

//Rapides Parish Police Jury, Louisiana/COMPILED ORDINANCES Parish of RAPIDES, LOUISIANA Codified through Ordinance of Dec. 10, 2007. (Supplement No. 142)/Chapter 6 1/2 BUILDINGS AND CONSTRUCTION*/ARTICLE VI. DEVELOPMENT PERMITS*

ARTICLE VI. DEVELOPMENT PERMITS*

***Editor's note:** Section 1 of an ordinance adopted Dec. 11, 1990, amended Ch. 6 1/2 by adding provisions thereto, but did not specify the manner of inclusion. The editor has included §§ 1-14 of the ordinances as Art. VI.

Secs. 6 1/2-51. Purpose and intent.

It is the purpose of the police jury and this article to protect and promote the public health, safety and general welfare by provisions designed to insure:

- (1) Compliance with flood damage prevention ordinances;
- (2) Compliance with applicable state health codes;
- (3) Compliance with subdivision ordinances; and
- (4) Other codes, regulations or ordinances legally adopted.

(Ord. of 12-11-90, § 1(D))

Sec. 6 1/2-52. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application:

Development shall mean any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures.

Nonresidential development shall mean all development and/or structures not classified as commercial or industrial or residential.

Person shall mean any individual, firm, partnership, co-partnership, corporation, company, association, joint stock association, or political body, also any trustee, receiver, executor, assignee or other similar representative thereof.

Rapides Parish Permitting Office shall mean the Rapides Area Planning Commission (RAPC).

Residential development shall mean any structure or portion thereof which is used or occupied as a single-family dwelling. All forms of multifamily residential will be considered as commercial.

Start of construction shall mean the date the development permit was issued provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, the placement of fill material, or any work beyond the stage of excavation; or, the placement of a manufactured home on a foundation. Permanent construction does

not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or sidewalks; nor does it include excavation for a basement, footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Structure shall mean a walled and roofed building, including a gas or liquid storage tank, that is principally aboveground, as well as a manufactured home.

Substantial improvements shall mean the repair, reconstruction or improvement of a residential structure, the improvement of which equals or exceeds fifty (50) percent of the square footage of the structure either (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the residential building commences, whether or not that alteration affects the external dimension of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

(Ord. of 12-11-90, § 1(2); Ord. of 5-14-91)

Sec. 6 1/2-53. Lands to which this article applies.

This article shall apply to all areas in the parish outside of incorporated municipalities.

(Ord. of 12-11-90, § 1(3))

Sec. 6 1/2-54. Exclusion.

This article shall not apply to greenhouses or barns used as storage structures and not occupied by anyone.

(Ord. of 12-11-90, § 1(4))

Sec. 6 1/2-55. Development permit required; issuance.

(a) It shall be unlawful for any person, firm or corporation to build, locate, or substantially improve any structure designed for occupancy as a residence, place of business, camp, nonresidential/commercial development or improvement thereof, industrial development or improvement thereof, or place any mobile home upon any lot in the unincorporated areas of the parish without first obtaining a development permit prior to start of construction, as defined herein.

(b) The development permit shall be required to be issued prior to the start of any new nonresidential/commercial or residential construction or industrial development or the moving of a mobile home on a lot or parcel.

(c) Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced or is not completed within two (2) years of the issuance of the permit. A new permit shall be applied for, work can not commence again until the new permit has been issued. The parish permitting office is authorized to grant, in writing, one (1) or more extensions of time, for periods not more than ninety (90) days each. The

extension shall be requested in writing and justifiable cause demonstrated.

(Ord. of 12-11-90, § 1(5); Ord. of 12-11-06(2))

Sec. 6 1/2-56. Fees.

A development permit shall be required to ensure conformance with the provisions of this article. The parish permitting office (RAPC) is hereby authorized to charge the following fees for each permit issued under the provisions of this article:

(1) Residential development, fifty dollars (\$50.00).

(2) Nonresidential/commercial development:

Under \$1,000.00 construction cost or value of the structure--No fee.

Over \$1,000.00 construction cost or value of the structure--\$3.00 per \$1,000.00, said fee not to exceed \$3,000.00 or \$50.00, whichever is greater.

(3) *Industrial development:*

TABLE INSET:

\$0 to \$10,000	\$100 flat fee
\$10,001 to \$200,000	.01 × development cost
\$200,001 to \$500,000	\$2,000 + .005 × development cost over 200,000
\$500,001 to \$1,000,000	\$3,500 + .002 × development cost over 500,000
\$1,000,001 to \$10,000,000	\$4,500 + .001 × development cost over 1,000,000
\$10,000,001 to \$100,000,000	\$13,500 + .0005 × development cost over 10,000,000
\$100,000,001 and Up	\$58,500 + .0002 × development cost over 100,000,000

(Ord. of 12-11-90, § 1, (9); Ord. of 11-10-97; Ord. of 12-8-97; Ord. of 2-9-98)

Sec. 6 1/2-57. Compliance.

(a) No structure or land shall hereafter be located, altered or have its use changed without full compliance with the terms of this article and other applicable regulations.

(b) No electrical utility company licensed or franchised to do or doing business in the parish shall install or connect service to any mobile home or install or connect temporary or permanent service to any other structure unless a development permit has been issued by the parish permitting office.

(Ord. of 12-11-90, § 1(6))

Sec. 6 1/2-58. Flood hazard areas.

No permit shall be issued for any development in a designated flood hazard area unless the development complies with all regulations legally adopted by the parish concerning such development.

(Ord. of 12-11-90, § 1(7))

Cross references: Flood damage prevention, Ch. 10 1/2.

Sec. 6 1/2-59. Mobile homes or manufactured homes.

All manufactured homes must be properly identified in conformance with Louisiana R.S. 47:1957(B) by the parish. Prior to connection of any electrical service to any manufactured home, a development permit must be issued.

(Ord. of 12-11-90, § 1(8))

Sec. 6 1/2-60. Designation and duties of the permitting office.

The Rapides Area Planning Commission is hereby designated as the Rapides Parish Permitting Office to administer and implement the provisions of this article. The duties and responsibilities of the permitting office shall include but not be limited to the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
- (2) Review and approve or deny all applications for development permits required by this chapter;
- (3) Use this permit to enforce all codes, ordinances or regulations legally adopted; and
- (4) To promulgate rules and regulations consistent with the provisions of this article to perform all duties and responsibilities in connection therewith.

(Ord. of 12-11-90, § 1(10))

Sec. 6 1/2-61. Enforcement.

If the permitting office should find that any of the provisions of this article are being violated, it shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. It shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this article to ensure compliance with or to prevent violation of its provisions.

(Ord. of 12-11-90, § 1(11))

Sec. 6 1/2-62. Variances and appeals.

- (a) The police jury shall hear and render judgement on requests for variances from the requirements of this article.
- (b) The police jury shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the permitting office in the enforcement or administration of this article.
- (c) Any person or persons aggrieved by the decision of the jury may appeal such decision in the courts of competent jurisdiction.

(Ord. of 12-11-90, § 1(12))

Sec. 6 1/2-63. Penalties for violation.

(a) Violations of the provisions of this article or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this article and fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(b) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, surveyors, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(c) Nothing herein contained shall prevent the parish from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. of 12-11-90, § 1(13))

Sec. 6 1/2-64. Effective date.

The provisions of this article shall be effective January 15, 1991.

(Ord. of 12-11-90, § 1(14); Ord. of 12-27-90)

Secs. 6 1/2-65--6 1/2-74. Reserved.

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