquemines.

479 Section 24-26. - Liens.

480 (a) The Parish shall have a lien and privilege against the immovable property in or on which any
481 violations occurred. The lien and privilege shall secure all fines, fees, costs, and penalties that
482 are assessed by the Parish and described in the order, judgment, or notice of judgment and the
483 notice or statement of costs. The recordation of the order, judgment, or notice of judgment
484 and the notice or statement of costs in the mortgage office of the parish shall constitute a lien
485 and privilege against the land upon which violations exists. Any lien and privilege recorded
486 against an immoveable property under this Article shall be included in the next annual ad
487 valorem tax bill and enforced, pursuant to and in conformity with LRS 13:2575.

488 (b) The Parish, upon recordation of the order, judgment, notice of judgment, or lien, may institute
489 a suit against the owner of record in any court of competent jurisdiction to enforce the order,
490 judgment, notice of judgment, or lien.

491 (c) In order for the lien and privilege to arise, the order, judgment, notice of judgment, or lien
492 shall be final and not subject to appeal when recorded in the mortgage office.

493 (d) Any monies collected pursuant to this Chapter shall first satisfy all outstanding parish liens
494 recorded against an immovable property and only when all outstanding parish liens are
495 satisfied in full shall monies be applied towards an immovable property's ad valorem taxes.

496 (e) Any liens and privileges provided for herein shall be ranked as provided by L.R.S.
497 9:4821(A)(1).

498 Section 24-27. - Appeal.

499 Any person determined by the hearing officer to be liable for a code violation may appeal the
500 determination to 25th Judicial District Court, State of Louisiana. Such appeal shall be instituted by
501 filing, within thirty (30) calendar days of the mailing of the hearing officer's order, a petition along
502 with payment of such costs as may be required by the Clerk of Court. Service of notice of appeal
503 under this Section shall not stay the enforcement and collection of the judgment unless the person
504 who files the appeal furnishes security prior to filing notice of appeal with the parish Finance
505 Department in the amount fixed by the hearing officer sufficient to assure satisfaction of the
506 finding of the hearing officer relative to the fines, fees, monetary penalties, costs of the hearing,
507 and costs, if any, of correcting any violations.

508 Section 24-28. - Remedies not exclusive.

509 The regulations, procedures, and remedies established by this Chapter are nonexclusive and
510 may be pursued independently of each other and in addition to other remedies provided by law.

511 Section 24-29. - Recordkeeping.

512 (a) At its commencement by notice of violation, every administrative adjudication proceeding
513 under this Chapter shall be assigned a docket number and be styled in the form of
514 "Plaquemines Parish Government versus" followed by the name of the alleged offender. The

515 physical records pertaining to each proceeding shall be maintained as a separate file in a
516 manner similar to civil cases filed with the Clerk of Court of Plaquemines Parish.

517 (b) The code official charged with the enforcement of an ordinance within the scope of this
518 Chapter shall, with the advice of the Legal Department, maintain a log or index of all
519 adjudication proceedings which shall set forth following information:

520 (1) The style and docket number of the case and the date it was commenced;

521 (2) Alleged Code violations;

522 (3) Date of the alleged violations;

523 (4) Address or other description of the property upon which the alleged violations exist or
524 have occurred;

525 (5) Dates of any hearings, trials or continuances and the dates of their commencement and/or
526 termination and, if the case is terminated, of its final disposition;

527 (6) Statements as to the dates of any hearing and of any final order in the case and as to
528 whether and when any lien was filed; and,

529 (7) Statements as to the date of filing and disposition of any appeal.

530 Section 24-30. – Transfer of ownership.

531 (a) It shall be a violation for any person to donate, transfer, sell or convey ownership
532 interest in any property that is the subject of a noticed violation made pursuant to
533 Chapter 24 of the Parish Code of Ordinances without first notifying the code official
534 that sent said notice of violation.

535 (b) Whoever commits a violation in Subsection (a) of this Section shall be fined not
536 more than five hundred dollars, imprisoned without hard labor for not more than
537 six months, or both.”

538 SECTION 2

539

540 The following Sections of Chapter 16 of the Parish Code of Ordinances are hereby repealed
541 in their entirety:

- 542 • Section 16-1.2. Board of Abatements
- 543 • Section 16-6. Service Notice
- 544 • Section 16-7. Abatement by parish
- 545 • Section 16-8. Parish's costs declared lien
- 546 • Section 16-8.1. Privilege and lien established
- 547 • Section 16-8.2. Preservation and enforcement after referral of owner to pay costs
- 548 • Section 16-8.3. Affidavit to be filed and recorded
- 549 • Section 16-8.4. Enforcement
- 550 • Section 16-8.5. Cancellation
- 551 • Section 16-8.7. Payment of taxes

552

553 SECTION 3

554

555 The Secretary of this Council is hereby authorized and directed to immediately certify and release
556 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of
557 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

558

- 55 3) The sale shall include a reservation of all mineral rights to the Parish, but shall convey all
56 surface rights.
57
- 58 4) The following shall also be completed prior to closing:
59
- 60 a. E&P Consulting Services, LLC has provided notice to those persons identified in
61 accordance with LS-R.S. 47:2201 et. seq. Proof of said notice will be filed in the
62 records of Plaquemines Parish immediately after the filing of the Non-Warranty
63 Deed in the form of a Mortgage Record Affidavit.
64
 - 65 b. At the time of closing, the E&P Consulting Services, LLC will certify in writing to
66 Parish Attorney and Clerk of Court that the number of days mandated by LS-R.S.
67 47:2201 et. seq. has elapsed since the above required notice was made or attempted
68 and that the property has not been redeemed by the payment of the taxes owed.
69
 - 70 c. Immediately following the closing, a check representing the full purchase process
71 of each parcel will be delivered to the Plaquemines Parish Tax Collector.
72

73 SECTION 2
74

75 The Secretary of this Council is hereby authorized and directed to immediately certify and release
76 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of
77 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.
78

RESOLUTION NO. 24-

The following Resolution was offered by Council Member Jurisich who moved its adoption:

1 A Resolution clarifying and establishing the terms, vacancies, and existing
2 membership of the Plaquemines Parish Tourist Commission; appointing new
3 members to the Plaquemines Parish Tourist Commission; authorizing the Parish
4 President to enter into or amend a Cooperative Endeavor Agreement with the
5 Plaquemines Parish Tourist Commission; and otherwise to provide with respect
6 thereto.
7

8 DIGEST: A Resolution to clarify and establish the terms, vacancies, and existing membership of
9 the Plaquemines Parish Tourist Commission; to appoint two (2) new members to the same;
10 authorize an amendment or new Cooperative Endeavor Agreement with same. *The digest is for*
11 *informational purposes only and is superseded by the language of the actual ordinance or*
12 *resolution.*
13

14 WHEREAS, Resolution No. 13-324 established the terms of inaugural members of the
15 Plaquemines Parish Tourist Commission longer than the prescribed three (3) year term under state
16 law, which needs to be corrected; and
17

18 WHEREAS, there are presently two (2) vacancies on the Plaquemines Parish Tourist Commission,
19 which need to be filled;
20

21 NOW, THEREFORE:

22
23 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT it hereby reappoints
24 and reaffirms the existing membership of the Plaquemines Parish Tourist Commission as follows:
25

- 26 Seat 1: Foster Creppell, appointed by Resolution No. 13-324
- 27 Seat 2: Jolie Gasquet, appointed by Resolution No. 15-164
- 28 Seat 3: Charlotte Morris Buras, appointed by Resolution No. 23-67
- 29 Seat 4: Don Valle, appointed by Resolution No. 22-184
- 30 Seat 5: Vacant, former seat of Sal Gagliano, previously appointed by Resolution
31 No. 15-164
- 32 Seat 6: Justine Demolle, appointed by Resolution No. 23-67
- 33 Seat 7: Vacant, former seat of Rosemary White, previously appointed by
34 Resolution No. 23-67
35

36 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT effective
37 immediately it hereby appoints the following persons who meet the minimum qualification
38 established by state law to the following vacant seats of the Plaquemines Parish Tourist
39 Commission:
40

- 41 Seat 5: Bridgette _____, nominated by ____
- 42 Seat 7: Mackey Lincoln
43

44 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
45 Plaquemines Parish Tourist Commission term for all existing and newly appointed members
46 pursuant to this Resolution shall be from November 1, 2022, through October 31, 2025. The next
47 Tourist Commission term shall commence on November 1, 2025, and each new term shall
48 commence every three (3) years thereafter.
49

50 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the Parish
51 President is hereby authorized for any lawful purpose to enter into or amend a Cooperative
52 Endeavor Agreement with the Plaquemines Parish Tourist Commission.
53

54 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL THAT the
55 Secretary of this Council hereby authorized and directed to immediately certify and release this
56 Resolution and that Parish employees and officials are authorized to carry out the purpose of this
57 Resolution, both without further reading and approval by the Plaquemines Parish Council.
58

ORDINANCE NO. 24-

The following Ordinance was offered by Council Member Jurisich who moved its adoption:

1 An Ordinance to amend the 2024 General Fund, Operating Expenditure Budget,
2 Coastal Resource and Protection Department; and otherwise to provide with
3 respect thereto.

4 DIGEST: An ordinance to amend the 2024 Operating Expenditure Budget, Coastal Resource and
5 Protection Department by appropriating \$50,000 to purchase a new vehicle. *The digest is for*
6 *informational purposes only and is superseded by the language of the actual ordinance or*
7 *resolution.*

8
9 WHEREAS, a review of the operating expenditure budget was performed and an amendment is
10 necessary;

11 NOW, THEREFORE:

12 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

14 The 2024 General Fund, Operating Expenditure Budget, Coastal Resource and Protection
15 Department is amended as follows:

Fund: 001 General Disposal			
Dept/Div: 772-4600 Coastal Resource & Protection Dept.			
Object	Description	Inc/ Dec	Amendment
532.001	Prof Services General	Dec	(50,000)
561.020	Vehicles – Light Trucks & Vans	Inc	50,000

SECTION 2

26 The Secretary of this Council is hereby authorized and directed to immediately certify and release
27 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of
28 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 24-

The following Ordinance was offered by Council Member Jurisich who moved its adoption:

1 An Ordinance to amend the 2024 Operating Expenditure Budget; and otherwise to
2 provide with respect thereto.

3 DIGEST: An ordinance to appropriate \$36,000 to the 2024 Operating Expenditure Budget, Boat
4 Harbor departments to purchase three mowers. *The digest is for informational purposes only and is*
5 *superseded by the language of the actual ordinance or resolution.*

6
7 WHEREAS, a review of the operating expenditure budget was performed and amendments are
8 necessary;

9 NOW, THEREFORE:

10 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

12 The 2024 Operating Expenditure Budget is amended as follows:

Fund: 448 Boat Harbors & Shipyards Fund			
Dept/Div: 562-2835 Boat Harbors Buras			
Object	Description	Inc/ Dec	Amendment
532.080	Prof Services Disposal-Oil Waste	Dec	(36,000)
Fund: 448 Boat Harbors & Shipyards Fund			
Dept/Div: 560-2810 Shipyards Empire			
Object	Description	Inc/ Dec	Amendment
565.020	Equip Tractors & Mowers	Inc	12,000
Fund: 448 Boat Harbors & Shipyards Fund			
Dept/Div: 562-2830 Boat Harbors Empire			
Object	Description	Inc/ Dec	Amendment
565.020	Equip Tractors & Mowers	Inc	12,000
Fund: 448 Boat Harbors & Shipyards Fund			
Dept/Div: 562-2850 Boat Harbors Pointe ala Hache			
Object	Description	Inc/ Dec	Amendment
565.020	Equip Tractors & Mowers	Inc	12,000

SECTION 2

42 The Secretary of this Council is hereby authorized and directed to immediately certify and release
43 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of
44 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

46 Recreational Vehicle (RV) Site- A specific area within a recreational vehicle park or parcel of
47 property that is set aside for use as a temporary living site.

48 Temporary Permit – A Permit issued pursuant to this Ordinance by the Department authorizing
49 the construction and operation of a temporary RV park or site.

50 **Subsection 4. Permit Required.**

51 A. Any applicant seeking to construct and operate a temporary recreational vehicle park or
52 site pursuant to this Ordinance shall obtain a temporary permit from the Department.

53
54 B. Before the issuance of any temporary permit, the applicant shall sign a notarized affidavit,
55 prepared by the Parish Attorney’s Office, acknowledging and agreeing to the terms,
56 conditions, and regulations provided therein and set forth in this Ordinance and shall obtain
57 an Occupational License.

58
59 C. The Department shall not accept any temporary permit applications three (3) years after
60 the effective date of this Ordinance. No temporary permit term shall extend four (4) years
61 after the effective date of this Ordinance.

62
63 D. Temporary permits issued pursuant to this Ordinance shall not exceed a term of three (3)
64 years.

65
66 **Subsection 5. Adoption of Codes for Recreational Vehicle Parks.**

67 A. All Federal, State and other local laws, regulations, and codes applicable to the said
68 property and temporary recreational vehicle parks or sites are hereby adopted, as amended,
69 which shall include the State Sanitary Code, State of Louisiana, as adopted and amended
70 and the N.F.P.A.1194: Standard for Recreation Vehicle Parks and Campgrounds, as
71 amended, save and except such portions as are hereinafter specifically excluded, and the
72 same are hereby adopted and incorporated, as fully as if set out at length herein and shall
73 be in full force and effect from the effective date of this Ordinance.

74
75 B. The following rules and regulations are hereby made effective for RV Parks:

76
77 1. All Applicants must file an application for a permit on a form prepared by the Department
78 and must submit a complete plot plan drawn to scale of no less than one inch (1”) equal to
79 fifty (50’) feet and on paper no larger than 24” by 36”, which shall show the area
80 dimensions of the park, the number, location and size of all spaces; the maximum size
81 trailer or recreational vehicle each space can accommodate the location and arrangement
82 of roadways, the location of service buildings and proposed structures; the location and
83 size of water and sewer lines or sewerage disposal system; the proposed plan for drainage
84 of the property included in the park to the Parish Drainage Canal; and the plans and
85 specification for streets, roadways, and lighting to be constructed and installed in said park.
86 The plans shall conform to the requirements set forth in this Subsection.

87
88 2. There shall be a signature and certification of a Registered Land Surveyor or Civil
89 Engineer, State of Louisiana, that prepared the plans submitted, whether original or final,
90 and that the same conform to the requirements of this Ordinance.

91
92 3. A driveway permit from the Parish or State, as the case may be, for access to the public
93 street right of way shall be obtained.

94
95 4. After securing written approval from the appropriate department heads of the plans and
96 specifications required by this Ordinance and upon approval by the Director of Public
97 Service, the applicant will be notified by the Department of the application’s conditional
98 approval and be instructed to begin construction of the temporary RV Park.

99
100 5. When the Applicant has completed all construction and installations in accordance with
101 the infrastructure requirements detailed herein, as conditionally approved, the Director of
102 Public Service shall cause an inspection to be made of the RV park. When the Director of
103 Public Service is satisfied that all provisions of the Conditional Approval have been

104 complied with, the Department shall issue and release the temporary RV park permit to the
105 Applicant.
106

107 6. Qualifications of applicants for a temporary permit for RV parks shall be the same as
108 provided in Section 13 of the Parish Liquor Permit Ordinance No. 103, as amended.
109

110 7. The following are the infrastructure and installation requirements for the construction of
111 RV Parks.
112

113 a. Have an occupied area, which shall not exceed seventy-five (75%) percent of the
114 parcel.
115

116 b. Be designed and constructed at such elevation, distance and angle with respect to
117 its access to provide for safe and efficient placement and removal of recreational
118 vehicles.
119

120 c. Except for RV parks in which every site fronts on an existing dedicated and
121 accepted public road, street or highway, each space shall abut on a roadway or
122 street, which shall have a minimum right of way width of ten (10') feet per traffic
123 lane and eight (8') feet per parallel parking lane with adequate surfacing for easy
124 traverse and drainage in all weather conditions. It shall be the duty of the
125 recreational vehicle park Applicant to construct, install or otherwise provide the
126 above-mentioned roadway/street. The duty shall include maintenance,
127 reconstruction, and upkeep of said roadway/street. The RV park roadway/street
128 shall be classified private and shall not be the responsibility of the Parish of
129 Plaquemines or the Plaquemines Parish Government.
130

131 d. Have adequate drainage with drainage structures in or under all street, driveway,
132 and alley rights of way.
133

134 e. Have adequate space for parking of one (1) motor vehicle (other than the
135 recreational vehicle) with a minimum size of 9'X20' for each site and which must
136 be located off the public street or highway and off the RV park roadway or street.
137

138 f. Have a minimum of ten (10') feet between the front boundary line and the
139 recreational vehicle and a minimum of five (5') feet between the exterior side
140 boundary line and the recreational vehicle, and five (5') feet between the rear
141 boundary line and the recreational vehicle. The front boundary line shall be that
142 which fronts on the recreational vehicle park roadway/street. Recreational vehicles
143 shall not be located closer than ten (10') feet (3.0m) from any other recreational
144 vehicle or permanent building within or adjacent to the recreational vehicle or
145 permanent building within or adjacent to the recreational vehicle park.
146

147 g. Have hard surfacing of the public street right of way from the existing surface to
148 the property line.
149

150 h. For a closed end street have a turn area at the closed end providing a turning loop
151 having a minimum inside radius of thirty (30') feet for public service vehicles (fire,
152 garbage, ambulance, etc.) and other vehicular traffic.
153

154 i. Have road curves designed for use by all types and sizes of recreational vehicles
155 with a minimum internal radius of twenty-five (25) feet.
156

157 j. Have fire hydrants and fire service water lines installed in such a manner that fire
158 hydrants shall be located not in excess of two hundred fifty (250) feet apart from
159 any recreational unit site and of sufficient size to insure twenty (20) pounds per
160 square inch pressure at all outlets, provided that water lines and fire hydrants shall
161 not be less than six (6") inches in diameter.
162

- 163 k. Have adequate lighting to provide at least one 175 mercury vapor light or its
164 equivalent for every eight (8) sites. In no event shall the distance between two lights
165 be over two hundred fifty (250) feet.
166
- 167 l. Have the first floor of enclosed buildings meeting FIA base flood elevation
168 requirements or be a minimum of 18” above the centerline of the street, whichever
169 is greater.
170
- 171 m. All R/V parks shall meet the minimum standards for fire protection and potable
172 water and sanitary sewer utilities, pursuant to applicable federal, state and local
173 laws, rules, and regulations.
174
- 175 n. Public Services Provisions:
176
- 177 i. Except as otherwise provided herein, all public services shall terminate at
178 the intersection of the private street with the public street right of way
179 providing access to the recreational vehicle park. The applicant shall be
180 responsible for the construction, repair, maintenance, and upkeep of all
181 utilities from the public right of way to each space, and the Parish of
182 Plaquemines and the Plaquemines Parish Government shall have no
183 responsibility or liability therefor.
184
- 185 ii. The applicant shall provide for a sanitary sewer system for the recreational
186 vehicle park pursuant to local, state, and federal sanitation codes.
187
- 188 iii. If the applicant desires to have other public services for each park space the
189 applicant shall construct the same pursuant to minimum Parish standards
190 for such services.
191
- 192 iv. The applicant of each RV park shall place a permanent number marking
193 each space, which is clearly visible and identifiable from the roadway. Said
194 numbered space must correspond with the physical (911) address as shown
195 in the plan required by this Ordinance.
196
- 197 o. No animals shall be allowed to roam at large or to become a public nuisance in and
198 around any RV park, and it shall be the responsibility of the owner of the animal to
199 keep the premises free from unconfined, noisy, or dangerous animals.
200
- 201 p. RV parks shall be free from litter, junked or abandoned automobiles and debris and
202 shall provide facilities for the collection of garbage and trash as required by the
203 Plaquemines Parish Government for the pickup thereof.
204
- 205 q. No trucks, trailers, automobiles or other commercial vehicles bearing
206 advertisements are to be stored or parked in any recreational vehicle park conduct
207 any type business except when making deliveries. Passenger vehicles owned by a
208 resident of a recreational vehicle park shall be parked on parking spaces provided
209 on the site, and not on the street.
210
- 211 r. All RV parks shall erect a sign identifying the temporary permit number along with
212 a working phone number and email address for the Applicant. The sign must be
213 legible and no less than thirty (30) feet from the nearest public or private road
214 providing access to the parcel of property.
215
- 216 s. No live oak trees or bald cypress trees above 10 inches in diameter shall be
217 destroyed in the construction of any Temporary RV Park.
218
- 219 C. Applicants seeking temporary permits for RV sites on parcels with two (2) or less RV sites
220 shall submit a plot plan showing all the water, sewer, and electrical installations as per
221 applicable permit codes. No temporary permit shall be issued until final inspections have
222 been made.

223

224

225

226 **Subsection 6. Occupancy Term.**

227 No RV shall occupy the same RV site for more than one hundred eighty (180) days. The
228 Department shall develop policies related to the enforcement of this Section. All policies shall
229 ensure compliance with FEMA rules and regulations.

230 **Subsection 7. Parish Inspection.**

231 Upon presentation of proper credentials, any parish official may enter at reasonable times any
232 parcel of property with a temporary RV park or site permitted pursuant to this Ordinance to inspect
233 compliance with the requirements of this Ordinance and to perform any other duties imposed upon
234 them thereby.

235 **Subsection 8. Council Approval.**

236 No temporary permit shall be issued for a RV park with ten (10) or more RV sites without first
237 obtaining conditional ~~and final~~ approval from the Plaquemines Parish Council. **Once the terms
238 and conditions of the conditional approval have been complied with, inspected, and
239 confirmed by the Director of Public Services, the Department of Planning, Permitting and
240 Zoning shall issue a Final Approval which shall be a prerequisite to occupancy of the
241 temporary RV park.**

242 **Subsection 9. Administration Approval.**

243 The Department is hereby authorized to issue temporary permits for RV sites and RV parks not
244 exceeding ten (10) sites.

245 **Subsection 10. Emergency Removal Order.**

246 In anticipation of a declared emergency or during a declared emergency, the Parish President may
247 order, by Executive Order or Proclamation, the removal of all temporary RVs permitted by this
248 Ordinance. It shall be unlawful for any person to fail to comply with the order of removal within
249 forty-eight (48) hours of publication of the order. Violation of this Section may result in the loss
250 of temporary permits issued.

251 **Subsection 11. Fees.**

252 A. An annual fee of one hundred dollars (\$100.00) per RV site shall be paid to Plaquemines
253 Parish Government and collected by the Department. The first annual fee must be
254 submitted with the application for the temporary permit. All subsequent annual fees shall
255 be paid on or before the annual anniversary of the temporary permit's issue date. Failure
256 to timely pay the fee may result in the revocation of the temporary permit and assessment
257 of any other fines and penalties established by law.

258
259 B. The annual fee in Paragraph A of this Subsection shall not be exclusive and other building,
260 permit or inspections fees may apply.

261 **Subsection 12. Violations and Penalty.**

262 A. It shall be unlawful for any person to construct, install, enlarge, alter, maintain, operate or
263 convert any recreational vehicle park or site or to use or allow the use of any land for same,
264 or to lease, lend or authorize the placement of recreational vehicles on land, or to cause the
265 same to be done, unless a valid temporary permit has been issued by the Department.

266
267 B. Any person, firm or corporation violating any provision of this Ordinance shall be fined
268 not less than two hundred fifty dollars (\$250.00) or more than five hundred dollars
269 (\$500.00) or sentenced to imprisonment in the Parish jail for a period not to exceed thirty
270 (30) days or both. Each day that a violation of any provision of this Ordinance shall occur
271 or continue to occur shall be deemed a separate and cumulative offense.

272
273 C. Plaquemines Parish Government may suspend, revoke, or rescind any temporary permit or
274 deny the application of any future temporary permit authorized by this Ordinance for fraud,
275 misrepresentation or violations of this Ordinance.

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280

D. Any person, firm or corporation violating the prohibition of destroying any live oak trees or bald cypress trees above 10 inches in diameter shall be fined \$1000.00.

SECTION 3

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282
283

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 24-

The following Ordinance was offered by Council Member Jurisich who moved its adoption:

1 An Ordinance to amend and reenact paragraph “F” of Section 21-115 of Chapter
2 21 of Article V, “REQUIREMENTS FOR TRAILER PARKS APPROVED
3 AFTER MARCH 28, 1996” and paragraph “F” of section 21-136 of chapter 21 of
4 Article VI, “RECREATIONAL VEHICLES PARKS AND CAMPGROUNDS
5 APPROVED AFTER JULY 11, 1996” of the Plaquemines Parish Code of
6 Ordinances; to remove final approval by the Council for trailer and permanent and
7 temporary RV parks following a satisfactory inspection by the Director of
8 Operations; and otherwise to provide with respect thereto.
9

10 WHEREAS, under the current law the council must vote to grant an applicant temporary approval
11 to construct a trailer park as well as recreational vehicle parks and campgrounds followed by an
12 inspection conducted by the Director of Operations who, once satisfied that all provisions of the
13 conditional approval have been complied with, instructs the applicant to re-submit to the council
14 for final approval as a prerequisite for occupancy; and
15

16 WHEREAS, this current process places additional burden on the Council to vote on a single matter
17 twice; and
18

19 WHEREAS, the Council desires to streamline this process by reducing the number of steps in said
20 process; and
21

22 WHEREAS, the Council believes that the inspection should be conducted at the direction of the
23 Director of Public Services; and
24

25 WHEREAS, the council is confident that the discretion and judgment of the Director of Public
26 Services is sufficient to stand as the final authority in determining whether an applicant satisfied
27 the requirements of the conditional approval authorized by the Council; meets the criteria for final
28 approval;
29

30 NOW, THEREFORE:

31
32 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:
33

SECTION 1

34
35
36 It hereby amends, and as amended, reenacts paragraph “F” of Section 21-115 of Chapter 21 of
37 Article V of the Plaquemines Parish Code of Ordinances to read as follows:
38
39

40 “F. When the owner has completed all construction and installations in accordance with the
41 plans conditionally approved by the Council, the Director of **Operations Public Services**
42 shall cause an inspection to be made of the park. When the Director of **Operations Public**
43 **Service** is satisfied that all provisions of the Conditional Approval have been complied
44 with, **application shall be presented to the Council Department of Planning,**
45 **Permitting and Zoning for shall issue a** Final Approval which shall be a prerequisite to
46 occupancy of the park.”
47

SECTION 2

48
49
50
51 It hereby amends, and as amended, reenacts paragraph “F” of Section 21-136 of Chapter 21 of
52 Article VI of the Plaquemines Parish Code of Ordinances to read as follows:
53
54

55 “F. When the owner has completed all construction and installations in accordance with the
56 requirements of Section 21-137 and with the plans conditionally approved by the Council,
57 the Director of **Operations Public Services** shall cause an inspection to be made of the
58 recreational vehicle park or campground. When the Director of **Operations Public**

59 **Services** is satisfied that all provisions of the Conditional Approval have been complied
60 with, ~~the applicant shall present to~~ the **Council Department of Planning, Permitting**
61 **and Zoning** ~~the completed form for~~ **shall issue a** Final Approval which shall be a
62 prerequisite to occupancy of the recreational vehicle park or campground.”
63

64 SECTION 3

65
66 The Secretary of this Council is hereby authorized and directed to immediately certify and release
67 this Ordinance and that Parish employees and officials are authorized to carry out the purposes of
68 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.
69

RESOLUTION NO. 24-

The following Resolution was offered by Commissioner Champagne who moved its adoption:

1 A Resolution authorizing and directing the Plaquemines Port, Harbor and Terminal
2 District Chairman (“Port Chairman”) to enter into an Employment Contract with
3 Charles Tillotson for services as Port Executive Director, by signing the
4 Employment Contract; to enter into said contract for a term of two (2) years;
5 authorizing and directing the Port Chairman to sign the documents to enter into the
6 contract no later than November 30, 2024; and otherwise to provide with respect
7 thereto.
8

9 WHEREAS, it is the desire of this Council to enter into a contract for services regarding work as
10 Port Executive Director for the Plaquemines Port, Harbor & Terminal District with Charles
11 Tillotson for a term of two (2) years from the effective date of the Employment Contract.
12

13 NOW, THEREFORE:

14
15 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE
16 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL
17 DISTRICT THAT it hereby authorizes and directs the Plaquemines Port, Harbor and Terminal
18 District Chairman (“Port Chairman”) to enter into an Employment Contract with Charles Tillotson
19 for services as Port Executive Director, by signing the Employment Contract, as approved by the
20 Plaquemines Parish Council, to enter into said contract for a term of two (2) years.
21

22 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE
23 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL
24 DISTRICT THAT it authorizes and directs the Port Chairman to sign the documents to enter into
25 the contract no later than November 30, 2024.
26

27 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL, AS THE SOLE
28 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL
29 DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately
30 certify and release this Resolution and that Port employees and officials are authorized to carry out
31 the purposes of this Resolution, both without further reading and approval by the Plaquemines
32 Parish Council.
33
34

ORDINANCE NO. 24-

The following ordinance was offered by Commissioner Champagne who moved its adoption:

An Ordinance adopting the Original Operating Budget of Revenues and Expenditures for the Plaquemines Port Harbor & Terminal District for the fiscal year beginning January 1, 2025, and ending December 31, 2025, and otherwise to provide with respect thereto.

Digest: An Ordinance to adopt the 2025 Operating Budget of Revenues and Expenditures for the Plaquemines Port, Harbor & Terminal District submitted on October 24, 2024. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Plaquemines Port Harbor & Terminal District administration submitted to the Plaquemines Parish Council as the governing authority of the Plaquemines Port, Harbor & Terminal District, on October 24, 2024, a Proposed 2025 Operating Budget pursuant to Port Budget Policy; and

WHEREAS, the Plaquemines Parish Council as the governing authority of the Plaquemines Port, Harbor & Terminal District made available copies of the Proposed 2025 Operating Budget for public inspection, published a summary of the proposed budget in the Official Journal and advertised the time and place of public hearings; and

WHEREAS, the Plaquemines Parish Council as the governing authority of the Plaquemines Port, Harbor & Terminal District held public hearings on the proposed Operating Budget on _____;

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

The estimate of revenues and expenditures for the fiscal year beginning January 1, 2025 and ending December 31, 2025, is hereby adopted to serve as the Operating Budget for the Plaquemines Port Harbor & Terminal District; copies of which are on file in the office of the Port Finance Department and in the office of the Plaquemines Parish Council Secretary.

SECTION 2

The Plaquemines Port, Harbor & Terminal District is authorized to spend budgeted funds in accordance with the Plaquemines Port, Harbor and Terminal District's Budget Policy adopted by the Plaquemines Parish Council as the governing authority of the Port.

SECTION 3

If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

ORDINANCE NO. 24-

The following ordinance was offered by Commissioner Champagne who moved its adoption:

An Ordinance establishing a policy of budgetary control for the Operating Budget of Expenditures for the Plaquemines Port Harbor & Terminal District for the fiscal year beginning January 1, 2025, and ending December 31, 2025, and otherwise to provide with respect thereto.

Digest: An Ordinance to establish a Policy of Budgetary Control for the Plaquemines Port, Harbor & Terminal District proposed with the 2025 Operating and Capital Improvement Budget on October 24, 2024. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Parish Council as the governing authority of the Plaquemines Port Harbor & Terminal District desires to establish a policy of budgetary control for operating expenditures for the 2025 Budget;

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

The Plaquemines Port Harbor & Terminal District is authorized to spend budgeted expenditure funds for the fiscal year beginning January 1, 2025 and ending December 31, 2025, for Port Funds, controlled by the financial accounting software defined expenditure account components as follows:

1. Controlled by the Fund/Department/Division/Function
Port Departments
2. Controlled by the Project:
All Capital Projects (non-capital project funds)
3. Controlled by the Fund:
All Capital Projects Funds

SECTION 2

The financial accounting software package defines four possible function categories as follows:

- Personal Services
- Financial and Related Services
- Operating Services and Supplies
- Capital Outlay

SECTION 3

If any provision, or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

ORDINANCE NO. 24-

The following ordinance was offered by Commissioner Champagne who moved its adoption:

An Ordinance adopting the Original Capital Improvement Budget for the Plaquemines Port, Harbor & Terminal District for the five-year period beginning January 1, 2025, and ending December 31, 2029, and otherwise to provide with respect thereto.

Digest: An Ordinance to adopt the 2025 Capital Improvement Budget for the Plaquemines Port, Harbor & Terminal District proposed on October 24, 2024. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Plaquemines Port, Harbor & Terminal District administration submitted to the Plaquemines Parish Council serving as the governing authority of the Plaquemines Port, Harbor and Terminal District, on October 24, 2024, the Proposed Capital Improvement Budget pursuant to Port Budget Policy; and

WHEREAS, the Plaquemines Parish Council serving as the governing authority of the Plaquemines Port, Harbor & Terminal District made available copies of the Proposed Capital Improvement Budget for public inspection, published a summary of the proposed budget in the Official Journal and advertised the time and place of public hearings; and

WHEREAS, the Plaquemines Parish Council serving as the governing authority of the Plaquemines Port, Harbor & Terminal District held public hearings on the proposed Capital Improvement Budget on _____;

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL DISTRICT THAT:

SECTION 1

It hereby adopts the Plaquemines Port, Harbor & Terminal District Capital Improvement Budget covering the period of five years beginning January 1, 2025 and ending December 31, 2029; copies of which are on file in the office of the Port Finance Department and in the office of the Plaquemines Parish Council Secretary.

SECTION 2

The Plaquemines Port, Harbor & Terminal District is authorized to spend budgeted funds in accordance with the Plaquemines Port, Harbor and Terminal District's Budget Policy adopted by the Plaquemines Parish Council as the governing authority of the Port.

SECTION 3

If any provision or item of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Ordinance which can be given effect without the invalid provisions, items or applications; and to this end, the provisions of this Ordinance are hereby declared severable.

ORDINANCE NO. 24-

The following Ordinance was offered by Commissioner Champagne who moved its adoption:

1 An Ordinance to amend the Plaquemines Port, Harbor & Terminal District 2024
2 Manpower Structure and Operating Expenditure Budget to un-fund the Director of
3 Administration position in the General Operations Division; and otherwise to
4 provide with respect thereto.

5 DIGEST: An ordinance to amend the 2024 Manpower Structure and Operating Expenditure
6 Budget to un-fund the Director of Administration position in the General Operations Division.
7 This position will be vacated on November 1, 2024, and after a review of the Director of
8 Administration position, the Port wishes to un-fund the position. *The digest is for informational*
9 *purposes only and is superseded by the language of the actual ordinance or resolution.*

10 WHEREAS, after a review of the manpower needs of the Port, Harbor and Terminal District,
11 General Operations Division, it has been recommended to un-fund the Director of Administration
12 position on November 1, 2024;

13
14 NOW, THEREFORE:

15
16 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
17 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
18 DISTRICT THAT:

SECTION 1

19
20 The 2024 Plaquemines Port, Harbor and Terminal District, Manpower Structure is amended by
21 un-funding the Director of Administration position in the General Operations Division on
22 November 1, 2024, at an annual salary of 120,749 plus benefits.

SECTION 2

23
24
25 The 2024 Plaquemines Port, Harbor and Terminal District, Operating Expenditure Budget,
26 General Operations Division, is amended by \$24,100 as follows:

Fund: 445 Port, Harbor & Terminal			
Dept/Div: 490-2460 General Operations Division			
Object	Description	Inc/ Dec	Amendment
510.005	Salaries & Wages-Regular	Dec	(18,580)
515.005	P/R Taxes-FICA Taxes	Dec	(270)
516.105	Retirement-PERS	Dec	(2,140)
517.005	Group Insurance-Health	Dec	(3,110)

SECTION 3

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40
41 The Secretary of this Council is hereby authorized and directed to immediately certify and release
42 this Ordinance and that Port employees and officials are authorized to carry out the purposes of
43 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 24-

The following Resolution was offered by Commissioner Champagne who moved its adoption:

A Resolution certifying that the Plaquemines Port Harbor & Terminal complied with public bid laws in regards to the Alliance Water Booster Station and Feed Lines project; and otherwise, to provide with respect thereto.

DIGEST: The Louisiana Department of Transportation and Development requires the Port to adopt its own Resolution certifying compliance with public bid laws were adhered to. This Resolution is part of the administrative procedures needed to move forward with the Alliance Booster Station project. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, the Plaquemines Port Harbor and Terminal District has solicited bids for State Project No. H.015656 in accordance with the current bid laws of the state of Louisiana, including, but not limited to R.S. 38:2211 et. seq; and

WHEREAS, the Plaquemines Port Harbor and Terminal District has submitted to DOTD Certification of proof of publication, one (1) copy of the bid proposals and bid bonds as submitted by each of the three (3) lowest bidders, a legible copy of the bid tabulation of all bids received, and certified to be correct by the Engineer and an authorized official of the Sponsor, a copy of the engineer’s recommendation, contract documents, Notice of Award of Contract, and a copy of the recordation data in the Clerk of Court’s Office;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR & TERMINAL DISTRICT THAT assembled on this ____ day of ____2024, does hereby certify that the bidding procedures comply with Louisiana Revised Statutes 38:2211, et. seq.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

SECRETARY

CHAIRMAN

CERTIFICATE

I hereby certify that the above and foregoing is true and correct copy of the resolution adopted at a Regular meeting of the Plaquemines Port Harbor and Terminal District held on the ____Day of ____2024, in which a quorum was present and voting and that the resolution is still in full effect and has not been rescinded or revoked.

Signed at _____ on the ____ Day of _____, 20____.

SECRETARY

RESOLUTION NO. 24-

The following Resolution was offered by Commissioner Champagne who moved its adoption:

A Resolution authorizing Charles Tillotson, Executive Director of the Plaquemines Port Harbor & Terminal District to enter into a construction contract with _____ to provide upgrades to the Alliance Water Booster Station and Feed Lines as outlined in Phase II State Project Number H.015656 of the project; and otherwise, to provide with respect thereto.

DIGEST: Kyle Associates LLC advertised for competitive bids, in accordance with LRS 38:2212, et seq., for the award of a contract in the name of the Plaquemines Port Harbor and Terminal District, the project was seeking bids for upgrades to the Alliance Water Booster Station and Feed Lines, a port improvement project under the Port Construction and Development Priority Program. Several bids were made during the period of advertising. The Port seeks approval to award the contract for the project to _____. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Kyle Associates LLC on behalf of Plaquemines Port Harbor and Terminal District received three interested bidders at the pre-bid opening meeting for Phase I Part B of the Alliance Water Booster Station project; and

WHEREAS, _____ was the firm with the lowest bid; and

WHEREAS, it is the recommendation of Kyle Associates LLC that _____ be awarded the construction contract for the Alliance Booster Station project in the amount of _____;

NOW, THEREFORE:

BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR & TERMINAL DISTRICT THAT it hereby authorizes the acceptance and recommendation of Kyle Associates LLC to enter into a construction contract with _____ for Phase I Part B of the Alliance Booster Station project.

BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT HARBOR & TERMINAL DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately certify and release this Resolution and that Port employees and officials are authorized to carry out the purposes of this Resolution, both without further reading and approval by the Plaquemines Parish Council.

SECRETARY

CHAIRMAN

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of a resolution adopted at a Regular meeting of the Port Commission held on the _____ day of _____, 20__ in which a quorum was present and voting and that the resolution adopted is still in full force and effect and has not been rescinded or revoked.

Signed at _____ on the _____ day of _____, 20__.

SECRETARY

ORDINANCE NO. 24-

The following Ordinance was offered by Commissioner Champagne who moved its adoption:

1 An Ordinance to amend the 2024 Plaquemines Port, Harbor & Terminal District
2 Operating Revenue and Expense Budgets; and otherwise to provide with respect
3 thereto.

4 DIGEST: An ordinance to amend the funding within certain line items in the revenue and expense
5 budgets of the Port. After a review of the revenue and expense budgets, it has been determined
6 that amendments to certain line items are required. *The digest is for informational purposes only*
7 *and is superseded by the language of the actual ordinance or resolution.*

8
9 WHEREAS, amendments to the 2024 Port, Harbor & Terminal District revenue and expense
10 budgets are requested;

11 NOW, THEREFORE:

12
13 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
14 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
15 DISTRICT THAT:

SECTION 1

16
17 The 2024 Port, Harbor and Terminal District, Operating Revenue Budget, _____ Division,
18 is amended as follows:

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20
21
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25
26

Fund: 445 Port, Harbor & Terminal			
Dept/Div: Revenues			
Object	Description	Inc/ Dec	Amendment
		Inc	

SECTION 2

27
28 The 2024 Port, Harbor and Terminal District, Operating Expense Budget, _____ Division,
29 is amended as follows:

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Fund: 445 Port, Harbor & Terminal			
Dept/Div: Expenses			
Object	Description	Inc/ Dec	Amendment

SECTION 3

41
42
43 The Secretary of this Council is hereby authorized and directed to immediately certify and release
44 this Ordinance and that Port employees and officials are authorized to carry out the purposes of
45 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO. 24-

The following Ordinance was offered by Commissioner Champagne who moved its adoption:

1 An Ordinance to amend the 2024 Manpower Structure and Operating Expenditure
2 Budget; and otherwise to provide with respect thereto.

3 DIGEST: An Ordinance to amend the Port, Harbor and Terminal District 2024 Manpower
4 Structure and Operating Expenditure Budget to create and fund an unclassified Chief
5 Administrative Officer position at an annual salary of \$120,000 by appropriating \$25,320 to fund
6 said position for salaries and benefits for 2024. Funding source is the unrestricted fund balance.
7 *The digest is for informational purposes only and is superseded by the language of the actual*
8 *ordinance or resolution.*

9
10 WHEREAS, after a review of the manpower needs of the Port, it has been recommended to create
11 and fund a full-time unclassified Chief Administrative Officer position at an annual salary of
12 \$120,000 plus benefits; and

13 WHEREAS, empowered by L.A. R.S.34:1352.....”the Plaquemines Port, Harbor, and Terminal
14 District....may contract with and employ attorneys, clerks, engineers, superintendents, and such
15 other employees and agents and fix their compensation and term of employment as may be
16 necessary to carry out the purposes of their authority.”; and

17
18 WHEREAS, the Council as the sole governing authority of the District has determined that to
19 carry out the purposes of advancing Port development and expansion in Plaquemines Parish
20 it is necessary to create the unclassified position of Chief Administrative Officer and to
21 hire a full-time employee to fill that position; and

22
23 NOW, THEREFORE:

24 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
25 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
26 DISTRICT THAT:

SECTION 1

27
28 The 2024 Port, Harbor and Terminal District Manpower Structure, is amended by creating and
29 funding a full-time unclassified Chief Administrative Officer position at an annual salary of
30 \$120,000 plus benefits in the General Operations Division.

SECTION 2

31
32 The 2024 Port, Harbor and Terminal District, Operating Expenditure Budget, General Operations
33 Division is amended by appropriating \$25,320 from the Unrestricted Fund Balance as follows:

Fund: 445 Port Harbor Fund			
Dept/Div: 490-2460 General Operations Division			
Object	Description	Inc/ Dec	Amendment
510.005	Salaries & Wages Regular	Inc	18,460
515.005	P/R Taxes-FICA Taxes	Inc	270
516.105	Retirement-PERS	Inc	2,120
517.005	Group Insurance-Health	Inc	4,470

SECTION 3

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47 The Secretary of this Council is hereby authorized and directed to immediately certify and release
48 this Ordinance and that Port employees and officials are authorized to carry out the purposes of
49 this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

ORDINANCE NO 24.

The following Ordinance was offered by Commissioner Champagne who moved its adoption:

1
2 An Ordinance authorizing Charles D. Tillotson, Executive Director of the
3 Plaquemines Port Harbor and Terminal District, to purchase a bow thruster unit
4 for the Motor Vessel Pride; otherwise to provide in respect thereto.
5

6 DIGEST: Plaquemines Port Harbor and Terminal District requires a new bow thruster to be
7 installed on the M/V Pride while it is on at the shipyard. *The digest is for informational purposes*
8 *only and is superseded by the language of the actual ordinance or resolution.*
9

10 WHEREAS, there funds available to purchase the bow thruster unit in the Ferry Department's
11 budget; and
12

13 WHEREAS, the equipment will cost \$89,400 and will be provided by Thrust Master of Texas;
14 and
15

16 WHEREAS, Thrust Master of Texas will provide sole source letters and Buy America
17 certification letters;
18

19 NOW, THEREFORE:
20

21 BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE GOVERNING
22 AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT
23 THAT:
24

SECTION 1

25
26
27 It hereby authorizes Charles D. Tillotson to purchase a bow thruster unit for the Motor Vessel
28 Pride.
29

SECTION 2

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31
32 The Secretary of this Council is hereby authorized and directed to immediately certify and
33 release this Resolution and that Port employees and officials are authorized to carry out the
34 purposes of this Resolution, both without further reading and approval by the Plaquemines Parish
35 Council.
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ORDINANCE NO. 24-

The following Ordinance was offered by Commissioner Champagne who moved its adoption:

An Ordinance to amend the Five-Year Capital Improvements Plan, Port Security Improvements Project; and otherwise to provide with respect thereto.

DIGEST: An ordinance to amend the 2024 Five-Year Capital Improvements Plan to fund the Port Security Improvements project from a grant of the State of Louisiana Department of Transportation and Development under Act 447 of the 2023 Regular Session of the Louisiana Legislature. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

WHEREAS, Resolution 24-193, authorized the Plaquemines Port, Harbor and Terminal District to enter into an agreement with the State of Louisiana, Department of Transportation and Development for the transfer of funds Legislatively appropriated under ACT 447 of the 2023 Regular Session of the Louisiana Legislature; and

WHEREAS, the Plaquemines Port, Harbor and Terminal District entered into a cooperative endeavor agreement with the State of Louisiana Department of Transportation and Development on August 6, 2024, to accept grant funding for use in a port security improvements project; and

WHEREAS, per the cooperative endeavor agreement, the State of Louisiana Department of Transportation and Development has made available \$358,006 to the Plaquemines Port, Harbor and Terminal District for use towards development and implementation of a program in connection with port security operations within Plaquemines Port’s jurisdiction; and

WHEREAS, amending the Plaquemines Port, Harbor, and Terminal District 2024 Five-Year Capital Improvements Plan by appropriating \$358,006 to the Port Security Improvements Project is requested;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR AND TERMINAL DISTRICT THAT:

SECTION 1

The Five-Year Capital Improvements plan is amended by appropriating \$358,006 to the Port Security Improvements Project from the State of Louisiana Department of Transportation and Development, funding year 2024.

SECTION 2

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Port officials and employees are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

RESOLUTION NO. 24-

The following Resolution was offered by Commissioner Champagne who moved its adoption:

1 A Resolution establishing the date, time and place of public hearings on the
2 proposed 2025 Operating Budget and Capital Improvement Budget as submitted by
3 the Executive Director of the Plaquemines Port Harbor & Terminal District; to
4 authorize the Council Secretary to place the necessary Public Notice in the
5 Plaquemines Gazette; and otherwise to provide with respect thereto.
6

7 Digest: A resolution to establish the date, time and place of the public hearings on the 2025
8 Operating Budget and Capital Improvement Budget for the Plaquemines Port, Harbor & Terminal
9 District *The digest is for informational purposes only and is superseded by the language of the*
10 *actual ordinance or resolution.*
11

12 BE IT RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
13 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
14 DISTRICT THAT it hereby establishes budget hearings on the proposed 2025 Operating Budget
15 and the proposed Capital Improvement Budget for the years 2025, 2026, 2027, 2028 and 2029 for
16 the Plaquemines Port Harbor & Terminal District on _____, 2024 beginning at
17 _____ a.m./p.m. in the Council Chambers located at 333 F. Edward Hebert Blvd.,
18 Building 203, Belle Chasse, Louisiana.
19

20 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
21 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
22 DISTRICT THAT the proposed Operational Budget for the year 2025 and the Proposed Capital
23 Improvements Budget covering a period of at least 5 years , as submitted by the Executive Director
24 will be available for public inspection at all Parish Public Libraries and at the Port Office Building
25 located at 8056 Hwy. 23, 3rd Floor, Belle Chasse, Louisiana, Monday through Friday, between the
26 hours of 8:00am and 4:30 pm, from _____, 2024 through
27 _____, 2024.
28

29 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
30 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
31 DISTRICT THAT it hereby authorizes and directs the Secretary of this Council to place the
32 necessary advertisement in the Port Official Journal.
33

34 BE IT FURTHER RESOLVED BY THE PLAQUEMINES PARISH COUNCIL AS THE SOLE
35 GOVERNING AUTHORITY OF THE PLAQUEMINES PORT, HARBOR & TERMINAL
36 DISTRICT THAT the Secretary of this Council is hereby authorized and directed to immediately
37 certify and release this Resolution and that Port employees and officials are authorized to carry out
38 the purposes of this Resolution, both without further reading and approval by the Plaquemines
39 Parish Council as the governing authority of the Plaquemines Port Harbor & Terminal District.
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