

ORDINANCE NO. 22-23

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

An Ordinance to amend Section XII. *Amendments and Petitions* of Ordinance No. 142, the Comprehensive Zoning Ordinance, to authorize the Plaquemines Parish Council to establish rules, regulations, procedures and requirements for the issuance of temporary permits for the placement and operation of R/V parks, R/V sites, campgrounds, and other temporary housing units or facilities in any zoning district and temporarily suspend any and all map change (rezone petition) requirements related thereto; and otherwise to provide with respect thereto.

WHEREAS, several large construction projects are scheduled to commence in Plaquemines Parish over the next several years; and

WHEREAS, the Plaquemines Parish Council desires to regulate by Ordinance the temporary issuance of permits for Recreational Vehicle parks, Recreational Vehicle sites, Campgrounds, and other temporary housing units or facilities in any zoning district and temporarily suspend any and all map change (rezone petition) requirements related thereto; and

WHEREAS, a proposed Text Amendment was filed by the Plaquemines Parish Development Board (Application No. 2022-487, dated January 6, 2022) to consider a text amendment to the Comprehensive Ordinance No. 142, Section XII (Amendments and Petitions) by enacting Subsection 6 "Temporary Housing Need"; and

WHEREAS, after a public hearing was held on February 1, 2022, providing all interested parties and the public with an opportunity to be heard regarding the proposed Text Amendment, and the advertisement required by law was made in the Plaquemines Gazette, the official journal of the Parish of Plaquemines; and

WHEREAS, the Plaquemines Parish Development Board during the open public hearing made an amendment to the originally proposed Text Amendment; and

WHEREAS, at a meeting held on February 1, 2022, the Plaquemines Parish Development Board favorably adopted a resolution recommending the Text Amendment as proposed by the Plaquemines Parish Development Board (Application No. 2022-487, dated January 6, 2022) to consider a Text Amendment to the Comprehensive Ordinance No. 142, Section XII (Amendments and Petitions) by enacting Subsection 6 "Temporary Housing Need";

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

To amend Section XII of Ordinance No. 142, the Comprehensive Zoning Ordinance of Plaquemines Parish, by enacting Subsection 6 which shall read as follows:

"6. Whenever the Plaquemines Parish Council determines an immediate need for temporary housing exists, it may, by Ordinance so declare and establish rules, regulations and procedures for the issuance of temporary permits for the placement and operation of Recreational Vehicle Parks, Recreational Vehicle sites, Travel Trailers, Campgrounds, and other temporary housing units or facilities so authorized and temporarily suspend any map change (rezone petition) requirements related thereto. In no event shall any Ordinance adopted under the authority of this Subsection authorize the issuance or renewal of temporary permits for a period to exceed three (3) years.

Permits granted under this Subsection may only be issued in the following areas:

- A. Flood Plain Zoning District, but only on parcels where the Plaquemines Parish Council has issued a similar temporary permit in the last ten (10) years, and

B. All non-Flood Plain Zoning Districts located downriver from the centerline of St. Jude Road in Port Sulphur, LA.

This Subsection shall not apply to Citrus City.”

SECTION 2

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.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote; the vote resulted as follows:

YEAS: Council Member John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict Rousselle, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: Council Member Trudy Newberry

ABSENT: Council Member W. Beau Black

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 24th day of February 2022.

I hereby certify the above and foregoing to be a true and correct copy of an Ordinance which was adopted at a meeting held by the Plaquemines Parish Council in the Pointe-a-la-Hache Courthouse Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana, on Thursday, February 24, 2022.



Secretary

ORDINANCE NO. 22-64

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

An Ordinance declaring a temporary housing need exists pursuant to Subsection 6 of Section XII of the Comprehensive Zoning Ordinance of Plaquemines Parish; enacting rules, regulations and fees thereof; and otherwise to provide with respect thereto.

WHEREAS, several large construction projects, including the Venture Global liquified natural gas facility, are scheduled to commence very soon in Plaquemines Parish; and

WHEREAS, the Plaquemines Parish Council desires to establish rules, regulations, and procedures for the issuance of temporary permits for the placement and operation of recreational vehicle parks and recreational vehicle sites;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Pursuant to Subsection 6 of Section XII of the Comprehensive Zoning Ordinance of Plaquemines Parish, it hereby declares a need for temporary housing in the Parish of Plaquemines. It hereby adopts the following applicable rules, regulations, and procedures for the issuance of temporary permits for recreational vehicle parks and sites to address the temporary housing need.

SECTION 2

Subsection 1. Title of Ordinance.

This Ordinance shall be known as the "Temporary Recreational Vehicle Park and Site Ordinance."

Subsection 2. Object and Scope of Code.

The object and purpose of this Ordinance is to authorize and enact rules, regulations, and procedures for the issuance of temporary permits for the construction and operation of temporary recreational vehicle parks and sites issued pursuant to this Ordinance.

Subsection 3. Definitions.

The following words are hereby defined as follows:

Applicant – A person, firm, or corporation with legally vested rights in a parcel of land.

Department – Permits, Planning and Zoning Department.

Motor Home- A vehicular unit designed to provide temporary living quarters for recreational, camping, or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle. (See definition of Recreational Vehicle.)

N. F. P. A.- National Fire Protection Association.

Owner- A person, firm, or corporation with legal ownership of a parcel of land.

Parcel – a plot of land that is lawfully subdivided and used to determine ad valorem taxes due.

Recreational Vehicle (RV)- a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel seasonal use that either has its own motor power or is mounted on or towed by another vehicle. Also known as a travel trailer, park trailer, camping trailer, fifth wheel trailer, truck camper, and/or motor home.

Recreational Vehicle (RV) Park- is a parcel of land upon which three (3) or more recreational vehicle sites are located, established, or constructed to provide for occupancy by recreational vehicles owned or operated by the general public as temporary living quarters for recreational, vacation, or temporary housing need purposes.

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

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

Subsection 4. Permit Required.

- A. Any applicant seeking to construct and operate a temporary recreational vehicle park or site pursuant to this Ordinance shall obtain a temporary permit from the Department.
- B. Before the issuance of any temporary permit, the applicant shall sign a notarized affidavit, prepared by the Parish Attorney's Office, acknowledging and agreeing to the terms, conditions, and regulations provided therein and set forth in this Ordinance and shall obtain an Occupational License.
- C. The Department shall not accept any temporary permit applications three (3) years after the effective date of this Ordinance. No temporary permit term shall extend four (4) years after the effective date of this Ordinance.
- D. Temporary permits issued pursuant to this Ordinance shall not exceed a term of three (3) years.

Subsection 5. Adoption of Codes for Recreational Vehicle Parks.

- A. All Federal, State and other local laws, regulations, and codes applicable to the said property and temporary recreational vehicle parks or sites are hereby adopted, as amended, which shall include the State Sanitary Code, State of Louisiana, as adopted and amended and the N.F.P.A.1194: Standard for Recreation Vehicle Parks and Campgrounds, as amended, save and except such portions as are hereinafter specifically excluded, and the same are hereby adopted and incorporated, as fully as if set out at length herein and shall be in full force and effect from the effective date of this Ordinance.
- B. The following rules and regulations are hereby made effective for RV Parks:
 - 1. All Applicants must file an application for a permit on a form prepared by the Department and must submit a complete plot plan drawn to scale of no less than one inch (1") equal to fifty (50') feet and on paper no larger than 24" by 36", which shall show the area dimensions of the park, the number, location and size of all spaces; the maximum size trailer or recreational vehicle each space can accommodate the location and arrangement of roadways, the location of service buildings and proposed structures; the location and size of water and sewer lines or sewerage disposal system; the proposed plan for drainage of the property included in the park to the Parish Drainage Canal; and the plans and specification for streets, roadways, and lighting to be constructed and installed in said park. The plans shall conform to the requirements set forth in this Subsection.
 - 2. There shall be a signature and certification of a Registered Land Surveyor or Civil Engineer, State of Louisiana, that prepared the plans submitted, whether original or final, and that the same conform to the requirements of this Ordinance.
 - 3. A driveway permit from the Parish or State, as the case may be, for access to the public street right of way shall be obtained.
 - 4. After securing written approval from the appropriate department heads of the plans and specifications required by this Ordinance and upon approval by the Director of Public Service, the applicant will be notified by the Department of the application's conditional approval and be instructed to begin construction of the temporary RV Park.
 - 5. When the Applicant has completed all construction and installations in accordance with the infrastructure requirements detailed herein, as conditionally approved, the Director of Public Service shall cause an inspection to be made of the RV park. When the Director of Public Service is satisfied that all provisions of the Conditional Approval have been complied with, the Department shall issue and release the temporary RV park permit to the Applicant.

6. Qualifications of applicants for a temporary permit for RV parks shall be the same as provided in Section 13 of the Parish Liquor Permit Ordinance No. 103, as amended.
7. The following are the infrastructure and installation requirements for the construction of RV Parks.
 - a. Have an occupied area, which shall not exceed seventy-five (75%) percent of the parcel.
 - b. Be designed and constructed at such elevation, distance and angle with respect to its access to provide for safe and efficient placement and removal of recreational vehicles.
 - c. Except for RV parks in which every site fronts on an existing dedicated and accepted public road, street or highway, each space shall abut on a roadway or street, which shall have a minimum right of way width of ten (10') feet per traffic lane and eight (8') feet per parallel parking lane with adequate surfacing for easy traverse and drainage in all weather conditions. It shall be the duty of the recreational vehicle park Applicant to construct, install or otherwise provide the above-mentioned roadway/street. The duty shall include maintenance, reconstruction, and upkeep of said roadway/street. The RV park roadway/street shall be classified private and shall not be the responsibility of the Parish of Plaquemines or the Plaquemines Parish Government.
 - d. Have adequate drainage with drainage structures in or under all street, driveway, and alley rights of way.
 - e. Have adequate space for parking of one (1) motor vehicle (other than the recreational vehicle) with a minimum size of 9'X20' for each site and which must be located off the public street or highway and off the RV park roadway or street.
 - f. Have a minimum of ten (10') feet between the front boundary line and the recreational vehicle and a minimum of five (5') feet between the exterior side boundary line and the recreational vehicle, and five (5') feet between the rear boundary line and the recreational vehicle. The front boundary line shall be that which fronts on the recreational vehicle park roadway/street. Recreational vehicles shall not be located closer than ten (10') feet (3.0m) from any other recreational vehicle or permanent building within or adjacent to the recreational vehicle or permanent building within or adjacent to the recreational vehicle park.
 - g. Have hard surfacing of the public street right of way from the existing surface to the property line.
 - h. For a closed end street have a turn area at the closed end providing a turning loop having a minimum inside radius of thirty (30') feet for public service vehicles (fire, garbage, ambulance, etc.) and other vehicular traffic.
 - i. Have road curves designed for use by all types and sizes of recreational vehicles with a minimum internal radius of twenty-five (25) feet.
 - j. Have fire hydrants and fire service water lines installed in such a manner that fire hydrants shall be located not in excess of two hundred fifty (250) feet apart from any recreational unit site and of sufficient size to insure twenty (20) pounds per square inch pressure at all outlets, provided that water lines and fire hydrants shall not be less than six (6") inches in diameter.
 - k. Have adequate lighting to provide at least one 175 mercury vapor light or its equivalent for every eight (8) sites. In no event shall the distance between two lights be over two hundred fifty (250) feet.

- l. Have the first floor of enclosed buildings meeting FIA base flood elevation requirements or be a minimum of 18" above the centerline of the street, whichever is greater.
- m. All R/V parks shall meet the minimum standards for fire protection and potable water and sanitary sewer utilities, pursuant to applicable federal, state and local laws, rules, and regulations.
- n. Public Services Provisions:
 - i. Except as otherwise provided herein, all public services shall terminate at the intersection of the private street with the public street right of way providing access to the recreational vehicle park. The applicant shall be responsible for the construction, repair, maintenance, and upkeep of all utilities from the public right of way to each space, and the Parish of Plaquemines and the Plaquemines Parish Government shall have no responsibility or liability therefor.
 - ii. The applicant shall provide for a sanitary sewer system for the recreational vehicle park pursuant to local, state, and federal sanitation codes.
 - iii. If the applicant desires to have other public services for each park space the applicant shall construct the same pursuant to minimum Parish standards for such services.
 - iv. The applicant of each RV park shall place a permanent number marking each space, which is clearly visible and identifiable from the roadway. Said numbered space must correspond with the physical (911) address as shown in the plan required by this Ordinance.
- o. No animals shall be allowed to roam at large or to become a public nuisance in and around any RV park, and it shall be the responsibility of the owner of the animal to keep the premises free from unconfined, noisy, or dangerous animals.
- p. RV parks shall be free from litter, junked or abandoned automobiles and debris and shall provide facilities for the collection of garbage and trash as required by the Plaquemines Parish Government for the pickup thereof.
- q. No trucks, trailers, automobiles or other commercial vehicles bearing advertisements are to be stored or parked in any recreational vehicle park conduct any type business except when making deliveries. Passenger vehicles owned by a resident of a recreational vehicle park shall be parked on parking spaces provided on the site, and not on the street.
- r. All RV parks shall erect a sign identifying the temporary permit number along with a working phone number and email address for the Applicant. The sign must be legible and no less than thirty (30) feet from the nearest public or private road providing access to the parcel of property.

C. Applicants seeking temporary permits for RV sites on parcels with two (2) or less RV sites shall submit a plot plan showing all the water, sewer, and electrical installations as per applicable permit codes. No temporary permit shall be issued until final inspections have been made.

Subsection 6. Occupancy Term.

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

Subsection 7. Parish Inspection.

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

Subsection 8. Council Approval.

No temporary permit shall be issued for a RV park with ten (10) or more RV sites without first obtaining conditional and final approval from the Plaquemines Parish Council.

Subsection 9. Administration Approval.

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

Subsection 10. Emergency Removal Order.

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

Subsection 11. Fees.

- A. An annual fee of one hundred dollars (\$100.00) per RV site shall be paid to Plaquemines Parish Government and collected by the Department. The first annual fee must be submitted with the application for the temporary permit. All subsequent annual fees shall be paid on or before the annual anniversary of the temporary permit's issue date. Failure to timely pay the fee may result in the revocation of the temporary permit and assessment of any other fines and penalties established by law.
- B. The annual fee in Paragraph A of this Subsection shall not be exclusive and other building, permit or inspections fees may apply.

Subsection 12. Violations and Penalty.

- A. It shall be unlawful for any person to construct, install, enlarge, alter, maintain, operate or convert any recreational vehicle park or site or to use or allow the use of any land for same, or to lease, lend or authorize the placement of recreational vehicles on land, or to cause the same to be done, unless a valid temporary permit has been issued by the Department.
- B. Any person, firm or corporation violating any provision of this Ordinance shall be fined not less than two hundred fifty dollars (\$250.00) or more than five hundred dollars (\$500.00) or sentenced to imprisonment in the Parish jail for a period not to exceed thirty (30) days or both. Each day that a violation of any provision of this Ordinance shall occur or continue to occur shall be deemed a separate and cumulative offense.
- C. Plaquemines Parish Government may suspend, revoke, or rescind any temporary permit or deny the application of any future temporary permit authorized by this Ordinance for fraud, misrepresentation or violations of this Ordinance.

SECTION 3

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.

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Cognevich seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote; the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., Corey Arbourgh, Stuart J. Guey, Benedict
Rousselle, Trudy Newberry, Carlton M. LaFrance, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: Council Member W. Beau Black (ABSTAINED)

And the Ordinance was adopted on this the 26th day of May, 2022.

I hereby certify the above and foregoing to be a true and correct copy of an Ordinance which was adopted at a meeting held by the Plaquemines Parish Council in the Pointe-a-la-Hache Courthouse Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana, on Thursday, May 26, 2022.

A handwritten signature in blue ink that reads "Kim M. Jours". The signature is written in a cursive, flowing style.

Secretary

ORDINANCE NO.22-149

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

An Ordinance to amend Sections 21-47 & 21-137(a)(10) in the parish code of Ordinance and Section 7(j) of Ordinance No. 22-64 to provide sufficient size fire hydrant water lines; and otherwise to provide with respect thereto.

WHEREAS, the fire code has changed from six (6) inch to eight (8) inch lines necessary for fire protection relative to trailer park facilities;

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 21-47 of Chapter 21 of the parish Code of Ordinances is hereby amended, and as amended, shall now read as follows:

“Each trailer park shall contain fire hydrants and fire service water lines installed in such a manner that a fire hydrant shall be located not in excess of two hundred fifty (250) feet of each trailer space, and of sufficient size to ensure twenty (20) pounds per square inch pressure at all outlets; provided that water lines and fire hydrants shall not be less than eight (8) inches in diameter.”

SECTION 2

Section 21-137 (a) (10) of Chapter 21 of the parish Code of Ordinances is hereby amended, and as amended, shall now read as follows:

“Have fire hydrants and fire service water lines installed in such a manner that fire hydrants shall be located not in excess of two hundred fifty (250) feet apart from any recreational unit site, and of sufficient size to ensure twenty (20) pounds per square inch pressure at all outlets, provided that water lines and fire hydrants shall not be less than eight (8) inches in diameter.”

SECTION 3

Section 7(j) of Ordinance No. 22-64 is hereby amended, and, as amended, shall now read as follows:

“Have fire hydrants and fire service water lines installed in such a manner that fire hydrants shall be located not in excess of two hundred fifty (250) feet apart from any recreational unit site and of sufficient size to ensure twenty (20) pounds per square inch pressure at all outlets, provided that water lines and fire hydrants shall not be less than eight (8”) inches in diameter.”

SECTION 4

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

WHEREUPON, in open session the above Ordinance was read and considered section by section and as a whole.

Council Member Rousselle seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote and the vote resulted as follows:

YEAS: Council Members John L. Barthelemy, Jr., Nancy LaHaye, Corey Arbourgh, Stuart Guey, Benedict Rousselle, Trudy Newberry, Richie Blink and Mark Cognevich

NAYS: None

ABSENT: Council Member Carlton M. LaFrance, Sr.

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 10th day of November, 2022.

I hereby certify the above and foregoing to be a true and correct copy of an Ordinance which was adopted at a meeting held by the Plaquemines Parish Council in the Pointe-a-la-Hache Courthouse, 18055 Highway 15, Pointe-a-la-Hache, Louisiana, on Thursday, November 10, 2022.

Secretary