

**WEST BATON ROUGE PARISH COUNCIL  
REGULAR MEETING—JANUARY 14, 2016  
WEST BATON ROUGE PARISH COUNCIL  
GOVERNMENTAL BUILDING  
880 NORTH ALEXANDER AVENUE, PORT ALLEN, LOUISIANA  
6:30PM**

The Regular Meeting of the West Baton Rouge Parish Council was held on Thursday, January 14, 2016 and called to order at 6:30pm. Council Chairman Gary Spillman requested that all electronic devices be placed on silent as the meeting opened with a prayer led by Pastor Michael Brown of the Mount Olive Missionary Baptist Church, followed by the Pledge of Allegiance led by the grandchildren of various councilmembers.

Roll-Call Pro System recorded the following members as being present:

Messrs. Chris “Fish” Kershaw, Ricky Loupe, Barry Huggins, Edward G. “Bob” Robertson, Ms. Charlene Gordon, Messrs. Gary Spillman, Phil Porto Jr., Ms. Naomi Fair & Mr. Kirk Allain.

Also present were, Riley Berthelot, Parish President, Phillip Bourgoyne, Director of Finance, and Michelle Tullier, Council Clerk.

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Chairman Spillman turned the floor over to Vice Chairman Huggins whom at this time announced the annual election of officers was in order at this time beginning with nominations for Council Chairman. Mr. Porto nominated Mr. Gary Spillman for another term as Council Chairman, there were no other nominations and the nominations for Chairman were closed. Mr. Spillman was elected Council Chairman by acclamation and thanked members for their vote of confidence. Chairman Spillman announced that nominations for Vice Council Chairman were open, Ms. Gordon nominated Mr. Barry Huggins for another term as Vice Chairman, there were no other nominations and the nominations for Vice Chairman were closed. Mr. Huggins was elected Vice Council Chairman by acclamation and expressed his thanks.

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A motion was made by Ms. Charlene Gordon, seconded by Mr. Chris Kershaw, to approve the minutes of the December 10, 2015 regular meeting.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Huggins, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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There were no amendments to the agenda at this time.

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Chairman Spillman moved on to item #7 on the agenda Parish President’s Report, and recognized President Berthelot who opened by congratulating everyone, and thanking them for working so well with administration in the past few years; welcomed Mr. Kirk Allain to the council; updated the council on a recent meeting with Exxon Mobil regarding road right of ways for upcoming projects; met with Capital Area Legislative Delegation on upcoming road projects and finished by notifying the council he has received the Final Environmental Impact Statement for the Baton Rouge Loop and offered it to anyone who would like to review it. Mr. Huggins questioned President Berthelot on if he had heard that during a recent visit to Baton Rouge President Obama stated he would commit federal monies to

help fix the traffic problem in Baton Rouge, where the interstate reduces down to one lane, President Berthelot could not verify, but did say he would welcome any monies to help with this project.

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Chairman Spillman moved on to item#8 Public Comments, Ms. Erin Bennett was recognized and thanked the council for the job they have done in the past for the betterment of the parish.

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Chairman Spillman moved on to item #9 Authorize Utilities Department to Advertise for Bids for two year Lawn Maintenance of Sewer and Water Sites, Ms. Pam Keowen with the Utilities Department was recognized and asked the council for the same.

A motion was made by Mr. Barry Huggins, seconded by Mr. Ricky Loupe to authorize the Utilities Department to advertise for the aforementioned bids.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Huggins, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

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Chairman Spillman moved on to item#10 Communications with Council Members and/or Elected or Appointed Officials, Ms. Gordon thanked everyone for the new term, stated the pleasure it has been working with this council and looked forward to the next four years.

Mr. Porto welcomed Mr. Allain; echoed the pleasure it was to serve on this council and have such a great working relationship with the administration and surrounding municipalities.

Mr. Robertson thanked President Berthelot and administration for the help in past years and stated the pleasure it was working with this council.

Mr. Loupe echoed the same and stated that this council and administration makes him "Proud to say I am from West Baton Rouge Parish", finished by stating he is honored to sit on this council and look forward to the next few years.

Mr. Allain sated he was excited to get started and thanked everyone for taking him in and treating him so well, he looks forward to his first term with this council.

Mr. Kershaw stated he enjoyed working with this council, and pointed out that although sometimes we do not agree we seem to work through our differences, "that is what makes us a good council", and finished by thanking President Berthelot & Mayor Joey Normand for all of the help over the past years.

Ms. Fair declared that the last four years have been a great learning experience for her, and looks forward to the future.

Mr. Spillman stated he had enjoyed his time on this council and commented on how well this council works together and gets along, using for example the fact that we do not even have news crews showing up for this meeting, because we do not argue enough and we get things accomplished.

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Chairman Spillman moved on to item #11, Discussion on Council Meeting Time Change, he turned the floor over to Mr. Kirk Allain who explained he does not get off until 5:30pm and works in White Castle, he would not at this time be able to make an earlier meeting. Mr. Spillman stated we would put this proposal on hold and scratch the resolution, to allow time for Mr. Allain to try and setup an arrangement with this employer.

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Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on an Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Sec. 104-3 Establishment of Districts, Official Zoning Map for rezoning request of Time Out Holdings, Rosedale Rd. Port Allen, La 70767, File # 2015-8 , being 38+ Acres of a 164.6 acre tract Northwest ¼ in Section 13, T7S, R11E, Physically located on Rosedale Rd., rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family 3) , Master Plan Change.

Mr. Durbin was recognized and informed the council of the Zoning Commissions unanimous vote to approve the aforementioned rezoning request. Chairman Spillman explained this change would take a two thirds (2/3) vote to change the zoning and master plan which currently has this property designated as Agricultural.

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.

A motion was made by Mr. Phil Porto to approve the aforementioned rezoning request of Time Out Holdings from AG to R-SF-3, seconded by Mr. Barry Hughhins.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Hughhins, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Ordinance 1 of 2016 appears at the end of these minutes.

Chairman Spillman announced that a Public Hearing was in order at this time and all interested persons were invited to appear and be heard on an ordinance to amend Chapter 101 (General Provisions), Section 101-1 (Definitions); Chapter 104 (Zoning), Appendix A (Zoning Districts); and Chapter 106 (Site Planning), Article V (Yard/Setback, Open Space and Common Area Requirements) to provide for further delineation and clarification of industrial zoning district regulations.

Mr. Durbin was once again recognized and briefly reviewed some of the major changes to the aforementioned Ordinance including definitions, table of permitted uses and site development regulations, he also reviewed the Proposed Amendments to Industrial Clarification Ordinance.

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 and opened it up to the council for discussion.

Mr. Hughhins explained the need for some of these changes, one of those being the need to protect residential from industrial encroachment by raising some of the buffer zones in some circumstances and also lowering some buffer zones when compatible uses are next to each other.

Mr. Porto thanked everyone for the help and support on putting this proposed ordinance together, even though in his eyes five hundred feet is not enough for Heavy Industrial, stating "however it is much better than what we currently have."

Mr. Spillman noted that there were citizens who served on this committee and shared their comments and concerns, he also questioned the limit of a maximum of twenty five (25) units for sale or rent in Truck and heavy equipment sales/rental/service definition and requested adding a definition and category for Sawmill to allow it in Agricultural with a special use permit.

There were a few more questions from the council to clarify certain parts of this ordinance.

A motion was made by Mr. Barry Hughhins to adopt the aforementioned ordinance with the amendments contained in the document titled Proposed Amendments to Industrial Clarification Ordinance, with the additions of the Sawmill definition and category as aforementioned, with a modification to the number of units allowed in the Truck and heavy equipment sales definition as aforementioned, clarified that in the definition of Industrial, heavy, when talking about the "maximum storage of fifty thousand (50,000) barrels", we are talking about "in a single tank", all of this included with the understanding that all "existing properties are grandfathered in under the current regulations and these new regulations should apply to new zoning requests as well as any properties that lose their legal non-conforming status", and finished by requesting this ordinance become effective upon signature of the Parish President, seconded by Mr. Phil Porto.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Hughhins, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Ordinance 2 of 2016 appears at the end of these minutes

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Chairman Spillman moved on to item #13 Consider status report, Change order and/or other matters as required on current projects, President Berthelot invited the council to accompany him next Wednesday January 20<sup>th</sup> at 1:30pm at the USA Rail Terminal to discuss upcoming train plans, also advised the council that administration is ready to start advertising for bids on the Lobdell Sewer Project.

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Item #14 Resolutions, specifically item #14a Roll Back Millage WBR Water-Works District No. 1 to Zero, Ms. Pam Keowen with the Utilities Department, explained the need to roll back this millage and stated this is the last time this will need to be done, the millage will expire this year. There were no questions at this time.

A motion was made by Mr. Barry Hughhins, seconded by Mr. Ricky Loupe to approve the aforementioned resolution.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Hughhins, Robertson, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Resolution 1 of 2016 appears at the end of these minutes

Chairman Spillman moved on to item #14b, A Resolution ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), to renew the levy and collection of a 10-year, 1.75 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith. There were no questions at this time.

A motion was made by Mr. Phil Porto to approve the aforementioned Resolution, seconded by Ms. Charlene Gordon.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Hughhins, Robertson, Spillman, Meses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Resolution 2 of 2016 appears at the end of these minutes.

Chairman Spillman moved on to item #14c, Cultural District Resolution, Mr. Drew Maciasz, with Harry L Laws Company was recognized and gave a brief explanation of what this Cinclare Cultural District would mean to the designated property and to the Parish of West Baton Rouge, he finished by asking for the support of the Council in order to apply to the State for this designation. Mr. Kershaw clarified a few of the concerns over tax breaks, he stressed the only sales tax we would forgo is on one of a kind works of art sold on the premises of said Cultural District, this will not affect the ad valorem taxes currently paid, he noted there are Federal and State Tax credits available but only for renovations, noted that

Baton Rouge has multiple Cultural Districts, and finished by declaring his support for this Cultural District.

Mr. Loupe made a quick comment that he agreed with Mr. Kershaw and thinks this is a good thing for the Parish.

Mr. Spillman clarified a few other qualifications of a Cultural District, and gave his support for the resolution.

Mr. Huggins spoke and explained the reasons he could not support this Cultural District, one reason being he does not think that Cinclare meets the definition and qualifications of a Cultural District and the second reason being the tax breaks that are included, in finishing Mr. Huggins stated he appreciated the work Harry Laws Company has done with the Parish but still could not support this Cultural District.

A motion was made by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe to approve the aforementioned resolution.

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

YEAS: 8 (Messrs. Kershaw, Porto, Allain, Loupe, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 1 (Mr. Huggins)

ABSENT: 0 (None)

As a result of the votes the motion was adopted.

Resolution 3 of 2016 appears at the end of these minutes.

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Item #15 Introduction of Ordinances, Chairman Spillman read the following ordinance by title into the record:

An Ordinance Amending the Compiled Ordinances, Parish of West Baton Rouge, Louisiana, Amending Appendix A. Purchase/Donation of real property and further authorizing the Parish President to sign the necessary documentation of the purchase/donation of real property from Harry L. Laws & Company. Public Hearing Date: January 28, 2016

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There was nothing to report under item #16.

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Chairman Spillman moved on to item #17 Appointments, 17a WBR Capital Region Planning Commission, the following individuals were nominated to serve on the aforementioned board.

Parish President Riley Berthelot, Mr. Ricky Loupe, Ms. Dana Fairchild, Mr. Barry Huggins with the alternates of Mr. Kirk Allain and Ms. Charlene Gordon, said terms would expire on 01/13/2020.

Chairman Spillman stressed the need of individuals appointed to this board to make a best effort to attend these meeting and speak up for West Baton Rouge Parish, stating these are voting seats and we need to have representation.

A Motion was made by Mr. Chris Kershaw, seconded by Mr. Phil Porto to approve the aforementioned appointments to the WBR Capital Region Planning Commission.

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

YEAS: 9 (Messrs. Kershaw, Porto, Allain, Loupe, Huggins, Robertson, Spillman, Mses. Gordon, Fair)

NAYS: 0 (None)

ABSENT: 0 (None)

As a result of the votes the motion was adopted

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There were no Beer/Liquor permits to consider at this time.

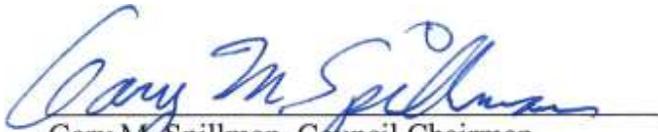
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Correspondence Report from Council Clerk, Michelle Tullier included the following item:

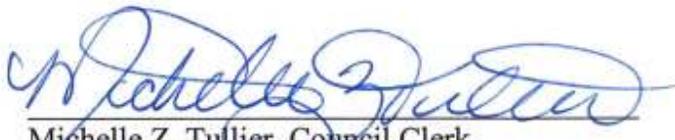
- Next meeting of the Planning & Zoning Commission on January 19, 2016 had been cancelled due to clear agenda.
- WBR Chamber of Commerce 2016 Membership Banquet will be held on Tuesday February 2, 2016 starting at 6pm at the Addis Community Center

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There being no further business, a motion to adjourn was made by Ms. Charlene Gordon and adopted by acclamation at 7:50pm.



Gary M. Spillman, Council Chairman



Michelle Z. Tullier, Council Clerk

The following ordinance was offered by Mr. Phil Porto, seconded by Mr. Barry Hughins.

### **ORDINANCE 1 OF 2016**

As Adopted by the West Baton Rouge Parish Council  
At the Regular Meeting of  
January 14, 2016

An Ordinance Amending Chapter 104 Zoning to Incorporate Amended Zoning Designation Map (Zoning Plan) under Section 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 Time Out Holdings, Rosedale Rd. Port Allen, La 70767, File # 2015-8 , being 38+ Acres of a 164.6 acre tract Northwest ¼ in Section 13, T7S, R11E, Physically located on Rosedale Rd., rezoning from AG (Agricultural) to R-SF-3 (Residential Single Family 3)

**BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that this Ordinance shall also serve as a Master Plan Change.

**THEREFORE BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that this ordinance shall become effective 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.

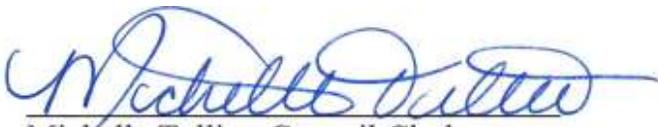
YEAS: 9 (Mses. Fair, Gordon, Messrs. Porto, Huggins, Loupe, Spillman, Robertson, Allain, Kershaw)

NAYS: 0 (None)

ABSENT: 0 (None)

WHEREUPON the ordinance was declared adopted on the 14<sup>th</sup> day of January, 2016.

ATTEST:



Michelle Tullier, Council Clerk

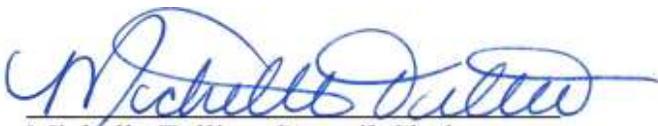
**CERTIFICATE**

I, Michelle Tullier, 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 14<sup>th</sup> day of January, 2016.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 11:30 o'clock AM on the 19<sup>th</sup> day of January, 2016.

**IN FAITH WHEREOF** witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 19<sup>th</sup> day of January, 2016.



Michelle Tullier, 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 21<sup>st</sup> day of January, 2016.



Riley Berthelot, Jr., Parish President

**COUNCIL CLERK'S RETURN RECEIPT**

I certify that the above and foregoing ordinance was returned from the Parish President at 1:20 o'clock PM on the 21<sup>st</sup> day of January, 2016.

  
Michelle Tullier, Council Clerk

\*\*The following Ordinance is shortened for brevity/publication. A complete copy of this Ordinance can be obtained from the Council Clerk.\*\*

The following ordinance was offered by Mr. Barry Huggins, seconded by Mr. Phil Porto

**ORDINANCE 2 OF 2016**

As Adopted with Amendments by the West Baton Rouge Parish Council  
At The Regular Meeting of  
January 14, 2016

An ordinance to amend and reenact the West Baton Rouge Parish Code of Ordinances, Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Chapter 104 (“Zoning Ordinance”), Chapter 106 (“Site Development Regulations”) and Chapter 111 (“Administration and Enforcement”) to provide for the proper classification and regulations of industrial land uses.

**WHEREAS** the Unified Development Code (“Part III”) of the West Baton Rouge Parish Government contains regulations for the types of uses permitted as well as the site development requirements for variously zoned properties **AND**

**WHEREAS** said requirements have been successful in balancing the development rights of neighbors **AND**

**WHEREAS** said requirements have been authorized by the Louisiana Revised Statutes and by the West Baton Rouge Parish Home Rule Charter **AND**

**WHEREAS** said requirements are exercised with the intention of protecting the health, safety and welfare of the Parish’s citizens and businesses **THEREFORE**

**BE IT ORDAINED BY THIS COUNCIL** that Part III (“Unified Development Code”), Chapter 101 (“General Provisions”), Chapter 104 (“Zoning Ordinance”), Chapter 106 (“Site Development Regulations”) and Chapter 111 (“Administration and Enforcement”) be amended and readopted 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 101**

**GENERAL PROVISIONS**

**Section 101-1. Definitions**

\* \* \*

(c) General definitions. The following words, terms and phrases, when used in this unified development code, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

\* \* \*

*Industrial, heavy*, means a use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials. Typical uses included, but are not limited to, petrochemical plants, other chemical plants, refineries, smelting operations, bulk outdoor storage facilities, tank farms, and tank terminals. Bulk outdoor storage – as used herein – shall refer to solid total stockpile storage of 12,500 tons and/or liquid and gas maximum storage of 50,000 (fifty thousand) barrels per storage container. A barrel as used herein is equivalent to 42 gallons.

*Industrial, light*, means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, ~~but excluding basic industrial uses~~. Typical uses include, but are not limited to, millworks, electronic assembly facilities, and dry cleaning plants. In order to qualify for this type of zoning, an establishment can have only indoor (completely surrounded by solid construction ceilings, floors and walls; tanks and canisters do not qualify as “indoor” storage) storage, manufacturing, fabrication and/or processing of materials and equipment. Hazardous materials – as defined by the U.S. Department of Transportation – can constitute no more than fifty percent (50%) of the floor space. Outdoor storage and/or outdoor

processing is allowed if and only if the property is completely surrounded by moderate industrial and/or heavy industrial land usage. Incidental outdoor storage is allowed in certain circumstances as permitted under the light industrial zoning district site development regulations.

*Industrial, moderate*, means a use engaged in any one of the following:

- (1) Scrap, salvage or recycling operations engaged in the storage, sale, dismantling or other processing of used, source separated, or waste materials which are not intended for reuse in their original form;
- (2) A use engaged in the storage of, or manufacturing processes utilizing bulk flammable or explosive materials; or
- (3) An operation engaged in the storage or manufacturing processes which potentially involves hazardous (as defined by the U.S. Department of Transportation) or commonly recognized offensive conditions (including, but not limited to noxious levels of noise, dust and light pollution).

Typical uses include, but are not limited to ~~auto salvage and junkyards~~, ironworks, recycling facilities, or garment manufacturing. In order to qualify for this type of zoning, an establishment can have both indoor and outdoor storage, manufacturing, fabrication and/or processing of materials and equipment. Hazardous material storage – as defined by the U.S. Department of Transportation – is not limited by floor space, but the processing of hazardous materials is limited to operations that do not exceed six hundred degrees Fahrenheit (600° F) and/or one thousand pounds per square inch, gage (1000 psig). All outdoor storage is further regulated by the moderate industrial zoning district site development regulations.

*Industrial-transitional commercial* means a transitional land and building use that falls between traditional commercial establishments and traditional industrial establishments. To qualify for this type of zoning, an establishment can have only passive storage of industrial products and equipment and cannot be engaged in any type of processing, packaging, manufacturing, or fabrication of the industrial products and equipment. Hazardous materials – as defined by the U.S. Department of Transportation – can constitute no more than twenty-five percent (25%) of the floor space of the establishment. All storage must be indoor (completely surrounded by ceilings, floors and walls; tanks and canisters do not qualify as “indoor” storage) except for incidental outdoor storage permitted under the industrial-transitional commercial zoning district site development regulations.

\* \* \*

*Manufacture* means to assemble a finished product using raw material and parts inputs. Manufacturing does not necessarily include “processing” which is defined elsewhere. Manufacturing as used herein does not involve chemical or physical changes to the material other than those physical changes involved with basic assembly or parts.

\* \* \*

*Marine services, boat sales/service, recreational* means establishments for the sale, rental, servicing and routine maintenance, including cleaning and minor topside painting only, of recreational boats and accessories for recreational purposes. Typical uses include boat sales and service facilities.

*Process (and/or treatment)* means to subject materials to chemical or physical changes exclusive of basic manufacturing (defined elsewhere). Examples of processing and/or treatment include, but are not limited to heat and/or pressure and/or chemical treatments in order to transform a material from one chemical and/or physical state to another.

\* \* \*

*Sawmilling operations* means the conversion of previously harvested timber logs into lumber pieces and scraps. This conversion process may take place at a designated sawmill facility or by using portable sawmill equipment.

\* \* \*

*Truck and heavy equipment sales/rental/service* means the sale or rental of trucks of one ton or greater capacity, tractors, construction equipment, agricultural implements, mobile homes, and similar heavy equipment, including incidental storage, maintenance, and servicing. Typical uses include truck dealerships, construction equipment dealerships, and mobile home sales establishments. This land use is permitted (with a special use) in some commercial districts (see Appendix A of the zoning code). In addition to any special conditions placed by the governing authority, the following items limit this use: the total number of units for sale or rent being displayed and/or stored outdoors shall not exceed twenty-five (25, unless more units are granted by the Parish Council as part of a Special Use Permit hearing), the total outdoor square footage dedicated to material and/or equipment sales and rental display and storage shall not exceed fifteen thousand square feet (15,000 ft<sup>2</sup>), and the height of goods for sale or rent being stored or displayed outdoors shall not exceed twenty feet (20 ft). If any of the previously mentioned conditions cannot be met, then the land use shall be construed as warehouse, storage and distribution, heavy as defined elsewhere.

\* \* \*

*Video rental establishment* means an establishment where movies, films, motion pictures, videotapes, video discs or other medium of visual presentation is offered for rental. ~~Adult movies, films, motion pictures, videotapes, video discs, or other medium or visual presentation are allowed if displayed in no more than five percent of the total display area square footage and provided they are in a separate room, screened from the visibility of the general public.~~

\* \* \*

*Warehouse, storage and distribution, heavy*, means the open air storage, distribution and handling of materials and equipment. Typical uses include open air storage yards for construction materials (pipe, aggregate, dirt, storage containers, portable toilets, etc.) and equipment (dump trucks, cranes, dozers, flatbed trailers, etc.), stone or prefabricated concrete yards, grain elevators, offshore equipment storage related to the oil industry. This land use is limited to I-2 and I-3. A special use permit for temporary outdoor heavy storage may be granted for a period up to six months at the discretion of the Parish President regardless of the zoning district contemplated. An extension on the six month temporary permit may only be granted by the Parish Council after a public hearing has been conducted by the same body. Said public hearing shall be advertised one time in the official journal of the Parish Council. Certified letters announcing the public hearing shall also be sent to all abutting property owners by the Office of Community Planning & Development. Said letters shall be mailed at least ten (10) days prior to said public hearing at the most recent address provided by the West Baton Rouge Parish Assessor's Office.

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## CHAPTER 104

### ZONING ORDINANCE

\* \* \*

#### ARTICLE II. District Regulations

\* \* \*

**Sec. 104-26. Adoption, amendment and interpretation of zoning districts.**

All land within the unincorporated areas of the parish is hereby divided into the following base zoning districts:

(1) Base zoning districts

<i>Map Code</i>	<i>District Name</i>
	* * *
POS-C-RV	Park and Open Space, Campgrounds and RV Park District
<u>PF</u>	<u>Public Facilities</u>
SFHA	Special Flood Hazard Area
	* * *

**Sec. 104-28. Base district regulations by zoning districts.**

\* \* \*

(2) Nonresidential districts

\* \* \*

m. PF public facilities district.

1. Purpose. The purpose of the PF district shall be to provide areas for public and quasi-public land and buildings other than parks and open space. Examples include, but are not limited to government buildings, public safety campuses, libraries, museums, schools, etc.
2. Permitted, prohibited and special uses. See Appendix A to this chapter.

\* \* \*

**NOW THEREFORE BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council, that this ordinance shall become effective immediately upon Parish President's signature.

**NOW THEREFORE BE IT FURTHER ORDAINED** by the West Baton Rouge Parish Council that the existing properties are "grandfathered in" under current regulations and these new regulations should apply to new zoning requests as well as any properties that lose their legal non-conforming status.

**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 ORDAINED** 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 application 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: 9 (Mses. Gordon, Fair, Messrs. Allain, Kershaw, Porto, Spillman, Robertson, Loupe, Huggins)  
NAYS: 0 (None)  
ABSENT: 0 (None)

**WHEREUPON** the ordinance was declared adopted on the 14<sup>th</sup> day of January, 2016.

ATTEST:



Michelle Tullier, Council Clerk

**CERTIFICATE**

I, Michelle Tullier, 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 14<sup>th</sup> day of January, 2016.

I further certify that the above and foregoing ordinance was submitted to the Parish President at 11:30 o'clock AM on the 19<sup>th</sup> day of January, 2016.

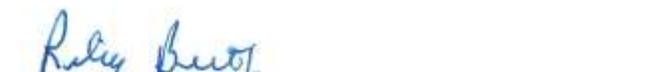
**IN FAITH WHEREOF** witness my official signature and the official seal of the West Baton Rouge Parish Council, Louisiana on the 19<sup>th</sup> day of January, 2016.



Michelle Tullier, Council Clerk

**PARISH PRESIDENT'S APPROVAL OR VETO**

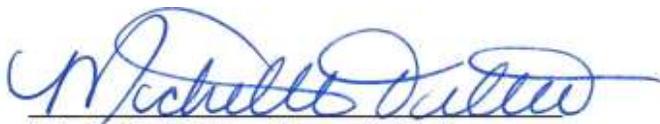
I, Riley Berthelot, Jr., Parish President, West Baton Rouge Parish, State of Louisiana, do hereby approve the foregoing ordinance on the 21<sup>st</sup> day of January, 2016.



Riley Berthelot, Jr., Parish President

**COUNCIL CLERK'S RETURN RECEIPT**

I certify that the above and foregoing ordinance was returned from the Parish President at 1:20 o'clock PM on the 21<sup>st</sup> day of January, 2016.



Michelle Tullier, Council Clerk

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

**RESOLUTION 1 OF 2016**

A Resolution to roll back the 10 year 3.32 Mills property tax imposed by West Baton Rouge Parish Water District No. 1

**WHEREAS**, The West Baton Rouge Parish Council dissolved West Baton Rouge Parish Water District No. 1 pursuant to Ordinance No.5 dated January 26, 2012, and

**WHEREAS**, The West Baton Rouge Parish Water District No. 1 submitted to the voters and the voters passed a 10 Year 3.32 Mills Property Tax for Construction, improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016, and

**WHEREAS**, since the West Baton Rouge Parish Council dissolved West Baton Rouge Parish Water District No. 1 pursuant to Ordinance No.5 there is no longer a need for the imposition of the 10 Year 3.32 Mills Property Tax for Construction, Improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016, which no longer has a legal existence.

**NOW THEREFORE BE IT RESOLVED**, The West Baton Rouge Parish Council, in legal session, hereby determined that there is no longer a need for the imposition of the 10 Year 3.32 Mills Property Tax for Construction, Improving, Maintaining and Operating Water Works for Water Works District No. 1, effective January 1, 2007 and ending December 31, 2016.

**BE IT FURTHER RESOLVED**, The West Baton Rouge Parish Council, in legal session, has determined that for the above and foregoing reasons, it hereby rolls back the 10 Year 3.32 Mills Property Tax imposed by West Baton Rouge Parish Water District No. 1 to 00.00 Mills effective January 1, 2016 and the tax year of 2016.

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

- YEAS: 9 (Mes. Gordon, Fair, Messrs. Porto, Kershaw, Loupe, Spillman, Allain, Robertson, Huggins)
- NAYS: 0 (None)
- ABSENT: 0 (None)
- ABSTAIN: 0 (None)

As a result of the roll call vote the resolution was adopted.

**CERTIFICATE**

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is true and correct copy of a resolution adopted by said body at its Regular Meeting of January 14, 2016 at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk

The West Baton Rouge Parish Council met in its regular session, duly called, advertised and convened at the West Baton Rouge Parish Council Governmental Building on Thursday, January 14, 2016, at 6:30 p.m., with the following members present:

	<u>Present</u>	<u>Absent</u>
Gary Spillman, District VII, Chairman	X	
Barry Huggins, District VIII, Vice Chairman	X	
Kirk Allain, District I	X	
Chris Kershaw, District II	X	
Naomi Fair, District III	X	
Ricky Loupe, District IV	X	
Charlene Gordon, District V	X	
Phil Porto, Jr., District VI	X	
Edward G. Robertson, District IX	X	

Also present were Riley Berthelot Jr., Parish President and Michelle Tullier, Council Clerk.

The meeting was called to order and the roll called with the above result.

**RESOLUTION 2 OF 2016**

The following resolution was offered by Ms. Charlene Gordon, seconded by Mr. Chris Kershaw, and adopted with the following vote:

YEAS:	9	(Ms. Gordon, Fair, Messrs. Allain, Porto, Kershaw, Loupe, Robertson, Spillman, Huggins)
NAYS:	0	(None)
ABSENT:	0	(None)

And the resolution provides as follows:

A Resolution ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), to renew the levy and collection of a 10-year, 1.75 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish; and further making application to the State Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.

WHEREAS, the Parish Council of the Parish of West Baton Rouge, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of West Baton Rouge, State of Louisiana (the "Parish"), desires to order and call a special election to be held in the Parish on April 9, 2016, to renew the levy and collection of a 10-year, 1.75 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish (the "Tax"); and

BE IT RESOLVED by the Governing Authority, that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission and under the authority conferred by Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, Section 801 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 39:801) by Title 18 of the Louisiana Revised Statutes of 1950, as amended (the "Election Code"), particularly Chapters 5 and 6 A thereof, and by other constitutional and statutory authority supplemental thereto, a special proposition election (the "Election") is hereby called and ordered to be held in the Parish of West Baton Rouge, State of Louisiana (the "Parish"), on SATURDAY, APRIL 9, 2016, between the hours of 7:00 a.m. and 8:00 p.m. in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541), and that at the Election there will be submitted to all registered voters residing in the Parish, qualified and entitled to vote at the Election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following proposition, to wit:

PROPOSITION  
(TAX RENEWAL)

Shall the Parish of West Baton Rouge, State of Louisiana (the "Parish") be authorized to renew the levy and collection, and adopt an ordinance providing for such levy and collection, of a 1.75 mills tax on all property subject to taxation in the Parish (an estimated \$633,924.00 reasonably expected at this time to be collected from the levy of the tax for an entire year) (the "Tax") for a period of ten (10) years, beginning with the year 2017, and annually thereafter to and including the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish?

SECTION 2. Publication of Notice of Special Election. Pursuant to La. R.S. 18:1285, a Notice of Special Election concerning the Election will be published in the *West Side Journal*, a newspaper of general circulation within the Parish, and is the official journal of the Parish, once a week for four (4) consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date fixed for the Election, which notice will be substantially in accordance with the Notice of Special Election annexed hereto as **Exhibit A** and incorporated herein by reference, to the same extent as if it were set forth in full.

SECTION 3. Canvass of Election Returns. This Governing Authority will meet on Thursday, April 28, 2016 at 6:30 p.m. at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana, and will then and there in open and public session proceed to examine and canvass the official election returns and declare the results of the said election, pursuant to Section 1292 of Title 18 of the Louisiana Revised Statutes of 1950, as amended.

SECTION 4. Polling Places; Commissioners. The polling places set forth in the attached Notice of Special Election, and situated within the corporate limits of the Parish, be and the same are hereby designated as the polling places at which the Election will be held. Pursuant to the provisions of La. R.S. 18:1286(B), the Commissioners in Charge and the Commissioners authorized to be selected by the Board of Election Supervisors to serve at the Election on SATURDAY, APRIL 9, 2016, are hereby designated as the Commissioners in Charge and Commissioners to serve at the polling places designated for this Election.

SECTION 5. Designation of Commissioners and Commissioners in Charge. As required in La. R.S. 18:1286(B), the officers designated to serve as Commissioners in Charge and Commissioners pursuant to Section 4 hereof, will hold the Election as herein provided solely in compliance with the provisions of Parts II and V of the Election Code, as amended, and will make due returns of said Election in accordance with the aforesaid provisions of the Election Code. The compensation of said officers be and the same is hereby fixed at the sum prescribed by law. All registered voters in each precinct and residing in the Parish are entitled to vote at the Election.

SECTION 6. Authorization of the Clerk. The Clerk of the Governing Authority be and she is hereby empowered, authorized and directed to arrange for and to furnish the election officers, in ample time for the holding of said election, all equipment, forms and other items which may be required in order to hold said election. The Clerk of the Governing Authority is further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

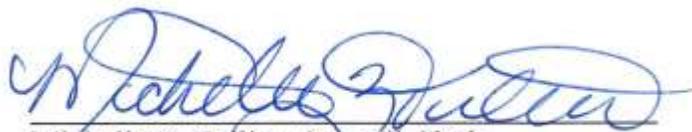
SECTION 7. Furnishing Election Call. In accordance with La. R.S. 18:1285(B)(1), certified copies of this Resolution will be forwarded promptly to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Custodian of Voting Machines in and for the Parish of West Baton Rouge, State of Louisiana and the Registrar of Voters in and for the Parish of West Baton Rouge, State of Louisiana, as notification of the call for the Election in order that each may prepare for said Election and perform their respective functions as required by law.

SECTION 8. Estimated Collections. Pursuant to La. R.S. 18:1284(c), an estimated \$633,924.00 is reasonably anticipated at this time to be collected from the levy of the Tax for an entire year.

SECTION 9. Application to State Bond Commission. Application be and the same is hereby formally made to the State Bond Commission for consent and authorization to hold a special proposition election in the Parish, as previously specified herein, said election to be held within the Parish on SATURDAY, APRIL 9, 2016, and in the event the aforesaid proposition is carried for consent and authorization to levy and collect the Tax provided for by said proposition in the amount, for the purpose and for the number of years herein specified; and that a certified copy of this Resolution will be forwarded to the State Bond Commission on behalf of the Governing Authority, together with a letter requesting the prompt consideration and approval of such application.

The foregoing resolution was adopted on the 14th day of January, 2016.

  
Gary M. Spillman, Council Chairman

  
Michelle Z. Tullier, Council Clerk

**EXHIBIT A**  
**NOTICE OF SPECIAL ELECTION**

Pursuant to the provisions of a Resolution adopted on January 14, 2016, by the Parish Council, as the governing authority of the Parish of West Baton Rouge, State of Louisiana (the "Parish"), NOTICE IS HEREBY GIVEN that a special election will be held in the Parish on TUESDAY, NOVEMBER 4, 2016, and that at said election there will be submitted to all registered voters of the Parish, qualified in and entitled to vote at said election under the Constitution and laws of the State of Louisiana and the Constitution of the United States, the following Proposition, to wit:

PROPOSITION  
(TAX RENEWAL)

Shall the Parish of West Baton Rouge, State of Louisiana (the "Parish") be authorized to renew the levy and collection, and adopt an ordinance providing for such levy and collection, of a 1.75 mills tax on all property subject to taxation in the Parish (an estimated \$633,924.00 reasonably expected at this time to be collected from the levy of the tax for an entire year) (the "Tax") for a period of ten (10) years, beginning with the year 2017, and annually thereafter to and including the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish?

The special election will be held in at the following polling places situated in the Parish, and which polls will open at 7:00 a.m. and close at 8:00 p.m. on SATURDAY, APRIL 9, 2016, in compliance with the provisions of Section 541 of Title 18 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 18:541). The Commissioners-in-Charge and the Commissioners authorized to be selected by the Parish Board of Election Supervisors at the special election on SATURDAY, APRIL 9, 2016, are hereby designated as the Commissioners-in-Charge and the Commissioners to serve at the following described polling places designated for this election, to-wit:

<u>WARD AND PRECINCT</u>	<u>LOCATION</u>
Ward 00, Precinct 1A	VFW Hall – 4453 Myhand Street, Addis
Ward 00, Precinct 1B	YMCA – 3688 Sugar Plantation Pkwy, Addis
Ward 00, Precinct 2A	Brusly Elementary School - 400 South Labauve Avenue, Brusly
Ward 00, Precinct 2B	Brusly Elementary School - 400 South Labauve Avenue, Brusly
Ward 00, Precinct 3	Brusly Elementary School - 400 South Labauve Avenue, Brusly
Ward 00, Precinct 4	Brusly Elementary School - 400 South Labauve Avenue, Brusly
Ward 00, Precinct 5	Brusly Elementary School - 400 South Labauve Avenue, Brusly
Ward 00, Precinct 6	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen
Ward 00, Precinct 7A	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen
Ward 00, Precinct 7B	Brusly Fire Station #3 - 2141 Antonio Road, Port Allen
Ward 00, Precinct 8	Lukeville Upper Elementary - 6123 State Highway 1 South, Brusly
Ward 00, Precinct 9	American Legion Hall - 850 Sixth Street, Port Allen
Ward 00, Precinct 10A	Port Allen City Court - 330 South Alexander Avenue, Port Allen
Ward 00, Precinct 10B	Port Allen City Court - 330 South Alexander Avenue, Port Allen
Ward 00, Precinct 11A	K C Hall - 679 North Jefferson Avenue, Port Allen
Ward 00, Precinct 11B	K C Hall - 679 North Jefferson Avenue, Port Allen
Ward 00, Precinct 12	K C Hall - 679 North Jefferson Avenue, Port Allen
Ward 00, Precinct 13A	Cohn Elementary School Gym - 805 North 14th Street, Port Allen
Ward 00, Precinct 13B	Cohn Elementary School Gym - 805 North 14th Street, Port Allen
Ward 00, Precinct 14	LSU AG Center, WBTR EXT – 210 Turner Road, Port Allen
Ward 00, Precinct 15	Cohn Elementary School Gym - 805 North 14th Street, Port Allen
Ward 00, Precinct 16	Lobdell Fire Station - 2937 Lafiton Lane, Port Allen
Ward 00, Precinct 17	WBR Parish Building - 4142 River View Road, Port Allen
Ward 00, Precinct 18	Port Allen High School - 3553 Rosedale Road, Port Allen
Ward 00, Precinct 19	Chamberlin School - 6024 Section Road, Port Allen
Ward 00, Precinct 20	Rosehill Fire Station - 8225 Rosehill Drive, Port Allen
Ward 00, Precinct 21	Erwinville Community Center/Shelter - 5110 Rougon Road, Erwinville
Ward 00, Precinct 22	Erwinville Community Center/Shelter - 5110 Rougon Road, Erwinville

The polling places set forth above and situated in the Parish, be and the same are hereby designated as the polling places at which to hold the special election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

A portion of the monies collected from the Tax shall be remitted to certain state and statewide retirement systems in accordance with the provisions of Subtitle 1 of Title 11 of Louisiana Revised Statutes of 1950, as amended (La. R.S. 11:82).

The special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority as applicable thereto, and the officers appointed to hold the election, or such substitutes therefor as may be selected and designated in compliance with law, will make due returns thereof to the Parish, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet on Thursday, April 28, 2016 at 6:30 p.m. at the Governmental Building, 880 North Alexander Avenue, Port Allen, Louisiana and will then and there, in open and public session, proceed to examine and canvass the returns and declare the result of the special election. All registered voters residing in the Parish are entitled to vote at the special election and voting machines will be used in connection therewith.

THUS DONE AND SIGNED at Port Allen, Louisiana, on this, the 14th day of January, 2016

  
 \_\_\_\_\_  
 Gary M. Spillman, Council Chairman

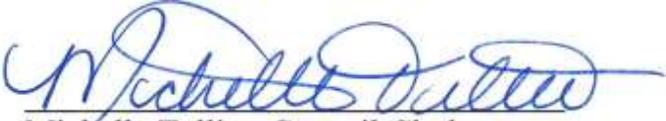
STATE OF LOUISIANA  
 PARISH OF WEST BATON ROUGE

I, the undersigned Clerk of the Parish Council of the Parish of West Baton Rouge, State of Louisiana (the “Governing Authority”), acting as the governing authority of the Parish of West Baton Rouge, State of Louisiana, do hereby certify that the foregoing constitutes a true and correct copy of a Resolution adopted by the Governing Authority on January 14, 2016, ordering and calling a special election to be held in the Parish of West Baton Rouge, State of Louisiana (the “Parish”), to renew the levy and collection of a 10-year, 1.75 mills ad valorem tax on all property subject to taxation within the boundaries of the Parish for a period of ten (10) years, beginning with the year 2017 and ending with the year 2026, for the purpose of continuing the maintenance, operation and capital expenditures necessary for the Public Health Unit in the Parish; and further making application to the State

Bond Commission for consent and authorization to hold the aforesaid election; and further providing for other matters in connection therewith.

I further certify that this Resolution has not been amended or rescinded.

IN FAITH WHEREOF, witness my official signature and impress of the official seal of said Parish at Port Allen, Louisiana, on this, the 14th day of January, 2016.



Michelle Tullier, Council Clerk

The following resolution was offered by Mr. Chris Kershaw, seconded by Mr. Ricky Loupe.

### **RESOLUTION 3 OF 2016**

A Resolution in support of an application for the creation of the Cinclare Cultural District.

**WHEREAS**, Act 298 of the 2007 Regular Session of the Louisiana Legislature authorizes Local Governing Authorities to create Cultural Districts as a mechanism for community revitalization through the creation of hubs of cultural activity, and

**WHEREAS**, the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development is authorized to develop standard criteria for cultural districts and to determine whether or not a proposed Cultural District meets those criteria, and

**WHEREAS**, the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development has promulgated administrative rules which set forth the procedure for Local Governing Authorities to submit applications to designate and certify a specified geographic area as a Cultural District, and

**WHEREAS**, the geographic area within the PARISH OF WEST BATON ROUGE, may meet the criteria for the creation of a Cultural District which area is generally comprised of the territory within the following boundaries:

Approximately 210 acres commonly referred as part of Cinclare Plantation in West Baton Rouge Parish, east of LA 1 located in partial Sections 9, 10, 11 and 12 T8S R12E. Area of the Cinclare Cultural District follow property boundaries owned by Harry L. Laws & Company, Inc. along LA 1 South to the west(3232 ft.), South River Road to the east(3256 ft.), property line adjacent to West Baton Rouge Parish School Board/Brusly High to the south(2781 ft.) and property line adjacent to Prejean Heirs to the north(2880 ft.), and

**WHEREAS**, within the boundaries of a state-certified Cultural District, several tax incentives may be available including (1) a sales tax exemption on the sale of certain original works of art, (2) individual income tax credits for eligible expenses incurred during the rehabilitation of certain owner-occupied residential or owner-occupied mixed use structures, and (3) income and corporate franchise tax credits for eligible expenses incurred during the rehabilitation of certain historic structures, and

**WHEREAS**, only a Local Governing Authority is authorized to submit an application for the designation and certification of a Cultural District, and

**WHEREAS**, a “Local Governing Authority” is defined by LAC 25: I§1101 as “the governing authority of the parish in which the Cultural District is located unless the district is located in a municipality, in which case “Local Governing Authority” shall mean the governing authority of the municipality. If the district is located partly in a municipality, “Local Governing Authority” shall mean the governing authority of the parish and the governing authority of the municipality”, and

**WHEREAS**, the Cinclare Cultural District is located entirely within the PARISH OF WEST BATON ROUGE, and therefore the PARISH OF WEST BATON ROUGE, would be the proper entity to submit an application for the certification and designation of the above prescribed geographic area as a Cultural District.

**NOW THEREFORE BE IT RESOLVED**, that the WEST BATON ROUGE PARISH COUNCIL, on behalf of the PARISH OF WEST BATON ROUGE does hereby:

1. Support and endorse the submission of an application to the Louisiana Department of Culture, Recreation and Tourism, Office of Cultural Development to designate the Cinclare Cultural District as a state-certified Cultural District

2. Delegate its authority to submit said application and all supporting documents, reports, and other forms required for the creation, administration, and reporting to Mr. Drew Maciasz of Harry L. Laws Company Inc., subject to the following limitations and restrictions: None

3. Direct all parish employees to support and cooperate with the efforts to compile all necessary information and data required for the application and all subsequent reporting necessary for the administration of the Cultural District

4. Request all affected citizens and businesses to support and promote activities consistent with the purposes of the Cultural District

5. Authorize the Parish President to sign any and all documents required for the creation and administration of the Cinclare Cultural District subject to the following limitations and restrictions: None

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

YEAS: 8 (Mses. Fair, Gordon, Messrs. Spillman, Porto, Loupe, Kershaw, Allain, Robertson)

NAYS: 1 (Mr. Huggins)

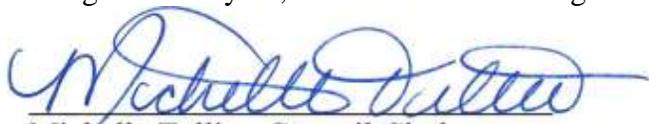
ABSENT: 0 (None)

ABSTAIN: 0 (None)

As a result of the votes said resolution was adopted.

**CERTIFICATE**

I, Michelle Tullier, Council Clerk of the West Baton Rouge Parish Council do hereby certify that the above and foregoing is true and correct copy of a resolution adopted by said body at its Regular Meeting of January 14, 2016 at which meeting a majority of the members were present and voting.

  
Michelle Tullier, Council Clerk