



St. Charles Parish
Meeting Agenda
Parish Council
Agenda

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
scpcouncil@st-charles.la.us
<http://www.stcharlesparish-la.gov>

Council Chairman Billy Raymond, Sr.
Councilmembers Carolyn K. Schexnaydre, Terry Authement,
Shelley M. Tastet, Wendy Benedetto, Paul J. Hogan,
Larry Cochran, Marcus M. Lambert, Dennis Nuss

Monday, August 23, 2010 **6:00 PM** **Council Chambers, Courthouse**
Final

CALL TO ORDER

PRAYER

Dr. Juliet Spencer
Pastor of St. Charles United Methodist Church

PLEDGE

Dr. Juliet Spencer
Pastor of St. Charles United Methodist Church

APPROVAL OF MINUTES

Regular Meeting - July 26, 2010

REPORTS (FINANCE AND ADMINISTRATIVE ACTIVITIES)

- 2010-0280 (8/23/2010)
Library Service District
- 2010-0281 (8/23/2010)
Communications District (911)
- 2010-0282 (8/23/2010, St. Pierre)
Parish President Remarks/Report

8/9/10 Parish Council Publish/Scheduled PH

32 2010-0272 (8/9/2010, St. Pierre, Department of Planning & Zoning)

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Marcus Lambert - "On Display, LLC" - a landscaping service - at 200 Edgewood Lane, Montz, LA.

Legislative History

6/28/10 Department of Planning & Zoning Received/Assigned PH
 8/5/10 Department of Planning & Zoning Recommended Approval Planning Commission
 8/5/10 Planning Commission Recommended Approval Parish Council
 8/9/10 Parish President Introduced
 8/9/10 Parish Council Publish/Scheduled PH

**ORDINANCES SCHEDULED FOR PUBLIC HEARING
 (INTRODUCED AT PREVIOUS MEETING)**

40 2010-0246 (8/9/2010, Hogan)

An ordinance to enact a MORATORIUM on the placement of animals other than pets in any zoning district other than OL in St. Charles Parish, said Moratorium shall remain in effect until January 31, 2011.

Legislative History

7/12/10 Parish Council Publish/Scheduled PH
 7/12/10 Council Member(s) Introduced
 7/26/10 Parish Council PH Requirements Satisfied

Reported:

Councilman Hogan Recommended: Approval

7/26/10 Parish Council Approved Fail

Proposed ordinance failed for lack of a majority by the following vote

8/9/10 Council Member(s) Introduced
 8/9/10 Parish Council Publish/Scheduled PH

41 2010-0267 (8/9/2010, St. Pierre, Department of Wastewater)

An ordinance to approve and authorize the execution of a Cooperative Endeavor Agreement, a copy of which is attached hereto and made a part hereof, with St. Charles Parish Public Schools for the acquisition of a sewer lift station to accommodate future development by St. Charles Parish.

Legislative History

8/9/10 Parish President Introduced
 8/9/10 Parish Council Publish/Scheduled PH

- 46 **2010-0268** (8/9/2010, St. Pierre, Department of Finance)
 An ordinance setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; and for the purpose of paying the principle and interest on outstanding General Obligation Sewer Bonds for the year 2010.
- Legislative History
- | | | |
|--------|------------------|----------------------|
| 8/9/10 | Parish President | Introduced |
| 8/9/10 | Parish Council | Publish/Scheduled PH |
- 49 **2010-0273** (8/9/2010, St. Pierre, Department of Planning & Zoning)
 An ordinance to amend the Subdivision Regulations to require resubdivision plats to state that sewer connection is the responsibility of the developer.
Revised Version - Page 50
- Legislative History
- | | | |
|--------|------------------|----------------------|
| 8/9/10 | Parish President | Introduced |
| 8/9/10 | Parish Council | Publish/Scheduled PH |
- 51 **2010-0274** (8/9/2010, St. Pierre, Department of Waterworks)
 An ordinance to approve and authorize the execution of a contract with W.L. Wyman Construction, Inc. for the Installation of the East Bank and West Bank Water Plant Shutters - HMGP #1603-089-0005 FEMA Project #0110 in the amount of \$178,000.00.
- Legislative History
- | | | |
|--------|------------------|----------------------|
| 8/9/10 | Parish President | Introduced |
| 8/9/10 | Parish Council | Publish/Scheduled PH |
- 57 **2010-0275** (8/9/2010, Hogan)
 An ordinance to amend the Code of Ordinances to rename Chapter 2. Administration, Section 2-12.
- Legislative History
- | | | |
|--------|-------------------|----------------------|
| 8/9/10 | Council Member(s) | Introduced |
| 8/9/10 | Parish Council | Publish/Scheduled PH |
- 58 **2010-0276** (8/9/2010, Cochran)
 An ordinance to provide for the installation of a "STOP" sign at the end of Third and Short Street in St. Rose.
- Legislative History
- | | | |
|--------|-------------------|----------------------|
| 8/9/10 | Council Member(s) | Introduced |
| 8/9/10 | Parish Council | Publish/Scheduled PH |
- 59 **2010-0277** (8/9/2010, Benedetto, St. Pierre, Department of Public Works)
 An ordinance to approve and authorize the execution of a contract with Advanced Quality Construction, Inc. for project P081102-2 Dunleith Canal Stabilization Ph1 in the amount of \$614,282.00.
- Legislative History
- | | | |
|--------|-------------------|------------|
| 8/9/10 | Council Member(s) | Introduced |
|--------|-------------------|------------|

8/9/10 Parish Council Publish/Scheduled PH

ORDINANCES/RESOLUTIONS WHICH HAVE BEEN TABLED

66 **2010-0249** (7/12/2010, Nuss)

An ordinance to provide for the installation of "THREE-WAY STOP" signs at the intersection of St. Maria Street and Monsanto Avenue in Luling.

Legislative History

7/8/10	Council Member(s)	Rcmnd'ation Request Fwd'd	Department of Public Works
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from Councilman Nuss; review the area at the corner of St. Maria Street and Monsanto Avenue for the installation of a three-way stop

7/12/10	Council Member(s)	Introduced	
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7/12/10	Parish Council	Publish/Scheduled PH	
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7/15/10	Council Member(s)	Correspondence Received	
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from the Department of Public Works to Sheriff Champagne requesting a listing of all traffic incidents in the area within the past twelve months.

7/26/10	Parish Council	Amended	Pass
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Amendment: to amend the proposed ordinance in the second "WHEREAS" to change "... this is the only street in the area that does not have a stop sign ..." to read "... this is the only cross street on St. Maria Street that does not have a stop sign ... "

7/26/10	Parish Council	PH Requirements Satisfied	
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Reported:
Councilman Nuss Recommended: Approval

Speakers:
Mr. John Colley, Luling
Mr. Mike Landry, Luling
Mr. Wayne Breaux, Luling
Ms. Denise Breaux, Luling

7/26/10	Parish Council	Tabled.	Pass
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Discussion: to table File No. 2010-0249

7/29/10	Council Member(s)	Correspondence Received	
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from the Department of Public Works; in order to install "Three-Way Stop" signs at this intersection; manual on Uniform Traffic Control Devices gives certain criteria that must be met; survey revealed that none of these apply, for these reasons the Department of Public Works cannot recommend the installation of the "Three-Way Stop" signs at this location.

8/9/10	Parish Council	Tabled.	
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8/16/10	Legislative Committee	Meeting Cancelled	
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67 **2010-0255** (7/26/2010, Lambert)

An ordinance to provide for the installation of "FOUR-WAY STOP" signs at the intersections of Fifth Street, Vial Street, and Highland Drive in Norco.

Legislative History

5/5/10	Council Member(s)	Rcmnd'ation Request Fwd'd	Department of Public Works
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from Councilman Lambert; review area of 5th Street and Vial Street in Norco for the installation of a 4-Way Stop.

5/11/10	Council Member(s)	Correspondence Received	
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from the Department of Public Works to Sheriff Champagne requesting a listing of all traffic incidents in the area within the past twelve months.

9/5/06 Parish Council Enacted Legislation

Mr. Thomas Barreca, Jr. appointed to the St. Charles Parish Communications District on September 5, 2006, per Resolution No. 5369

Term: September 19, 2006 - September 19, 2010

8/9/10 Parish Council Vacancy Announced

2010-0284 (8/23/2010)

A resolution to appoint a member to the River Parishes Tourist Commission.

On September 7, 2010, the Council Chairman will accept nominations to fill the vacancy created by the expiration of the term of Ms. Betty Haydel. Four (4) year term to begin October 3, 2010 and expire October 31, 2014.

Legislative History

10/2/06 Parish Council Enacted Legislation

Betty Haydel appointed to the River Parishes Tourist Commission on October 2, 2006, per Resolution No. 5375

Term: October 3, 2006 - October 3, 2010

MEETINGS, ANNOUNCEMENTS, NOTICES, ETC.

MEETINGS

HOSPITAL BOARD: Wednesday, 8/25/10, 9AM, Council Chambers

PLANNING & ZONING COMMISSION: Thursday, 9/2/10, 7PM, Council Chambers

ANNOUNCEMENTS

Board of Review: Parish Council will be sitting as a Board of Review September 6 - September 20, 2010

2010 Assessment Lists

Written or Oral Protests must be received by the Parish Council Office by September 14, 2010 - 4:00 pm

PARISH HOLIDAY: Monday, 9/6/10 - Labor Day

ELECTION DAY: Saturday, 8/28/10

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

2010-0278

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)**

ORDINANCE NO. _____

An ordinance approving and authorizing the execution of Amendment No. 2 to the DNR Cooperative Agreement No. 2512-06-04 (OCR Contract No. 435-600619) between the Louisiana Department of Natural Resources and St. Charles Parish Government for the operation, maintenance, repair, replacement, and rehabilitation of the Davis Pond Freshwater Diversion Project.

WHEREAS, the St. Charles Parish Council adopted Ordinance No. 05-12-9 which approved DNR Cooperative Agreement No. 2512-06-04 for the operation of the Davis Pond Freshwater Diversion Project for the period of February 1, 2006, through January 31, 2011; and,

WHEREAS, Ordinance No. 08-11-6 was adopted by the St. Charles Parish Council to amend the budget in said agreement; and,

WHEREAS, the Louisiana Department of Natural Resources transferred responsibility for the Agreement to the newly established Louisiana Office of Coastal Protection and Restoration; and,

WHEREAS, Amendment No. 2 to said Agreement reflects the transfer of responsibility and includes a no cost budget amendment to move \$20,000 from the contingencies category to the Equipment Acquisition category to allow for the purchase of a Grass Tractor and attachment.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That Amendment No. 2 to the DNR Cooperative Agreement No. 2512-06-04 between the Louisiana Department of Natural Resources, now administered by the Office of Coastal Protection and Restoration as Contract No. 435-600619, and St. Charles Parish Government is hereby approved.

SECTION II. That the Parish President is hereby authorized to execute said Amendment No. 2 on behalf of St. Charles Parish Government.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

Office of Contractual Review # 435-600619

CFMS # 631916

Contract # 2512-06-04

Amendment # 2

Amendment to Agreement between State of Louisiana
Office of Coastal Protection and Restoration
AND
St. Charles Parish
P.O. Box 302
Hahnville, LA 70057
Tel. No. (985) 783-5100
Vendor # 72-6001208

Amendment Provisions

Change Agreement from: Addendum to Appendix A

Category	Current Budget	Requested Change	Revised Budget
Supplies/Materials	\$221,500		\$221,500
O & M Personnel	\$632,619		\$632,619
Equipment Acquisition	\$189,100		\$189,100
Contingency	\$161,103		\$161,103
<u>Administrative</u>	<u>\$25,000</u>		<u>\$25,000</u>
Total Contract	\$1,229,322		\$1,229,322

ADD OR CHANGE TO:

Category	Current Budget	Requested Change	Revised Budget
Supplies/Materials	\$221,500		\$221,500
O & M Personnel	\$632,619		\$632,619
Equipment Acquisition	\$189,100	\$20,000	\$209,100
Contingency	\$161,103	(\$20,000)	\$141,103
<u>Administrative</u>	<u>\$25,000</u>		<u>\$25,000</u>
Total Contact	\$1,229,322		\$1,229,322

Amendment becomes effective: July 1, 2010

This no cost budget revision is to move \$20,000 from the contingencies category to the Equipment Acquisition category to allow for the purchase of a Grass Tractor and attachment. At the time that the original agreement was executed in 2006, the budget included an item for a Grass Tractor at a price of \$75,000.00. This price includes both the tractor and the grass cutting attachment. Because of inflation, the price of that item has escalated to approximately \$90,300.00.

This amendment contains or has attached hereto all revised terms and conditions agreed upon by contracting parties. IN WITNESS THEREOF, this amendment is signed and entered into on the date indicated below:

(Contractor's Signature) (Date)

Contractor's Name: V.J. St. Pierre, Jr.

Contractor's Title: Parish President

Steve Mathies 7/28/2010
Steve Mathies, Ph.D (Date)

Agency's Name: Office of Coastal Protection and Restoration

Agency's Title: Executive Director

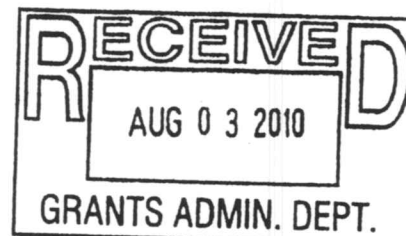
BOBBY JINDAL
GOVERNOR



ROBERT D. HARPER
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF MANAGEMENT AND FINANCE

July 30, 2010



Holly Fonseca
St. Charles Parish Government
P. O. Box 302
Hahnville, Louisiana 70057

RE: DNR Contract No. 2512-06-04
OCR Contract No. 435-600619
"Operation, Maintenance, Repair, Replacement & Rehabilitation of Davis Pond Freshwater Diversion Prj."
Amendment No. 2

Dear Ms. Fonseca:

Enclosed are three (3) copies of the above referenced Amendment. Please have all three (3) copies signed, witnessed and returned to this office as soon as possible. An executed copy will be returned to you for your records upon completion of the approval process. If someone other than the original signatory signs the amendment, please provide a Board Resolution.

Should you have any questions concerning this amendment, please call me at (225)342-4566.

Sincerely,


Julia Raiford
Contracts & Grants Supervisor

/jr
Enclosures

Contracts and Grants Division

Post Office Box 94396 • Baton Rouge, Louisiana 70804-9396 • 617 North Third Street • 12th Floor • Baton Rouge, Louisiana 70802
(225) 342-4513 • Fax (225) 342-8700 • <http://www.dnr.state.la.us>
An Equal Opportunity Employer

2010-0269

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Zoning Ordinance to change the zoning classification from C-1 to R-1A(M) at Lot 2-B-1 and from C-1 to C-2 at Lot 2-C-1 in the A. N. Darensbourg Tract, Killona as requested by Katherine Isaac.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An Ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981, approving the change of zoning classification from C-1 to R-1A(M) at Lot 2-B-1 and from C-1 to C-2 at Lot 2-C-1 in the A. N. Darensbourg Tract, shown on a survey by Roland P. Bernard dated 6/1/92 and revised January 27, 1993, as requested by Katherine Isaac.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Maps to reflect this reclassification from C-1 to C-2 at Lot 2-C-1 in the A. N. Darensbourg Tract, shown on a survey by Roland P. Bernard dated 6/1/92 and revised January 27, 1993, as requested by Katherine Isaac.

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

And the ordinance was declared adopted this _____ day of _____, 2010 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2010-11 requested by Katherine Isaac for a change in zoning classification from C-1 to C-2 on Lot 2-C-1 of the A. N. Darensbourg Tract, 158 Killona Drive and from C-1 to R-1A(M) on Lot 2-B-1 156 Killona Drive. Council District 1.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

PZR-2010-11 requested by Katherine Isaac for a change in zoning classification from C-1 to C-2 on Lot 2-C-1 of the A. N. Darensbourg Tract, 158 Killona Drive and from C-1 to R-1A(M) on Lot 2-B-1 156 Killona Drive. Council District 1. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. The applicant requests rezoning from C-1 to C-2 in order to convert an existing convenience store into a restaurant and also from C-1 to R-1AM to correct an error made during the original rezoning of the site. Both lots will exceed the area and width requirements for the proposed zoning districts. I did a little history if you would like me to read through that.

Mr. Gibbs: We do like to hear your voice, but I don't think it will be necessary.

Ms. Stein: Ok. Great. This year, Isaac's son inquired about permitting a commercial kitchen and other renovations, possibly an addition, in order meet state requirements for installing a daiquiri machine in the convenience store. State laws requires a seating area where a daiquiri machine is licensed. In order to have a seating area, local law requires the location to become either a bar or a restaurant—with a commercial kitchen. In order to permit a commercial kitchen, the State Plumbing Code requires additional restroom facilities. That's how we ended up where we are today. Ms. Isaac does not wish to operate or live next to a barroom, so the request is to rezone to C-2 in order to convert the convenience store into a restaurant.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests for rezoning. The request to correct the zoning from C-1 to R-1AM on Lot 2-B-1 where a site-built house on slab exists meets all criteria of all three tests.

The request to rezone Lot 2-C-1, the site of the convenience store, to C-2 meets all the criteria of the second test. The second test is designed to prevent congestion and overburden of public infrastructure. Lot 2-C-1 is already developed with a business that has operated since 1992 with no record of complaints to code enforcement. The general commercial activities permitted in the building under C-2 zoning will not cause undue congestion or overburden of public utilities. Because the site is developed as and has been used as a convenience store for almost two decades, it is unlikely that any other C-2 use other than a restaurant would develop on the site. Other C-2 permitted uses could not be permitted because the site is already constrained with regard to parking, loading, and landscaping. Therefore, the rezoning should not lead to building usage which, is, or may become incompatible with existing character or usage of the neighborhood. We recommend approval.

Mr. Gibbs: Commission members any questions or concerns? Anyone in the audience would like to speak in favor, please step forward. State your name and address please.

Brandon Isaac, 156 Killona Drive, Killona, La. We would be establishing our convenience store, traditionally as we run it, just in addition to plate lunches and in addition, the restaurant will be in a separate space and the daiquiri machine would also be in that separate space away from the grocery side of the business. These are later plans, our plans now and for the near future is to use it as a convenience store and grocery with the incorporation of food. With the addition, we

would add on separate spacing for eating and sitting and whatever other amenities we are able to complete in the area.

Mr. Gibbs: Thank you. Any questions? Is there anyone in the audience wishing to speak not in favor of PZR-2010-11? Seeing none, Commission members please cast your vote. That passes unanimously.

YEAS: Pierre, Foster, Gibbs, Clulee

NAYS: None

ABSENT: Booth, Galliano, Johnson

Mr. Gibbs: That's going to be forwarded to the Council for approval on August 23rd.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: PZR-2010-11

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant** **Application Date: 7/1/10**
Katherine Isaac
156 Killona Drive
Killona LA 70057
- ◆ **Location of Site:**
Lot 2-B-1 is a residence at 156 Killona Drive
Lot 2-C-1 is the site of Scott's Grocery, 158 Killona Drive
- ◆ **Requested Action:**
Rezoning Lot 2-B-1 from C-1 to R-1AM
Rezoning of Lot 2-C-1, the site of Scott's Grocery, to C-2

SITE – SPECIFIC INFORMATION

- ◆ **Surrounding Land Uses and Zoning:**
Adjacent to the site to the north, east and south, property is zoned R-1AM and developed with single family uses—site-built and mobile homes.
- ◆ **Comprehensive Plan Specifications:**
 - Maintain the rural character of the community while controlling residential growth and, when feasible, allowing controlled commercial and industrial growth.
 - Encourage buffers as a means of protection of uses from other incompatible uses.
 - Maintain and encourage residential uses
 - Encourage controlled commercial and/or industrial growth, when feasible.
- ◆ **Utilities:**
Public water, sewer and drainage serve the site.
- ◆ **Traffic Access:**
Site is has frontage on Killona Drive a substandard local street approximately 500' or .2 miles from the intersection with River Road.

APPLICABLE REGULATIONS

Appendix A, Zoning Ord, Section VI. C. [III] C-1. General commercial district- offices:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in the CR-1 district. (Ord. No. 88-5-5, 5-16-88)
 - (2) Any type of commercial office or retail sales, excepting those offices serving gambling operations. (Ord. No. 88-5-5, 5-16-88; Ord. No. 94-1-9, § II, 1-10-94)
 - (3) (Repealed by Ord. No. 88-8-5, 8-1-88)
 - b. Special exception uses and structures include any use related to the principal use.
 - c. Special permit uses and structure include the following:
 - (1) Child care centers.
 - (2) All uses allowed in an R-1A Zoning District, upon review by the Planning Commission. (Ord. No. 92-9-14, 9-8-92)
 - (3) Multifamily dwellings, including duplexes, apartments, apartment houses, townhouses, condominiums, boarding, and lodging houses, upon review by the Planning Commission and supporting resolution of the Council.
2. Spatial Requirements:
 - a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:

- (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8,
3. Transportation System: Collector or arterial preferred. Permitted on local if serving similar uses.
4. Special Provisions:
- a. Where any commercial use in a C-1 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

AND

Appendix A. Zoning Ord. Section VI.C.[III] C-2 General commercial district-- Retail sales:

1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) All uses allowed in C-1 District. (Ord. No. 88-5-5, 5-16-88)
 - (2) Retail sales (except auto and mobile home sales), usage, and storage
 - (3) Hotels, motels and apartment hotels
 - (4) [Repealed by Ord. No. 92-9-14, 9-8-92.]
 - (5) Restaurants (including drive-in restaurants) and cafeterias. Specific land use requirements for restaurants serving alcoholic beverages are contained in subsection III.59. of these regulations, with further details contained within Chapter 3 of the St. Charles Parish Code of Ordinances. (Ord. No. 94-11-2)
 - (6) Animal hospitals where all animals are kept inside the building
 - (7) Service station
 - (8) Commercial recreation facilities
 - (9) Commercial greenhouses and nurseries
 - (10) Commercial schools
 - (11) Shops not to exceed two thousand five hundred (2,500) square feet of floor area for the repair and servicing of the following: bicycles, radios, televisions, stereos and recorders, household appliances, locksmith, typewriters, other similar uses
 - (12) Shops not to exceed two thousand five hundred (2,500) square feet of floor area may also include the following uses: dressmakers, millinery, tailors, baking goods, sales, laundry and dry cleaners, theatres (but not the drive-in type)
 - (13) Laboratories
 - (14) Customary accessory uses incidental to the above uses when located on the same lot
 - (15) Funeral homes (provided that a petition of no objection signed by a majority of property owners within a three hundred foot radius of the site and one hundred (100) percent of the property owners on the same street within the same block be filed with the Planning Zoning Department
 - (16) Cemeteries and mausoleums, provided however that such uses shall be located on sites of at least twenty (20) acres, all graves shall be set back at least fifty (50) feet from all property lines, shall have a minimum street frontage of one hundred (100) feet and a fence or screen planting six (6) feet high shall be provided along all property lines adjoining all districts
 - (17) Other uses of similar intensity.
 - (18) Mini-storage facilities (limited to one-story construction in C-2 district). (Ord. No. 98-3-17, § II, 3-23-98).
 - b. Special exception uses and structures include the following:
 - (1) Dwelling units contained within the office building
 - (2) Reserved
 - (3) Reserved
 - (4) Churches
 - (5) Movie theaters
 - (6) Temporary on-site construction buildings for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

- a. Minimum lot size: Six thousand (6,000) square feet, minimum width - sixty (60) feet.
 - b. Minimum yard sizes:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet.
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XI, 8-18-08)
3. Transportation Requirements: Arterial
4. Special Provisions:
- a. Where any commercial use in a C-2 zoning district abuts any residential district or use, a six-foot high solid wood fence or masonry wall shall border the same and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

ANALYSIS

The applicant requests rezoning from C-1 to C-2 in order to convert an existing convenience store into a restaurant and also from C-1 to R-1AM to correct an error made during the original rezoning of the site. Both lots exceed the area and width requirements for the proposed zoning districts.

The Permit Database indicates that in March 1992, Katherine Isaac requested rezoning of a property described as "portion of Lot 2 of a subdivision of the A. N. Darenbourg Tract" in order to permit a convenience store (PZR 1992-02). As soon as the property was rezoned in May, she began construction on the convenience store (permit 8453-92). In December 1992, the site was resubdivided into two lots (PZS-92-28). In the end, the convenience store was on Lot 2-C-1 and Ms. Isaac built her house on Lot 2-B-1 (permit 9888-94). Although the permit file indicates Lot

2-B-1 was zoned R-1AM at the time of permitting, the zoning map has shown the property zoned C-1 since the initial request to rezone in 1992 in accordance with Ordinance 92-4-8.

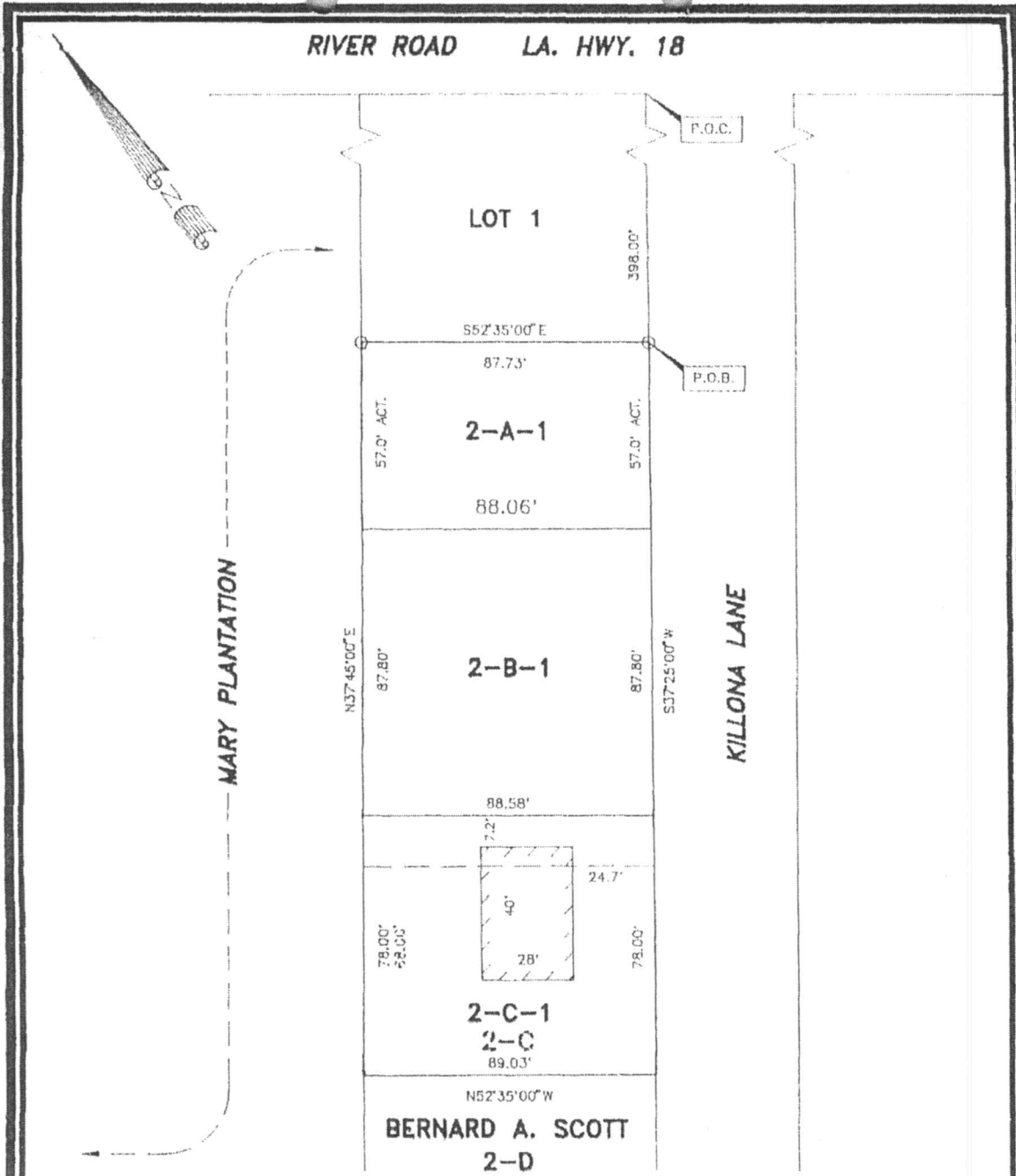
This year, Isaac's son inquired about permitting a commercial kitchen and other renovations, possibly an addition, in order meet state requirements for installing a daiquiri machine. State laws requires a seating area where daiquiri machines are licensed. In order to have a seating area, local law requires the location to become either a bar or a restaurant—with a commercial kitchen. In order to permit a commercial kitchen, the State Plumbing Code requires additional restroom facilities. Ms. Isaac does not wish to operate or live next to a barroom, so the request is to rezone to C-2 in order to convert the convenience store into a restaurant.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests for rezoning. The request to correct the zoning from C-1 to R-1AM on Lot 2-B-1 where a site-built house on slab exists meets all criteria of all three tests.

The request to rezone Lot 2-C-1, the site of the convenience store, to C-2 meets all the criteria of the second test. The second test is designed to prevent congestion and overburden of public infrastructure. Lot 2-C-1 is already developed with a business that has operated since 1992 with no record of complaints to code enforcement. The general commercial activities permitted in the building under C-2 zoning will not cause undue congestion or overburden of public utilities. Because the site is developed as and has been used as a convenience store for almost two decades, it is unlikely that any other C-2 use other than a restaurant would develop on the site. Other C-2 permitted uses could not be permitted because the site is already constrained with regard to parking, loading, and landscaping. Therefore, the rezoning should not lead to building usage which, is, or may become incompatible with existing character or usage of the neighborhood.

DEPARTMENTAL RECOMMENDATION

Approval.



RECOMMENDATION: APPROVAL / DISAPPROVAL

[Signature]
 ST. CHARLES PARISH PLANNING
 AND ZONING DIRECTOR

1/28/93
 DATE

[Signature]
 ST. CHARLES PARISH PRESIDENT

1/28/93
 DATE

Survey revised this date. January 27, 1993

O : DENOTES IRON RODS SET

FILE #	920002
SCALE	1" = 40'
DATE	6/1/92

RESUBMISSION OF A PORTION OF LOT 2
 OF A SUBDIVISION OF THE A. & N.
 DARENSBOURG TRACT LOCATED IN THE
 UPPER PORTIONS OF SECTIONS 63 & 77,
 T125-R19E AT
 KILLONA, ST. CHARLES PARISH, LA.
 BY KATHERINE SCOTT ISSAC,
 P.O. BOX 680, KILLONA, LA. 70066

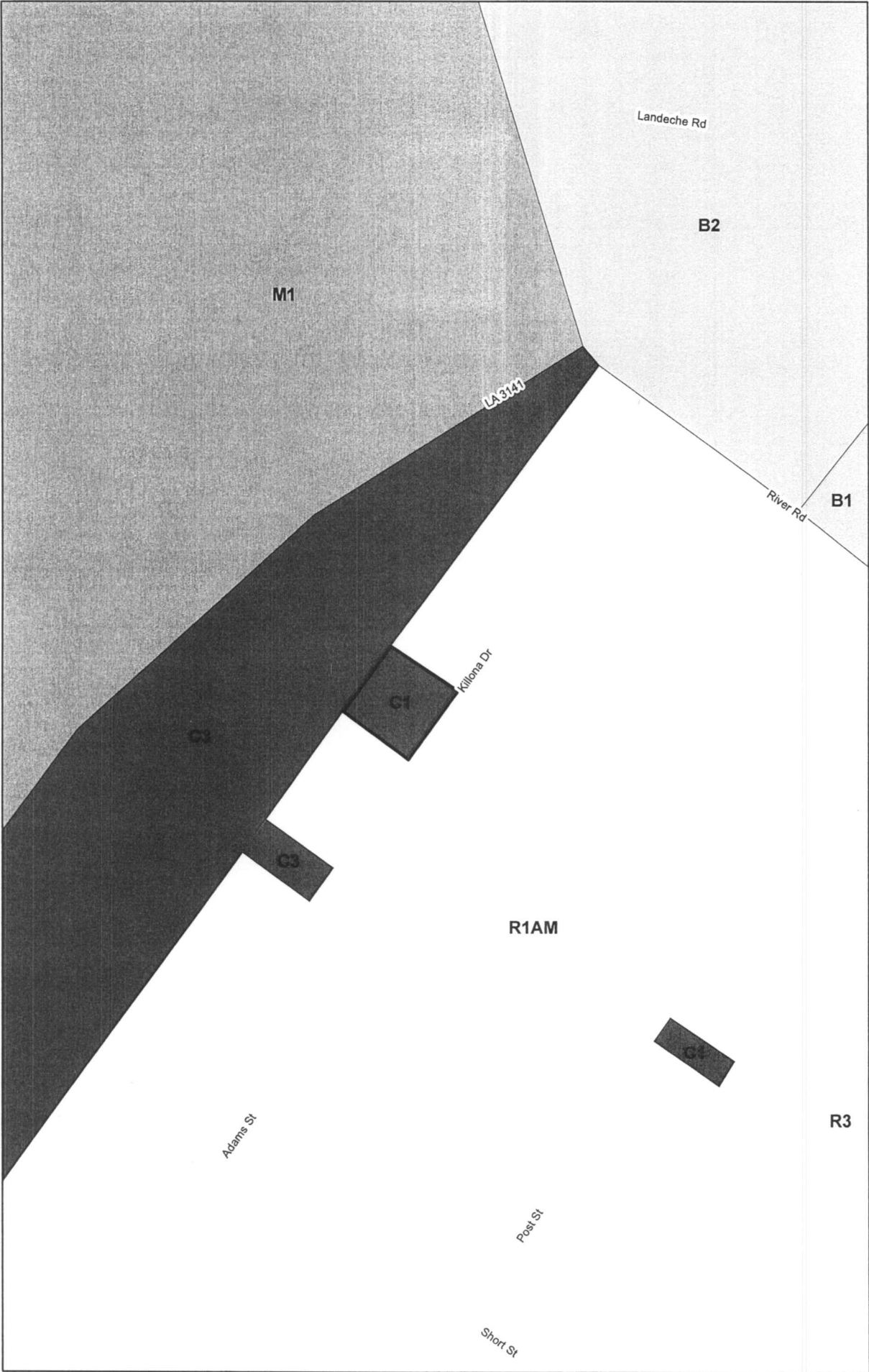
[Signature]
 SURVEYOR

Prepared by the office of
 R.P. Bernard
 St. Charles Parish, La.

M.A.M.

1 PDS 92-28 F# 171588 1





2010-0270

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, adopted October 19, 1981 to approve the change of zoning classification from C-2 and R-1A(M) to MS on Lot 41A Square 9, New Diamond Subdivision as requested by St. Charles Community Health Center.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. An Ordinance to amend the Zoning Ordinance of 1981, Ordinance No. 81-10-6, to approve the change of zoning classification from C-2 and R-1A(M) to MS on Lot 41A Square 9, New Diamond Subdivision, shown on a survey by Lucien Gassen dated June 9, 2010 and revised July 21, 2010, as requested by St. Charles Community Health Center.

SECTION II. To authorize the Department of Planning & Zoning to amend the official St. Charles Parish Zoning Maps to reflect the reclassification from zoning districts C-2 and R-1A(M) to MS on Lot 41A Square 9, New Diamond Subdivision, shown on a survey by Lucien Gassen dated June 9, 2010 and revised July 21, 2010, as requested by St. Charles Community Health Center.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZR-2010-10 requested by St. Charles Community Health Center for a change in zoning classification from C-2 and R-1AM to MS at Lots 38-45 (proposed Lot 41A), Square 9, New Diamond Subdivision 16004 River Road, Norco. Council District 6.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

PZR-2010-10 requested by St. Charles Community Health Center for a change in zoning classification from C-2 and R-1AM to MS at Lots 38-45 (proposed Lot 41A), Square 9, New Diamond Subdivision 16004 River Road, Norco. Council District 6. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. Shell Refining and Chemical Plants LP bought lots 38 through 45 of Square 9 from individual property owners from late 2001 to early 2002. The property was donated to St. Charles Community Health Center in May, 2009 “solely for the purpose of a medical clinic. The Community Health Center has resubdivided the property into one lot and requests rezoning so the project can be permitted.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests listed in applicable regulations; this rezoning request meets all criteria of the first and second tests. The first test is designed to provide relief when land use character has changed to the extent that no reasonable use of property exists under current zoning. New Diamond is in transition from a residential area. With the majority of the lots in the area bought out by Shell, it is extremely unlikely that uses permitted in R-1AM zoning districts will redevelop on this site or in the area. It follows that with no more than 25 housing units remaining in the area west of Norco, the general commercial uses permitted in the C2 zoning district also are unlikely to redevelop in the area. In other words, R-1AM and C2 no longer allow reasonable use of the site. Rezoning to MS will allow redevelopment of a private, non-profit health clinic approximately a quarter mile from Norco, a community that is largely built-out and in need of healthcare.

The second test is designed to protect the public interest by preventing congestion and overburden of public infrastructure and utilities. New Diamond is in transition from a residential community of hundreds of housing units. Since the industry buyout, the only redevelopment has been a 6 acre park expansion north of Bethune Park. With so much vacant land with public infrastructure and utilities, this redevelopment will not overburden public infrastructure. The Department of Waterworks indicates water service is adequate for the proposed use and Public Works is undertaking drainage maintenance along Cathy Road to prepare for the project. River Road does not experience undue congestion in this area, and with frontage on both Cathy Road and River Road, the development should not cause traffic congestion, so we recommend approval.

Mr. Gibbs: Thank you Ms. Stein. Any questions or concerns from the Commission? Is there anyone in the audience that would like to speak in favor of PZR-2010-10?

Glenn Holtzclaw, I'm with St. Charles Community Health Center. I think Ms. Stein pretty much covered everything. I would like to point out that we are a 503c nonprofit. It's run by a non paid board that composed of members of the community and that our main purpose as a federally qualified health center to provide services to the residents of St. Charles Parish. This is one our projects that is going forward and the main reason being, on the eastbank of St. Charles Parish and St. John and St. James, have been designated as underserved. So we are trying to fill that bill and provide the services to the lower income or underinsured people. Thank you.

Mr. Gibbs: Thank you. By protocol I do have to ask, but it will be very difficult for anybody to come up and speak not in favor of this, but please take the podium if you'd like. Seeing none, Commission members please vote. That passes unanimously.

YEAS: Pierre, Foster, Gibbs, Clulee

NAYS: None

ABSENT: Booth, Galliano, Johnson

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: PZR-2010-10

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 6/22/2010**
St. Charles Community Health Center
843 Milling Ave
Luling, La 70070
985.785.5800
- ◆ **Location of Site:**
16004 River Road, Norco: NE corner of the intersection of Cathy Road and River Road.
- ◆ **Requested Action:**
Rezoning from C2 and R-1AM to MS

SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:**
Lot 41A is 77,200 sq. ft.
- ◆ **Existing Land Use and Zoning:**
The property currently is vacant and unused; it zoned C-2 and R-1AM.
- ◆ **Surrounding Land Uses and Zoning:**
To the north, property is zoned R-1AM and developed with a single-family residence
To the east, six lots are zoned R-1AM; one of the lots is developed with a mobile home; the vacant property to the east along River Rd is zoned C2 and vacant.
To the south, across River Road, property is zoned B1 and undeveloped.
To the west, across Cathy Road, property is zoned R3 but vacant.
- ◆ **Comprehensive Plan Specifications:**
Maintain the existing land use mix.
Encourage the use of buffering as a means of protecting land uses from other incompatible land uses.
Apply aesthetic standards to corridors that are considered highly visible in the parish.
Protect existing land use mix while providing buffer zones for commercial/industrial expansion
- ◆ **Utilities:**
Standard utilities serve the site. The Department of Public Works requested a 15' wide servitude on the lot where it abuts Cathy Road, and the applicant granted the servitude. Drainage maintenance is underway down Cathy Road.
- ◆ **Traffic Access:**
River Road and Cathy Road.

APPLICABLE REGULATIONS

Appendix A. Section VI.

- I. MS Medical Service District - Hospitals, Nursing Homes and Related Facilities:
 1. Use Regulations:
 - a. A building or land shall be used for the following purposes:
 - (1) Offices for physicians, surgeons, dentists, psychiatrists, chiropractors or practitioners in related specialties.
 - (2) Drugstores limited to the sale of medical and dental products and articles of personal hygiene.
 - (3) Retail shops dispensing ocular or surgical supplies, providing that such store or shop be operated incidental to and in the same building with professional offices as described above.

- (4) Flower shops.
 - (5) Restaurants.
 - (6) Clinics.
 - (7) Accessory uses.
 - (8) Medical research laboratories.
 - (9) Physically handicapped facilities.
 - (10) Nursing and convalescent homes.
 - (11) Hospitals.
- b. Special permit uses and structures including the following:
- (1) Rehabilitation facilities (including drug, alcohol, mental, psychiatric, delinquency, and retardation facilities); prisons; jails; reformatories; penitentiaries; or any other kind of rehabilitation facility, penal institution, or sanctuary; upon review and approval by the Planning Commission and supporting resolution of the Council.
(Ord. No. 88-11-20, 11-28-88; Ord. No. 93-7-3, § I, 7-6-93)
2. Spatial Requirements.
- a. Minimum lot size: Ten thousand (10,000) square feet; minimum width - eighty (80) feet.
 - b. Minimum yard size:
 - (1) Front - twenty (20) feet
 - (2) Side - five (5) feet
 - (3) Rear - ten (10) feet
 - (4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XVI, 8-
3. Transportation System: Collector or arterial preferred - permitted on connector of local if services similar uses.

Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
 - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
 - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
 - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
 - a. Undue congestion of streets and traffic access.
 - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
 - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
 - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
 - a. It is not capricious or arbitrary in nature or intent.
 - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
 - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
 - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

ANALYSIS

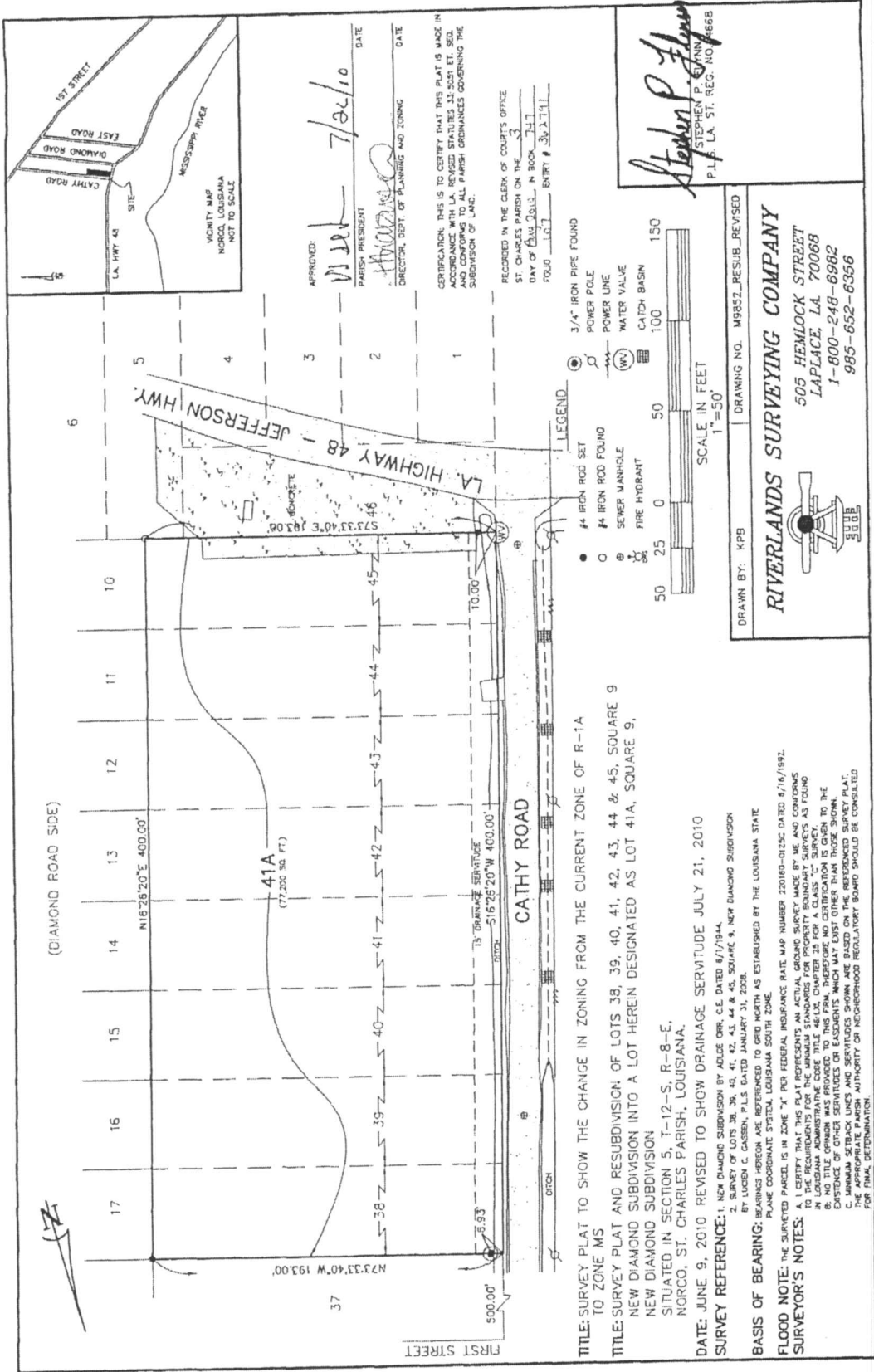
Shell Refining and Chemical Plants LP bought lots 38 through 45 of Square 9 from individual property owners from late 2001 to early 2002. The property was donated to St. Charles Community Health Center in May, 2009 "solely for the purpose of a medical clinic. The Community Health Center has resubdivided the property into one lot and requests rezoning so the project can be permitted.

In order to receive a recommendation for approval, a rezoning request must meet all of the criteria of at least one of the tests listed in applicable regulations; **this rezoning request meets all criteria of the first and second tests.** The first test is designed to provide relief when land use character has changed to the extent that no reasonable use of property exists under current zoning. New Diamond is in transition from a residential area. With the majority of the lots in the area bought out by Shell, it is extremely unlikely that uses permitted in R-1AM zoning districts will redevelop on this site or in the area. It follows that with no more than 25 housing units remaining in the area west of Norco, the general commercial uses permitted in the C2 zoning district also are unlikely to redevelop in the area. In other words, R-1AM and C2 no longer allow reasonable use of the site. Rezoning to MS will allow redevelopment of a private, non-profit health clinic approximately a quarter mile from Norco, a community that is largely built-out.

The second test is designed to protect the public interest by preventing congestion and overburden of public infrastructure and utilities. New Diamond is in transition from a residential community of hundreds of housing units. Since the industry buyout, the only redevelopment has been a 6 acre park expansion north of Bethune Park. With so much vacant land with public infrastructure and utilities, this redevelopment will not overburden public infrastructure. The Department of Waterworks indicates water service is adequate for the proposed use and Public Works is undertaking drainage maintenance along Cathy Road to prepare for the project. River Road does not experience undue congestion in this area, and with frontage on both Cathy Road and River Road, the development should not cause traffic congestion.

DEPARTMENTAL RECOMMENDATION

Approval.



TITLE: SURVEY PLAT TO SHOW THE CHANGE IN ZONING FROM THE CURRENT ZONE OF R-1A TO ZONE MS

TITLE: SURVEY PLAT AND RESUBDIVISION OF LOTS 38, 39, 40, 41, 42, 43, 44 & 45, SQUARE 9 NEW DIAMOND SUBDIVISION INTO A LOT HEREIN DESIGNATED AS LOT 41A, SQUARE 9, NEW DIAMOND SUBDIVISION

SITUATED IN SECTION 5, T-12-S, R-8-E, NORCO, ST. CHARLES PARISH, LOUISIANA.

DATE: JUNE 9, 2010 REVISED TO SHOW DRAINAGE SERVITUDE JULY 21, 2010

SURVEY REFERENCE: 1. NEW DIAMOND SUBDIVISION BY ADLCE ORR, C.E. DATED 8/7/1944.
2. SURVEY OF LOTS 38, 39, 40, 41, 42, 43, 44 & 45, SQUARE 9, NEW DIAMOND SUBDIVISION BY LUCIEN C. GIBSEN, P.L.S. DATED JANUARY 31, 2008.

BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO GRID NORTH AS ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE.

FLOOD NOTE: THE SURVEYED PARCEL IS IN ZONE "X" PER FEDERAL INSURANCE RATE MAP NUMBER 220160-0125C DATED 6/16/1992.

SURVEYOR'S NOTES:

- I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY MADE BY ME AND CONFORMS TO THE REQUIREMENTS OF THE SURVEYING ACT OF 1967 AS AMENDED.
- NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN HEREON.
- THE BEARINGS AND DISTANCES SHOWN HEREON WERE OBTAINED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY ACCURATELY REPRESENT THE ACTUAL CONDITIONS OF THE SURVEYED PARCEL.
- THE RESPONSIBILITY OF THE PARISH OR SUBDIVISION REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION.



2010-0271

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Jonathan R. Logan – “Logan & Associates, LLC” – an insurance business – at 205 2nd Street, Des Allemands, LA.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that the Parish Council must approve a home occupation requiring any state license or permit; and,

WHEREAS, the proposed home occupation of Jonathan R. Logan requires a License from the Louisiana Department of Insurance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the home occupation application by Jonathan R. Logan to operate “Logan & Associates, LLC”– an insurance business – at 205 2nd Street, Des Allemands, LA is hereby approved.

SECTION II. That the Department of Planning & Zoning is hereby authorized to grant Jonathan R. Logan a home occupation permit to have the office for an insurance business at 205 2nd Street, Des Allemands, LA.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO 2010-07 requested by Jonathan R. Logan for special permission to operate a home office for Logan & Associates, LLC, an insurance business, at 205 2nd Street, Des Allemands. Zoning District R1-A. Council District 4.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

PZHO 2010-07 requested by Jonathan R. Logan for special permission to operate a home office for Logan & Associates, LLC, an insurance business, at 205 2nd Street, Des Allemands. Zoning District R1-A. Council District 4. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. Mr. Logan completed an application to use his residence as the office for Logan & Associates, LLC an insurance broker on July 12, 2010. The home is permitted already with J & J Trading, an internet-based commodities trading company, that is “in good standing” with the LA Secretary of State and has a current occupational license with the St. Charles Parish Sheriff’s Tax Office. The Home Occupation ordinance does not limit the number of permits that can be issued at one address.

The request for Logan & Associates appears before the Commission because of the need for licensing by Louisiana Department of Insurance: licensee database located at http://www.lidi.louisiana.gov/search_forms/searchforms.htm. Currently, Mr. Logan is licensed for Life Insurance and Health & Accident insurance sales and conducts business at a Metairie office. The intent is to use a permanent address for state licenses so Mr. Logan can serve his customers with no interruptions if his commercial location becomes unavailable.

Site inspection on July 23 revealed no apparent code violations at the residence, and no complaints or code violations are on file. The applicant has been advised that issuance of a Home Occupation permit does not negate restrictive covenants for a subdivision when they exist. The proposed business appears to meet the general parameters of the home occupation regulations. We recommend approval, but we should probably state that any of our applicants tonight that they will need all 4 votes for a recommendation for approval, since we have such a limited attendance tonight.

Mr. Gibbs: Ladies and Gentlemen we’re going to have to have a unanimous vote for anything to pass tonight. If anything is under 4, it will fail. Unfortunately we don’t have all of our members so please bear with us and we’ll do this the best that we can for you. Thank you Ms. Stein. Commission members any questions or concerns for you?

Mr. Foster: This is in my district and I know Mr. Logan personally, and I have no doubt that he will follow all the rules and what’s required to have a home occupation.

Mr. Gibbs: Is there anyone in the audience that would like to speak in favor of PZHO-2010-07. Seeing none, is there anyone in the audience to speak not in favor of PZHO-2010-07? Seeing none, Commission members please vote. That passes unanimously.

YEAS: Pierre, Foster, Gibbs, Clulee
NAYS: None
ABSENT: Booth, Galliano, Johnson

Mr. Gibbs: This will also have to go to the Council meeting on August 23rd for approval as well. Moving on.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2010-07

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 7/12/2010**
Jonathan R. Logan
205 2nd Street
Bayou Gauche, LA 70030
985.758.5133
JLInsurance@cox.net
- ◆ **Location of Site:**
Same
- ◆ **Applicant's description of business:**
Insurance.

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
Single-family residence in an R-1Am zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
The site is surrounded by single-family residences in R-1A(M) zoning. Property to the rear is zoned R-1A, but vacant.
- ◆ **Traffic Access and parking:**
Site is developed with a driveway and side apron measuring approximately 18' x 35' where up to five cars can stack.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:

- a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.
- C. Operational Regulations:
1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
 2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
 3. There shall be no signs posted which indicate the existence of the home occupation.
 4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § I, 8-18-03)
 5. Only the residents of the premises shall be engaged in the home occupation.
 6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
 7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
 8. The home occupation shall not eliminate required off-street parking.
 9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
 10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
 11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
 12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
 13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

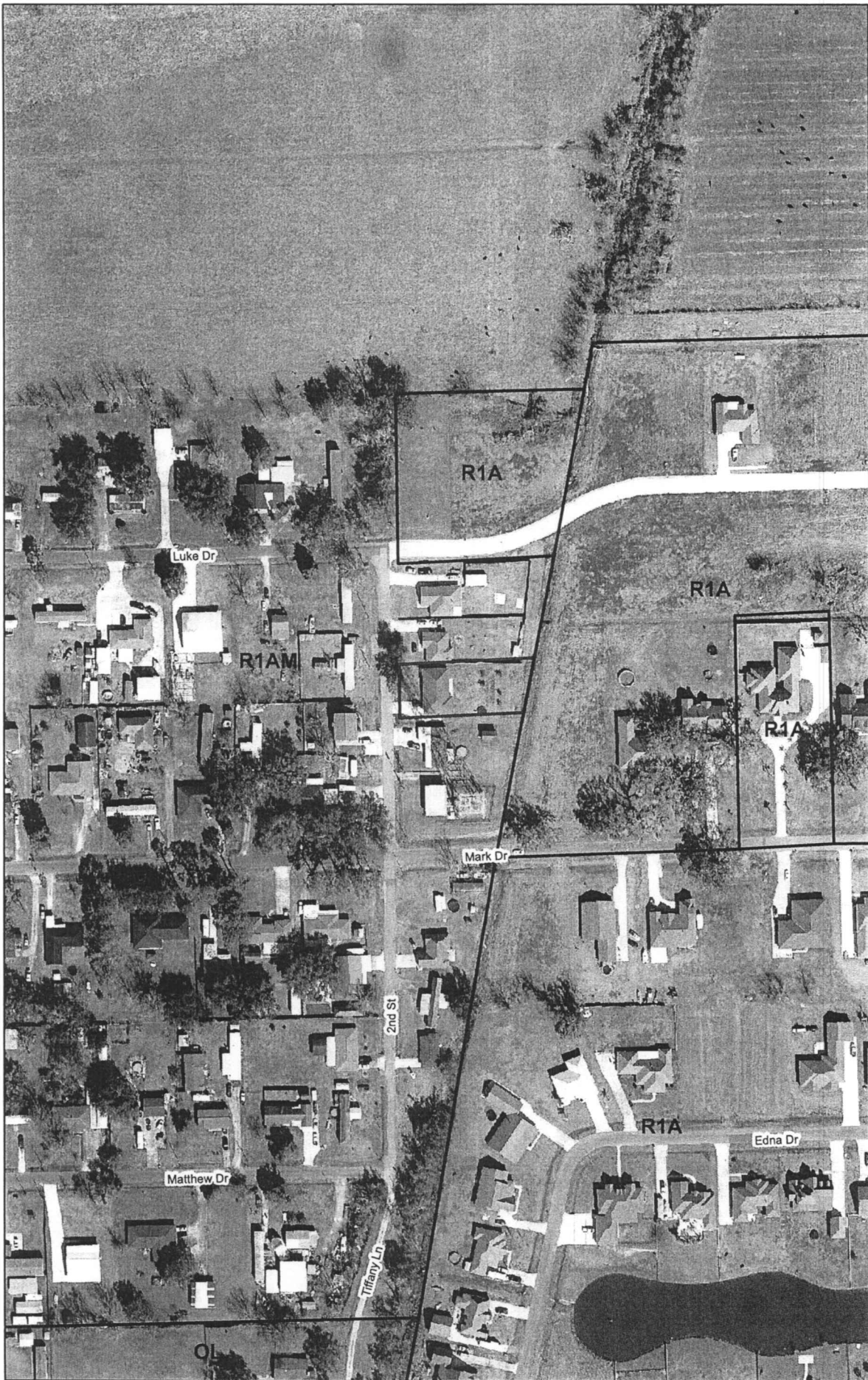
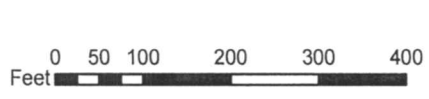
Mr. Logan completed an application to use his residence as the office for Logan & Associates, LLC an insurance broker on July 12, 2010. The home is permitted already with J & J Trading, an internet-based commodities trading company, that is "in good standing" with the LA Secretary of State and has a current occupational license with the St. Charles Parish Sheriff's Tax Office. The Home Occupation ordinance does not limit the number of permits that can be issued at one address.

The request for Logan & Associates appears before the Commission because of the need for licensing by Louisiana Department of Insurance: licensee database located at http://www.ldi.louisiana.gov/search_forms/searchforms.htm. Currently, Mr. Logan is licensed for Life Insurance and Health & Accident insurance sales and conducts business at a Metairie office. The intent is to use a permanent address for state licenses so Mr. Logan can serve his customers with no interruptions if his commercial location becomes unavailable.

Site inspection on July 23 revealed no apparent code violations at the residence, and no complaints or code violations are on file. The applicant has been advised that issuance of a Home Occupation permit does not negate restrictive covenants for a subdivision when they exist. The proposed business appears to meet the general parameters of the home occupation regulations.

DEPARTMENT RECOMMENDATIONS

Approval.



[Home](#)

Individual Producer Detail for Jonathan Ransom Logan

If this contact information is not correct, please correct it by following the link below. NOTE: Producer name change requests are not permitted online.

[Online Producer/Adjuster contact information change](#)

License Number: 469113
 Name: Jonathan Ransom Logan
 NPN: 11421561
 Mailing Address: 205 2nd Street
 Des Allemands, LA 70030
 Business Phone: (504) 214-6946
 Description: Individual Producer
 Trade Name:

Lines of Authority

Authority	Effective Date	Valid Through	Status
Accident and Health	08/12/2008	07/31/2012	Active
Life	08/12/2008	07/31/2012	Active

Company Appointments

Appointing Entity	NAIC Number	Lines	Issue Date	Status	Inactive Date
Aviva Life and Annuity Company	61689	Life Health and Accident	05/01/2010		04/30/2011
Delta Dental Insurance Company	81396	Life Health and Accident	05/01/2010		04/30/2011
GUARDIAN INSURANCE & ANNUITY COMPANY, INC., THE	78778	Life Health and Accident	05/01/2010		04/30/2011
COLONIAL LIFE & ACCIDENT INSURANCE COMPANY	62049	Life Health and Accident	05/01/2010		04/30/2011
GUARDIAN LIFE INSURANCE COMPANY OF AMERICA	64246	Life Health and Accident	05/01/2010		04/30/2011
TRANSAMERICA LIFE INSURANCE COMPANY	86231	Life Health and Accident	05/01/2010		04/30/2011
Fidelity Life Association, A Legal Reserve Life Insurance Company	63290	Life Health and Accident	05/01/2010		04/30/2011
AMERICAN HERITAGE LIFE INSURANCE COMPANY	60534	Life Health and Accident	05/01/2010		04/30/2011
MIDLAND NATIONAL LIFE INSURANCE COMPANY	66044	Life Health and Accident	05/01/2010		04/30/2011
MUTUAL OF OMAHA INSURANCE COMPANY	71412	Life Health and Accident	05/01/2010		04/30/2011
BERKSHIRE LIFE INSURANCE COMPANY OF AMERICA	71714	Life Health and Accident	05/01/2010		04/30/2011
WESTERN RESERVE LIFE ASSURANCE CO. OF OHIO	91413	Life Health and Accident	05/01/2010		04/30/2011
COMPBENEFITS INSURANCE COMPANY	60984	Life Health and Accident	05/01/2010		04/30/2011
HUMANA INSURANCE COMPANY	73288	Life Health and Accident	05/01/2010		04/30/2011
HUMANADENTAL INSURANCE COMPANY	70580	Life Health and Accident	05/01/2010		04/30/2011
Humana Health Benefit Plan of Louisiana, Inc.	95642	Life Health and Accident	05/01/2010		04/30/2011
John Hancock Life Insurance Company (U.S.A.)	65838	Life Health and Accident	05/01/2010		04/30/2011

[Return to Search Results](#)

2010-0272

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING & ZONING)**

ORDINANCE NO. _____

An ordinance approving and authorizing the establishment of a Home Occupation under the operation of Marcus Lambert – “On Display, LLC” – a landscaping service – at 200 Edgewood Lane, Montz, LA.

WHEREAS, the St. Charles Parish Code of Ordinances, Appendix A, Section XXII states that the Parish Council must approve a home occupation requiring any state license or permit; and,

WHEREAS, the proposed home occupation of Marcus Lambert requires a License from the Louisiana Department of Agriculture and Forestry.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the home occupation application by Marcus Lambert to operate “On Display, LLC”– a landscaping service – at 200 Edgewood Lane, Montz, LA is hereby approved.

SECTION II. That the Department of Planning & Zoning is hereby authorized to grant Marcus Lambert a home occupation permit to have the office for a landscaping service at 200 Edgewood Lane, Montz, LA.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

RECOMMENDATIONS AT A GLANCE

PZHO-2010-06 requested by Marcus Lambert for special permission to operate a home office for "On Display, LLC," a landscaping service, at 200 Edgewood Lane, Montz. Zoning District R-1A. Council District 6.

Planning Department Recommendation:

Approval

Planning Commission Recommendation:

Approval

PZHO-2010-06 requested by Marcus Lambert for special permission to operate a home office for "On Display, LLC," a landscaping service, at 200 Edgewood Lane, Montz. Zoning District R-1A. Council District 6. Ms. Stein.

Ms. Stein: Thank you Mr. Chair. Mr. Lambert's application for the business was completed in June. The request appears before the Commission because of the need for licensing by the Louisiana Department of Agriculture and Forestry. The department requires licenses for arborists, cut flower dealers, landscape horticulturists, irrigation contractors, landscape architects, nursery growers, nursery stock dealers, retail florists, utility arborists, wholesale florists. The department's database of licensees can be searched at:

<http://www.ldaf.state.la.us/portal/Offices/AgriculturalEnvironmentalSciences/HorticultureQuarantinePrograms/LouisianaHorticultureCommission/FindaLicensedProfessional/tabid/287/Default.aspx>.

Currently, Mr. Lambert is licensed as a landscape horticulturist.

We did a site inspection of his property on July 26 revealed no code violations, and the site has no open complaints or code violations. The applicant has been advised that a Home Occupation permit does not negate restrictive covenants for the subdivision. The proposed business appears to meet the general parameters of the home occupation regulations. We recommend approval and we do have a letter from Mr. Lambert, but he won't be able to attend tonight. I can read it into the record, I don't know if you have a copy of it.

Mr. Foster: Yes, we have copies, I don't think we need to.

Ms. Stein: Ok. It says that if you have any questions, you can call.

Mr. Gibbs: Thank you Ms. Stein. Any questions from the Commission? Is there anyone in the audience that would like to step forward and speak in favor of PZHO-2010-06? Seeing none, anyone would like to come forward and speak not in favor of PZHO-2010-06? Seeing none, Commission members cast your votes. That passes unanimously.

YEAS: Pierre, Foster, Gibbs, Clulee

NAYS: None

ABSENT: Booth, Galliano, Johnson

Mr. Gibbs: I'm sure that he knows that this has to go forward to the Council.

St. Charles Parish Department of Planning & Zoning

LAND USE REPORT CASE NUMBER: HO 2010-06

GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** **Application Date: 6/28/2010**
 Marcus Lambert
 200 Edgewood Lane
 Montz, LA 70068
 504.273.3563
 Ondisplaylandscaping@gmail.com
- ◆ **Location of Site:**
 Same
- ◆ **Applicant's description of business:**
 Landscaping services provided at customer location. No employees at my home. No materials at home location. No vehicles outside of personal vehicle with no signage.

SITE – SPECIFIC INFORMATION

- ◆ **Existing Land Use and Zoning:**
 Single-family residence in an R-1A zoning district.
- ◆ **Surrounding Land Uses and Zoning:**
 The site is surrounded by single family residences and R-1A zoning.
- ◆ **Traffic Access and parking:**
 Site is developed with a 150' long driveway that leads to a 40' x 20' parking area and a two-car garage. As many as 15 vehicles can be stacked.

APPLICABLE REGULATIONS

Regulations for Home Occupations: Appendix A. Section XXII

B. Permit Process:

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
 - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
 - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
 - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
 - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
 - c. Deny the application.

C. Operational Regulations:

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § I, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)
12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

FINDINGS

Mr. Lambert completed an application to use his residence as the office for On Display, LLC, a landscaping services company, on June 28, 2010.

The request appears before the Commission because of the need for licensing by the Louisiana Department of Agriculture and Forestry. The department requires licenses for arborists, cut flower dealers, landscape horticulturists, irrigation contractors, landscape architects, nursery growers, nursery stock dealers, retail florists, utility arborists, wholesale florists. The department's database of licensees can be searched at:

<http://www.ldaf.state.la.us/portal/Offices/AgriculturalEnvironmentalSciences/HorticultureQuarantinePrograms/LouisianaHorticultureCommission/FindaLicensedProfessional/tabid/287/Default.aspx>.

Currently, Mr. Lambert is licensed as a landscape horticulturist.

Site inspection on July 26 revealed no code violations, and the site has no open complaints or code violations. The applicant has been advised that a Home Occupation permit does not negate restrictive covenants for the subdivision. The proposed business appears to meet the general parameters of the home occupation regulations.

DEPARTMENT RECOMMENDATIONS

Approval.



Rapides	SUTTON, JOSEPH W	(318) 748-4008	SUTTON'S BEDDING PLANTS	GLENMORA	LA06/18/201033
Rapides	TAYLOR JR, RICHARD LEE	(318) 748-8481	TAYLOR SCAPES	FOREST HILL	LA 71430
Rapides	TAYLOR, MELISSA, P	(318) 748-8481	TAYLOR SCAPES	FOREST HILL	LA 71430
Rapides	THIELS, JEFFREY MICHAEL	(318) 447-9295	JEFF'S LAWN SERVICE	PINEVILLE	LA 71360
Rapides	THIELS, VERA ANN	(318) 787-6131	THIELS MAINTENANCE	Alexandria	LA 71303
Rapides	TRADEWELL, ANTHONY PATRICK	(318) 442-8515	TONY TRADEWELL LANDSCAPE ARCHIT	DEVILLE	LA 71328
Rapides	TURNER, VERONICA LYNN		Not currently employed		
Rapides	TYLER, TIMOTHY	(318) 623-9435	RIVER CITIES LAWN & LANDSCAPE	ALEXANDRIA	LA 71301
Rapides	WHITE, CRAIG	(318) 613-0651	CRAIG INVESTMENTS LLC	LECOMPTE	LA 71346
Rapides	WILLIAMS, CHARLES EDWARD	(318) 613-2890	WILLIAMS NURSERY & LANDSCAPE LLC	ALEXANDRIA	LA 71303
Rapides	WINNERS, EMILY TANNER		EMILY TANNER WINNERS-SELF EMPLOYED	LECOMPTE	LA 71346
Rapides	WINNERS, LESLIE A	(318) 447-0928	WINNERS LANDSCAPING	FOREST HILL	LA 71430
Rapides	YOUNG, MARCIA F	(318) 415-8213	DOUG YOUNG NURSERY	Forest Hill	LA 71430
Red River	GRAHAM, MICHAEL MCCOMB	(318) 987-2750	RED RIVER HIGH SCHOOL	COUSHATTA	LA 71019
Richland	HEAD, DAVID GLENN	(318) 388-8488	U S LAWN OF MONROE	RAYVILLE	LA 71267
Richland	HILL JR, JAMES ELVIN	(318) 248-3522	HILL NURSERY	Archibald	LA 71218
Sabine	HOLBROOK, VICKIE		Not currently employed		
Sabine	MCCURDY, CATHY B	(318) 256-5756	MCCURDY LANDSCAPE	Many	LA 71449
Sabine	MORALES, CARLOS F		Self-employed		
Sabine	PERLEBERG, KRISTY GAYLE				
Sabine	SCHAEFFER, GUIWIN L	(318) 565-4119	TORO FARMS	Florien	LA 71429
Sabine	THOMPSON, GLORIA JANE	(318) 256-1222	WATERS EDGE NURSERY	MANY	LA 71449
Sabine	CLINE, JOHN STEVEN	(504) 452-9522	INTIMATE GARDEN	ARABI	LA 70032
St. Bernard	COLLINS, JOANN S	(504) 236-8101	GREENFINGERS LLC	Prairieville	LA 70769
St. Bernard	ESTEVEZ, AUGUST J		Self-employed		
St. Bernard	GAUDRY, STEPHEN FREDERICK	(504) 277-4020	TROPICAL DESIGNS	CHALMETTE	LA 70043
St. Bernard	JOHNSON, JESSE ADAM	(504) 279-0342	JOHNSON'S TOTAL CARE INC.	Meraux	LA 70075
St. Bernard	LABOURDETTE, MICHAEL B	(504) 220-2859	MICHAEL B. LABOURDETTE-SELF EMPLOYED	VIOLET	LA 70092
St. Bernard	NYE, MICHAEL ANTHONY		Self-employed		
St. Bernard	NYE, RICHALYN RICHARD	(504) 279-7878	THE GARDEN ZONE	MERAUX	LA 70075
St. Charles	ACOSTA, DOTTIE ESTEY		Not currently employed		
St. Charles	BENTON JR, CLARENCE S		Self-employed		
St. Charles	CANARTE, HUMBERTO L		Self-employed		
St. Charles	CHAUVIN, MARK VINCENT	(985) 331-2458	EARTH WORKS LANDSCAPING L.L.C.	LULING	LA 70070
St. Charles	DELATTE, DANIEL G	(504) 296-5994	DELATTE'S LANDSCAPING	Destrehan	LA 70047
St. Charles	DILLENKOFFER, DAREN JOHN	(504) 390-8598	1ST CLASS LAWN SERVICES	DESTREHAN	LA 70047
St. Charles	FORD, YOUHANA S	(504) 638-5490	Troyer Builders	Destrehan	LA 70047
St. Charles	GASSEN, DARREN LUCIEN	(504) 785-6165	MARTIN'S NURSERY & LANDSCAPE, INC.	LULING	LA 70070
St. Charles	GAUDET, AUDREY C		Not currently employed		
St. Charles	HARPER, THOMAS W	(504) 764-8335	T & T PLANTS	Norco	LA 70079
St. Charles	HEBERT, LISA ARATA				
St. Charles	JURGELSKY, STEVE FRANK	(504) 610-7981	OUTDOOR CREATIONS EXTERIOR INSTALLAT	DESTREHAN	LA 70047
St. Charles	LAMBERT, MARCUS MICHAEL	(504) 273-3563	ON DISPLAY	MONTZ	LA 70068
St. Charles	LEBLANC JR, PAUL M	(985) 785-8169	LANDSCAPING BY LEBLANC	Luling	LA 70070-1168
St. Charles	MATHERNE, BLAKE	(504) 812-6281	B.H. COOPER LAWNSCAPES LLC	BOUTTE	LA 70039
St. Charles	MELANCON, SUSAN D		Not currently employed		

St. Charles	MULLIN JR, CHARLES MICHAEL	(504) 275-6617	CURB APPEAL LANDSCAPES	ST ROSE	LA06/18/20087
St. Charles	ORTEGO JR, RONALD JAMES	(504) 234-3187	RONALD ORTEGO LLC	LULING	LA 70070
St. Charles	RAYMOND, CARL	(985) 783-2300	QUALITY MAINTENANCE	Hahnville	LA 70057
St. Charles	ROME JR, STEPHEN J	(504) 469-6599	S J ROME, L.L.C.	St. Rose	LA 70087
St. Charles	SAUCIER, DONALD L	(504) 914-0345	SAUCIER LANDSCAPES	Destrehan	LA 70047
St. Charles	SIMONEAUX SR, TROY ROSS	(985) 307-0910	A FRESH START HORTICULTURAL MGMT	DESTREHAN	LA 70047
St. Charles	SPEARS, TERRANCE THAMES	(504) 460-3070	Spears Lawns & Landscaping	Boutte	LA 70039
St. Charles	STAMPEL, CHRISTOPHER SCOTT	(504) 468-7256	PALM DOCTOR LLC	ST ROSE	LA 70087
St. Charles	STAMPEL, SCOTT MICHAEL	(504) 468-7256	THE PALM DOCTOR LLC	ST ROSE	LA 70087
St. Charles	THALLER, CATHY A	(504) 464-9452	THE LANDSCAPE GROUP OF LOUISIANA	Metairie	LA 70009
St. Charles	THALLER, GREG M	(504) 464-9452	THE LANDSCAPE GROUP OF LOUISIANA	Metairie	LA 70009
St. Charles	VOISIN, DAVID RAPHAEL	(985) 308-0292	LAWN DOCTOR OF ST CHARLES, WESTWEG	LULING	LA 70070
St. Charles	WILLIAMS JR, RICHARD REINECKE	(504) 464-9452	THE LANDSCAPE GROUP OF LOUISIANA	Metairie	LA 70009
St. Helena	ADAMS JR, WALTER GERALD	(225) 222-4141	SOUTHLAND STEEL FABRICATORS	GREENSBURG	LA 70441
St. Helena	BUXTON, LINDA R	(225) 572-6146	LAND ART	PINE GROVE	LA 70453
St. Helena	COCO, ANN		Not currently employed		
St. Helena	DOUGHTY, TARA A	(504) 222-6932	TARA'S FLOWERING PLANTS	Greensburg	LA 70441
St. Helena	REMONDET, PAUL E	(225) 869-8728	REMOBO'S LAWN AND GARDEN	PAULINA	LA 70763
St. James	ROBICHAUX, BERNIE R	(225) 869-9467	C & D LAWN MAINTENANCE LLC	HESTER	LA 70743
St. James	ROUSSEL, KERRY J		Self-employed		
St. James	WAGUESPACK, PATRICK G	(225) 869-5254	ST. JAMES NURSERY, INC.	GRAMERCY	LA 70052
St. John the Baptist	BARRINGTON, GEORGE BENJAMIN	(504) 652-8186	ELEGANT EXTERIORS	LAPLACE	LA 70068
St. John the Baptist	CICERO, FREDERICK F	(504) 469-4292	CICERO'S GARDENS	LA PLACE	LA 70068
St. John the Baptist	GILCREASE, JENNIFER GIEGER	(985) 535-2490	DRAGONFLY LANDSCAPING	GARYVILLE	LA 70051
St. John the Baptist	HELM SR, DARIN ROY		Not currently employed		
St. John the Baptist	HYMEL, HOLLY MADERE	(504) 487-3114	HYMELS TRACTOR SERVICE LLC	RESERVE	LA 70084
St. John the Baptist	HYMEL, ROBERT F		Not currently employed		
St. John the Baptist	JOSEPH, RANDALL	(504) 382-2818	RANDALL'S LAWN & MAINT SERVICE	LAPLACE	LA 70069
St. John the Baptist	LABRANCHE, JAMIE P	(985) 651-6423	RIVERLANDS HORTICULTURE SERVICE	LA PLACE	LA 70068
St. John the Baptist	LEE, LEROY O	(985) 652-5791	LEE'S LAWN & GARDEN MAINTENANCE	LaPlace	LA 70068
St. John the Baptist	LESAICHERRE, KEITH MICHAEL	(985) 359-0651	CYPRESS LAND CONTRACTORS LLC	LAPLACE	LA 70068
St. John the Baptist	MEEKS, RONALD G		Self-employed		
St. John the Baptist	POLLET, BRANDON JOSEPH	(985) 224-1201	SNIP-N-CLIP LAWN CARE LLC	LAPLACE	LA 70068
St. John the Baptist	REMONDET, DWAYNE JOHN	(504) 559-2293	BLADES AND BLOOMS LLC	LAPLACE	LA 70068
St. John the Baptist	ROUSSEL III, RICHARD	(985) 652-8380	ROUSSELS LANDCARE SERVICES INC	LAPLACE	LA 70068
St. John the Baptist	ROUSSEL, DEREK JAMES	(985) 652-8380	ROUSSELS LANDCARE SERVICES INC	LAPLACE	LA 70068
St. John the Baptist	RUSSO JR, GARY J	(800) 254-9308	ALL YEAR ROUND GROUND KEEPERS	LAPLACE	LA 70068
St. John the Baptist	RUSSO SR, GARY J	(800) 254-9308	ALL YEAR ROUND GROUND KEEPERS	LAPLACE	LA 70068
St. John the Baptist	STEINKAMP, SHAWN R	(504) 419-1792	GRADE A LANDSCAPING SERVICES	LAPLACE	LA 70069
St. Landry	BARRY III, ROBERT	(318) 662-5690	BARRY'S LANDSCAPING	Sunset	LA 70584
St. Landry	BEAUGH, DANIEL	(318) 942-1004	BEAUGH'S LANDSCAPING	OPELOUSAS	LA 70570
St. Landry	BRILEY, JAMES W	(337) 948-3394	JIM'S NURSERY 1	OPELOUSAS	LA 70570
St. Landry	CORMIER, JANICE S		Self-employed		
St. Landry	DAVOREN, TONY JOSEPH	(337) 662-4060	TONY JOSEPH DAVOREN	SUNSET	LA 70584
St. Landry	DURIO SR, ALBERT EARL	(337) 654-6351	DURIO GROWERS	OPLEOUSAS	LA 70570
St. Landry	DURIO, DALTON EUGENE	(337) 948-3696	LOUISIANA NURSERY INC	OPELOUSAS	LA 70570

2010-0246

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____**

An ordinance to enact a **MORATORIUM** on the placement of animals other than pets in any zoning district other than OL in St. Charles Parish, said Moratorium shall remain in effect until January 31, 2011.

WHEREAS, the current requirements for allowing animals in zoning districts other than O-L is inadequate; and,

WHEREAS, there are many questions regarding the present permitting process; and,

WHEREAS, it is in the best interest of the residents of St. Charles Parish to have a clear and concise procedure specified in the Parish Code in regards to allowing animals in zoning districts other than O-L.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That a **MORATORIUM** is hereby placed on the future allowance of animals other than pets in districts other than O-L.

SECTION II That this **MORATORIUM** shall be in effect until January 31, 2011.

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

And the ordinance was declared adopted this _____ day of _____, 2010 to become effective five (5) days after publication in the Official Journal.

Moratorium-animals in OL

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0267

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF WASTEWATER)**

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of a Cooperative Endeavor Agreement, a copy of which is attached hereto and made a part hereof, with St. Charles Parish Public Schools for the acquisition of a sewer lift station to accommodate future development by St. Charles Parish.

WHEREAS, the St. Charles Parish owns certain property on Sugarland Parkway upon which it intends to build a Parish Community Center and an Animal Shelter for public use; and,

WHEREAS, St. Charles Parish Public Schools owns a lift station with sewer tie-in facilities the use of which are necessary for sewer service for the Parish Community Center and Animal Shelter; and,

WHEREAS, St. Charles Parish Public Schools has agreed to donate said lift station with sewer tie-in facilities to St. Charles Parish; and,

WHEREAS, it is the desire of the Parish to acquire said lift station with sewer tie-in facilities.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Cooperative Endeavor Agreement, attached hereto, by and between St. Charles Parish Public Schools and St. Charles Parish, is hereby approved, and that the Parish President is hereby authorized to execute said Agreement on behalf of St. Charles Parish.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

COOPERATIVE ENDEAVOR AGREEMENT

Before the respective undersigned Notaries Public and in the presence of the undersigned witnesses personally appeared:

ST. CHARLES PARISH PUBLIC SCHOOLS, a political subdivision of the State of Louisiana (the "School Board"), represented herein by Rodney R. Lafon, Ed.D, its Superintendent; and

ST. CHARLES PARISH, a governmental subdivision of the State of Louisiana, (the "Parish") represented herein by V. J. St. Pierre, Jr., duly authorized by Ordinance of the St. Charles Parish Council on _____, a certified copy of which is annexed hereto;

each of whom made the following declarations:

The School Board and Parish enter into this Cooperative Endeavor Agreement (the "Agreement") for the purposes and on the terms and conditions set forth herein below.

PRELIMINARY RECITALS:

WHEREAS, the School Board is the owner of that certain immovable property with improvements thereon bearing Municipal No. 285 Sugarland Parkway, Luling, Louisiana, 70070 ("Satellite Center" or "School Board Land"); and

WHEREAS, the Parish owns certain property on Sugarland Parkway upon which it intends to build a Parish Community Center and an Animal Shelter for public use; and

WHEREAS, the School Board owns a lift station with sewer tie-in facilities the use of which are necessary for sewer service for the Community Center and the Animal Shelter; and

WHEREAS, the Parish intends to enter into a cooperative endeavor with the School Board for the purpose of acquiring the sewer lift station it owns at as described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, sewer system and lift stations are of limited capacity, the sewer project which is the subject of this Agreement will be limited to the use of the Community Center and the Animal Shelter and whatever other facilities the Parish may choose to build in the future; and

WHEREAS, the School Board agrees to transfer title to the lift station as described in Exhibit "A" attached hereto, to the Parish;

NOW THEREFORE, the **St. Charles Parish Public Schools**, herein represented as above stated, who declared that for good and valuable consideration and the mutual covenants and benefits hereinafter set forth, they do hereby donate without any warranty of title whatsoever, or their successors or assigns, but with full substitution and subrogation in and to all the rights and actions of warranty which they have or may have against all preceding owners, unto **St. Charles Parish**, herein represented as above stated, here present and accepting for the Parish and the Parish's successors and assigns the donation made herein and acknowledges due delivery and possession thereof, all and singular the following described property:

See Exhibit "A" attached hereto and made a part hereof

The parties hereto declare that they have not requested an Environmental Site Assessment and/or Environmental Impact Study of the herein conveyed property; nor have they requested any kind of study or evaluation of the property or the buildings thereon for any harmful pollutant or noxious substances (including asbestos); nor have they requested any opinion or evaluation of the usability of said property due to any considerations of the environment (including a declaration that the said property is "wetlands"). The parties acknowledge that said Notary has advised them of the availability of obtaining any of the above evaluations or studies and they have chosen to proceed without such studies; and they do hereby relieve and release me, Notary, from any responsibility in connection therewith.

The School Board herein further declares that there are no judgments, mortgages or liens against the hereinabove described property and it has conveyed no portion of the premises nor done any act or allowed any act to be done which has changed or could change the boundaries of the premises.

All agreements and stipulations herein contained and all of the obligations herein assumed shall inure to the benefit of and be binding upon the successors and assigns of the respective parties hereto.

No title examination was requested of or made by the undersigned Notary and the parties hereto hereby relieve and release said Notary from any and all liability in connection therewith.

To have and to hold the donated property unto the said Parish and its successors and assigns forever.

WITNESSES:

ST. CHARLES PARISH PUBLIC SCHOOLS

BY: RODNEY R. LAFON, Ed.D
SUPERINTENDENT

ST. CHARLES PARISH

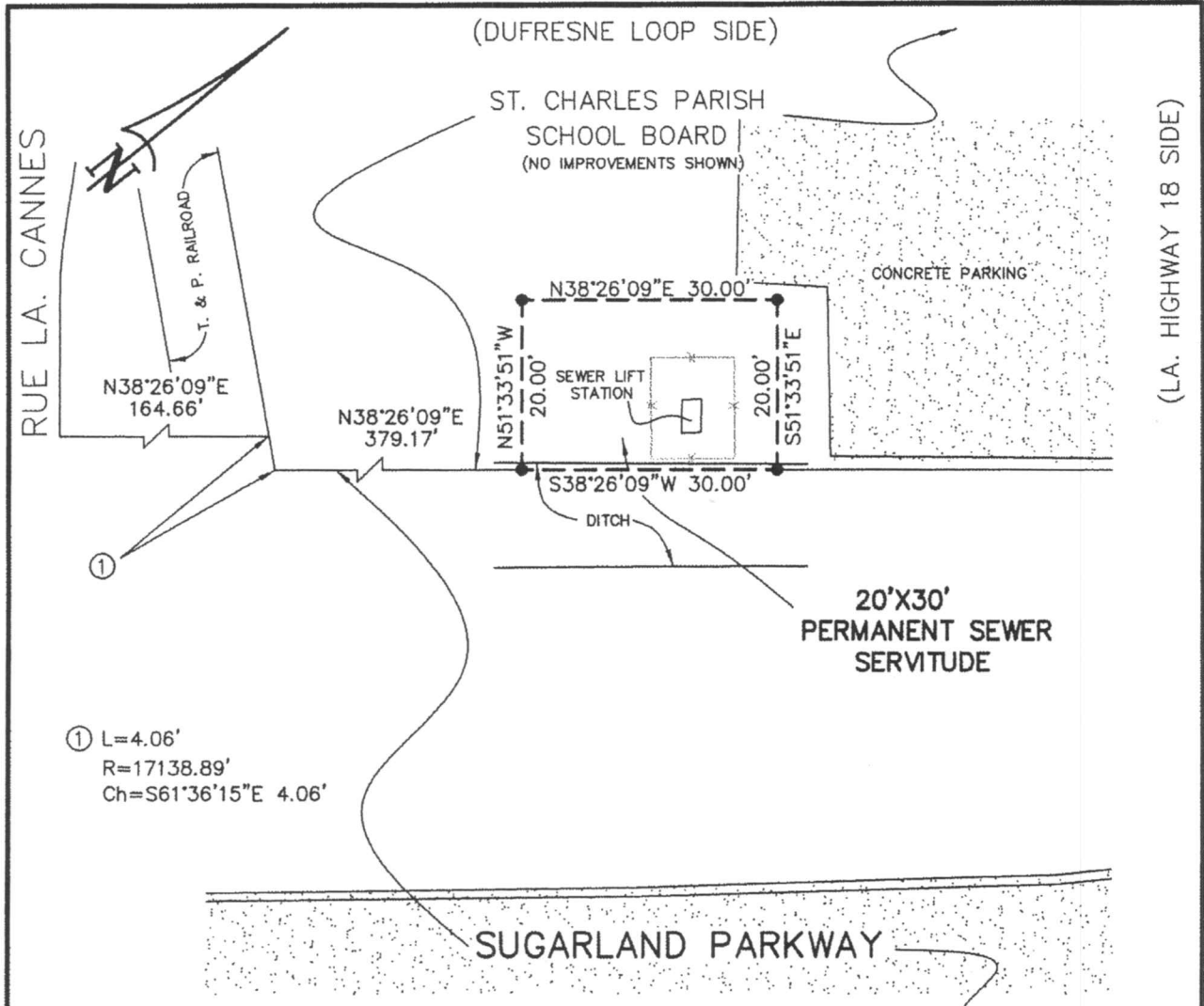
BY: V.J. ST. PIERRE, JR.
PARISH PRESIDENT

LEON C. VIAL, III
NOTARY PUBLIC – NO. 13061
P. O. BOX 321
HAHNVILLE, LA 70057

EXHIBIT "A"

According to a survey by Riverlands Surveying Company dated June 18, 2010, the property conveyed herein is as follows:

A certain piece or parcel of ground together with all the appurtenances thereunto belonging and thereon situated on the St. Charles Parish School Board party in Luling, St. Charles Parish, Louisiana and having a dimension on its easterly side nearest the Sugarland Parkway of thirty (30') feet by a depth on its southerly side nearest the Texas and Pacific Railroad of twenty (20') feet by a width in the rear or westerly side of thirty (30') feet and by a depth along its Louisiana Highway 18 side of twenty (20') feet of which includes a sewer lift station which is enclosed by a fence.



SCALE: 1" = 20'

LEGEND

- #4 IRON ROD SET
- *- FENCE

TITLE: SURVEY PLAT TO SHOW A 20'X30' PERMANENT SEWER SERVITUDE ON A PORTION OF ST. CHARLES PARISH SCHOOL BOARD LOT ON SUGARLAND PARKWAY SITUATED IN SECTION 6, T-13-S, R-21-E, LULING, ST. CHARLES PARISH, LOUISIANA.

SURVEY REFERENCE: 1. SURVEY PLAT AND SUBDIVISION OF TRACT 4C, TRACT 4D-1-A, TRACT 10A-2 OF SUGARLAND SUBDIVISION INTO LOTS HEREIN DESIGNATED AS LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 1A, 2A, 3A, 4A & TRACT 100-1A OF ESPERANZA BUSINESS PARK, PHASE 1 BY STEPHEN P. FLYNN DATED JANUARY 17, 2006, LAST REVISED SEPTEMBER 7, 2006.
2. MAP SHOWING THE FINAL PLAT OF DUFRESNE BUSINESS PARK BY ALAN BLACKWOOD DATED 10/7/1991.

BASIS OF BEARING: BEARINGS HEREON ARE REFERENCED TO GRID NORTH AS ESTABLISHED BY THE LOUISIANA STATE PLANE COORDINATE SYSTEM, LOUISIANA SOUTH ZONE.

SURVEYOR'S NOTES: A. I CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL GROUND SURVEY OF THE SERVITUDE SITE MADE BY ME AND CONFORMS TO THE REQUIREMENTS FOR THE MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS FOUND IN LOUISIANA ADMINISTRATIVE CODE TITLE 46:LXI, CHAPTER 25 FOR A CLASS "C" SURVEY. B. NO TITLE OPINION WAS PROVIDED TO THIS FIRM, THEREFORE NO CERTIFICATION IS GIVEN TO THE EXISTENCE OF OTHER SERVITUDES OR EASEMENTS WHICH MAY EXIST OTHER THAN THOSE SHOWN. C. MINIMUM SETBACK LINES AND SERVITUDES SHOWN ARE BASED ON THE REFERENCED SURVEY PLAT. THE APPROPRIATE PARISH AUTHORITY OR NEIGHBORHOOD REGULATORY BOARD SHOULD BE CONSULTED FOR FINAL DETERMINATION. D. SURVEY OF LEASE SITE ONLY. SURVEY SUBJECT TO TITLE VERIFICATION.

CERTIFIED TO: ST. CHARLES PARISH
MUNICIPAL ADDRESS: SUGARLAND PARKWAY
DATE: JUNE 18, 2010

Stephen P. Flynn

STEPHEN P. FLYNN
P.L.S. LA. ST. REG. NO. 4668

DRAWN BY: KPB

DRAWING NO. L1553_W01291

RIVERLANDS SURVEYING COMPANY



505 HEMLOCK STREET
LAPLACE, LA. 70068
1-800-248-6982
985-652-6356



2010-0268

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF FINANCE)**

ORDINANCE NO. _____

An ordinance setting forth, levying and imposing taxes on all property subject to taxation in the Parish of St. Charles, State of Louisiana, as required by Section 23 of Article VII of the Constitution of Louisiana and Revised Statute 47.1705(B) for General Parochial Purposes; constructing, maintaining, and operating the Parish Road Maintenance program, Parish Recreation program, Parish Fire Protection, Mosquito Control Program, E-911 Telephone System, Health Unit and Council on Aging program; Road Lighting District No. 1; Library Service District No. 1; and for the purpose of paying the principle and interest on outstanding General Obligation Sewer Bonds for the year 2010.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That acting under the authority of Section 23 of Article VII of the Constitution of the State of Louisiana and Section 47.1705(B) of the Louisiana Revised Statutes of 1950, as amended.

A. As Governing authority of St. Charles Parish, Library Service District No. 1, and Road Lighting District No.1 of St. Charles Parish, acting under the authority of special elections held in said Parish, there is hereby levied, assessed and imposed special taxes on all of the taxable property within the Parish and the respective Districts for the year 2010 for the respective purposes contained in the propositions voted upon at said elections, and said taxes shall be levied, assessed and imposed at the following millage rates:

	2010 Millages Levied
General Parochial	3.21
Road Lighting District No. 1	1.45
Library Service District No. 1	4.79
Road Maintenance Program	5.96
Recreation Program	2.96
Mosquito Control Program	1.08
Council on Aging Program	0.97
Fire Protection	1.55
E-911 Telephone System	0.98
Health Unit (2000)	0.65

B. As Governing Authority of St. Charles Parish, acting under the authority of a special election held in said Parish, there is hereby levied, assessed, and imposed special taxes as provided by Article VII, Section 23(D) of the Constitution of Louisiana, on all of the taxable property within the Parish and the respective District for the year 2010 for the purpose of paying the principle and interest and maintaining Sinking Funds on the outstanding General Obligation Sewer Refunding Bonds dated December 1, 2003 and two Sewer General Obligation DEQ Bond Issues; and said taxes shall be levied, assessed and imposed at the following millage rates:

	2010 Millages Levied
Public Sewer Bonds	2.95

SECTION II. That the proper administrative officers of the Parish of St. Charles, State of Louisiana, be and they are hereby empowered, authorized and directed to spread said taxes, as herein above set forth, upon the assessment roll of said Parish for the year 2010 and to make the collection of the respective taxes imposed for and on behalf of said Parish and said Districts, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

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

And the ordinance was declared adopted this _____ day of _____, 2010 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

**ST. CHARLES PARISH
AD VALOREM TAX
MILLAGE RATE COMPARISON SCHEDULE**

AREA/TAXING DISTRICT/Tax Roll	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2010/ 2011
<i>PARISHWIDE:</i>												
General Fund	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.28	3.21	3.21	3.21	-
Road Lighting	1.38	1.38	1.28	1.38	1.38	1.38	1.48	1.48	1.45	1.45	1.45	-
Library M & O	2.95	4.90	4.90	4.90	4.90	4.90	4.90	4.90	4.79	4.79	4.79	-
Road Maintenance	5.96	5.96	5.96	5.96	5.96	5.96	5.96	5.96	5.96	5.83	5.96	0.13
Recreation	2.97	2.97	2.97	2.97	2.97	2.97	2.97	2.97	2.96	2.96	2.96	-
Mosquito Control	0.71	0.71	0.71	0.61	0.71	0.71	0.91	1.10	1.08	1.08	1.08	-
Council on Aging	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.98	0.97	0.97	0.97	-
Fire Protection	1.58	1.58	1.58	1.58	1.58	1.58	1.58	1.58	1.58	1.54	1.58	0.04
E-911 Emergency System	0.49	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.98	0.98	0.98	-
Health Unit (2000)	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.65	0.64	0.65	0.01
Courthouse Bonds	-	-	-	-	-	-	-	-	-	-	-	-
Library Bonds	-	-	-	-	-	-	-	-	-	-	-	-
Sewer Bonds	6.86	6.82	6.64	4.81	4.13	3.84	3.41	3.16	2.98	2.95	2.95	-
E-911 Telephone System Bonds	0.22	0.22	0.21	0.20	0.20	0.19	0.16	0.12	-	-	-	-
Fire Protection Bonds	0.51	0.50	0.48	0.46	0.46	0.31	-	-	-	-	-	-
TOTAL PARISHWIDE	28.54	30.95	30.64	28.78	28.20	27.75	27.28	27.18	26.61	26.40	26.58	0.18
<i>Increase/(Decrease over Prior Year)</i>	4.64	2.41	(0.31)	(1.86)	(0.58)	(0.45)	(0.47)	(0.10)	(0.57)	(0.21)	0.18	

2010-0273

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Subdivision Regulations to require resubdivision plats to state that sewer connection is the responsibility of the developer.

WHEREAS, the St. Charles Parish Council desires to require developers to pay all costs associated with connecting newly lots to community sewer where it is available.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II. C. 3 is amended to add:

**j. The following note shall be added to all resubdivision maps:
All necessary sewer, water and/or other utility extensions shall be made solely at owner's expense.**

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0273

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PLANNING AND ZONING)**

ORDINANCE NO. _____

An ordinance to amend the Subdivision Regulations to require a note on resubdivision plats that all necessary sewer, water and/or other utility extensions shall be made by and at the expense of the lot owner.

WHEREAS, the St. Charles Parish Council desires to require the lot owner to pay all costs associated with connecting newly created lots to sewer, water and other utilities when extensions or modifications are required.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code, Appendix C. Subdivision Regulations, Section II. C. 3 is hereby amended to add the following:

- j. The following note shall be added to all resubdivision maps:
All necessary sewer, water and/or other utility extensions shall be made by and solely at the lot owner's expense.**

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0274

**INTRODUCED BY: V.J. ST. PIERRE, JR. PARISH PRESIDENT
(DEPARTMENT OF WATERWORKS)**

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of a contract with W.L. Wyman Construction, Inc. for the Installation of the East Bank and West Bank Water Plant Shutters – HMGP #1603-089-0005 FEMA Project #0110 in the amount of \$178,000.00.

WHEREAS, sealed bids were received by the Parish on July 1, 2010, for the Installation of the East Bank and West Bank Water Plant Shutters – HMGP #1603-089-0005 FEMA Project #0110; and,

WHEREAS, installation of this project will protect the facilities from wind and debris damage and insure safety of St. Charles Parish employees in case of a Hurricane or related event; and,

WHEREAS, this project will be funded with an approved FEMA Hazard Mitigation Grant in the amount of \$150,899.00 to assist the Parish in project funding; and,

WHEREAS, St. Charles Parish and the Governor’s Office of Homeland Security and Emergency Preparedness have reviewed the bid and recommend that the Contract be awarded to the low bidder, W.L. Wyman Construction, Inc. in the amount of \$178,000.00.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of W.L. Wyman Construction, Inc. for the Installation of the East Bank and West Bank Water Plant Shutters – HMGP #1603-089-0005 FEMA Project #0110 be hereby approved and accepted in the amount of \$178,000.00.

SECTION II. That the Parish President is hereby authorized to execute said contract documents on behalf of St. Charles Parish.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

SECTION 00500

AGREEMENT

THIS AGREEMENT is effective as of the _____ day of _____ in the year 20__ by and between the Parish of St. Charles, called the OWNER, and _____ hereinafter called the CONTRACTOR.

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents for the above Project. The Work is generally described as follows:

The Contract Work generally comprises of the construction of

ARTICLE 2. ENGINEER

The Project has been designed by IN HOUSE who is hereinafter called ENGINEER and who will assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3. CONTRACT TIME

- 3.1 The Contractor shall complete all of the Work under the Contract within 120 calendar days from the date of the Notice to Proceed.
- 3.2 Liquidated Damages - OWNER and CONTRACTOR recognize that the OWNER will suffer direct financial loss if Work is not completed within the Contract times specified in Paragraph 3.1 above plus any extensions thereof allowed in accordance with Article 12 of the General Conditions, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, CONTRACTOR and Surety agree to forfeit and pay OWNER as liquidated damages for delay (but not as a penalty) the amount of \$ 400 for each calendar day that expires after the Contract Time specified in Paragraph 3.1 for final completion and ready for final acceptance until the Work is completed. These amounts represent a reasonable estimate of OWNER's expenses for extended delays and for inspection, engineering services and administrative costs associated with such delay. This provision shall be effective between the parties ipso facto and without demand or

putting in default, it being specifically agreed that the CONTRACTOR by his mere failure to complete the work on or before the date specified shall be deemed in default

ARTICLE 4. CONTRACT PRICE

CONTRACT PRICE: The amount to be paid to the Contractor by the Owner for completion of all work hereunder is: (\$178,000) ONE HUNDRED SEVENTY EIGHT THOUSAND DOLLARS based on unit prices specified within this contract document. Contract price is firm and subject only to modification by written change order agreed to by both parties.

ARTICLE 5. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

- 5.1 Progress payments. OWNER shall make progress payments which exceed \$5,000 on account of the Contract price on the basis of CONTRACTOR's Applications for Payment, as recommended by ENGINEER, on or about the thirtieth (30th) day following receipt by the OWNER. Applications for Payments less than \$5,000 shall be accumulated until the next payment period or until final payment.

Progress payments will be based upon estimated quantities of completed contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work on the last day of each month or other mutually agreed regular monthly date ending the progress payment period.

- 5.2 Retainage. Retainage shall be withheld and payments will be made by the OWNER in the payment amount of: 1) ninety percent (90%) of the approved payment applications for projects with contract prices of less than \$500,000; or 2) ninety-five percent (95%) of the approved payment applications for the projects with contract prices of \$500,000 or greater.
- 5.3 Final Acceptance and Final Payment. Upon the final completion of all Work, the CONTRACTOR may request a final inspection and may make a final Application for Payment as provided by Paragraph 14.12 of the General Conditions, upon the OWNER's certificate of final acceptance.

Final acceptance of the Work, based upon the certificate of final acceptance, shall be by resolution of the Council of the Parish of St. Charles.

When substantial completion is granted by the Owner, the Certificate of Substantial Completion is then transmitted to the Contractor for filing with the recorder of mortgages of the Parish of St. Charles. This begins the not less than forty-five (45) day lien period as prescribed for Public Works by Louisiana Revised Statutes 38:2242.

At the expiration of the lien period it is the CONTRACTOR's responsibility to obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is

clear of any liens or privileges, and said certificate shall be presented to the OWNER for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

ARTICLE 6. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 6.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 6.2 CONTRACTOR has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 6.3 CONTRACTOR has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 6.2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.2 of the General Conditions. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, CONTRACTOR has or will obtain or perform at no additional cost to the OWNER such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by CONTRACTOR for such purposes.

ARTICLE 7. CONTRACT DOCUMENTS

The following Contract Documents, which comprise the entire Agreement between OWNER and CONTRACTOR, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:

- 7.1 Agreement
- 7.2 Construction Performance and Payment Bond and Insurance Certificates
- 7.3 Advertisement for Bids
- 7.4 CONTRACTOR's Bid Form
- 7.5 Addenda (Numbers 1 to 2 inclusive)

- 7.6 Contract documents bearing the general title "INSTALLATION OF SHUTTERS ON B&W PLANT" dated _____ 20 _____.
- 7.7 Drawings, consisting of a cover sheet dated N/A 20 _____ and the sheets listed on Drawing N/A; each sheet bearing the following general title:
" _____ ".
- 7.8 General Conditions
- 7.9 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-25, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST - 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."

There are no Contract Documents other than those listed above in this Article 7. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 8. MISCELLANEOUS

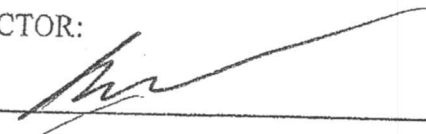
- 8.1 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-25, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST - 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."
- 8.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the OWNER may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without CONTRACTOR's consent and without recourse.
- 8.3 OWNER and CONTRACTOR each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.
- 8.4 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or by ENGINEER on their behalf.

OWNER: Parish of St. Charles

CONTRACTOR:

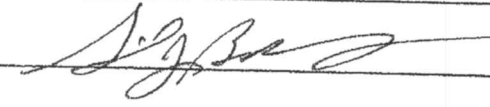
By _____

By 

Title _____

Title President

Attest _____

Attest 

END OF SECTION

2010-0275

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances to
rename Chapter 2. Administration, Section 2-12.

WHEREAS, on July 21, 2008, the St. Charles Parish Council enacted
Resolution No. 5559 officially abolishing the Qualification Based
Section Review Panel.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 2. Administration,
Section 2-12. be renamed as follows:

AS WRITTEN

Section 2-12.

Qualification based selection procedures for the procurement of
architects and engineers.

AS REVISED

Section 2-12.

Procedures for the procurement of architects and engineers.

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

And the ordinance was declared adopted this _____ day of _____, 2010
to become effective five (5) days after publication in the Official Journal.

Amend Code - Chapter 2, Section 2-12 rename

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0276

INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V
ORDINANCE NO. _____

An ordinance to provide for the installation of a
"STOP" sign at the end of Third and Short Street
in St. Rose.

WHEREAS, the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and
Traffic provides for the installation of traffic control signs; and,

WHEREAS, it is the desire of the Parish Council to authorize the installation of a
"STOP" sign at the end of Third and Short Street in St. Rose.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there are hereby established a "STOP" sign at the end of Third
and Short Street in St. Rose.

SECTION II. That the Department of Public Works is hereby authorized to erect
and maintain said "STOP" sign.

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

And the ordinance was declared adopted this _____ day of _____, 2010,
to become effective five (5) days after publication in the Official Journal.

Stop Sign end of Third and Short Street

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0277

**INTRODUCED BY: WENDY BENEDETTO, COUNCILWOMAN, DISTRICT III
V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. _____

An ordinance to approve and authorize the execution of a contract with Advanced Quality Construction, Inc. for project P081102-2 Dunleith Canal Stabilization Ph1 in the amount of \$614,282.00.

WHEREAS, sealed bids were received by St. Charles Parish on July 15, 2010 for project P081102-2 Dunleith Canal Stabilization Ph1; and,

WHEREAS, Evans-Graves Engineers, Inc., the Engineer for the Project, has reviewed the bids and recommend that the Contract be awarded to the low bidder, Advanced Quality Construction, Inc. in the amount of \$614,282.00; and,

WHEREAS, installation of this project will install vinyl sheet piling to stabilize the canal bank on the resident's side of the Dunleith Canal starting at Linwood Dr.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the bid of Advanced Quality Construction, Inc., for the construction of project P081102-2 Dunleith Canal Stabilization Ph1 be hereby approved and accepted in the amount of \$614,282.00.

SECTION II. That the Parish President is hereby authorized to execute said contract documents on behalf of St. Charles Parish.

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

And the ordinance was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

SECTION 00500

AGREEMENT

THIS AGREEMENT is effective as of the _____ day of _____ in the year 20__ by and between the Parish of St. Charles, called the OWNER, and Advanced Quality Construction hereinafter called the CONTRACTOR.

OWNER and CONTRACTOR, in consideration of the mutual covenants hereinafter set forth, agree as follows:

ARTICLE 1. WORK

CONTRACTOR shall complete all Work as specified or indicated in the Contract Documents for the above Project. The Work is generally described as follows:

The Contract Work generally comprises of the construction of

ARTICLE 2. ENGINEER

The Project has been designed by Evans-Graves Engineers, Inc. who is hereinafter called ENGINEER and who will assume all duties and responsibilities and have the rights and authority assigned to ENGINEER in the Contract Documents in connection with completion of the Work in accordance with the Contract Documents.

ARTICLE 3. CONTRACT TIME

- 3.1 The Contractor shall complete all of the Work under the Contract within 90 calendar days from the date of the Notice to Proceed.
- 3.2 Liquidated Damages - OWNER and CONTRACTOR recognize that the OWNER will suffer direct financial loss if Work is not completed within the Contract times specified in Paragraph 3.1 above plus any extensions thereof allowed in accordance with Article 12 of the General Conditions, and therefore, time is of the essence. They also recognize the delays, expense and difficulties involved in proving in a legal proceeding the actual loss suffered by OWNER if the Work is not completed on time. Accordingly, instead of requiring any such proof, CONTRACTOR and Surety agree to forfeit and pay OWNER as liquidated damages for delay (but not as a penalty) the amount of \$500.00 for each calendar day that expires after the Contract Time specified in Paragraph 3.1 for final completion and ready for final acceptance until the Work is completed. These amounts represent a reasonable estimate of OWNER's expenses for extended delays and for inspection, engineering services and administrative costs associated with such delay. This provision shall be effective between the parties ipso facto and without demand or putting in default, it being specifically agreed that the

CONTRACTOR by his mere failure to complete the work on or before the date specified shall be deemed in default

ARTICLE 4. CONTRACT PRICE

CONTRACT PRICE: The amount to be paid to the Contractor by the Owner for completion of all work hereunder is: ~~(\$ 614,282.00 Six Hundred Fourteen~~ Dollars based on unit prices specified within this contract document. ~~Contract price is firm and subject only to~~ Thousand Two Hundred Eighty-Two modification by written change order agreed to by both parties.

ARTICLE 5. PAYMENT PROCEDURES

CONTRACTOR shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by ENGINEER as provided in the General Conditions.

- 5.1 Progress payments. OWNER shall make progress payments which exceed \$5,000 on account of the Contract price on the basis of CONTRACTOR's Applications for Payment, as recommended by ENGINEER, on or about the thirtieth (30th) day following receipt by the OWNER. Applications for Payments less than \$5,000 shall be accumulated until the next payment period or until final payment.

Progress payments will be based upon estimated quantities of completed contract unit price items or upon estimated percentages of completion of the schedule of lump sum values of labor and materials incorporated into the Work on the last day of each month or other mutually agreed regular monthly date ending the progress payment period.

- 5.2 Retainage. Retainage shall be withheld and payments will be made by the OWNER in the payment amount of: 1) ninety percent (90%) of the approved payment applications for projects with contract prices of less than \$500,000; or 2) ninety-five percent (95%) of the approved payment applications for the projects with contract prices of \$500,000 or greater.
- 5.3 Final Acceptance and Final Payment. Upon the final completion of all Work, the CONTRACTOR may request a final inspection and may make a final Application for Payment as provided by Paragraph 14.12 of the General Conditions, upon the OWNER's certificate of final acceptance.

Final acceptance of the Work, based upon the certificate of final acceptance, shall be by resolution of the Council of the Parish of St. Charles.

When substantial completion is granted by the Owner, the Certificate of Substantial Completion is then transmitted to the Contractor for filing with the recorder of mortgages of the Parish of St. Charles. This begins the not less than forty-five (45) day lien period as prescribed for Public Works by Louisiana Revised Statutes 38:2242.

At the expiration of the lien period it is the CONTRACTOR's responsibility to obtain a certificate from the Recorder of Mortgages of the Parish of St. Charles that the Contract is

clear of any liens or privileges, and said certificate shall be presented to the OWNER for final payment and release of retainage, less any such sums as may be lawfully withheld under the Contract.

ARTICLE 6. CONTRACTOR'S REPRESENTATIONS

In order to induce OWNER to enter into this Agreement, CONTRACTOR makes the following representations:

- 6.1 CONTRACTOR has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and laws and regulations that in any manner may affect cost, progress, performance or finishing of the Work.
- 6.2 CONTRACTOR has studied carefully all reports of explorations and tests of subsurface physical conditions and drawings of physical conditions which are identified in the Information Available To Bidders and as provided in the General Conditions.
- 6.3 CONTRACTOR has obtained and carefully studied (or assumed responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests, reports and studies (in addition to or to supplement those referred to in Paragraph 6.2 above) which pertain to the subsurface or physical conditions at or contiguous to the site or which otherwise may affect the cost, progress, performance or furnishing of the Work as CONTRACTOR considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents, including specifically the provisions of Paragraph 4.2 of the General Conditions. In exercising its responsibility with respect to subsurface conditions and physical conditions at the site, CONTRACTOR has or will obtain or perform at no additional cost to the OWNER such additional examinations, investigations, explorations, tests, reports, studies, or similar information or data as may be required by CONTRACTOR for such purposes.

ARTICLE 7. CONTRACT DOCUMENTS

The following Contract Documents, which comprise the entire Agreement between OWNER and CONTRACTOR, are all hereby made a part of that Agreement to the same extent as if incorporated herein in full:

- 7.1 Agreement
- 7.2 Construction Performance and Payment Bond and Insurance Certificates
- 7.3 Advertisement for Bids
- 7.4 CONTRACTOR's Bid Form
- 7.5 Addenda (Numbers #1 to #1 inclusive)

7.6 Contract documents bearing the general title "Dunleith Canal Stabilization – Phase 1" dated March, 2010.

7.7 Drawings, consisting of a cover sheet dated March, 2010 and the sheets listed on Drawing__1 – Title Sheet; each sheet bearing the following general title:

"Dunleith Canal Stabilization – Phase 1, St. Charles Parish, LA".

7.8 General Conditions

7.9 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-25, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST – 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."

There are no Contract Documents other than those listed above in this Article 7. The Contract may only be amended, modified or supplemented as provided for in the General Conditions.

ARTICLE 8. MISCELLANEOUS

8.1 General Conditions, pages 00700-1 through 00700-31 and Section 00800, Supplementary Conditions, pages 00800-1 through 00800-25, and Second Supplementary Conditions have been adopted by the St. Charles Parish Council as a Standard General Conditions and Supplementary Conditions for Construction Contracts. Those General Conditions and Supplementary Conditions are to be referred to in the agreement and contract as "GEN.COND, CONST – 7/98 filed in MOB 682, Folio 230 filed with the St. Charles Parish Clerk of Court."

8.2 No assignment by a party hereto of any rights under or interests in the Contract Documents will be binding on another party hereto without the written consent of the party sought to be bound; and specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and, unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents. Notwithstanding the foregoing, the OWNER may assign this contract to the State of Louisiana or any political subdivision, municipality, special district or authority thereof without CONTRACTOR's consent and without recourse.

8.3 OWNER and CONTRACTOR each binds himself, his partners, successors, assigns and legal representatives to the other party hereto, his partners, successors, assigns and legal representatives in respect to all covenants, agreements and obligations contained in the Contract Documents.

8.4 It is hereby agreed and understood by the parties hereto that any and all disputes that may result in litigation shall be litigated in the 29th Judicial District Court for the Parish of St. Charles.

IN WITNESS WHEREOF, OWNER and CONTRACTOR have signed this Agreement effective as of the date first written above. All portions of the Contract Documents have been signed or identified by OWNER and CONTRACTOR or by ENGINEER on their behalf.

OWNER: Parish of St. Charles

CONTRACTOR:


By _____

By Kirk VanCamp

Title _____

Title Vice President

Attest _____

Attest 

END OF SECTION





ST. CHARLES PARISH

DEPARTMENT OF PUBLIC WORKS

P. O. BOX 705 • LULING, LOUISIANA 70070

(985) 783-5102 • (985) 783-5104 • FAX (985) 785-2207

Website: www.stcharlesparish-la.gov



V.J. ST. PIERRE, JR.
PARISH PRESIDENT

SAM SCHOLLE
DIRECTOR

August 9, 2010

TO: Mrs. Barbara Jacob-Tucker
Council Secretary

FROM: Sam C. Scholle *SS*
Director of Public Works/Wastewater

**SUBJECT: Dunleith Canal Bank Stabilization, Phase I
St. Charles Parish Project No. P081102-2**

Please introduce the above referenced Ordinance at the next Council Meeting, which is Monday, August 09, 2010. Thank you for your usual cooperation.

SCS: red

Attachment

2010-0249

**INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII
ORDINANCE NO. _____**

An ordinance to provide for the installation of
“THREE-WAY STOP” signs at the intersection of
St. Maria Street and Monsanto Avenue in Luling.

WHEREAS, the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and
Traffic provides for the installation of traffic control signs; and,

WHEREAS, this is the only cross street on St. Maria Street that does not have a stop
sign for traffic control and safety; and,

WHEREAS, it is the desire of the Parish Council to authorize the installation of
“THREE-WAY STOP” signs at the intersection of St. Maria Street and
Monsanto Avenue in Luling.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there are hereby established **“THREE-WAY STOP”** signs at
the intersection of St. Maria Street and Monsanto Avenue in Luling.

SECTION II. That the Department of Public Works is hereby authorized to erect
and maintain said **“THREE-WAY STOP”** signs.

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

And the ordinance was declared adopted this _____ day of _____, 2010,
to become effective five (5) days after publication in the Official Journal.

3-Way Stop, Revised St. Maria Street & Monsanto Ave

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0255

INTRODUCED BY: MARCUS M. LAMBERT, COUNCILMAN, DISTRICT VI
ORDINANCE NO. _____

An ordinance to provide for the installation of
"FOUR-WAY STOP" signs at the intersections of
Fifth Street, Vial Street, and Highland Drive in
Norco.

WHEREAS, the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and
Traffic provides for the installation of traffic control signs; and,

WHEREAS, it is the desire of the Parish Council to authorize the installation of
"FOUR-WAY STOP" signs at the intersections of Fifth Street, Vial Street,
and Highland Drive in Norco.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That there are hereby established **"FOUR-WAY STOP"** signs west
on Fifth Street at Vial Street and Highland Drive; and east on Fifth Street at Vial Street
and Highland Drive in Norco.

SECTION II. That the Department of Public Works is hereby authorized to erect
and maintain said **"FOUR-WAY STOP"** signs.

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

And the ordinance was declared adopted this _____ day of _____, 2010,
to become effective five (5) days after publication in the Official Journal.

4-Way Stop, 5th, Vial, Highland Norco

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0279

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)**

RESOLUTION NO. _____

A resolution authorizing the Parish President to execute those documents and agreements required in the submission of the application for funding under the Hurricane's Gustav and Ike Sustainable Coastal Communities Program to construct the Bonnet Carre Spillway Boat Launch Improvements and certifying that the "Urgent Need" National Policy Objective is being met.

WHEREAS, St. Charles Parish is submitting an application for funding to construct the Bonnet Carre Spillway Boat Launch Improvements under the Hurricane's Gustav and Ike Sustainable Coastal Communities Program from the Louisiana Office of Community Development – Disaster Recovery Unit; and,

WHEREAS, such regulations require that St. Charles Parish provide, as part of such package, a certified copy of a resolution which authorizes submission of the application and designates the Parish President, as the authorized representative of St. Charles Parish, to sign all application documents and certifications; and,

WHEREAS, such regulations further require that St. Charles Parish certify that the activity for which Sustainable Coastal Communities Program funds are being requested is to construct the Bonnet Carre Spillway Boat Launch Improvements, which are urgently needed to alleviate conditions which pose a serious and immediate threat to the health or welfare of the Parish and are needed as a result of the damages sustained by the commercial fishing infrastructure in Hurricanes Gustav and Ike; and,

WHEREAS, with no other funding source, the monies to undertake the project will have to be taken from the Parish's budget resulting in a critical reduction in revenues for programs and operations of St. Charles Parish.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby authorize the submission of the Hurricanes Gustav and Ike Sustainable Coastal Communities Program application package, with the proceeds from such grant to be used to complete the Bonnet Carre Spillway Boat Launch Improvements; and,

BE IT FURTHER RESOLVED, that the Parish President, being the chief elected official of St. Charles Parish, is the authorized representative for the project and as such is authorized to file an application and any amendments thereto for a Hurricanes Gustav and Ike Sustainable Coastal Communities Program Grant on behalf of St. Charles Parish with full authority to execute all documents pertaining to the project; and,

BE IT FURTHER RESOLVED, that the St. Charles Parish Council, as the governing authority of St. Charles Parish, hereby certifies that the funding being requested under the Hurricanes Gustav and Ike Sustainable Coastal Communities Program will be used to complete the Bonnet Carre Spillway Boat Launch Improvements project, which is urgently needed to alleviate conditions which pose a serious and immediate threat to the health or welfare of the Parish as a result of the damages sustained by the commercial fishing infrastructure in the Hurricanes; and, with no other funding source, the monies to undertake the project would have to be derived from the Parish's budget resulting in a critical reduction in revenues for programs and operations of the Parish Government.

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

And the resolution was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0283

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(GRANTS OFFICE)**

RESOLUTION NO. _____

A resolution supporting the application for the inclusion of the construction of an essential government building for the Department of Parks and Recreation on Parish owned property in the Louisiana Office of Community Development Local Government Assistance Program.

WHEREAS, Louisiana Legislature House Bill 2 (Act 21) allocated \$10 million for the Local Government Assistance Program for fiscal year 2010-2011; and,

WHEREAS, the amount available to each parish for the fiscal year is \$139,000; and,

WHEREAS, the construction of an essential government building qualifies for the allocated funding; and,

WHEREAS, the Department of Parks and Recreation will be relocated to the Community Center at 274 Sugarland Parkway in Luling upon completion of construction and will require an on-site Equipment Storage Facility to house recreational equipment and an office for the equipment clerk; and,

WHEREAS, the Parish Council's support for the application to have this recommended improvement included in the Louisiana Office of Community Development Local Government Assistance Program is required.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL AND THE PARISH PRESIDENT, hereby provide this resolution in support of the application for the inclusion of the construction of an essential government building for the Department of Parks and Recreation on Parish owned property in the Louisiana Office of Community Development Local Government Assistance Program.

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

And the resolution was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED : _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2010-0285

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
RESOLUTION NO. _____**

A resolution to amend the Parish Council Rules by adding Rule 40. Use of Electronic Equipment during Parish Council Meetings or Committee Meetings.

THE ST. CHARLES PARISH COUNCIL HEREBY RESOLVES TO AMEND THE COUNCIL RULES BY ADDING RULE 40. AS FOLLOWS:

Rule 40.

While official Parish Council Meetings or Committee Meetings are in progress, all Councilmember's shall refrain from reading or sending e-mails from computers or cellular phones while they are present in the Meetings; shall refrain from text messaging via any electronic device while they are present in the Meetings; and shall refrain from searching the internet during the Meetings unless disclosure is first made that a search is being conducted related to the issues presently under consideration or discussion.

NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby amend the Parish Council Rules by adding Rule 40. Use of Electronic Equipment during Parish Council Meetings or Committee Meetings.

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

And the resolution was declared adopted this _____ day of _____, 2010, to become effective five (5) days after publication in the Official Journal.

Add Council Rule 40

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____