

**REGULAR MEETING OF WEST BATON ROUGE PARISH COUNCIL
WEST BATON ROUGE PARISH COUNCIL/GOVERNMENTAL BUILDING
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA
MAY 8, 2014**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, May 8, 2014 and called to order. Council Chairman Gary Spillman requested that all electronic devices be placed on silent and recognized Ricky Loupe, who led everyone in the pledge of allegiance.

Roll-Call Pro System recorded the following members as being present:
Messrs. Randal "Randy" Mouch, Chris "Fish" Kershaw, Ricky Loupe, Ms. Charlene Gordon,
Messrs. Phil Porto, Jr., Gary M. Spillman, Edward G. "Bob" Robertson

Absent: Ms. Naomi Fair, Mr. Barry Huggins

Parish President Riley Berthelot, Jr. was also present.

President Berthelot was recognized under item 4 (accept or reject bids received & opened 5/8/14 for 1) 2014 Road Maintenance Program, and 2) 2014 Charles Drive Improvements) stating that the project engineer requested postponing matter until the 5/22/14 meeting in order to allow time for review and recommendation.

A motion was made by Mr. Phil Porto, Jr., seconded by Ms. Charlene Gordon to approve the minutes of the Regular Meetings of April 10, 2014 and April 24, 2014 as published in the Parish Official Journal.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 7 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Porto, Spillman, Robertson)

NAYS: 0 (None)

ABSENT: 2 (Ms. Fair, Mr. Huggins)

As a result of the vote the motion was unanimously adopted by those members present.

Any amendments to the agenda and public comments were requested at this time and there were none.

Executive Assistant Jason Manola was recognized under item 8 (authorize the Utilities Department to advertise for bids for pipe & fittings), explained for annual supply contract, and requested authorization.

A motion was made by Mr. Ricky Loupe, seconded by Mr. Phil Porto, Jr. to authorize the Utilities Department to advertise for bids for annual supply contract for pipe and fittings as aforementioned.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 7 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Porto, Spillman, Robertson)

NAYS: 0 (None)

ABSENT: 2 (Ms. Fair, Mr. Huggins)

As a result of the vote the motion was unanimously adopted by those members present.

Public Works Director Kevin Durbin was recognized under item 9 (communications with council members and/or elected or appointed officials) and distributed and explained paperwork regarding proposed special flood hazard areas/possibly newly affected parcels located in each district. Mr. Durbin requested each member sign calendar for scheduled appointment to review prior to adoption of proposed ordinance by the second meeting in June in connection with federally mandated deadline of July 15, 2014. Discussion held on method to be used in notifying affected homeowners, parcels overlapping districts, and Biggert-Waters Flood Insurance Reform Act of 2012.

Finance Director Phillip Bourgoyne was recognized, presented fire district 1 half-year budget (July 1, 2014 – December 31, 2014) figures for review prior to introduction of ordinance 5/22/14, briefly clarified debt of each sub-district, and confirmed required audit.

Mr. Kershaw was recognized, reminded members of Ethics Commission financial disclosure filing deadline of 5/15/14, and confirmed Senator David Vitter interested in resolving area traffic issue.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Part III Unified development code, Chapter 105 Subdivisions, Article I In general, Sec. 105-7 (d) Minor subdivisions, construction plans, Article II Minimum design standards, Sec. 105-40 (6) Improvements, utilities to provide for “as built” in minor subdivisions and to clarify the requirements for “as built” in regular subdivisions. Mr. Durbin provided history of four (4) minor subdivision ordinances, and clarified “as built” ordinance will require developer to turn-in these plans to the Utilities Department.

Mr. Huggins entered the meeting at 6:40PM.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 12 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Barry Huggins, seconded by Mr. Ricky Loupe

ORDINANCE NO. 12 OF 2014

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7(d) (“Minor Subdivisions, construction plans...”) and Article II (“Minimum Design Standards”), Section 105-40(6) (“Improvements, Utilities”) to provide for “as-built” in minor subdivisions and to clarify the requirement for “as-built” in regular subdivisions.

WHEREAS the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7(d) (“Minor subdivisions, construction plans...”) provides for regulations related to construction plans for minor subdivisions **AND**

WHEREAS the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article II (“Minimum Design Standards”), Section 105-40(6) (“Improvements, Utilities”) provides for regulations related to major subdivisions, specifically utility requirements **AND**

WHEREAS in an effort to provide safe and efficient utility services to the people of West Baton Rouge Parish by keeping-up with the utilization of digital, Parish wide utility data, the West Baton Rouge Parish Utility Department is working with developers to obtain the most accurate on-the-ground utility data as possible **AND**

WHEREAS the West Baton Rouge Parish Council seeks to require developers to cooperate with the West Baton Rouge Parish Utility Department in the above endeavor **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7(d) (“Minor Subdivisions, construction plans...”) and Article II (“Minimum Design Standards”), Section 105-40(6) (“Improvements, Utilities”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows (NOTE: underlined words are additions and ~~struckthrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 105

SUBDIVISIONS

ARTICLE I. IN GENERAL

* * *

Sec. 105-7. Minor subdivisions.

* * *

(d) Construction plans shall not be required in order to gain final plat approval on minor subdivisions. However, the locations and sizes of water lines, gas lines and fire hydrants shall be shown ~~on~~ along with the final plat in a manner known in the surveying industry as “as-builts”.

* * *

ARTICLE II. MINIMUM DESIGN STANDARDS

Sec. 105-40. Improvements.

* * *

(8) *Construction of improvements.* Before beginning construction of any of the above improvements, the design, drawing and specifications for all such improvements shall be approved by the Parish President. Prior to the construction of any subdivision improvements, a preconstruction meeting shall be held among the developer, the engineer, the contractor and the appropriate Parish representatives. All improvements shall also be constructed under the supervision of representatives designated by the Parish President. After the construction plans and specifications have been approved by the Administration, the subdivider may construct the required improvements. The Administration shall be notified by the subdivider in advance of the date that such construction shall begin. Construction shall be performed under the supervision of the Administration representative and shall at all times be subject to the inspection by same. However, this in no way shall relieve the subdividers or his engineer of close field supervision and final compliance with the approved plans and specifications. Any and all as-built field conditions that vary from the Parish-approved construction plans shall be documented and forwarded to the Office of Community Planning and Development in the form of change orders for approval or denial by the Office. ~~and/or a~~ As-built construction surveys shall also be submitted to the West Baton Rouge Parish Utility Office. Furthermore, all developers shall submit a digital file with GPS coordinates of all water and gas infrastructure including valve and fire hydrant locations to the utility office prior to their acceptance of the final walk-thru results. The utility office shall be the responsible office for collecting the as-built and GPS coordinate information.

* * *

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Part III Unified development code, Chapter 105 Subdivisions, Article I In general, Sec. 105-4 Public hearing by commission, Chapter 111 Administration and enforcement, Article IV Zoning enforcement, Sec. 111-76 (5) Procedure for amendments to zoning map; advertising, Article VI Subdivision approval procedure, Sec. 111-115 (c) (2) Final plat approval; consideration; fees and public hearing to provide for more comprehensive requirements in the event of subdivisions and rezonings. Mr. Huggins explained need for ordinance to provide additional notification by certified mail to abutting property owners. Discussion held on definition of abutting property and new public hearing requirements. Mr. Spillman confirmed Planning Commission recommended approval.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 13 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Barry Huggins, seconded by Mr. Randal Mouch

ORDINANCE NO. 13 OF 2014

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-4 (“Public hearing by commission”), Chapter 111 (“Administration and Enforcement”), Article IV (“Zoning Enforcement”), Section 111-76(5) (“Procedure for amendments to zoning map; Advertising”) and Article VI (“Subdivision Approval Procedure”), Section 111-115(c)(2) (“Final plat approval; consideration; fees and public hearings”) to provide for more comprehensive notification requirements in the event of subdivisions and rezonings.

WHEREAS the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-4 (“Public hearing by commission”), Chapter 111 (“Administration and Enforcement”), Article IV (“Zoning Enforcement”), Section 111-76(5) (“Procedure for amendment to zoning map; Advertising”) and Article VI (“Subdivision Approval Procedure”), Section 111-115(c)(2) (“Final plat approval; consideration; fees and public hearings”) provides for Parish notification requirements for subdivisions and rezonings **AND**

WHEREAS the West Baton Rouge Parish Council seeks to require more notification on said subdivisions and rezoning in the interest of public welfare **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-4 (“Public hearing by commission”), Chapter 111 (“Administration and Enforcement”), Article IV (“Zoning Enforcement”), Section 111-76(5) (“Procedure for amendments to zoning map; Advertising”) and Article VI (“Subdivision Approval Procedure”), Section 111-115(c)(2) (“Final plat approval; consideration; fees and public hearings”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows (NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 105

SUBDIVISIONS

ARTICLE I. IN GENERAL

* * *

Sec. 105-4. Public hearing by commission.

Excepting sections 105-2(b)(1)-(3) and 111-115(e)(1) and (2), all subdivisions, resubdivisions, or rearrangements shall be submitted to the commission and shall contain the name and address of a person to whom notice of a hearing shall be sent; and no plat shall be acted on by such commission without affording a hearing thereon, (R.S. 33:113). Notice shall be sent to said address by certified mail of the time and place of such hearing not less than five days before the date fixed therefor. The commission shall also give notice of such hearings, including the purpose, time, and place, by at least one publication in a newspaper of general circulation in the area surrounding the proposed subdivision, not less than five days prior to hearing date. In addition, the piece of land to be subdivided shall be posted with a printed notice in bold type for not less than ten consecutive days prior to the public hearing conducted by the planning & zoning commission on a sign not less than one square foot in area, prepared, furnished and placed by the zoning administrator or designee upon the principal and accessible rights-of-way adjoining the area proposed for subdivision. Additionally, the Secretary of the Planning & Zoning Commission shall send out certified letters to all abutting property owners of the area proposed to be subdivided announcing the upcoming hearing by the Planning & Zoning Commission. Said letters shall be mailed no later than ten (10) days prior to the hearing by the Planning & Zoning Commission. The costs of these letters shall be calculated by the Planning & Zoning Secretary and shall be added to the cost of the subdivision review and shall be paid by the applicant prior to the sending of the letters. When sending the letters, the Secretary of the Planning & Zoning Commission shall use the best available address as provided by the West Baton Rouge Parish Property Tax Assessor's office. In the event of unclaimed certified letters, it is assumed that all reasonable efforts to notify abutting property owners have been made. In the event that one and the same owner happens to own more than one of the abutting properties, only one certified letter shall be sent to that one and the same owner.

* * *

CHAPTER 111

ADMINISTRATION AND ENFORCEMENT

* * *

ARTICLE IV. ZONING ENFORCEMENT

* * *

Sec. 111-76. Procedure for amendments to zoning map.

* * *

(5) *Advertising.* Notice of the proposed change and the time and place of the hearing before the planning and zoning commission shall have been published once a week for three weeks consecutively in an official journal of the Parish. At least four days shall elapse between the last date of publication and the date of the hearing. A printed notice in bold type shall have been posted for not less than ten consecutive days prior to the public hearing conducted by the planning and zoning commission on a sign not less than one square foot in area, prepared, furnished and placed by the zoning administrator or designee upon the principal and ~~assessable~~ accessible rights-of-way adjoining the area proposed for a change in land use classification. Additionally, the Secretary of the Planning & Zoning Commission shall send out certified letters to all abutting property owners of the area proposed to be rezoned announcing the upcoming hearing by the Planning & Zoning Commission. Said letters shall be mailed no later than ten (10) days prior to the hearing by the Planning & Zoning Commission. The costs of these letters shall be calculated by the Planning & Zoning Secretary and shall be added to the cost of the rezoning and shall be paid by the applicant prior to the sending of the letters. When sending the letters, the Secretary of the Planning & Zoning Commission shall use the best available address as provided by the West Baton Rouge Parish Property Tax Assessor's office. In the event of unclaimed certified letters, it is assumed that all reasonable efforts to notify abutting property owners have been made. In the event that one and the same owner happens to own more than one of the abutting properties, only one certified letter shall be sent to that one and the same owner. When more than five parcels are required to be rezoned by Parish Council amendment of the zoning ordinance, the sign posting and certified letters in this section shall not be required.

* * *

ARTICLE VI. SUBDIVISION APPROVAL PROCEDURE

* * *

Sec. 111-115. Final plat approval.

* * *

(c) The commission will consider approval of the final plat only after the receipt of:

* * *

(2) Certification by the Office of Community Planning & Development that a fee of \$50.00 has been paid to the Council if no substantial changes have been made that would require a public hearing, or a fee of \$100.00 has been paid if a new public hearing is required. This fee shall be paid in the Office of Community Planning & Development prior to submission to the commission of any plat, whether it be a preliminary or final plat, and shall not be refundable. In cases where the fee is for advertising a hearing for a preliminary plat, the fee shall not be reassessed for the final plat submission unless substantial plat changes have occurred that may necessitate another hearing as determined by the commission. If a new public hearing is required, the property shall be posted and certified letters shall be mailed in the same manner as a preliminary plat within the same timeline.

* * *

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Part III Unified development code, Chapter 105 Subdivisions, Article I In general, Sec. 105-6 Subdivision for transfer to immediate family members to repeal family subdivisions and to grandfather-in previously existing family subdivisions. Mr. Huggins explained repealing family subdivision ordinance would require existing to upgrade to meet minor subdivision standard if portion sold outside family providing uniformity. Discussion held on ordinance intent, expense to families, and ability to provide services to residents.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 14 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Randal Mouch, seconded by Mr. Barry Huggins

ORDINANCE NO 14 OF 2014

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III ("Unified Development Code"), Chapter 105 ("Subdivisions"), Article I ("In General"), Section 105-6 ("Subdivision for transfer to immediate family members.") to repeal family subdivisions and to grandfather-in previously existing family subdivisions.

WHEREAS the West Baton Rouge Parish Code of Ordinances, Part III ("Unified Development Code"), Chapter 105 ("Subdivisions"), Article I ("In General"), Section 105-6 ("Subdivisions for transfer to immediate family members") has heretofore provided for alternate subdivision standards for those wishing to subdivide land for family members only **AND**

WHEREAS the West Baton Rouge Parish Council seeks to clean-up, simplify and make subdivisions more equitable to all involved **AND**

WHEREAS in order to accomplish the above, the West Baton Rouge Parish Council seeks to repeal family subdivision provisions while grandfathering-in existing family subdivisions **AND**

WHEREAS the West Baton Rouge Parish Council seeks to rely on the minor subdivision code to provide for smaller subdivisions (including those for families) **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-6 (“Subdivisions for transfer to immediate family members”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows (NOTE: underlined words are additions and ~~striketrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

CHAPTER 105

SUBDIVISIONS

ARTICLE I. IN GENERAL

* * *

Sec. 105-6. Subdivision for transfer to immediate family members.

There shall be no further subdivisions developed using the previous standards for subdivisions for transfer to immediate family members. Subdivisions previously created under the “family subdivision provisions” are hereby allowed to continue in existence as created.

~~The parish president and the chairman (or secretary in the absence of the chairman) of the planning commission shall have the authority to approve family lot subdivisions for the purpose of transfer to immediate family members, after the following requirements have been met:~~

- ~~(1) A public hearing having been held on the subject plat as required by section 105-4~~
- ~~(2) The applicable fee has been paid by the applicant for subdivision processing.~~
- ~~(3) The plat has been submitted showing the agreed covenants, on the plat, and signed by the property owner.~~
- ~~(4) It shall be so stated on the plat and signed by the property owner, the purpose of the resubdivision (for immediate family members only), and that any further sale, transfer, donation, resubdivision, or rearrangement of said subdivision to any one (except by an act of judicial nature, e.g. foreclosure, sales by foreclosing mortgagee, succession, or divorce/community property agreement) shall be resubmitted to the commission and council for review and all parish subdivision standards shall then be brought into full compliance.~~
- ~~(5) Subdivisions qualifying under this section shall be required to meet the following regulations:
 - ~~a. A 25 foot minimum width private servitude of access shall be required to access all lots in lieu of normal roadway construction required by this chapter. The roadway materials and construction shall be the responsibility of the property owners.~~
 - ~~b. Street lighting requirements shall not be required for subdivisions qualifying under this section.~~
 - ~~c. Drainage ditches along private servitudes of access shall not be required to meet normal parish standards for public streets.~~~~

~~d.—The sizing and placement of water and gas lines (and the sizing and placement of the respective utility servitudes) shall be determined by the parish administration. In no cases shall a developer be financially or physically responsible for upgrading existing, publicly owned water or gas trunk lines and/or for installing new water or gas trunk lines along existing, dedicated public roadways (i.e. parish or state roads). Fire hydrants having a minimum barrel diameter of six inches of a model with specifications approved in writing by the parish president or designee shall be installed at intervals of not more than 1,000 feet measured along the road or street right of way. The last fire hydrant shall be no farther than 1,000 feet from the farthest proposed building face. The fire hydrant stipulation shall be scrutinized as part of the building permit application review.~~

~~e.—Any subsequent transfer of title to any lots or parts thereof shown hereon to someone other than a member of the immediate family shall invalidate the approval of this plat.~~

~~f.—The penalties for violation of this or any other section of this chapter shall be outlined under the penalties section herein.~~

~~g.—Any plat filed under this section shall contain the signature of grantees (immediate family members to whom property is transferred) and signatures of the grantors (immediate family members who are transferring the property).~~

~~h.—Construction plans shall not be required in order to gain final plat approval on family subdivisions. However, the locations and sizes of water lines, gas lines and fire hydrants shall be shown on the final plat.~~

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 6 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Robertson, Huggins)

NAYS: 2 (Messrs. Spillman, Porto)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito

Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Part III Unified development code, Chapter 105 Subdivisions, Article I In general, Sec. 105-7 (e) (2) (d) Minor Subdivisions, requirements, standards, roads to provide for enforced maintenance on private, minor subdivision roads. Mr. Huggins explained was to provide for FHWA gradation, higher road standards, and no further re-subdivision of minor subdivisions or connectivity. Mr. Huggins and Fire Chief Charles Stephens clarified the fire recommendations regarding amount of limestone and t-turnaround requirements for supporting fire equipment would be presented at later date following fire consolidation 7/1/14 deadline. Discussion clarified conversion through administrative approval if no variances required, case by case basis, public hearings and meeting FHWA gradation standards.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 15 of 2014 appears elsewhere in these minutes.

Council concurred with Mr. Huggins statement to disband the Subdivision Code Advisory Committee, and further that Fire Chief present aforementioned recommendation to the President prior to consideration by the Council. Committee members Huggins, Loupe & Mouch made brief statements regarding benefit of said committee and thanked all involved for participation.

The following ordinance was offered by Mr. Barry Huggins, seconded by Mr. Randal Mouch

ORDINANCE NO. 15 OF 2014

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7 (“Minor subdivisions”) to provide for clarification on no further resubdivision of minor subdivision lots and to adopt higher road construction standards.

WHEREAS Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7 (“Minor subdivisions”) provides for the general standards required to develop a “minor subdivision” in West Baton Rouge Parish unincorporated areas **AND**

WHEREAS it is the responsibility of the West Baton Rouge Parish Council to enact by ordinance any items needed to regulate the subdivisions of land and any items needed to amend existing codes pursuant to West Baton Rouge Code of Ordinances, Part I (“Home Rule Charter”), Section 2-11 (“Actions Requiring an Ordinance”), Subsection 2-11(15) and 2-11(17) **AND**

WHEREAS this Council has determined that the language governing minor subdivision development and platting needs further clarification to avoid confusion and to promote proper road standards **AND**

WHEREAS such amendments to the minor subdivision code will better protect the safety and welfare of the citizens of West Baton Rouge Parish **THEREFORE**

BE IT ORDAINED BY THIS COUNCIL that Part III (“Unified Development Code”), Chapter 105 (“Subdivisions”), Article I (“In General”), Section 105-7 (“Minor subdivisions”) of the West Baton Rouge Parish Code of Ordinances be amended and reenacted to read as follows (NOTE: underlined words are additions and ~~strikethrough words~~ are deletions. Three asterisks - * * * - indicate sections of the code skipped for brevity of this ordinance. Such sections are to be retained by the code editors.):

PART III – UNIFIED DEVELOPMENT CODE

* * *

CHAPTER 105

SUBDIVISIONS

ARTICLE I – IN GENERAL

* * *

Sec. 105-7. Minor subdivisions.

* * *

(e) The parish president and chairman of the planning commission shall have the authority to approve final plats of minor subdivisions, as defined in section 101-1, after the following requirements have been met:

- (1) The applicable fees have been paid by the applicant for the subdivision processing.
- (2) Subdivisions qualifying under this section shall be required to meet the following standards:
 - a. Affidavits. The owner/developer/subdivider that constructs a private road shall be required to obtain a signed affidavit from all buyers located on the private road acknowledging it is a private road, that it is not maintained by the parish and that public service provision along this private road (e.g., garbage collection and school bus routes) may be left solely to the discretion of the service provider. A copy of the signed affidavits must be sent to the office of community planning and development and recorded at the clerk of court's office. The signed

affidavit shall become an attachment to the legal land transfer document that is on file at the clerk of court.

- b. Buyer beware. A large note, in a 14-point, boldface font (using all capital letters) shall be placed on the final plat stating the following:

"BUYER BEWARE: THE ROADS, DRAINAGE INFRASTRUCTURE, SERVITUDES AND RIGHTS-OF-WAY IN THIS SUBDIVISION WILL NOT BE MAINTAINED BY THE PARISH COUNCIL OR ANY OTHER PUBLIC BODY. FURTHERMORE, PUBLIC SERVICE, OR LACK THEREOF, ALONG THIS PRIVATE ROAD (e.g., GARBAGE COLLECTION AND SCHOOL BUS ROUTES) MAY BE LEFT SOLELY TO THE DISCRETION OF THE SERVICE PROVIDER."

- c. No future resubdivision. The lots in the minor subdivision cannot undergo future resubdivision including, but not limited to subdivisions for family members. To that effect, another note must be placed on the preliminary and final plat in a 14-point, boldface font (using all capital letters) that states the following: "The lots in this minor subdivision cannot undergo future resubdivision. THE LOTS OR TRACTS IN THIS MINOR SUBDIVISION CANNOT UNDERGO FUTURE RESUBDIVISION BEYOND THE MAXIMUM SIX LOTS OR TRACTS ALLOWED IN THE MINOR SUBDIVISION CODE OF WEST BATON ROUGE PARISH. It shall be the job of the parish administration, parish council, and parish planning commission to enforce this stipulation.

- d. Roads. Roads in a Minor Subdivision are private and not public roads and are not maintained or improved with public money. Private streets roads must be designed using sound engineering practices and principles, with adequate right-of-way or servitude dedicated for access, drainage and utilities. Private drives roads shall be constructed within a private servitude of access that is a minimum of 30 feet wide. These drives roads shall be constructed with an apron consisting of a minimum of six-inch thick concrete or two inches of asphalt for the first 50 feet in length. The private road shall begin or originate from the edge of a public road and the private road apron and the road surface shall be at least 22 feet wide by 50 feet in length. from the edge of the public road. The remaining portion of the private servitude of access may be constructed of crushed limestone, or equivalent, four inches thick as approved by the director of public works and shall be at least 20 feet wide within the 30-foot private servitude of access. The four inch thick surface material shall meet FHWA Gravel Road Maintenance and Design Manual gradation standards as demonstrated by field sieve testing and as reviewed and approved by the Director of Public Works. The roadway must be shaped with a four percent (4%) crown (one-half inch of rise/fall for every one foot of run) as well as shoulders that allow rainfall runoff to be directed from the private road to proper outfall locations using constructed roadside swales. Any private drive road must have a maneuvering surface constructed as a cul-de-sac or T-turnaround as described in 105-36(d). Street Road names will be assigned by the 9-1-1 office in conjunction with the office of emergency preparedness. Evidence of such street road name assignment must be forwarded to the office of community planning and development prior to the administration signing the final plat. If the 50-foot paving criteria described above cannot be met because of bridges, railroads tracks or other obstructions, the road will be reviewed by the director of public works and the parish president for a possible waiver of this requirement. The private road shall be maintained at all times to the above standards. This maintenance requirement is a private matter between private landowners who can resort to Louisiana civil remedies. No subdivision of any kind shall be allowed or permitted to branch off of or connect to a private road described in this paragraph, unless and until the private road described in this paragraph has been improved to a point where it meets all of the other criteria in Chapter 105 for a

major subdivision road. All Minor Subdivision roads, with the apron described in this paragraph, shall begin or originate from the edge of a public road.

- e. Water and gas. Twenty feet of utility servitude will be required in addition to the 30-foot private servitude of passage mentioned above. The placement of utilities within the required 20 feet shall be determined by a consultation with the parish administration. If 20 feet of utility servitude is not practical, the administration will consider hardship requests to waive this requirement and require down to a minimum of ten feet of utility servitude in lieu of the 20 feet. The sizing and placement of water and gas lines shall be determined by the parish administration. In no case shall a developer be financially or physically responsible for upgrading existing, publicly-owned water or gas trunk lines and/or for installing new water or gas trunk lines along existing, dedicated public roadways (i.e. parish or state roads). Fire hydrants having a minimum barrel diameter of six inches of a model with specifications approved in writing by the parish president or his designee shall be installed at intervals of not more than 1,000 feet measured along the road or street right-of-way. The last fire hydrant shall be no farther than 1,000 feet from the farthest proposed building face. The fire hydrant stipulation shall be scrutinized as part of the building permit application review.
- f. Setbacks. As stated in the zoning code for R-M zones, building setbacks are established at 25 feet for front yards and for all yards adjacent to private servitudes of access. For all yards not adjacent to private servitudes of access, the setback line will be ten feet.
- g. Street lighting. Street lighting requirements shall not be required for subdivisions qualifying under this section.
- h. Drainage ditches. Drainage ditches along with their respective servitudes may be required to meet normal parish standards as set by the office of public health, the drainage superintendent or the Director of Public Works.
- i. Variance; hearing. If the parish president and/or chairman of the planning commission determines that a variance is required on subsection (e)(2)d, roads; (e)(2)e, water and gas; or (e)(2)f, setbacks, of this section, then the final plat for the minor subdivision will have to go before the parish council for a public hearing.
- j. Penalties. The penalties for violation of this or any other section of this chapter shall be outlined under the penalties section of this chapter.
- k. Conversion of pre-existing family subdivisions to minor subdivisions. Landowners may petition the Parish Administration – through the Office of Community Planning & Development – to convert their family subdivision plats to minor subdivision plats. Such conversions must be accomplished through a plat - with the appropriate language removed or inserted - and a signature line for the Parish President. Such petitions will be reviewed on a case-by-case basis by the Parish President with the applicant having the right of appeal to the Parish Council.

* * *

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito

Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 104 Zoning for rezoning request of James Deric Breaux, 1914 West Shore, Port Allen, La. designated as Lot 8, West Shore Business Park Subdivision from C-1.2 (Community-Scaled Commercial District) to C-1.3 (Regional-Scaled Commercial District). Mr. Durbin confirmed building currently houses heating/air-conditioning business, new area will be rented to an auto repair/maintenance company, and the Zoning Commission recommended approval 5/6/14.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 10 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Ms. Charlene Gordon, seconded by Mr. Ricky Loupe

ORDINANCE NO. 10 OF 2014

AN ORDINANCE AMENDING CHAPTER 104 ZONING TO INCORPORATE AMENDED ZONING DESIGNATION MAP (ZONING PLAN) UNDER SEC. 104-3 ESTABLISHMENT OF DISTRICTS, OFFICIAL ZONING MAP

NOW THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council in legal session that Chapter 104 Zoning, Sec. 104-3 Establishment of Districts, Official Zoning Map of the Compiled Ordinances of the Parish of West Baton Rouge, Louisiana is amended and re-enacted to read as follows:

Sec.104-3. Establishment of districts, official zoning map for rezoning request of James Deric Breaux, 1914 West Shore, Port Allen, La. designated as Lot 8, West Shore Business Park Subdivision from C-1.2 (Community-Scaled Commercial District) to C-1.3 (Regional-Scaled Commercial District).

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 74 Special Districts, Article VII Fire, Sec. 74-385 Effective date. Executive Assistant Jason Manola was recognized and clarified that adoption of said ordinance sets the effective date of said ordinance as July 1, 2014.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 16 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Barry Huggins, seconded by Mr. Randal Mouch

ORDINANCE NO. 16 OF 2014
AN ORDINANCE PROVIDING FOR AMENDMENTS TO WEST BATON ROUGE
PARISH FIRE DISTRICT NO. 1

BE IT ORDAINED by the West Baton Rouge Parish Council, State of Louisiana, in regular session assembled, a proper quorum being there and then present on the 8th day of May, 2014 that:

Sec. 74-385 is hereby enacted to read as follows:

Sec. 74-385. Effective Date

The provision related to the West Baton Rouge Parish Fire District No. 1 amended and enacted by Ordinance No. 16 of 2014 shall take full force and effect on July 1, 2014.

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 74 Special Districts, Article VII Fire, Sec. 74-386 Adoption of West Baton Rouge Parish Fire District No. 1 Plan. Mr. Manola reviewed firemen job descriptions, schedule of classification codes/grades, changes and stated that Fire Chief Stephens and Attorney Garrett were both present to answer any questions. Mr. Porto clarified that the current fire chiefs would be classified as district chiefs. Discussion held on classification grades, EMT job description/title/testing, and guideline wording.

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 17 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Randal Mouch, seconded by Mr. Chris Kershaw

ORDINANCE NO. 17 OF 2014

AN ORDINANCE PROVIDING FOR AMENDMENTS TO WEST BATON ROUGE PARISH FIRE DISTRICT NO. 1

BE IT ORDAINED by the West Baton Rouge Parish Council, State of Louisiana, in regular session assembled, a proper quorum being there and then present, on the 8th day of May, 2014 that:

Sec. 74-386 is hereby enacted to read as follows:

Sec. 74-385 Adoption of the West Baton Rouge Parish Fire District No. 1 Plan.

The position classification plan is hereby adopted bas the position classification plan for West Baton Rouge Parish Fire District No. 1.

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito

Sharon Zito, Council Clerk

Chairman Spillman announced that a Public Hearing was in order at this time and all interested citizens were invited to appear and be heard regarding adoption of an ordinance to amend Chapter 62 Personnel rules and regulations, Sec. 62-11 Adoption of the plan regarding positions for Tractor Crew Leader and Revenue Tax Office Supervisor. Mr. Manola presented said job descriptions for review and stated that the Drainage Superintendent and as Revenue & Taxation Director were present to answer any questions. Lengthy discussion held on qualifications (education & work experience).

No interested citizens appeared either for or against said ordinance. No written protests opposing the ordinance were received. The Council Chairman at this point declared the Public Hearing concluded. Said Ordinance No. 18 of 2014 appears elsewhere in these minutes.

The following ordinance was offered by Mr. Charlene Gordon, seconded by Mr. Ricky Loupe

ORDINANCE NO. 18 OF 2014

AN ORDINANCE PROVIDING FOR AMENDMENTS TO CHAPTER 62-11 ADOPTION OF CLASSIFICATION PLAN

BE IT ORDAINED by the West Baton Rouge Parish Council, State of Louisiana, in regular session assembled, a proper quorum being there and then present, on the 8th day of May, 2014 that:

Sec. 62-11 is hereby amended to include the additional job classifications to read s follows:

Sec. 62-11 Adoption of the Plan

The position classification plan as updated is hereby adopted as the position classification plan for West Baton Rouge Parish.

THEREFORE BE IT ORDAINED by the West Baton Rouge Parish Council that this ordinance shall be com effective thirty (30) days after advertisement in the Parish Official Journal pursuant to Section 2-12 (C) of the Home Rule Charter.

NOW THEREFORE BE IT FURTHER ORDAINED by the West Baton Rouge Parish Council, that all other ordinances or parts of ordinances in conflict herewith are hereby repealed in their entirety.

NOW THEREFORE BE IT FURTHER RESOLVED by the Parish Council of the Parish of West Baton Rouge, Louisiana, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or applications of this ordinance are hereby declared severable.

The foregoing ordinance having been submitted to a vote was adopted by the following yea or nay on roll call vote:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Spillman, Porto, Robertson, Huggins)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

WHEREUPON the ordinance was adopted on the 8th day of May, 2014.

ATTEST:

/s/Sharon Zito
Sharon Zito, Council Clerk

I, Sharon Zito, hereby certify that I am the duly qualified Council Clerk of the West Baton Rouge Parish Council.

I further certify that the above and foregoing is a true and correct copy of an ordinance adopted by the West Baton Rouge Parish Council in regular session on the 8th day of May, 2014.

I further certify that above and foregoing ordinance was submitted to the Parish President at 10:45 o'clock AM on the 9th day of May, 2014.

IN FAITH WHEREOF, witness my signature and the impress of the official seal of the West Baton Rouge Parish Council, Louisiana on this 9th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

PARISH PRESIDENT'S APPROVAL OR VETO

I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 12th day of May, 2014.

/s/Riley Berthelot, Jr.
Riley Berthelot, Jr., Parish President

COUNCIL CLERK'S RETURN RECEIPT

I certify that the above and foregoing ordinance was received from the Parish President at 9:15 o'clock AM on the 12th day of May, 2014.

/s/Sharon Zito
Sharon Zito, Council Clerk

Riley Berthelot, Jr. was recognized under Parish President's Report regarding the following:
Reminded members of Ethics Commission financial disclosure 5/15/14 filing deadline;
Informed of introduction of ordinance 5/22/14 to consider moving Addis precinct from Harris Street Fire Station to Myhand Street Veterans of Foreign Wars (VFW) Hall;
Informed of 5/22/14 agenda item to discuss locating satellite early voting facility south-end of Parish;
Informed of 4-inch gas line leak within the corporate limits of Addis due to pipe defect;
Informed of Department of Transportation & Development email on availability of gap funds for transportation infrastructure;

Informed of DOTD acknowledging area traffic concerns due to number of complaints received;

Informed of DOTD installation of cable barriers - I-10 from Mississippi River Bridge to Ramah. There were no questions.

Gary Spillman was recognized under Council Chairman's Report regarding concerns of residents south of the Intracoastal Canal Overpass on left lane traffic issues and urgent need to schedule meeting with DOTD officials for resolution.

The Council Chairman read by title into the record the below proposed ordinance being introduced and publicized by title, and consider for adoption following public hearing at the meeting of May 22, 2014 at 6:30PM in the Council Meeting Room, 880 North Alexander Avenue, Port Allen, La.:

Adoption of Council on Aging Budget for the period July 1, 2014 – June 30, 2015.

Mr. Durbin was recognized, presented final map showing the subdivision (plat of family partition) of Tract 6-A of the Edward Adams, Sr. Tract into Tract 6-A-1 & 6-A-2 for Devon Tunstall carried-over from 4/24/14 meeting to allow surveyor to make requested corrections.

A motion was made by Mr. Barry Huggins, seconded by Mr. Ricky Loupe to approve the final map showing the subdivision of Tract 6-A of the Edward Adams, Sr. Tract into Tract 6-A-1 and Tract 6-A-2 (Tonawanda Plantation) for Devon Tunstall as aforementioned and recommended by the Planning Commission 5/6/14.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the vote the motion was unanimously adopted by those members present.

A motion was made by Mr. Phil Porto, Jr., seconded by Ms. Charlene Gordon to approve the below listed 2014 Beer and/or Liquor Permits for Krawdaddy's, LLC (establishment rebuilt following fire), 1680 Lobdell Highway, Port Allen, La. as same has met all requirements in accordance with the Compiled Ordinances, West Baton Rouge Parish, Louisiana, Chapter 6 Alcoholic Beverages:

Krawdaddy's, LLC d/b/a Wildfire Casino – Suite A (Store) – Class B;

Krawdaddy's, LLC d/b/a Wildfire Casino – Suite C (Casino) – Class A.

Roll-Call Pro System recorded the votes on the motion as follows:

YEAS: 8 (Messrs. Mouch, Kershaw, Loupe, Ms. Gordon, Messrs. Porto, Spillman, Huggins, Robertson)

NAYS: 0 (None)

ABSENT: 1 (Ms. Fair)

As a result of the vote the motion was unanimously adopted by those members present.

At this time under Correspondence Report the Council Clerk read excerpt into the record from the West Baton Rouge Parish Planning & Zoning Commission agenda scheduled for Tuesday, May 20, 2014 cancelled due to clear agenda.

There being no further business, a motion to adjourn was made by Ms. Charlene Gordon at 8:40PM and adopted by acclamation.

/s/Gary M. Spillman
Gary M. Spillman, Council Chairman

/s/Sharon Zito
Sharon Zito, Council Clerk

