

BOSSIER PARISH POLICE JURY  
BENTON, LOUISIANA  
MINUTES  
March 16, 2016  
www.bossierparishla.gov

The Bossier Parish Police Jury met in regular and legal session on the 16<sup>th</sup> day of March, 2016, at 2:00 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana. The President, Ms. Wanda Bennett, called the meeting to order. The invocation was given by Mr. Wayne Hammack, and the pledge of allegiance was led by Mr. Jimmy Cochran. The Parish Secretary, Ms. Rachel Hauser, called the roll, with all members present, as follows:

Mr. Rick Avery	Mr. Jerome Darby
Ms. Wanda Bennett	Mr. Wayne Hammack
Mr. Glenn Benton	Mr. Mac Plummer
Mr. Bob Brotherton	Mr. Doug Rimmer
Mr. Jimmy Cochran	Mr. Fred Shewmake
Mr. Sonny Cook	Mr. Jack Skaggs

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Others present were Mr. Bill Altimus, Parish Administrator; Mr. Patrick Jackson, Parish Attorney; Mr. Joe E. "Butch" Ford, Jr., Parish Engineer; Ms. Rachel Hauser, Parish Secretary.

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**Motion was made by Mr. Shewmake, seconded by Mr. Brotherton, to adopt the minutes of the February 3, 2016, and February 17, 2016, regular meetings, and February 17, 2016, Finance Committee meeting, as published.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Hauser announced the public hearing to consider approval of the plat of the Property Survey for River Rouge Plantation, LLC, located in Sections 19 and 30, Township 19 North, Range 13 West, Bossier Parish, LA. This matter was tabled on January 13, 2016.

Mr. Kenny Smith, Smith Engineering Co., Inc., stated that approximately 20 years ago the property referenced above was reverted into an RV park, but an error was made in the legal description and needs to be corrected. He stated that the plat being submitted today for consideration is to correct the legal description as required by the title company.

There being no objection, **motion was made by Mr. Avery, seconded by Mr. Skaggs, to approve the plat of the Property Survey for River Rouge Plantation, LLC, located in Sections 19 and 30, Township 19 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Hauser announced the public hearing to consider approval of the plat of the proposed development of Roby Road Dedication, a parish right-of-way, located in Section 28, Township 20 North, Range 13 West, Bossier Parish, LA.

Mr. Keith Norwood, Bossier Parish School Board, stated that improvements were recently made to a portion of the parent driveway at Benton Elementary School to meet requirements for a public road, and the police jury accepted that portion of the road known as Roby Road into the parish road system for permanent maintenance. He requested that the police jury accept the remaining portion of Roby Road that exits west onto LA 162. He stated that the parish has maintained the roadway for some time and it is a tacitly dedicated road.

There being no objection, **motion was made by Mr. Skaggs, seconded by Mr. Rimmer, to approve the plat of the proposed development of Roby Road Dedication, a parish right-of-way, located in Section 28, Township 20 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Hauser announced the public hearing to consider approval of the plat of the proposed development of Willow Heights Subdivision, Unit No. 1, a Planned Unit Development, located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA.

Ms. Michan Holbrook, Coyle Engineering Co., Inc., stated that the proposed subdivision consists of 104 lots, and is a Planned Unit Development. She stated that variances have been requested to allow for a 15-foot setback on the front of the lot for homes, and a 25-foot setback for garages.

Mr. Jackson asked if the proposed development allows for a fencing setback. Ms. Holbrook stated that no fencing setback is required. Mr. Jackson stated that the placement of fences in subdivisions has become an issue throughout the parish, and it is anticipated that parish regulations will be changed to require fencing setbacks.

Mr. Avery stated that the proposed subdivision is located in the Cypress Bend Subdivision, but the developer has requested to change the name of this unit to Willow Heights Subdivision. He expressed concern that this proposed subdivision will not adhere to the subdivision covenants in place for Cypress Bend Subdivision, but will use Cypress Bend Subdivision gate access.

Mr. Skaggs stated that a third party homeowners association is now managing Cypress Bend Subdivision and will also be managing Willow Heights Subdivision. He stated that he attempted to make contact with the homeowners association to discuss their intentions, but has been unable to make any contact.

Mr. Skaggs stated that there is concern of additional traffic on Hackberry Drive, and recommended a three-way stop at Hackberry Drive and Alder Lane.

Mr. Avery stated that any new developments in Cypress Bend Subdivision should be required to adhere to the same covenants as Cypress Bend Subdivision.

Ms. Holbrook stated that the new development includes a pool which will be used by those living in Willow Heights Subdivision only. Mr. Sam Marsiglia, Benton-Parish Metropolitan Planning Commission, stated that the developer of Willow Heights Subdivision is also the same developer of Cypress Bend Subdivision.

Mr. Ford stated that once all lots are sold in Cypress Bend Subdivision, Cypress Bend Garden District Subdivision, and Willow Heights Subdivision, an elected board will begin managing the subdivisions.

After further discussion, Mr. Jackson recommend that this matter be tabled for further review and to determine if there is a written agreement between the subdivisions regarding covenants. Mr. Avery recommended that a homeowners association meeting be scheduled with the residents of Cypress Bend Subdivision and Cypress Bend Garden District Subdivision to ensure that they are aware of the new subdivision and to determine if the subdivisions will follow the same restrictions.

**Motion was made by Mr. Skaggs, seconded by Mr. Hammack, to table approval of the plat of the proposed development of Willow Heights Subdivision, Unit No. 1, a Planned Unit Development, located in Section 20, Township 19 North, Range 13 West, Bossier Parish, LA; to be considered at the April 6, 2016, regular meeting.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Ms. Hauser announced the public hearing to consider abandonment of the gravel portion only of Millers Bluff Road, located in Sections 15 and 22, Township 22 North, Range 14 West, Bossier Parish, LA.

Mr. Cook stated that landowners on the gravel portion of Millers Bluff Road have submitted a request to close and gate the gravel portion only of Millers Bluff Road. He stated that dumping, pouching, and other criminal acts have and continue to occur on this section of the roadway. Mr. Cook stated that local farmers who wish to continue use of the gravel portion of Millers Bluff Road will have full access to the gates and roadway.

Mr. Brit Miller presented photographs of trash, debris, and animal carcasses that are being dumped on the gravel portion of Millers Bluff Road.

An unknown gentleman with Mr. Miller stated that property located along the gravel portion of Millers Bluff Road is family land. He stated that gunshots can be heard from Millers Bluff Road all hours of the night. He further stated that the original use of the gravel road was to access a ferry many years ago, but Highway 537 now provides access north. He stated that farmers who need continued use of the gravel portion of Millers Bluff Road will receive gate keys to allow them continued access to the roadway.

Mr. Cook stated that a letter agreement will be submitted stating that keys will be available to farmers needing to access the proposed gates on the gravel portion of Millers Bluff Road.

Mr. Hammack asked if they owned all property on both sides of the gravel portion of Millers Bluff Road. Mr. Miller confirmed that his mother owns the land on each side of the gravel portion of Millers Bluff Road.

Mr. Jackson stated that a road cannot be abandoned if the road is used by anyone other than the property owner on each side of the road. He stated that the police jury has been made aware that farmers do use the road for public transportation, and therefore Millers Bluff Road cannot be abandoned.

Mr. Jackson stated that the roadway can be closed to the general traffic, but remain a public road. He stated that the road can be a regulated access with gate and key control. He further stated that a letter agreement needs to be prepared stating that keys will be made available to any party that submits a request for a key to the gates on Millers Bluff Road.

There being no objection, **motion was made by Mr. Cook, seconded by Mr. Shewmake, to officially close the gravel portion only of Millers Bluff Road located in Sections 15 and 22, Township 22 North, Range 14 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

ORDINANCE NO. 4599

AN ORDINANCE AMENDING CHAPTER 94 OF THE CODE OF ORDINANCES OF BOSSIER PARISH, LOUISIANA, "ROADS AND BRIDGES" TO ADD AND/OR AMEND CERTAIN SECTIONS OR SUBSECTIONS

WHEREAS, the Bossier Parish Police Jury has received numerous complaints regarding the disposal of garbage and other debris on that gravel portion only of Millers Bluff Road located in Sections 15 and 22, Township 22 North, Range 14 West, Bossier Parish, LA; and

BE IT ORDAINED by the Bossier Parish Police Jury in regular and legal session on this 16<sup>th</sup> day of March, 2016, that Chapter 94, Article I, Section 94-3 be and is hereby amended to read as follows:

**Section 94-3 (c) is hereby added as follows:**

- (c) Gating of the gravel portion only of Millers Bluff Road;

Upon petition of all affected landowners, after notice and a public hearing, the gravel portion only of the public road entitled Millers Bluff Road, located in Sections 15 and 22, Township 22 North, Range 14 West, Bossier Parish, LA, in the parish, may be gated by the landowners affected thereby, at no cost to the parish, so as to restrict access from the general public as evidence was presented that the road is infrequently used, and there exists a history of dumping, littering, vagrancy, etc. The gate may be removed at any time by the parish, and any member of the public requesting access to the gated portion of Millers Bluff Road shall not be denied such access.

The ordinance was offered by Mr. Cook, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 16<sup>th</sup> day of March, 2016.

RACHEL D. HAUSER  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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**Motion was made by Mr. Skaggs, seconded by Mr. Avery, to schedule a public hearing on April 20, 2016, to consider approval of the plat of the proposed development of Water's Edge, Cypress, Subdivision, Phase II, located in Section 1, Township 19 North, Range 13 West, Bossier Parish, LA.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. David Ghormley, Property Standards Officer, presented current photographs of condemned property located at 117 Cedar Brook Lane, Haughton, LA, Tax Assessment No. 111971, advising that parish crews have completed cleanup of the property. He stated that a lien on the property will be filed with the 26<sup>th</sup> Judicial District Clerk of Court's Office. Mr. Ghormley recommended that the file be closed on this property.

After further discussion, **motion was made by Mr. Benton, seconded by Mr. Brotherton, to close the property standards file for property located at 117 Cedar Brook Lane, Haughton, LA, Tax Assessment No. 111971.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Ghormley presented current photographs of condemned property located at 10010 Highway 3, Plain Dealing, LA, Tax Assessment No. 106920, advising that the property owner has completed cleanup of the property. Mr. Ghormley recommended that the file be closed on this property.

After further discussion, **motion was made by Mr. Cook, seconded by Mr. Plummer, to close the property standards file for property located at 10010 Highway 3, Plain Dealing, LA, Tax Assessment No. 106920.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Benton requested that the property located at Chandler Road and Stewart Road be removed from the property standards list. He stated that there is no home on the property, and the gentleman living on the property owns an interest in the property.

Mr. Jackson stated that there is a sanitary sewer issue on this property which is being investigated. He stated that parish regulations prohibit a permanent establishment on property without approved sewer. Mr. Jackson stated that this property is being monitored.

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Ms. Sheryl Thomas, Parish Treasurer, stated that changing Fiscal Agent is a cumbersome task, and due to the number of accounts that have recently been opened for the sewerage district, she requested that the contract with First Guaranty Bank as Fiscal Agent be extended one year as provided for in the proposal accepted on April 2, 2014.

Mr. Jackson stated that after review of the number of accounts held by the police jury and the amount of time and work required to potentially change Fiscal Agents, he recommends that the contract with First Guaranty Bank as Fiscal Agent be extended for one year. He stated that law allows for a two year appointment as Fiscal Agent, with an option to extend the contract for one year.

After further discussion, **motion was made by Mr. Plummer, seconded by Mr. Rimmer, to approve a one year extension for the Fiscal Agent and Depository Bank Contract with First Guaranty Bank contained in accepted proposal on April 2, 2014, and to authorize the execution of documents.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

#### RESOLUTION

BE IT RESOLVED by the Bossier Parish Police Jury in regular and legal session on this 16<sup>th</sup> day of March, 2016, that William R. Altimus, Parish Administrator, be and is hereby authorized to execute on behalf of the Bossier Parish Police Jury, any and all documents in connection with a one year extension for the Fiscal Agent and Depository Bank Contract with First Guaranty Bank contained in accepted proposal on April 2, 2014.

The resolution was offered by Mr. Plummer, seconded by Mr. Shewmake. Upon unanimous vote, it was duly adopted on this 16<sup>th</sup> day of March, 2016.

RACHEL D. HAUSER  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford stated that the new advisory base flood elevation maps have been available in the police jury office and Bossier Parish libraries for 60-days for public review and comment, and there have been no inquiries. He requested that the moratorium on the issuance of building permits for any development on the river side of the levee in Bossier Parish be lifted.

After further discussion, **motion was made by Mr. Avery, seconded by Mr. Shewmake, to lift the current moratorium on the issuance of building permits for any development on the river side of the levee in Bossier Parish.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Ford presented a request from Mr. Glen Barnhill to lease parish owned property located on Timber Ridge Drive. He stated that Mr. Barnhill was not able to be present today due to the flooding in south Bossier Parish. Mr. Ford requested that this matter be tabled.

**Motion was made by Mr. Plummer, seconded by Mr. Brotherton, to table the request from Mr. Glen Barnhill to lease parish owned property located on Timber Ridge Drive, Tax Assessment No. 148227, to be considered at the April 6, 2016, regular meeting.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Altimus stated that the 26<sup>th</sup> Judicial District Attorney's Office has opened the Northwest Louisiana Family Justice Center and is in need of office furniture. He stated that the police jury has available used furniture that is

currently being stored, and requested that the police jury surplus the used furniture in order to donate the furniture to the Northwest Louisiana Family Justice Center.

**Motion was made by Mr. Avery, seconded by Mr. Darby, to ratify declaring used office furniture from the Bossier Parish Police Jury as surplus.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Altimus provided an update on the March 2016 flood event. He expressed appreciation to Ms. Brandi Baker and Mr. Heath Lyles for their dedication and work at the Emergency Operations Center during the flooding. He also expressed appreciation to all staff and employees of the police jury and other entities that have worked relentlessly to help the public.

Mr. Altimus stated that several roads and bridges were damaged due to the flooding and expressed appreciation to the highway department crews for their work to repair damaged roadways. He stated that there were several areas that were completely cutoff due to washed out roadways and bridges.

Mr. Altimus stated that highway crews are working 10-hour days and a crew is on call at night. He stated that these hours will continue until further notice.

Mr. Altimus expressed appreciation to Mr. Roger Hall at the highway department for his work keeping the sandbagging machine running. He also expressed appreciation to Mr. Ian Snellgrove and Mr. Gene Barattini, Bossier Office of Homeland Security and Emergency Preparedness for their dedication and work during the flood event.

Mr. Altimus stated that the parish will do what is necessary to assist parish citizens affected by the flood. He expressed appreciation to all entities that have been involved in assisting with the flood event.

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**Motion was made by Mr. Shewmake, seconded by Mr. Skaggs, to amend the agenda to consider adoption of revisions to FEMA flood maps for Bossier Parish.**

The President called for public comment. There being none, **motion carried, with the following vote recorded:**

- AYES:** Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs
- NAYS:** None
- ABSTAIN:** None
- ABSENT:** None

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Mr. Ford requested that the police jury adopt revisions to FEMA flood maps for Bossier Parish. He stated that the new advisory base flood elevation maps have been available in the police jury office and Bossier Parish libraries for 60-days for review and comment period by the public, and no comments have been received.

Mr. Jackson stated that at the direction of the police jury to return property located on the riverside of the levee back into the stream of commerce and protecting potential buyers and builders of that property, the police jury will need to adopt revisions to FEMA flood maps for Bossier Parish.

**Motion was made by Mr. Benton, seconded by Mr. Hammack, to adopt revisions to FEMA flood maps for Bossier Parish.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

**ORDINANCE NO. 4600**

AN ORDINANCE TO REPEAL ORDINANCE NO. 1051 OF FEBRUARY 23, 1984, ORDINANCE NO. 1078 OF SEPTEMBER 11, 1984, ORDINANCE NO. 2052 OF FEBRUARY 24, 1987, ORDINANCE 3424 OF FEBRUARY 13, 1996, ORDINANCE NO. 4241(A) OF SEPTEMBER 3, 2008, ORDINANCE NO. 4331 OF MAY 5, 2010, ORDINANCE NO. 4332 OF MAY 5, 2010, AND ORDINANCE NO. 4460 OF DECEMBER 5, 2012; AND TO AMEND AND REPLACE CHAPTER 54 OF THE BOSSIER PARISH CODE OF ORDINANCES TO CLARIFY AND ENACT A "FLOOD DAMAGE PREVENTION" ORDINANCE FOR THE PARISH OF BOSSIER, ESTABLISHING A FEE SCHEDULE AND PROVIDING FOR OTHER PROVISIONS RELATIVE THERETO, ALL IN ACCORDANCE WITH REGULATIONS OF THE NATIONAL FLOOD INSURANCE PROGRAM

**FLOOD DAMAGE PREVENTION ORDINANCE**

**ARTICLE I**

**STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS**

**SECTION A. STATUTORY AUTHORIZATION**

The Legislature of the State of Louisiana has in L.R.S. 38:84 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Police Jury of Bossier Parish, Louisiana, does ordain as follows:

**SECTION B. FINDINGS OF FACT**

(1) The flood hazard areas of Bossier Parish are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.

**SECTION C. STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Insure that potential buyers are notified that property is in a flood area.

**SECTION D. METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood water;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

**ARTICLE 2  
DEFINITIONS**

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

**ALLUVIAL FAN FLOODING** - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

**APEX** - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

**APPURTENANT STRUCTURE** – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principle structure.

**AREA OF FUTURE CONDITIONS FLOOD HAZARD** – means the land area that would be inundated by the one percent annual chance (100 year) flood based on future conditions hydrology.

**AREA OF SHALLOW FLOODING** - means a designated AO, AH AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD** - is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication the FIRM, Zone A is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

**BASE FLOOD** - means the flood having a one percent chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION** – the elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one percent chance of equaling or exceeding that level in any given year – also called the Base Flood.

**BASEMENT** - means any area of the building having its floor subgrade (below ground level) on all sides.

**BREAKAWAY WALL** – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**CRITICAL FEATURE** - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**DEVELOPMENT** - means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**ELEVATED BUILDING** – means, for insurance purposes, a non-basement building which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns

**EXISTING CONSTRUCTION** - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as "existing structures".

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION-**

means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FLOOD OR FLOODING** - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters.
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD ELEVATION STUDY** – means an examination, evaluation and determination of flood hazards, and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**FLOOD INSURANCE RATE MAP (FIRM)** - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazards areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – See Flood Elevation Study.

**FLOODPLAIN OR FLOOD-PRONE AREA** - means any land area susceptible to being inundated by water from any source (see definition of flooding).

**FLOODPLAIN MANAGEMENT** - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS** - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOOD PROTECTION SYSTEM** - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOOD PROOFING** - means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY** – see Regulatory Floodway

**FUNCTIONALLY DEPENDENT USE** - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE** - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE** - means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - (a) By an approved state program as determined by the Secretary of the Interior or;
  - (b) Directly by the Secretary of the Interior in states without approved programs.

**LEVEE** - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**LEVEE SYSTEM** - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**LOWEST FLOOR** - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

**MANUFACTURED HOME** - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**MANUFACTURED HOME PARK OR SUBDIVISION** - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MEAN SEA LEVEL** - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**NEW CONSTRUCTION** - means, for purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**RECREATIONAL VEHICLE** - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REGULATORY FLOODWAY** – means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**RIVERINE** – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**SPECIAL FLOOD HAZARD AREA** – see Area of Special Flood Hazard.

**START OF CONSTRUCTION** - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act, Pub. L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 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, 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 walkways; nor does it include excavation for 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. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE** – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**SUBSTANTIAL DAMAGE** - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**VARIANCE** – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations).

**VIOLATION** - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

### ARTICLE 3

#### GENERAL PROVISIONS

##### **SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the Bossier Parish Police Jury.

##### **SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study (FIS) for Bossier Parish, Louisiana, and incorporated cities," dated March 19, 2013, with accompanying Flood Insurance Rate Maps (FIRM) dated March 19, 2013, and September 26, 2008, (as listed below), and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance; and where applicable, superseded by the Red River Advisory Base Flood Elevation Map for Bossier Parish, dated January 4, 2016.

- (a) REVISED PANELS LISTED BELOW (ADOPTED), DATED MARCH 19, 2013  
 22015C0300 E, 22015C0315 E, 22015C0403 E, 22015C0411 E, 22015C0418 E, 22015C0419 E,  
 22015C0481 E, 22015C0482 E, 22015C0483 E, 22015C0484 E, 22015C0491 E, 22015C0492 E,  
 22015C0495 E, 22015C0503 E, 22015C0504 E, 22015C0511 E, 22015C0512 E, 22015C0513 E,  
 22015C0514 E, 22015C0520 E, 22015C0625 E
- (b) CURRENT PANELS TO BE RETAINED FROM PREVIOUS ORDINANCES, DATED  
 SEPTEMBER 26, 2008  
 22015C0025 D, 22015C0050 D, 22015C0075 D, 22015C0100 D, 22015C0112 D, 22015C0114 D,  
 22015C0115 D, 22015C0125 D, 22015C0150 D, 22015C0175 D, 22015C0200 D, 22015C0225 D,  
 22015C0250 D, 22015C0275 D, 22015C0303 D, 22015C0305 D, 22015C0311 D, 22015C0325 D,  
 22015C0350 D, 22015C0375 D, 22015C0392 D, 22015C0400 D, 22015C0401 D, 22015C0402 D,  
 22015C0404 D, 22015C0406 D, 22015C0407 D, 22015C0408 D, 22015C0409 D, 22015C0412 D,  
 22015C0413 D, 22015C0414 D, 22015C0416 D, 22015C0417 D, 22015C0426 D, 22015C0427 D,  
 22015C0428 D, 22015C0429 D, 22015C0433 D, 22015C0435 D, 22015C0436 D, 22015C0437 D,  
 22015C0438 D, 22015C0439 D, 22015C0442 D, 22015C0444 D, 22015C0461 D, 22015C0463 D,  
 22015C0465 D, 22015C0475 D, 22015C0477 D, 22015C0490 D, 22015C0501 D, 22015C0502 D,  
 22105C0510 D, 22105C0550 D, 22105C0650 D

**SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

- (a) A Development Permit must be obtained prior to the commencement of any permanent construction, i.e., footings, slab, piers, drill shafts, etc. Applicable permit fee is to be paid at the office of the Bossier Parish Tax Assessor upon application for development or building permit, in accordance with Bossier Parish Ordinance No. 4202 of January 2, 2008.
- (b) Exemptions. Louisiana state, parochial or municipal subdivisions, as well as church facilities, will be required to obtain a permit for any proposed development or building as outlined above, but will be exempt from payment of permit fees.
- (c) Display of permit. Permits obtained from the Bossier Parish Police Jury permit office, in accordance with this ordinance, shall be required to be displayed at the job site during the construction period.
- (d) Certification. After completion of the development or building, certification must be made by a qualified architect or engineer to the Bossier Parish Police Jury permit office as to the lowest floor elevation of those structures located in flood Zones A, AO, AE, AH, AR, A1-30 and B.
- (e) Expiration. Permits issued in accordance with this ordinance shall expire within six (6) months from date of issuance if construction has not begun. Permit fee shall be nonrefundable.
- (f) Penalty. Failure to comply with the provisions of this section will result in imposition of a fine in the initial amount of two hundred fifty dollars (\$250.00), plus ten dollars (\$10.00) per day for each day of noncompliance thereafter for each violation.

**SECTION D. COMPLIANCE**

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

**SECTION E. ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F. INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

**SECTION G. WARNING AND DISCLAIMER OF LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE 4

ADMINISTRATION

**SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR**

The Bossier Parish Administrator/Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

**SECTION B. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR**

Duties and responsibilities of the Floodplain Administrator 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 ordinance.
- (2) Review permit application to determine whether to ensure that the proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this ordinance.

(4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

(5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is Louisiana Department of Transportation and Development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

(8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.

(9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the Parish's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, and AH on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first completes all of the provisions required by Section 65.12.

#### **SECTION C. PERMIT PROCEDURES**

(1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

- a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
- b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
- c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section (B) (2);
- d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
- e. Maintain a record of all such information in accordance with Article 4, Section (B)(1).

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

- a. The danger to life and property due to flooding or erosion damage;
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- c. The danger that materials may be swept onto other lands to the injury of others;
- d. The compatibility of the proposed use with existing and anticipated development;
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- j. The relationship of the proposed use to the comprehensive plan for that area.

#### **SECTION D. VARIANCE PROCEDURES**

(1) The Appeal Board as established by the community shall hear and render judgment on requests for variances from the requirements of this ordinance.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C(2) of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(10) Prerequisites for granting variances:

a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

b. Variances shall only be issued upon, (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

c. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D(1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

#### ARTICLE 5

#### PROVISIONS FOR FLOOD HAZARD REDUCTION

##### **SECTION A. GENERAL STANDARDS**

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements.

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwater into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwater into the system and discharge from the systems into floodwater; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(8) As an exception to Article 5, Section A, "All new residential and commercial construction, whether located within a special flood hazard area or not, shall have the lowest floor, including basement, elevated to one foot or more above the base flood elevation or one foot above the adjacent roadway crown elevation, whichever elevation is higher."

##### **SECTION B. SPECIFIC STANDARDS**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B(8), or (iii) Article 5, Section C(3), the following provisions are required:

(1) Residential Construction - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), mechanical and electrical equipment and duct work elevated to a minimum of one foot (1') above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C(1)a., is satisfied.

(2) Nonresidential Construction - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) mechanical and electrical equipment and duct work elevated to a minimum of one foot (1') above the base flood elevation or together with attendant utility and sanitary facilities, so the area below one foot (1') above the base flood level of the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) Enclosures - new construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking vehicles, building access, or storage in an area other than a basement, and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. A minimum of two openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

(4) Manufactured Homes -

a. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH and AE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision in which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the bottom of the longitudinal structure I beam of the manufactured home is elevated to one foot (1') above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4)b. of this section be elevated so that either:

(i) the bottom of the longitudinal structural I beam of the manufactured home or mechanical or electrical equipment and duct work of the manufactured home is one foot (1') above the base flood elevation, or

(ii) the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 48 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be one foot (1') above the base flood elevation.

(5) Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(6) For all categories above where the Red River Advisory Base Flood Elevation Map supersedes the Flood Insurance Rate Maps (FIRM) listed in Article 3, Section B, improvements shall be elevated to minimum of eighteen inches (18") above the Red River Advisory Base Flood Elevation Map instead of the listed one foot (1') above the base flood elevation.

### **SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS**

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which are greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

### **SECTION D. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO/AH ZONES)**

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

(1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to one foot (1') above the base flood elevation or the highest adjacent grade at least one foot (1') above the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified);

(2) All new construction and substantial improvements of non-residential structures;

(a) have the lowest floor (including basement) elevated to one foot above the base flood elevation or the highest adjacent grade at least one foot above the depth number specified in feet on the community's FIRM (at least three feet if no depth number is specified); or

(b) together with attendant utility and sanitary facilities be designed so that the structure is watertight to one foot (1') above the base flood elevation, the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

(3) A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards of this Section, as proposed in Article 4, Section C (1), are satisfied.

(4) Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

**SECTION E. FLOODWAYS**

Floodways -located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

(2) If Article 5, Section E(1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.

(3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.

**SECTION F. SEVERABILITY**

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION G. PENALTIES FOR NON-COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$100.00 or imprisoned for not more than five (5) days, or both, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent Bossier Parish from taking such other lawful action as is necessary to prevent or remedy any violation.

**CERTIFICATION**

It is hereby found and declared by the Bossier Parish Police Jury that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately.

Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

The ordinance was offered by Mr. Benton, seconded by Mr. Hammack. Upon unanimous vote, it was duly adopted on this 16<sup>th</sup> day of March, 2016.

RACHEL D. HAUSER  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY

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Mr. Ford requested that the agenda be amended to authorize advertising for Request for Proposals for a consultant to assist the parish with disaster assessment and recovery services for the March 2016 flood event. He stated that Federal regulations require that the police jury advertise for Request for Proposals in order to hire a consultant to assist with FEMA paperwork.

**Motion was made by Mr. Avery, seconded by Mr. Skaggs, to amend the agenda to authorize advertising for Request for Proposals for a consultant to assist the Bossier Parish Police Jury with disaster assessment and recovery services for the March 2016 flood event.**

The President called for public comment. There being none, **motion carried, with the following vote recorded:**

**AYES:** Mr. Avery, Ms. Bennett, Mr. Benton, Mr. Brotherton, Mr. Cochran, Mr. Cook, Mr. Darby, Mr. Hammack, Mr. Plummer, Mr. Rimmer, Mr. Shewmake, Mr. Skaggs  
**NAYS:** None  
**ABSTAIN:** None  
**ABSENT:** None

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**Motion was made by Mr. Plummer, seconded by Mr. Skaggs, to authorize advertising for Request for Proposals for a consultant to assist the Bossier Parish Police Jury with disaster assessment and recovery services for the March 2016 flood event.**

The President called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Ford provided a report on flooding throughout the parish. He stated that necessities are being provided to citizens affected by the flooding in south Bossier Parish.

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Mr. Ford stated that a flyover of the flooding in Bossier Parish has been done, and people are on the ground marking high water marks. He stated that the Red Chute Bayou levee is continuing to be monitored.

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Mr. Ford stated that the National Weather Service reported that southern Bossier Parish received approximately 20 inches of rain, and approximately 17 inches of rain was received in northern Bossier Parish.

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Mr. Ford stated that boring beneath Red Chute Bayou for the sewer force main is complete.

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Mr. Ford stated that FEMA has agreed to pay for repairs to River Bluff Subdivision, Unit No. 2, due to the 2015 Red River flood. He requested that an item be placed on the April 6, 2016, regular meeting agenda to consider acceptance of streets and drainage of River Bluff Subdivision, Unit No. 2.

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Mr. Mark Coutee, Public Works Director, presented an update on activities of the highway department and on several road projects in the parish. He provided a report on repaired roads and bridges that washed out during the recent flood event. He also reported on all parish roads that are closed due to flood damage.

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Mr. Rimmer expressed appreciation to Mr. Pat Culverhouse and Lt. Bill Davis for keeping the parish informed during the flood event.

Mr. Rimmer reported that the Houghton Middle School Archery Team placed second in the state archery competition.

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Mr. Darby extended congratulations to the Bossier High School Boys Basketball team for winning the 4A Boys Basketball Championship.

Mr. Darby reported on the Police Jury Association Convention held in Caddo Parish on March 3-4, 2016. He reported that it is anticipated that due to budget cuts, several public health units are expected to close in the future.

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Mr. Shewmake requested an update on the Bossier Parish Library expansion. Mr. Brotherton stated that he will provide an update of the expansion after the next Library Board of Control meeting.

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Jurors expressed appreciation to police jury staff and employees, as well as other entities, for their assistance during the March 2016 flood event.

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Committee Meeting – March 16, 2016, 1:30 p.m.

The Finance Committee of the Bossier Parish Police Jury met on this 16<sup>th</sup> day of March, 2016, at 1:30 p.m., in the Police Jury Meeting Room, Bossier Parish Courthouse, Benton, Louisiana, with all members present.

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**Motion was made by Mr. Rimmer, seconded by Mr. Cook, to approve payment of accounts payable invoices in the amount of \$793.67 for the Johnny Gray Jones Youth Shelter for the month of February, 2016, as follows:**

Elliott Electric Supply	\$167.35
Jack Spring Electric Contractors	\$158.96
Wray Ford	\$144.36
Homeland Safety Systems	\$ 83.00
Area Wide	\$240.00

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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**Motion was made by Mr. Hammack, seconded by Mr. Shewmake, to approve payment of all other accounts payable invoices for the month of February, 2016.**

The Chairman called for public comment. There being none, **votes were cast and the motion carried unanimously.**

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Mr. Keith Norwood, Bossier Parish School Board, referred to a request to the police jury for discretionary funds to assist with drainage improvements to the Airline High School baseball field. He stated that the Dugout Club, an entity in the State of Louisiana, entered into a contractual agreement with the Bossier Parish School Board to provide improvements to the baseball field at Airline High School. He further stated that while providing maintenance for the lights on the baseball field, heavy equipment crushed the drainage system for the baseball field.

Mr. Norwood stated that he has viewed the Airline High School baseball field and additional improvements are needed. He stated that the school board has not reviewed this request, and stated that the police jury could refer this request back to the school board for additional study.

Mr. Skaggs stated that there are some drainage issues on the baseball field that needs to be addressed. He stated that the estimated cost of the project is \$8,000.00. Mr. Cochran stated that Airline High School has approximately \$3,500.00 available for the project, and requests financial assistance from the police jury to assist with drainage improvements for the baseball field.

Mr. Norwood stated that the school board has not been presented with the request for financial assistance for this project, and will submit the request for consideration at the next school board meeting. Mr. Avery recommended that the police jury and school board divide equally the remaining balance of approximately \$4,500.00 for the needed drainage improvements on the baseball field.

After further discussion, **motion was made by Ms. Bennett, seconded by Mr. Avery, to refer the request from Airline High School for discretionary funds for drainage improvements on the baseball field back to the Bossier Parish School Board for further review.**

The Chairman called for public comment. Mr. Avery stated that baseball season has begun and the improvements need to be done as soon as possible.

After further discussion, Ms. Bennett withdrew her motion and Mr. Avery withdrew his second. **Motion was made by Mr. Avery, seconded by Mr. Rimmer, that Mr. Avery will contribute matching discretionary funds in the amount of \$1,000.00, and that Mr. Cook, Mr. Rimmer, and Mr. Skaggs will contribute matching discretionary funds in the amount of \$500.00 each, for a total of \$2,500, to Airline High School for drainage improvements to the baseball field, and to request that the Bossier Parish School Board participate in the cost of the drainage improvements in the amount of \$2,500.00.**

**Votes were cast and the motion carried unanimously.**

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The Finance Committee meeting was adjourned by the Chairman.

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There being no further business to come before the Bossier Parish Police Jury in regular and legal session on this 16<sup>th</sup> day of March, 2016, the meeting was adjourned by the President at 3:14 p.m.

RACHEL D. HAUSER  
PARISH SECRETARY

WANDA BENNETT, PRESIDENT  
BOSSIER PARISH POLICE JURY