

Ord.  
2007-0072

**INTRODUCED BY: ALBERT D. LAQUE  
(PARISH PRESIDENT)**

**ORDINANCE NO. 07-3-6**

An Ordinance to amend the St. Charles Parish Code of Ordinances by adopting the Louisiana State Uniform Construction Code and amend existing permit and inspection fees.

**WHEREAS,** the Legislature by Act 12 of the First Extraordinary Session of 2005 enacted Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes providing for the mandatory adoption by parishes and municipalities of certain building codes; and,

**WHEREAS,** It is necessary to amend sections of the St. Charles Parish Code of Ordinances to comply with the Louisiana State Uniform Construction Code; and,

**WHEREAS,** It is the desire of St. Charles Parish Council to protect the health, safety, and welfare of the citizens of St. Charles Parish.

**THEREFORE, THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the St. Charles Parish Code of Ordinances, Appendix A, Section XI. Administration is amended as follows:

A. *Enforcement of the Ordinance.*

1. The Planning and Zoning Department, shall enforce all applicable portions of this Ordinance. Appeals from these decisions may be taken to the Board of Adjustment (see Appendix A, Section XIII)
2. It shall be the duty of all officers and employees of St. Charles Parish to assist the Planning & Zoning Department by reporting new construction, enlargements, alterations, repairs, demolitions, and changes of the occupancy of any buildings or structures, regulated by the building and/or zoning codes and upon seeing violations.
3. No excavation of land nor construction, enlargement, alteration, repair, demolition, replacement, removal, or of any building may be undertaken in the parish without the appropriate Building Permit, visibly posted on site, as required by Chapter 6 Article II of this Code of Ordinances.
4. No change in the use or occupancy of any land or existing building other than for single-family dwelling purposes shall be made; nor shall any new building be occupied until a Certificate of Occupancy has been issued by the Department of Planning & Zoning. Every certificate shall state that the new structure and/or occupancy complies with all provisions of this Ordinance including
  - a. Zoning regulations (Appendix A)
  - b. Floodplain management regulations (Appendix A, Section XX)
  - c. Building codes (Chapter 6, Article II).
5. Where uncertainty exists with respect to the boundaries of the various **zoning** districts as shown on the district **map** accompanying and made a part of this Ordinance, the following rules apply:
  - a. The district boundaries are either streets, alleys, or property lines unless otherwise shown, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by street, alley, or property lines, the street, alley or property lines shall be construed to be the boundary of the district.
  - b. Where the district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the district map accompanying and made a part of this Ordinance are bounded approximately by lot lines, the lot lines shall be construed to be the boundaries of the districts unless the boundaries are otherwise indicated on the map.

c. In unsubdivided property, the district boundary lines on the map accompanying and made a part of this Ordinance shall be determined by use of the scale appearing on the map.

6. In interpreting and applying the provision[s] of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, morals, prosperity, and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that if this Ordinance imposes a greater restriction, this Ordinance shall control.

B. *Home Occupation Permit*: No service or business shall hereafter be started until an application form, as furnished by the Parish Planning and Zoning Department, has been completed and submitted to such department and approved per the requirements of section XXII of the St. Charles Parish Zoning Ordinance of 1981. (Ord. No. 86-7-6, 7-7-86; Ord. No. 89-9-10, 9-18-89)

C. REPEALED

**SECTION II:** That the St. Charles Parish Code of Ordinances, Chapter 6, Article II be amended by adding the following:

Article II. Building and Related Construction Codes

*6-11 Adoption of Louisiana State Uniform Construction Code*

Pursuant to La. R. S. 40:1730.21 et seq., the Louisiana State Uniform Construction Code (LSUCC), and any amendment adopted thereto, is hereby adopted as the regulations for governing the construction of buildings and other structures in St. Charles Parish.

*6-12 Definitions*

Building Official: that officer or other designated authority charged with the administration and enforcement of the LSUCC in St. Charles Parish. The St. Charles Parish Building Official shall be that employee as designated by the Parish President.

*6-13. Permits required*

It shall be unlawful to construct, enlarge, alter, repair, move, demolish, or change the occupancy of any building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by LSUCC or to cause any such work to be done, without obtaining a properly issued permit from the St. Charles Parish Department of Planning and Zoning for said work.

*6-14 Permit application*

To obtain a permit, the applicant shall first file an application on a form furnished by the Department of Planning and Zoning for that purpose. Such application shall contain, at minimum the following information:

- a) Property owners' contact information
- b) Applicant's contact information
- c) Contractor's contact information
- d) Municipal address of the site (an address will be assigned by the Department of Planning and Zoning when not otherwise available)
- e) Deed or Act of Sale of the site
- f) Survey of the site
- g) Site plan including all proposed dimensions, elevation, setbacks, parking, loading, and landscaping where required.
- h) Two (2) complete sets of printed construction plans as well as an electronic format if available. Plans must detail at least the following information:
  1. intended occupancy

2. square footage
  3. type of construction
  4. all necessary details
  5. plans for any proposed foundation, structural, concrete or masonry, electrical, mechanical, plumbing, natural gas, liquefied gas, or other fuel gas work
- j) i) The design wind speed and high wind design standard criteria on which the design was based must be stated on the drawings. Certification, under penalty of perjury, that the construction documents are in compliance with the prescribed Louisiana State Uniform Construction Code.
- k) When required by the Building Official a certified stamped set of construction plans by a licensed registered Louisiana Professional Civil Engineer and/or licensed architect shall be furnished
- l) Anticipated completion of construction

**6-15 Fees**

**A. Residential Building Permit Fee**

**1. Building Permit fees for Single –Family Residences and Multi-Family Residences**

- a. Building permit fee for one and two family dwellings: \$400.00
- b. Building permit fee for multi-family dwellings \$500.00
- c. Residential Additions/Renovations:
- Minor under \$10000 Value \$200.00
  - Including one Inspection
  - Major over \$10000 Value \$300.00
  - Additional inspections as needed
- d. Plan Review and Inspections Fee: \$0.60 per square foot of living area

**B. Commercial Building Permit Fee**

Minimum Building Permit fee for commercial construction: \$600.00  
(0-4000 square feet)

**TABLE INSET:**

4,001-- 6,000 .....	650.00
6,001-- 8,000 .....	775.00
8,001-- 10,000 .....	900.00
10,001-- 12,000 .....	1,080.00
12,001-- 14,000 .....	1,260.00
14,001-- 16,000 .....	1,440.00
16,001-- 18,000 .....	1,620.00
18,001-- 20,000 .....	1,800.00
20,001-- 30,000 .....	2,700.00
30,001-- 40,000 .....	3,600.00
40,001-- 50,000 .....	4,500.00
50,001-- 60,000 .....	5,400.00
60,001-- 70,000 .....	6,300.00
70,001-- 80,000 .....	7,200.00
80,001-- 90,000 .....	8,100.00
90,001--100,000 .....	9,000.00
100,001--200,000 .....	18,000.00
200,001--over .....	20,000.00

Commercial Additions/Renovations: Minor under \$10000 value \$400.00  
Major over \$10000 value \$600.00

Inspection fees for all commercial construction: \$0.60 per square foot

Parish Plan Review fee for all commercial construction:

0-4000 square foot	\$325.00
4001-6000 square foot	\$500.00
6001-10000 square foot	\$750.00
10001 square foot or greater	\$0.15 per square foot

C. Industrial Permit Fee

Construction Value: \$0-\$500,000	\$2000
\$500,001-\$1,000,000	\$2500
\$1,000,001-\$5,000,000	\$3500
\$5,000,001-\$10,000,000	\$6000
\$Over 10,000,000	\$10000
Plan Review and Inspections	\$0.80 per square foot

D. Miscellaneous Permit Fees

1. Each additional Re- Inspection:	\$100.00
2. Swimming Pools (above or in-ground)	\$100.00
3. Mobile Homes	\$175.00
4. Inspection Fee for Mobile homes	\$0.12 per square foot
5. Commercial Storage/utility facility	\$0.60 per square foot
6. Residential storage/utility over 144 sq. ft.	\$0.40 per square foot
7. Fencing over 6'	\$50.00
8. Special Permit use application	\$50.00
9. Demolition Permit Fee	\$200.00
10. Demolition Inspection Fee	\$125.00
11. Misc electrical, mechanical, or plumbing	\$25.00
12. Water Meter Deposit	(refer to Chapter 23)
13. Sewer Tie In Fee	(refer to Chapter22)
14. Signs 0 to 50 square feet	\$75.00
Greater than 50 square feet	\$100.00

6-16 *Certificate of compliance/Occupancy permit*

It shall be unlawful for any structure or other construction, which is required to be permitted under this Chapter to be occupied, used, or otherwise put in service before the owner or his designee has filed a certificate of completion and compliance on the form provided by the St. Charles Parish Department of Planning and Zoning. The certificate of compliance shall include the following information:

- a) Name, address, and daytime telephone number of owner;
- b) Name, address, and daytime telephone number of any and all contractors;
- c) Location of the construction;
- d) Description of the construction, including but not limited to square footage, type of construction, and intended occupancy;
- e) Date of completion of all construction; and
- f) Certification, under penalty of perjury, that the construction was completed in compliance with the Louisiana State Uniform Construction Code.
- g) Upon completion of items a thru f above the Parish through the Planning and Zoning the Department may issue an occupancy permit.

6-17 *Enforcement of Construction Code*

The Building Official may issue a cease and desist order and seek to enjoin further construction or work which is required to be permitted under this Chapter and which construction or work does not have a valid permit. Further, the Building Official may issue a cease and desist order and seek to enjoin the occupancy or use of any building or structure which has, without compliance with this Section, been, in whole or in part,

constructed, enlarged, altered, repaired, moved, demolished, or the occupancy changed or for which the electrical, gas, mechanical or plumbing system has been erected, installed, enlarged, altered, repaired, removed, converted or replaced in any fashion.

**6-18 Penalty**

Any person, partnership, or corporation who violates any of the provisions of this chapter or aids or abets in the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punishable by a fine of not exceeding five hundred dollars (\$500.00), for each offense.

**6-19 Liability.**

No Parish employee working to enforce this code, while acting for St. Charles Parish in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of St. Charles Parish until the final termination of the proceedings. Parish employees shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this Chapter.

**SECTION III,** That Appendix A Section XXI, Sign Regulations subsection H (4). Fees is hereby amended to adopt the revised sign permit fee schedule as follows:

Square Feet of Sign	Permit Amount
0 to 50 Square feet	\$75.00
Greater than 50 square feet	\$100.00

**SECTION IV.** That Chapter 6 Article II Sections 6-11 through 6-18 and each subsection and provision of said Article thereunder, are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of this chapter, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions are severable and would have been passed independently of such section or provision so known to be invalid.

**SECTION V.** That any Parish ordinance containing any provision in conflict with any provision of this Ordinance is hereby repealed.

The foregoing Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: MARINO, HILAIRE, FABRE, RAMCHANDRAN, WALLS, BLACK,  
DUHE, MINNICH  
NAYS: NONE  
ABSENT: FAUCHEUX

And the Ordinance was declared adopted this 19th day of March, 2007, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Arnt Blom*  
SECRETARY: *Barbara Jane Tucker*  
DLVD/PARISH PRESIDENT: March 20, 2007  
APPROVED: *[checkmark]* DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: *Albert D. Layton*  
RETD/SECRETARY: March 23, 2007  
AT: 9:36 AM RECD BY: *[signature]*

<sup>ord.</sup> AMENDED  
By: 10-7-13  
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