

TOWN OF MAURICE
ORDINANCE NO.: 24-2

AN ORDINANCE AMENDING BUILDING CODE ORDINANCES 11-1 and 12-12

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Maurice, Louisiana, acting as the governing authority of said Town do hereby enact the above ordinance amending the Building Code Ordinances 11-1 and 12-12 as follows:

A. International Residential Code (IRC), current adopted Edition, shall be amended as follows:

- a) Amendment of R602.3 - Table R602.3(3) Requirements for Wood Structural Panel Sheathing Used to Resist Wind Pressures: The exterior wall sheathing shall have a continuous exterior sheathing with wood structural panels a minimum of 7/16 inch. Sheathing shall be fastened per R602.3.
- b) Amendment of N1102.4 (R402.4) - Building Thermal Envelope: All new residential construction shall undergo blower door testing, without exception. Said testing shall comply with current requirements of the International Energy Conservation Code and performed by a certified third party. The results shall be submitted to the BCEO prior to Certificate of Occupancy.
- c) Amendment of N1103.3 (R403.3) - Ducts: All new residential construction shall undergo duct leakage testing without exception. Said testing shall comply with current requirements of the International Energy Conservation Code and performed by a certified third party. The results shall be submitted to the BCEO prior to Certificate of Occupancy.
- d) Amendment of Chapter 1, Section 107.2.9-Construction Documents: The construction documents submitted with the application for permit on a Commercial Development and/or a Commercial Improvement Project shall be accompanied by a Drainage Impact Analysis. The Drainage Impact Analysis shall comply with Chapter 4-Drainage Impact Analysis Requirements and Report and Chapter 8-Required Improvements of the current Subdivision Ordinance Manual for the Town of Maurice.
 - i. For reviewing and evaluating the Drainage Impact Analysis, Sitework, and Utility Plans and attending related meetings between the developer and the Town of Maurice, the owner shall remit a sum computed at the hourly rate of the Review Engineer per Professional Services Contract with the Town of Maurice.

B. Construction Site parking not to obstruct traffic and emergency vehicles. Street parking shall only be permitted as follows:

- a) Except as otherwise provided herein, all vehicles shall be parked within the boundaries of the job site. In the event that street parking within a residential development is necessary based on no available parking within the job site, street parking shall be on one side of the street only. All vehicles parked on the street out of necessity shall be parked on the same side of the street.

- b) All town, out-of-town and commercial vehicles which are in the act of providing a necessary service whereby there are only very specific locations with which to work from are exempt from the provisions of this section.

C. Stormwater Discharges Associated with Construction Activities:

- a) General requirements: Any person applying for a building permit or land clearing permit from the TOWN OF MAURICE for a project involving the disturbance of one acre or more, or that is part of a development involving the disturbance of one acre or more, shall certify that (a) a site specific SWPPP has been developed for the site and any land clearing, grading, excavation, or other land disturbance activities at the site shall be in accordance with such SWPPP, and (b) all state LPDES permit requirements related to stormwater discharges associated with construction activities will be met. Refer to current specific LPDES permit for site applicability and other requirements.
 - 1) A copy of the SWPPP shall be provided to the Town of Maurice upon request. The SWPPP shall include:
 - i. A description of the nature of the construction activity;
 - ii. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g., grubbing, clearing, grading, excavation, utilities, and infrastructure installation, etc.);
 - iii. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by clearing, grading, excavation, and/or other activities;
 - iv. A description of appropriate control measures (i.e., BMPs) that will be implemented as part of the construction activity to control pollutants in stormwater discharges, as more fully described in subsection (1) above;
 - v. A description of interim and permanent stabilization practices for the site; and
 - vi. A description of design requirements. (Clearing, grading, erosion control practices, sediment control practices, and waterway crossings shall be adequate to prevent transportation of sediment from the site to the satisfaction of the Town of Maurice or designee.)
 - 2) The construction phase erosion and sediment controls should be designed to retain sediment on-site to the maximum extent practicable. All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. Soil stockpiles must be stabilized or covered during times of inactivity or upon completion of construction activities.
 - 3) Personnel (provided by the operator of the construction site) shall inspect disturbed areas of any construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site in accordance with the applicable LPDES permit. All erosion and sediment control measures and

other identified best management practices shall be observed in order to ensure that they are operating correctly and are effective in preventing significant impacts to receiving waters. Based on the results of the inspections, best management practices shall be revised as appropriate, and as soon as practicable.

- 4) The town may require any plans and specifications that are prepared for the construction of site improvements to fully illustrate and describe the best management practices required by subsection (1)(a) above that will be implemented at the construction site. The town may deny approval of any building permit, land clearing permit, or other town approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the best management practices described in the plans or observed upon site inspection by the town are determined not to control and reduce the discharge of sediment, silt, earth, soil, and other materials associated with clearing, grading, excavation, and other construction activities to the maximum extent practicable. The town also may revoke any previously issued building permit, land clearing permit, or other town approval necessary to commence or continue construction, or to assume occupancy, on the grounds that any certification made pursuant to the initial paragraph of this section is false.
- 5) Based on the results of the inspections required by subsection (5), the site plans and specifications, BMPs, and the SWPPP shall be revised as appropriate, but in no case later than one calendar day following the inspection. Such modifications shall provide for timely implementation of any changes to the SWPPP within one calendar day following the inspection. The SWPPP shall be retained on the premises of the construction site and made available to the town upon request. Upon inspection by the town, the town either shall approve that portion of the work completed or shall notify the operator to the extent that the work fails to comply with the SWPPP.

D. Land Clearing Permit:

- a) Persons engaging in construction activities that result in the disturbance of one acre or more, or that are part of a development involving the disturbance of one acre or more, that are not required to obtain a building permit but intend to perform clearing, grading, excavation, and/or land disturbance activities on one or more acres, shall (a) obtain a land clearing permit from the Town of Maurice prior to the commencement of such activities, and (b) comply with Section C.a - General Requirements (above), unless otherwise exempt under Section D.c – Exemptions (below). The land clearing permit application may require the submittal of such site, drainage, grading, and erosion plans as deemed necessary by the Town of Maurice. A land clearing permit is required for the following nonexclusive activities:
 - 1) Clearing, grading, excavating, cutting, filling, draining, or paving of lots, parcels, or other areas;
 - 2) Altering, rerouting, deepening, widening, obstructing, or changing in any way an existing drainage system or feature;

- 3) Development for residential, commercial, institutional, industrial, utility or other activities; and
 - 4) Commencing any other development or excavation which may significantly increase or decrease the rate and/or quantity of surface water runoff, degrade the quality of waters of the state or adversely affect any sinkhole, water course, or water body.
- b) Each application for a land clearing permit shall include the name(s) and address(es) of the owner or developer of the site and of any consulting firm retained by the applicant, together with the name of the applicant's principal contact at such firm. The land clearing permit is valid for a period of one year from the date of issuance, subject to extension by the public works department.
- c) Exemptions: The following described activities shall not require a land clearing permit in order to perform clearing, excavation, and/or land disturbance activities:
- 1) Site activities subject to a valid building permit.
 - 2) Utility or public works improvements.
 - 3) Excavation in connection with a building, swimming pool, retaining wall, or other structure authorized by a valid building permit;
 - 4) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources.
 - 5) Septic repair and/or alteration.
 - 6) Cemetery graves.
 - 7) Temporary stockpiling or storing of materials provided that such operations do not affect adjacent properties.
 - 8) Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations leaving the stump and root mat intact, and cultivated sod operation.
 - 9) Minor landscaping and sprinkler installation.
- d) Responsibility Not Waved: The land clearing permit exceptions listed in D.c - Exemptions, do not relieve the owner, operator, developer, contractor, or other legally responsible person of the responsibility of installing and properly maintaining proper erosion/sedimentation control measures or any liability resulting from such activities.
- e) Land Clearing Permit Fees: The fee for the land clearing permit is intended to assist the town in recovering some of the expenses associated with the permitting process. These costs consist primarily of administration, inspection, and enforcement activities and shall be approved and set by the Town Council. The fee schedule for land clearing permits is as follows:
- 1) Areas equal to one acre:\$150.00
 - 2) Areas greater than one acre:\$150.00, plus \$50.00 per additional acre or portion thereof.

E. Cease-and-Desist Orders:

- a) The Town of Maurice or designee may issue a cease-and-desist order. A cease-and-desist order shall be delivered to the owner or owner's representative. A cease-and-

desist order may direct the owner, operator, contractor, representative, and/or other person responsible for the violation of this article to take any of the following actions:

- 1) Immediately discontinue any prohibited discharge into the Town's drainage system.
- 2) Immediately discontinue any other violation of this article.
- 3) Clean up the area affected by the violation.
- 4) Immediately cease any activity which may lead to a violation of the Town's ordinances, permit, or applicable water quality standards.

F. **Site Discipline:**

- a) Contractors shall be in violation of this chapter if they do not adhere to the following construction site discipline:
 - 1) A four-yard (minimum size) trash container will be on the building site for the duration of construction. All trash containers (dumpsters) shall be placed within the boundaries of the site (yard). Trash containers shall not be placed on roadway, cul-de-sac, or within any right-of-way. All refuse will be put into this container on a daily basis, and the container will be replaced or emptied when it becomes full. The work site will be maintained in an orderly fashion, including the removal of all foreign objects and unsightly vegetation from the work site.
 - 2) All scrap or unusable construction materials will be placed in the container described in subsection (1) of this section or removed from the construction site daily. This specifically includes any surplus or unused concrete. Under no circumstances, will concrete be deposited on the ground, in a ditch/coulee or sewer drain within the corporate limits of the town. The primary builder will be held responsible for any surplus concrete deposited within the town by any of that builder's subcontractors. The builder will have to remove any such concrete before any additional permits or inspections are issued to that builder. The town recommends that this policy regarding the dumping of surplus concrete be included by all builders in their agreements with their sub-contractors.
 - 3) There will be no burning of surplus, scrap, or other material on the building site.
 - 4) A portable toilet will remain on site until all construction is completed. This facility will be periodically cleaned or replaced in order to maintain a healthy work site.
 - 5) A temporary electrical service pole will be installed and energized prior to the onset of construction. This temporary electrical service pole may be used for electrical service for construction on adjacent lots, but all powered equipment electrical cords, including extension cords, shall not reach beyond the property lines of the primary lot and the adjacent lots. The routing of any electrical cord onto a roadway is prohibited. The only acceptable exception to these requirements of an electrical pole will be when/if the builder employs an electrical generator to power the equipment needed for the construction site, however, there will be no exceptions to the power cord limitations.

- 6) The water meter, provided by the town, must be installed prior to the Final inspection.
- 7) All builders/developers are subject to all town ordinances, with close attention given to specific town ordinances requiring that grass be maintained such that it does not exceed a height of ten inches on all lots owned or under the control of the builder/developer. Also, no final inspections shall be performed on new construction until the proper building identification-has been installed.

G. Load Limits on Town Roads; Parking on Town Roads; Trash Containers

(Dumpsters):

- a) Except as otherwise provided, there shall be a maximum load limit pertaining to vehicles operating on town roads within recognized subdivisions in the town of nine tons (18,000 pounds) with a maximum of three axles. All damages and repairs due to failure to comply with the above limits shall be the responsibility of the violating party.
- b) Parking on town roads.
 - 1) Except as otherwise provided herein, all vehicles shall be parked within the boundaries of the job site. In the event that street parking is necessary based on no available parking within the job site, street parking shall be on one side of the street only. All vehicles parked on the street out of necessity, shall be parked on the same side of the street.
 - 2) Municipal utility and service vehicles, farm vehicles while engaged in agricultural activities and properly flagged, church services, funeral services and vehicles engaged in brief loading and unloading are exempt from subsection (b)(1) of this section; provided, however, that any vehicle entitled to this exemption shall be parked in such a manner as to not impede the safe flow of traffic.
- c) All town, out-of-town and commercial vehicles which are in the act of providing a necessary service whereby there are only very specific locations with which to work from are exempt from the provisions of this section.
- d) Trash Containers (dumpsters)
 - 1) A four-yard (minimum size) trash container will be on the building site for the duration of construction. All trash containers (dumpsters) shall be placed within the boundaries of the site. Trash containers shall not be placed on roadway, cul-de-sac, or within any right-of-way.

H. Penalties and Fines:

- a) In this section, the term "violation of this Code" means any of the following:
 - 1) Doing an act that is prohibited or made or declared unlawful, an offense, a violation, or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or state regulation adopted by reference in this Code, or by order, rule or regulation authorized by ordinance.

- 2) Failure to perform an act that is required to be performed by ordinance, by statute adopted by reference in this Code, by state rule or state regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
 - 3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an offense, a violation, or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or state regulation adopted by reference in this Code or by order, rule or regulation authorized by ordinance.
- b) In this section the term "violation of this Code" does not include the failure of a parish officer or parish employee to perform an official duty unless it is specifically provided that the failure to perform the duty is to be punished as provided in this section.
 - c) Except as otherwise provided, a person convicted of a violation of this Code Shall be punished by a fine not exceeding \$500.00, imprisonment in the parish jail for a term not exceeding 30 days, or both such fine and imprisonment.
 - d) A maximum of 100 hours of community service may be imposed for a violation of this Code in addition to, or in lieu of, any penalty provided for in this section.
 - e) Except as otherwise provided:
 - 1) With respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.
 - 2) With respect to other violations, each act of violation constitutes a separate offense.
 - f) The imposition of a penalty does not prevent revocation or suspension of a license, permit, or franchise.
 - g) Violations of this Code that are continuous with respect to time, are a public nuisance and may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.

WHEREUPON, the above Ordinance was read and submitted to a vote, the vote thereon being as follows:

YEAS: Alderwoman Megan Landry-Lalande, Alderman Matthew Trahan, Alderman Scott

Trahan, Alderman Troy Catalon

NAYS: None

ABSENT OR PRESENT AND NOT VOTING: Alderman Jonathan Schlicher

BE IT FURTHER RESOLVED that this ordinance was approved by the Board of Alderman of the Town of Maurice after the same ordinance as duly presented to, examined, considered, approved, and adopted in an open meeting on the 21st day of February, 2024, at the first place written above and shall become effective upon publication.

THE TOWN OF MAURICE

BY: s/Neil Arsement

MAYOR NEIL ARSEMENT

BY: s/Melanie Denais

MELAINE DENAIS, CLERK

CERTIFICATE

I, Melanie Denais, Town Clerk of the Town of Maurice, do hereby certify that the above is a true and exact copy of an Ordinance adopted by the Board of Aldermen of the Town of Maurice duly assembled in Maurice, Louisiana, on the 21st day of February, 2024, at which time a quorum was present and voting.

Signed on this 27th day of February, 2024, at Maurice, Vermilion Parish, Louisiana.

TOWN OF MAURICE

BY: s/Melanie Denais
MELANIE DENAIS, Town Clerk