

CADDO PARISH COMMISSION  
**GOVERNMENT PLAZA CHAMBERS**  
505 TRAVIS STREET, SHREVEPORT, LA 71101  
**PUBLIC NOTICE**  
**REGULAR SESSION AGENDA**  
Streaming at <http://www.caddo.org/civicmedia> and  
<https://www.facebook.com/parishofcaddo>  
May 18th, 2023  
**3:30 P.M.**

1. ROLL CALL:

**Commissioners:**

Hopkins	District 1	Gage-Watts	District 7
Johnson	District 2	Cothran	District 8
Jackson	District 3	Atkins	District 9
Young	District 4	Chavez	District 10
Burrell	District 5	Lazarus	District 11
Jones	District 6	Epperson	District 12

2. INVOCATION:

3. PLEDGE OF ALLEGIANCE:

Veterans and active military members saluting during recitation of the Pledge of Allegiance would be appropriate, should you wish to do so. All others, please recite with your hands over your hearts, and we **ask that everyone please remember our POW-MIA's** as we say the Pledge of Allegiance.

4. AGENDA ADDITIONS:

5. CITIZENS COMMENTS:

Citizens who wish to address the Commission on any issue other than zoning, please fill out a comment card located in the chamber foyer and return to the President or the Clerk of the Commission. Individual comments are limited to 3 minutes

NOTE: Citizens who wish to address the Commission on matters relative to public hearings (items listed on the agenda only) will be limited to a cumulative total of 15 minutes each, for or against an issue. Those who wish to speak or make a presentation are asked to select their speakers and address the points they wish considered with this limitation in mind.

6. VISITORS:

7. ADOPT REGULAR SESSION MINUTES:

7.I. Regular Session Minutes From May 4, 2023

Documents:

[5.4.2023 REGULAR SESSION MINUTES.PDF](#)

8. SPECIAL RESOLUTIONS:

8.I. Special Resolution Proclaiming Memorial Day In Caddo Parish  
(Burrell)

Documents:

[SR 2023 MEMORIAL DAY PROC.PDF](#)

- 8.II. Special Resolution Recognizing National Maritime Day  
(Burrell)

Documents:

[SR 2023 NATIONAL MARITIME DAY.PDF](#)

- 8.III. Special Resolution Of Recognition Upon The Retirement Of Judge David Matlock  
(Chavez, Young)

Documents:

[SPECIAL RESOLUTION FOR DAVID MATLOCK RETIREMENT.PDF](#)

9. COMMUNIQUE AND COMMITTEE REPORTS:  
**Administration response to information requests from Commissioners**

10. PRESIDENT'S REPORT:

11. PUBLIC HEARING ON ZONING ORDINANCES & CASES:

12. PUBLIC HEARING ON ORDINANCES:

- 12.I. Public Hearing For Ordinance 6328 Of 2023  
AN ORDINANCE AMENDING AND REINACTING CHAPTER 32, ARTICLE VI OF THE CADDO PARISH CODE OF ORDINANCES,  
REPEALING SECTION 32-52 AND SECTION 34-22 OF THE CODE OF THE CADDO PARISH CODE OF ORDINANCES, AND  
OTHERWISE PROVIDING WITH RESPECT THERETO  
(Natural Resources Committee)

Documents:

[ORD 6328 NEW NOISE ORDINANCE.PDF](#)

13. ZONING ORDINANCES (For Final Passage):

14. ORDINANCES (For Final Passage):

- 14.I. Ordinance 6328 Of 2023  
AN ORDINANCE AMENDING AND REINACTING CHAPTER 32, ARTICLE VI OF THE CADDO PARISH CODE OF ORDINANCES,  
REPEALING SECTION 32-52 AND SECTION 34-22 OF THE CODE OF THE CADDO PARISH CODE OF ORDINANCES, AND  
OTHERWISE PROVIDING WITH RESPECT THERETO  
(Natural Resources Committee)

Documents:

[ORD 6328 NEW NOISE ORDINANCE.PDF](#)

15. ZONING ORDINANCES (For Introduction By Title):

16. ORDINANCES (For Introduction By Title):

- 16.I. Introduce Ordinance No. 6317 Of 2023  
AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES TO APPROPRIATE FUNDS FOR A  
CADDO COMMUNITY LIGHTHOUSE PILOT PROJECT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO  
(Long Range Planning Committee)

Documents:

[ORD 6317- SOLAR HUB.PDF](#)  
[ORD 6317FACT SHEET -SOLAR HUB.PDF](#)

- 16.II. Introduce Ordinance No. 6329 Of 2023  
AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE CAPITAL OUTLAY AND THE  
OIL AND GAS FUND IN THE AMOUNT OF \$140,000 TO PROVIDE AN APPROPRIATION FOR THE REHABILITATION OF THE  
VILLAGE OF HOSSTON'S WATER STAND PIPE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

(Hopkins)

Documents:

[ORD 6329 OF 2023- HOSSTON WATER.PDF](#)  
[ORD 6329 FACT SHEET - HOSSTON WATER.PDF](#)

16.III. Introduce Ordinance 6331 Of 2023

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF PROPERTY LOCATED AT 4862 DIXIE GARDEN LOOP RD, SHREVEPORT, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

(Public Works, District 4)

Documents:

[ORD 6331 RE 4862 DIXIE GARDEN PURCHASE.PDF](#)  
[ORD6331 FACT SHEET.PDF](#)

17. WORK SESSION MINUTES:

17.I. Work Session Minutes For May 15, 2023

Documents:

[5.15.2023 WS MINUTES.DOCX](#)

18. RESOLUTIONS:

18.I. Resolution 23 Of 2023

A RESOLUTION URGING AND REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO SELECT A LOCATION NORTH OF EXIT 245 ON I-49 NEAR IDA AS THE LOCATION OF THE PROPOSED VISITOR INFORMATION CENTER, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

(Hopkins)

Documents:

[RES 23 OF 2023-I-49 VISITORS CENTER.PDF](#)

18.II. Resolution 24 Of 2023

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

(Public Works) (District 9)

Documents:

[RES 24 OF 2023- OG LEASE 2.PDF](#)

18.III. Resolution 25 Of 2023

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

(Public Works, District 8)

Documents:

[RES 25 OF 2023- OG LEASE.PDF](#)

19. OLD BUSINESS:

20. NEW BUSINESS:

21. COMMUNIQUE AND REPORTS:

22. ADJOURN:

To all persons desiring to attend and observe a meeting of the Caddo Parish Commission, or who wish to present information to the body: If you have physical limitations that require special accommodations in order for you to attend and participate in a meeting of the Caddo Parish Commission, please contact the office of the Caddo Parish Commission Clerk at (318) 226-6596, at least 24 hours in advance of the meeting so that an effort can be made to provide those accommodations.

MINUTES OF THE REGULAR SESSION OF  
THE CADDO PARISH COMMISSION  
HELD ON THE 4th DAY OF MAY, 2023

The Caddo Parish Commission met in a Regular Session, on the above date, at 3:35 p.m., in the Government Chambers, with Mr. Burrell, presiding, and the following members in attendance constituting a quorum: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, Jones, Lazarus, and Young (12). ABSENT: None (0).

The invocation was given by Mr. Jackson, and Mr. Johnson led the Commission in the Pledge of Allegiance.

**AGENDA ADDITIONS**

It was **moved by Mrs. Gage-Watts**, seconded by Mr. Epperson, *to expand the agenda and add agenda additions.*

Mrs. Gage-Watts and Mr. Burrell requested to be a sponsor for all agenda additions.

**Substitute motion by Mr. Jackson**, seconded by Mr. Chavez, *to englobo and expand the agenda and add the following items:*

- *Special Resolution Recognizing Teacher Appreciation Week*
- *Special Resolution Recognizing Shreveport City Marshall James Jefferson*
- *Special Resolution of Recognition for Caddo Parish 4-H Shooting Sports*
- *Special Resolution Proclaiming Stuffed Shrimp Festival Day*

Mr. Johnson requested to be added as a sponsor for Special Resolution Recognizing Teacher Appreciation Week, Special Resolution of Recognition for Caddo Parish 4-H Shooting Sports, and Special Resolution Proclaiming Stuffed Shrimp Festival Day. Mr. Cothran requested to be added as a sponsor to Special Resolution Recognizing Shreveport City Marshall James Jefferson, Special Resolution of Recognition for Caddo Parish 4-H Shooting Sports, and Special Resolution Proclaiming Stuffed Shrimp Festival Day.

Substitute motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, Jones, Lazarus, and Young (12). NAYS: None (0). ABSENT: None (0). ABSTAIN: None (0).

**CITIZENS COMMENTS**

Public comment by Kenneth Krefft regarding the Juvenile Justice Citizens Advisory Committee's support for Resolution 22 of 2023. Public comment by RJ Johnson regarding Juvenile Justice Citizens Advisory Committee's support for Resolution 22 of 2023. Public comment by Irene foster regarding the Shreveport Mavericks. Public comment by Steven Tucker regarding the Shreveport Mavericks.

It was **moved by Mr. Hopkins**, seconded by Mrs. Gage-Watts, *to suspend the rules.* Motion carried unanimously.

It was **moved by Mrs. Gage-Watts**, seconded by Mr. Johnson, *to Adopt Special Resolution of Recognition and Appreciation for The Shreveport Mavericks.* Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, Lazarus, and Young (10). NAYS: None (0). ABSENT: Commissioners Chavez, and Jones (2). ABSTAIN: None (0).

It was **moved by Mrs. Gage-Watts**, seconded by Mr. Burrell, *to move back into public comments.* Motion carried unanimously.

Public comment by Marvin Muhammad regarding support for Resolution 22 of 2023. Public comment by Calvin Lester regarding support for Resolution 22 of 2023.

**VISITORS**

- LSUHSC Researchers Regarding Wastewater Study

Dr. Kevin Murnane, LSU Health Sciences Center, and John Vanchiere, MD, PhD at LSU Department of Pediatric Infectious Diseases presented the results of the Wastewater Program. Dr. Murnane explained the uses of wastewater and substance use patterns. Dr. Murnane explained that

methamphetamine was detected from all sampling sites in Shreveport and Caddo Parish and is the number one cause of overdose deaths in Louisiana. The levels of methamphetamine in the wastewater of Shreveport are at least two to three times higher than anywhere else in the world. Dr. Murnane explained the correlation of social vulnerability of infectious diseases, illicit drugs, and crime. Dr. Murnane addressed solutions, such as outreach and education, translational research, and models of care. Dr. Vanchiere reviewed the endemic infectious diseases in Caddo Parish, such as sexually transmitted infections. In 2021, Louisiana was ranked 3<sup>rd</sup> in the nation for gonorrhea, chlamydia and syphilis. Dr. Vanchiere explained that endemic infectious diseases could be detected in wastewater. Dr. Vanchiere discussed approaches for addressing the infection disease crisis in Caddo Parish. Dr. Vanchiere indicated that over decades, medical solutions have not had an effect on the infectious disease crisis in Caddo Parish and that the next stage is to do outreach using population level data to direct where care is needed most. Dr. Vanchiere discussed mass testing. Dr. Murnane discussed commercial, factory-scale production of methamphetamine. The Commission, Dr. Murnane and Dr. Vanchiere discussed the disjointedness between resources and care, connecting individuals and communities to care, the correlation between STIs and methamphetamine, and the treatments to STIs.

### **ADOPT REGULAR SESSION MINUTES**

It was **moved by Mrs. Gage-Watts**, seconded by Mr. Jackson, *that Regular Session Minutes April 20, 2023 be adopted.* Motion carried.

### **SPECIAL RESOLUTIONS**

It was **moved by Mr. Jackson**, seconded by Mr. Johnson, *to adopt Special Resolution of Recognition and Appreciation for Utility Linemen.*

**Substitute motion by Mr. Epperson**, seconded by Mr. Hopkins, *to englobo and adopt the following resolutions:*

- *Special Resolution Proclaiming Stuffed Shrimp Festival Day*
- *Special Resolution of Recognition and Appreciation for Utility Linemen*
- *Special Resolution of Recognition and Appreciation for The Sanitation & Solid Waste Professionals*

**Friendly amendment by Mr. Burrell**, to consider agenda addition Special Resolution Proclaiming Stuffed Shrimp Festival Day before Special Resolution of Recognition and Appreciation for Utility Linemen and Special Resolution of Recognition and Appreciation for The Sanitation & Solid Waste Professionals. Mr. Epperson accepted the friendly amendment.

Substitute motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, Jones, Lazarus, and Young (12). NAYS: None (0). ABSENT: None (0). ABSTAIN: None (0).

It was **moved by Mr. Jones**, seconded by Mr. Young, *to adopt Special Resolution Recognizing Walnut Hill Basketball District Championship.*

**Substitute motion by Mr. Atkins**, seconded by Mr. Jones, *to englobo and adopt the following resolutions:*

- *Special Resolution Adopt Special Resolution Recognizing Walnut Hill Basketball District Championship*
- *Special Resolution Proclaiming Pediatric Stroke Awareness Month*
- *Special Resolution Recognizing Teacher Appreciation Week*
- *Special Resolution Recognizing Shreveport City Marshall James Jefferson*
- *Special Resolution of Recognition for Caddo Parish 4-H Shooting Sports*

Substitute motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Jones, and Young (7). NAYS: None (0). ABSENT: Commissioners Gage-Watts, Hopkins, Jackson, Johnson, and Lazarus (5). ABSTAIN: None (0).

### **COMMUNIQUEES AND COMMITTEE REPORTS**

- Dr. Wilson invited the Commission to the Caddo Parish Employee Service Awards ceremony at 3:00 p.m. on Friday, May 5, 2023 at the Commerce Building at The Port.

- Mr. Epperson reported the discussion of the Veteran's Affairs Committee regarding the Col. DePyssler stamp, the Congressional Medal of Honor Convention, the site of a Northwest Louisiana Military and Veterans Museum, and signage on the entrance of the Parish that states Caddo Parish supporting military and veterans. Mr. Epperson requested that light pole signs be put up during the Veterans Celebration Week.
- Mr. Atkins reported the tentative date of the next Natural Resources Committee scheduled for May 11<sup>th</sup> at 3 pm or May 12<sup>th</sup> at 10 am.
- Mr. Jones discussed the prayer breakfast and invited the Commission to a Sunday Fun-day at Cargill Sports Complex on May 7<sup>th</sup> from 2 pm – 5 pm.
- Mr. Young discussed the rapid response of Parish staff in Dixie Gardens.
- Mr. Burrell discussed supporting Western Playground youth activities.

### ***PUBLIC HEARING ON ZONING ORDINANCES***

The President of the Commission opened the public hearing for the following ordinances:

- *Ordinance No. 6322 Of 2023 Related To PZC/MPC Case # 23-1-CTAP, an ordinance to amend Volume II of the Code of Ordinances of the Parish of Caddo, as amended, the Caddo Parish Unified Development Code, relative to wireless telecommunications, with all their provisions included herein, and to otherwise provide with respect thereto.*
- *Ordinance No. 6323 Of 2023, Related To PZC/MPC Case #23-2-CTAP, an ordinance to amend Volume II of the Code of Ordinances of the Parish of Caddo, as amended, the Caddo Parish Unified Development Code, relative to data centers, with all their provisions included herein, and to otherwise provide with respect thereto.*
- *Ordinance No. 6324 Of 2023, Related To PZC/MPC Case #23-3-CTAP, an ordinance to amend Volume II of the Code of Ordinances of the Parish of Caddo, as amended, the Caddo Parish Unified Development Code, relative to surfacing requirements for parking lots, and to otherwise provide with respect thereto.*
- *Ordinance No. 6325 Of 2023 Related To PZC/MPC Case # 23-5-P, an ordinance to amend Volume II of the Code of Ordinances of the Parish of Caddo, as amended, the Caddo Parish Unified Development Code, by amending the zoning of property located western corner of Colquitt Road and Jersey Gold Road, Caddo Parish, LA., from R-A Rural-Agricultural Zoning District to C-1 Neighborhood Commercial Zoning District, and to otherwise provide with respect thereto.*

**Point of Order by Mr. Jones** that citizens are called by citizen comment card, which Attorney Frazier addressed.

Public comment by Jill Brown in support of Ordinance No. 6325 of 2023. Public comment by Deborah Johnson in support of Ordinance No. 6325 of 2023. Public comment by Hope Foley in support of Ordinance No. 6235 of 2023. Public comment by Priscilla Love in support of Ordinance No. 6235 of 2023. Public comment by Ruth Sanders in support of Ordinance No. 6235 of 2023. Public comment by Michelle Perkins in opposition of Ordinance No. 6235 of 2023.

Per Mr. Young's request, MPC Director Mr. Alan Clarke discussed the zoning case 23-5-P.

There being no one else to speak in favor or against these ordinances, the President closed the public hearing on ordinances.

### ***PUBLIC HEARING ON ORDINANCES***

The President of the Commission opened the public hearing for the following ordinances:

- *Ordinance No. 6326 Of 2023, ordinance amending the 2023 Budget of Estimated Revenues and Expenditures for the Oil and Gas Fund and the Riverboat Fund to appropriate funds for Safe Summer*

There being no one to speak in favor or against these ordinances, the President closed the public hearing on ordinances.

#### **ORDINANCES (for final passage)**

It was **moved by Mr. Jackson**, seconded by Mr. Lazarus, *to englobo and adopt the following ordinances:*

- *Ordinance No. 6322 Of 2023 Related To PZC/MPC Case # 23-1-CTAP*
- *Ordinance No. 6323 Of 2023, Related To PZC/MPC Case #23-2-CTAP*
- *Ordinance No. 6324 Of 2023, Related To PZC/MPC Case #23-3-CTAP*

Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Hopkins, Jackson, Jones, Lazarus, and Young (10). NAYS: None (0). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

It was **moved by Mr. Lazarus**, seconded by Mr. Jackson, *that Ordinance No. 6325 Of 2023 Related To PZC/MPC Case # 23-5-P* be adopted. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Chavez, Gage-Watts, Hopkins, Jackson, Johnson, Jones, Lazarus, and Young (7). NAYS: Burrell, Cothran, and Epperson (3). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

It was **moved by Mr. Jackson**, seconded by Mr. Chavez, *that Ordinance No. 6326 Of 2023 Related To PZC/MPC Case # 23-5-P* be adopted. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Hopkins, Jackson, Jones, Lazarus, and Young (10). NAYS: None (0). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

#### **ORDINANCES (for introduction by title)**

- *Ordinance No. 6328 Of 2023, an ordinance amending and reenacting Chapter 32, Article VI of the Caddo Parish Code of Ordinances, repealing Section 32-52 and Section 34-22 of the Code of the Caddo Parish Code of Ordinances, and otherwise providing with respect thereto*

#### **WORK SESSION MINUTES**

It was **moved by Mr. Jackson**, seconded by Mr. Young, *that Work Session Minutes from May 1, 2023* be adopted. Motion carried.

#### **RESOLUTIONS**

It was **moved by Mr. Jackson**, seconded by Mr. Epperson, *that Resolution No. 22 of 2023, a resolution ordering and calling a special election to authorize the levy of a special tax therein; making application to the State Bond Commission and providing for other matters in connection therewith* be adopted.

Mr. Jackson explained that the resolution simply asks a question and there would be no changes after the vote. Mr. Young explained the purpose of the resolution. Mr. Hopkins discussed reviewing other approaches. Mr. Epperson, Mr. Cothran, and Mr. Burrell discussed the value of the resolution. Mr. Jackson discussed the resolution not raising any taxes.

**Call for the Question by Mr. Jackson**, seconded by Mr. Young. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Hopkins, Jackson, Jones, Lazarus, and Young (10). NAYS: None (0). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

Mr. Jackson's motion carried, as shown by the following roll call votes: AYES: Commissioners Burrell, Chavez, Cothran, Epperson, , Jackson, Jones, Lazarus, and Young (8). NAYS: Atkins, and Hopkins (2). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

It was **moved by Mr. Jones**, seconded by Mr. Chavez, *to Reappoint Shantell Hardison To the Shreveport Bossier Sports Commission*.

**Substitute motion by Mr. Epperson**, seconded by Mr. Jackson, *to englobo and adopt the following items:*

- *Reappoint Shantell Hardison To the Shreveport Bossier Sports Commission*
- *Authorize the Administration to Fund Juneteenth Activities*



- *Caddo Animal Service Board Appeal Case #C0007326340*

Substitute motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Epperson, Hopkins, Jackson, Jones, Lazarus, Cothran, and Young (10). NAYS: None (0). ABSENT: Gage-Watts, and Johnson (2). ABSTAIN: None (0).

### **NEW BUSINESS**

- Caddo Animal Service Board Appeal

Animal Services Assistant Director Mr. Kelvin Samuels discussed the Caddo Animal Service Board Appeal Case # C0007326340 and explained the definition of a vicious dog which includes humane euthanasia. Mr. Marshall Cosby spoke on behalf of the victim and as a witness in support of the Caddo Animal Service Board's decision. Mrs. Catherine Wicker, the animal's owner, spoke in opposition of the Caddo Animal Service Board's decision. The Commission, Mr. Samuels, and Animal Services Director Mr. Travis Clark discussed the case, seizure of the animal being at-large, and the animal owner's fence repairs. Caddo Animal Services Board Member Mrs. Sarah Walton discussed the Caddo Animal Services Board's decision.

It was **moved by Mr. Atkins**, seconded by Mr. Epperson, *to uphold the Caddo Animal Services Board Decision to deem the dog as vicious.*

**Call for the Question by Mr. Cothran**, seconded by Mr. Jones. Motion carried, as shown by the following roll call votes: AYES: Commissioners Burrell, Chavez, Epperson, Jones, Lazarus, Cothran, (6). NAYS: Atkins, and Young (2). ABSENT: Gage-Watts, Hopkins, Jackson, and Johnson (4). ABSTAIN: None (0).

Mr. Atkins' motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Chavez, Epperson, Hopkins, Jackson, Jones, Lazarus, Cothran (6). NAYS: Burrell, and Young (2). ABSENT: Gage-Watts, Hopkins, Jackson, and Johnson (4). ABSTAIN: None (0).

The Clerk and Attorney Frazier clarified how the motion carried.

There was no further discussion to come before the Commission, so the meeting was adjourned at 7:15 p.m.

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Roy Burrell  
President

Proclamation

Memorial Day 202 3

*Whereas*, since our nation’s inception, brave men and women have given their lives to protect our freedoms in service to our great nation, and we have strived to honor their sacrifice through historic burial grounds and battlefields, memorials, and other tributes that recognize the fallen; and

*Whereas*, in 1967, federal law declared that the last Monday in May is designated as Memorial Day, beginning in 1971; and

*Whereas*, Memorial Day is a day of remembrance and celebration in honor of the heroism and valor of the members of the United States Military including the Army, Navy, Marine Corps, Coast Guard, Air Force, the Air Force Reserve, the Army National Guard, Army Corps of Engineers, Army Reserves, Department of Defense, and the Space Force; and

*Whereas*, the Parish of Caddo pays tribute to the fallen, our veterans; and

*Whereas*, on this day, in our communities across the united states of America will remember loved ones who have given the ultimate sacrifice as part of ongoing conflicts, as well as those who fell during previous conflicts and war; and

*Whereas*, on this day, and throughout the year, the Parish of Caddo, joins citizens in their sorrow and pride for the fallen and in giving thanks to those who made the ultimate sacrifice to keep our nation free.

*Now, Therefore, be it Resolved*, by the Caddo Parish Commission, in due and legal session, that it does hereby proclaim the 29<sup>th</sup> day of May, 2023 as

“Memorial Day ”

in Caddo Parish and commend its observance to all citizens.

ATTEST:

Jeff Everson  
Commission Clerk

Roy Burrell  
President  
Stormy Gage-Watts  
Parliamentarian  
Lyndon B. Johnson  
District 2  
Steffon D. Jones  
District 6  
John E. Atkins  
District 9  
Ed Lazarus  
District 11

John Paul Young  
Vice President  
Todd A. Hopkins  
District 1  
Steven Jackson  
District 3  
Ron Cothran  
District 8  
Mario Chavez  
District 10  
Kenneth Epperson, Sr.  
District 12

# National Maritime Day Special Resolution

**WHEREAS**, on May 22, 1819, the steamship *The Savannah* set sail from Savannah, Georgia on the first successful transoceanic voyage under steam propulsion, thus making a material contribution to the advancement of ocean transportation; and

**WHEREAS**, on May 20, 1933, the Senate and House of Representatives of the United States of America assembled and designated May 22nd of each year as National Maritime Day; and

**WHEREAS**, during WW II in what became the world's largest sealift operation, more than 250,000 members of the American Merchant Marines served their country, with over 6,700 losing their lives, hundreds being detained as prisoners of war and in excess of 800 ships being sunk or damaged; and

**WHEREAS**, waterways have greatly contributed to expanding America's economy, developing cities near waterways, and facilitating vast domestic and international commerce crucial to our economy today; and

**WHEREAS**, merchant mariners have served America with distinction throughout our history, but especially at critical moments of war and natural disaster; and

**WHEREAS**, the United States Merchant Marines and thousands of other workers in our Nation's maritime industry continue to make immeasurable contributions to our economic strength and ongoing efforts to build a more peaceful world; and

**WHEREAS**, the United States Merchant Marines also shepherd the safe passage of American goods, move exports to customers around the world, support the flow of domestic commerce on our maritime highways, strengthen our Nation's economy, bolster job creation, and, along with the transportation industry, employ Americans on ships and tugs, and in ports, like our Port of Caddo Bossier; and

**WHEREAS**, it is the desire of the Caddo Parish Commission to increase the awareness of the maritime industry within Caddo and Bossier Parishes and the State of Louisiana.


**NOW, THEREFORE BE IT RESOLVED** that the Caddo Parish Commission joins the President of the United States of America in proclaiming May 22, 2023, as National Maritime Day and calls upon the citizens of Caddo and Bossier Parishes to celebrate this observance.



This Resolution was adopted in a meeting legally convened by the Caddo Parish Commission the 18th day of May, 2023 at which a quorum was present.


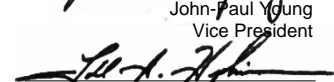
**ATTEST:**

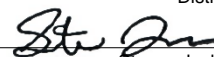
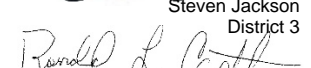
  
Jeff Everson  
Commission Clerk


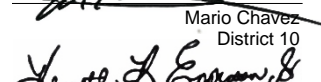
  
Roy Burrell  
President  
  
Stormy Gage-Watts  
Parliamentarian

Lyndon B. Johnson  
District 2  
  
Steffon D. Jones  
District 6

  
John E. Atkins  
District 9  
  
Ed Lazarus  
District 11

  
John-Paul Young  
Vice President  
  
Todd A. Hopkins  
District 1

  
Steven Jackson  
District 3  
  
Ron Cothran  
District 8

  
Mario Chavez  
District 10  
  
Kenneth Epperson, Sr.  
District 12

**RESOLUTION OF APPRECIATION TO  
RETIRING CADDO PARISH JUVENILE COURT  
JUDGE DAVID MATLOCK**

**WHEREAS**, the Caddo Parish Commission acknowledges that the passage of time brings forth regrettable inevitabilities, among those being the necessity of saying goodbye to cherished public servants who have chosen to walk the path and live the dream of retirement; and

**WHEREAS**, Judge David Matlock has faithfully and diligently served as the Chief Judge of Division A at Caddo Parish Juvenile Court, Louisiana, for 28 years as Judge with 24 of those as Chief Judge; and

**WHEREAS**, Judge Matlock, a distinguished alumnus of Louisiana State University in Shreveport and Baylor University, School of Law, has exhibited exceptional legal acumen and expertise throughout his career; and

**WHEREAS**, Judge Matlock's tenure as Chief Judge has been marked by his unwavering commitment to upholding the principles of fairness, impartiality, and compassion within the juvenile justice system; and

**WHEREAS**, Judge Matlock's outstanding leadership and guidance have contributed significantly to the enhancement of the Caddo Parish Juvenile Court, its processes, and its services to the community; and

**WHEREAS**, Judge Matlock has been a staunch advocate for the rights and well-being of the youth in Caddo Parish, striving to ensure their safety, rehabilitation, and successful reintegration into society; and

**WHEREAS**, Judge Matlock has played an instrumental role in the implementation and development of community outreach programs aimed at preventing juvenile delinquency, promoting education, and fostering positive youth development within Caddo Parish; and

**WHEREAS**, Judge Matlock's exemplary service, dedication, and unwavering pursuit of justice have earned him the respect and admiration of his colleagues, the legal community, and the residents of Caddo Parish; and

**WHEREAS**, Judge Matlock's retirement from his esteemed position as Chief Judge marks the culmination of a remarkable chapter in the history of the Caddo Parish Juvenile Court, leaving a lasting legacy of integrity, compassion, and excellence;


**NOW, THEREFORE, BE IT RESOLVED**, that the Caddo Parish Commission hereby extends its deepest appreciation, gratitude, and congratulations to Chief Judge David Matlock for his exceptional service, unwavering commitment, and invaluable contributions to the Caddo Parish Juvenile Court and the community it serve and in legal session gathered here today declares May 19<sup>th</sup>, 2023 as


**‘JUDGE DAVID MATLOCK DAY’**


in Caddo Parish, Louisiana, calling upon all citizens to note this occasion with a sense of appreciation and gratitude.

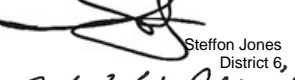
**ATTEST:**


  
Jeff Everson  
Commission Clerk


  
Roy Burrell  
President


  
Stormy Gage- Watts  
Parliamentarian

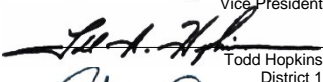
  
Lyndon B. Johnson  
District 2

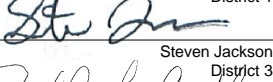
  
Steffon Jones  
District 6


  
John E. Atkins  
District 8


  
Ed Lazarus  
District 11

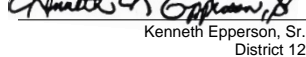
  
John-Paul Young  
Vice President

  
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District 1

  
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District 8

  
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District 10

  
Kenneth Epperson, Sr.  
District 12

## ORDINANCE NO. 6328 OF 2023

### BY THE CADDO PARISH COMMISSION:

#### **AN ORDINANCE AMENDING AND REINACTING CHAPTER 32, ARTICLE VI OF THE CADDO PARISH CODE OF ORDINANCES, REPEALING SECTION 32-52 AND SECTION 34-22 OF THE CODE OF THE CADDO PARISH CODE OF ORDINANCES, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Caddo Parish's noise ordinances have not been updated since 2011; and

WHEREAS, more detailed research and newer technology is now available; and

WHEREAS, new noise generating activities are prevalent, requiring more nuanced measurements of noise to discern the true impact upon citizens; and

WHEREAS, Bossier Parish, Caddo's original partner in the noise studies that led to the 2011 update of Caddo Parish Ordinance has recently commissioned a new study and updated its noise ordinance based on those findings; and

WHEREAS, Caddo and Bossier Parish together constitute a regional area and Caddo finds it prudent to update its noise ordinances as well, to provide for continuity and joint enforcement opportunities.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 32, Article VI of the Caddo Parish Code of Ordinances is hereby amended and reenacted as follows:

### **ARTICLE VI. - REGULATION OF NOISE WITHIN THE UNINCORPORATED LIMITS OF THE PARISH OF CADDO**

#### **Sec. 32-160. - Definitions.**

*Agricultural property* means property used in cultivating the soil, producing crops (including timber), and raising livestock.

*A-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level is designated dBA.

*Ambient sound* means all-encompassing sound associated with a given environment composing of sound sources near and far.

*Background sound* means all-encompassing sound associated with a given environment without contributions from the source(s) of interest. It combines long-term and short-term background sound.

*Background sound level* means the sound level defined by the long-term background sound level in an area which excludes the noise source of interest and short-term background noise.

*C-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the C-weighting network which is more sensitive to low-frequency sounds than the A-weighting network. C-weighting is used to assess the low-frequency content of a complex sound environment. The level is designated dBC.

*Construction* means any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.

*Continuous background sound* means the background sound measured during a measurement period, after excluding the contribution of transient background sounds. Continuous relates to the constant nature of the background sound, not to any measurement duration. Transient background sounds are those sounds that are not continuous, such as a barking dog, an individual accelerating vehicle, an individual aircraft flyover, etc. As a general rule, sound events from a

single source that occur at a rate of 12 times per hour (at least once every five minutes) should be considered part of the continuous background sound.

Corrected equivalent-continuous sound pressure level means measurement period data which has been corrected for transient background sound by the transient sound having been inhibited from being collected with or having been removed from the measurement period data.

Corrected equivalent-continuous background sound pressure level means measurement period data, without contributions from the source or sources of interest, which has been corrected for transient background sound by the transient sound having been inhibited from being collected with or having been removed from the measurement period data.

*Daytime hours* means the hours from 7:00 a.m. on one day and 10:00 p.m. the same day.

*Designated protected receiver* means a property that is not residential where the owner has applied for and obtained approval from the parish to reduce the maximum permissible sound levels below those established for properties designated as other receiver. All such applications shall be acted upon by the parish administrator following a public hearing thereon and the sending of specific notice to the owners of all property located within 500 feet of the proposed designated protected receiver.

*Decibel (dB)* means a unit for measuring the level of a sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

*Demolition* means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

*Emergency signaling device* means includes fire, burglar, civil defense alarm, siren, whistle, or similar device intended primarily for emergency purposes.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

*Engine brake* (commonly referred to by brand names such as Jacobs Brake or Dynatard brake) means an engine retarder, compression release engine brake or dynamic braking device utilizing engine backpressure that converts an operating diesel or gasoline engine into a power absorbing mechanism for the purpose of retarding the forward motion of a vehicle.

Fluctuating noise means the sound pressure level of a fluctuating noise which varies more than six dBA during the period of observation when measured with the slow meter characteristic of a sound level meter.

Impacted regulated receiver means a regulated receiver which may potentially be exposed to noise levels due to the operation of a regulated noise generator that violates or exceeds one or more provisions of this ordinance. It is the duty of the regulated noise generator to assess their potential impact on regulated receivers.

*Impulsive sound* means a sound of short duration, usually less than two seconds, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, hammering, and the discharge of firearms.

*Lasting activity* means an activity that is associated with the intended long-term use of the property.

*Long-term background sound* means the background sound during a measurement period after removing the short-term background sound. It is considered to be approximately stationary during the measurement period and the sound sources captured can be described statistically over the measurement period.

*Muffler or sound dissipative device* means a properly functioning system for abating the sound of escaping gasses on equipment where such a device is part of the normal configuration of the equipment.

*Nighttime hours* means the hours between 10:00 p.m. on one day and 7:00 a.m. the following day.



*Noise* means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

*Noise control officer (NCO)* means the department having lead responsibility for this article.

*Noise impact right* means a property right agreement defining a permissible noise level impact by a noise generator upon a property which is attached to and transfers with ownership of the affected property.

*Noise sensitive receiver* means includes, but is not limited to, a property where a school, hospital, nursing home, church, court, public library, or similar institution is located.

*Other receiver* means all property other than residential property, agricultural property, noise sensitive receivers and designated protected receivers.

*Plainly audible*<sup>1</sup> means any sound that can be detected by a person using his or her unaided hearing faculties.

*Property line* means with respect to single occupancy properties, the line along the ground surface and its vertical extension that separates the real property owned, leased, or occupied by one person or entity from that owned, leased, or occupied by another person or entity. With respect to shared occupancy properties the term shall mean the imaginary line that represents the legal limits of occupancy of any person or entity who owns, leases, or otherwise occupies an apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.

*Pure tone* means any sound which can be distinctly heard as a single pitch or a set of single pitches.

*Qualified professional in environmental noise* means an individual who has education or training in environmental noise measurement instruments and practices and has experience in the performance of environmental noise measurements. If necessary for the purposes of this article, the individual must also have experience in the assessment and mitigation of environmental noise.

*Receiving property type* means the property designations identified in this article for the purpose of determining the maximum permissible sound levels for a regulated receiver.

*Receptor* means an occupied structure or outdoor public space (e.g. park, playground, etc.) located on a regulated receiver property.

*Regulated noise generator (RNG)* means those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in this article.

*Regulated receiver* means any real property designated as a residential property, designated protected receiver, noise sensitive receiver, or other receiver.

*Residential property* means any real property developed and used for human habitation that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, unless such premises are actually occupied and used primarily for purposes other than human habitation.

*Short-term background sound* means consists of one or more infrequent sound events and is relatively loud compared to the long-term background sound. The time of occurrence of these events cannot be described statistically over the full measurement period means e.g. barking dog, accelerating vehicle, aircraft flyover, etc.

*Significant noise generators (SNG)* means those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in this article.

*Sound-amplifying equipment* means any machine or device for the amplification of the human voice, music, or any other sound. The term "sound-amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in this section, shall not

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<sup>1</sup> "Plainly audible" is a standard used in multiple United States jurisdictions. (See State v. Ewing, 81 Hawaii 156, 914 P.2d 549 (App. 1996)) The standard has been held as neither vague nor overbroad and provides a clear understanding to those it regulates.

include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

*Sound level* means the sound pressure level obtained by the use of a sound level meter. If a frequency-weighting network is used, such as A or C, then the level shall be indicated as dBA or dBC, respectively. If a frequency weighting is not used, then the un-weighted or flat level shall be indicated as dB(Flat). Frequency-weighted networks shall comply with the American National Standards Institute specifications for sound level meters (~~ANSI S1.401983(R2006)~~) (~~ANSI S1.4-2014/IEC 61672 (R2019)~~), or the latest approved revision thereof.

*Sound level meter* means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averaging device, output meter, and weighting networks used to measure sound pressure levels. The instrument should meet requirements for a ~~Type 1 or Type 2~~ Class 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (~~ANSI S1.401983(R2006)~~) (~~ANSI S1.4-2014/IEC 61672 (R2019)~~), or the latest approved revision thereof.

*Sound pressure* means the instantaneous difference between the actual pressure and the average or barometric pressure of a given point in space, as produced by sound energy.

*Sound pressure level* means 20 times the logarithm to the base ten of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals (20 micronewtons per square meter). The sound pressure level is denoted  $L_p$  or SPL and is expressed in decibels (dB).

*Temporary noise event* means an activity that generates noise which could impact a protected receiver and occurs over the course of up to 14 consecutive days. The use of the term "temporary" is relative to the acoustic tolerance of a noisy activity and does not speak to whether that activity is associated with the intended long-term use of the property.

*Temporary activity* means an activity that is planned to occur for a pre-determined, finite length of time. Examples include but are not limited to construction, maintenance, and drilling of wells.

*Utility* means a business entity subject to government regulation that provides an essential commodity or service such as, but not limited to, water, electric, electric distribution, gas, gas distribution, gas transmission, gas gathering and telephone.

*Variance* means relief from compliance with one or more provisions of this ordinance; submitted to the Parish Commission for review and vote per subsection 32-164(r).

*Waiver* means an agreement between an entity generating noise and the occupants, residents, owner, or other entity having authority for a regulated receiver, releasing the noise generating entity from compliance with enumerated terms of this ordinance, for a defined period of negotiable term. Waivers may be obtained for any provision of this ordinance, not just for those provisions where waivers are specifically anticipated within the ordinance. Proof of waivers, to include documentation of enumerated provisions of this article for which the waiver grants relief, shall be made available to the AHJ (32-161) upon request.

*Workover operation* means a term used in the oil and gas industry meaning work performed in a well after its initial completion.

## **Sec. 32-161. - Authority having jurisdiction (AHJ).**

- (a) The noise ordinance shall be enforced by a noise control officer (NCO). The requirements to be an NCO are established as follows:
  - (1) An employee of the parish who is trained to perform noise enforcement activities.
  - (2) An employee who has received noise enforcement training. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.
- (b) ~~Powers; means n-~~ Noise control officers shall have the power to:
  - (1) Coordinate the noise control activities of all departments in the parish and cooperate with all other public bodies and agencies to the extent practicable;



- (2) Review the actions of the parish and advise of the effect, if any, of such actions on noise control;
- (3) Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this article;
- (4) Issue permits;~~and variances as approved by the Caddo Parish Commission;~~
- (5) Investigate and pursue possible violations of this article for sound levels which equal or exceed the sound levels set forth in section 32-163, when measured at a receiving property located within the designated jurisdiction of the noise control officer, in accordance with section 32-165 below;
- (6) Cooperate with noise control officers of adjacent municipalities in enforcing one another's noise ordinances; and
- (7) Determine if a complaint is frivolous, duplicitous, or vexatious.

**Sec. 32-162. - Applicability.**

- (a) This article applies to sound originating from or received at or within the property line of the following property types:
  - (1) Residential property.
  - (2) Designated protected receiver.
  - (3) Noise sensitive receiver.
  - (4) Other receiver.
- (b) All ~~significant regulated~~ noise generators permitted or initiated on or after ~~the adoption date of this article~~ April 1, 2011 shall be subject to the regulations contained herein.
- (c) A noise generator existing prior to ~~the date of adoption of this article~~ April 1, 2011 is subject to the regulations contained herein if the actions of the noise generator constitute a new use. A significant increase in acoustic conditions at a regulated receiver constitutes a new use for the noise generator if the conditions are due to the following:
  1. Changes in the operation of the noise generator,
  2. Modifications to or addition of equipment,
  3. Changes to the physical layout of the noise generating property,
  4. Facility expansion, or
  5. Any action on the part of owner or operator that leads to an increase in sound level, or an increase in the frequency or number of occurrences of temporary noise events, at a regulated receiver.

A significant increase in acoustic conditions at a regulated receiver includes an increase in sound level by more than 5 dBA or an increase to the applicable levels in Table 1, whichever is greater, or an increase in frequency (or number) of occurrences.

- (d) For a change in designation of a receiving property type that decreases the maximum permissible sound levels at a property, the regulated levels corresponding to the new designation shall only apply to noise generators beginning operation, or which constitute new uses for existing noise generators, on or after the date of approval of the new designation. Existing noise sources associated with lasting activities at the time of the change in property type designation shall be treated as part of the background sound at the receiving property.
- (e) All noise sources in existence prior to April 1, 2011 shall continue to be regulated by ordinances in effect prior to the effective date of this article.

**Sec. 32-163. - Maximum permissible sound levels.**

(a) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a sound level that exceeds the ~~continuous~~-background sound level by more than ~~5-7~~ dBA in daytime, the continuous background sound level by more than 5 dBA in nighttime, or the applicable levels in Table 1 at a regulated receiver, whichever is greater, when measured in accordance with section 32-165, over an interval of time as follows:

- (1) For any one-hour measurement interval subject to the adjustments of Table 2 if the noise source is operating under the provisions of an approved noise Management Plan;
- (2) For any five-minute interval, and the adjustments of Table 2 do not apply, if the noise source is not operating under the provisions of an approved noise management plan;
- (3) For an interval of time as otherwise permitted.

For compliance purposes, if the continuous background sound level cannot be determined in accordance with section 32-165, the levels listed in Table 1 relative to the receiving property type shall be used. For planning and permitting purposes, a noise survey is required to determine a 72-hour continuous background sound level at the most impacted regulated receiver or receivers, and the survey must be conducted in accordance with section 32-165. Once a noise survey has been reviewed and approved by the AHJ, the established continuous background sound level or levels will apply to all properties considered by the noise survey, both in daytime and nighttime, until another noise survey is approved by the AHJ. The sound level shall be measured at or within the receiving property line in accordance with section 32-165.

Table 1: Maximum permissible A-weighted continuous sound levels\* (dBA) outdoors listed by receiving property type and time of day: see the Caddo Parish Uniform Development Code for definitions of Residential, Commercial and Industrial Districts

<u>Receiving Property Type:</u>	<u>Daytime Hours</u>	<u>Nighttime Hours</u>
	<u>7:00 a.m.—10:00 p.m.</u>	<u>10:00 p.m.—7:00 a.m.</u>
Noise Sensitive Receiver	<u>50-45</u>	<u>40-45</u>
<u>Residential or Designated Protected Receiver</u>	<u>55-50</u>	<u>45-50</u>
<u>Other Receiver</u>	60	60
<u>Residential Districts</u>	<u>55</u>	<u>55</u>
<u>Commercial Districts</u>	<u>60</u>	<u>60</u>
<u>Industrial Districts</u>	<u>80</u>	<u>80</u>

\*Maximum permissible levels are subject to sections 32-163(b), 32-163(c), 32-163(d), and 32-163(e)

Table 2: Exceedance adjustments to Maximum permissible A-weighted sound levels\* (dBA).

Exceedance Adjustment, dBA	Duration of increase, minutes*
<u>10</u>	<u>5</u>
<u>15</u>	<u>1</u>
<u>20</u>	<u>Less than 1</u>

\*Cumulative minutes in any one-hour interval.

- (b) A temporary noise allowance can be applied to the levels determined in 32-163(a). This allowance accounts for a receiver's added tolerance for known temporary noise events due to temporary activities of up to 14 days. The allowance requires that the party responsible for the noise source inform the potentially impacted recipients of the duration and nature of the noise. A temporary noise allowance can occur only once every 90 days for whatever duration of that activity consistent with the following:

(1) For noise events lasting one day or less, a 15 dB increase in maximum permissible A-weighted sound level is permissible.

(2) For noise events lasting up to 14 consecutive days, a 10 dB increase in A-weighted sound level is permissible.

(3) For any noise events lasting longer than 14 days, the noise associated with that temporary activity is not considered a temporary noise event.
- (c) Low frequency noise limit:

(1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates low-frequency outdoor sound levels in the 31.5 and 63 Hz octave bands that exceed 65 dB(Flat) or exceeds the background sound levels in the 31.5 and 63 Hz octave bands by more than 5 dB(Flat), whichever is greater.
- (d) Impulsive noise limit:

(1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates impulse sound levels that exceed the background sound level by 15 dBA at or within the receiving property line in accordance with the impulsive measurement requirements of section 32-165.
- (e) Tones:

(1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB(Flat)) values as follows:

a. 5 dB for center frequencies of 500 Hertz and above,

b. 8 dB for center frequencies between 160 and 400 Hertz, and

c. 15 dB for center frequencies less than or equal to 125 Hertz.

(f) Measurements for determination of compliance or violation:

- (1) Compliance with, or violation of, the levels specified in this section must be assessed through measurements as described in 32-165. Measurements used as a basis for determination of violation of a provision of this section must demonstrate that the cited RNG is the cause of the violation:
  - a. For any one-hour measurement interval if the RNG is operating under an approved noise management plan.
  - b. For any five-minute measurement interval if the RNG not operating under an approved noise management plan.
  - c. For a shorter interval as otherwise permitted.
- (2) Compliance is indicated if the noise solely generated by the RNG cannot be discriminated from the corrected equivalent-continuous background sound pressure level, or if the noise levels solely generated by the RNG otherwise conform to the requirements of this section.

**Sec. 32-164. – Enumerated acts, Exemptions and restricted uses.**

The following standards shall apply to the associated activities or sound sources below:

- (a) Nonexclusive enumeration. The following acts, among others, are declared to be loud, disturbing and unreasonable noises and noises in violation of this ordinance, but this enumeration shall not be deemed to be exclusive:
  - (1) *Horns or signal devices.* The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle except when reasonably necessary to ensure safe operation; the creation by means of any such signal device of any noise for more than five consecutive seconds.
  - (2) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel or other type of residence, or of any persons in the vicinity.
  - (3) *Hawkers, peddlers and vendors.* The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.
  - (4) *Animals, birds, etc.* The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall not disturb the comfort or repose of any person in the vicinity. This provision shall not apply to animal sounds originating from any parcel zoned for agricultural use.
  - (5) *Defect in vehicle or load.* The use of any automobile, motorcycle, streetcar or vehicle so out of repair or loaded in such manner as to create loud and unreasonable grating, grinding, rattling or other noise.
  - (6) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon the request of proper authorities.
  - (7) *Exhausts.* The discharge of any process vent, high-velocity gas stream, high-pressure gas, forced-exhaust stream, steam engine, stationary internal combustion engine, motor-driven vehicle of any type or motorboat engine except through a muffler or other device which will effectively prevent loud noises therefrom.
  - (8) *Construction and repairing of buildings.* The following acts are declared to be loud, disturbing and unreasonable noises, and noises in violation of this article:
    - a. Construction and demolition activity, excluding emergency work, shall not be performed in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 6:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in construction and

demolition activity shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply to construction and demolition activities.

- b. This section shall not apply to excavations or repairs of bridges, streets or highways by or on behalf of the parish during the night, when the public welfare and convenience renders it impossible to perform such work during the day.

(9) Power tools.

- a. Commercial and industrial use of power tools, excluding emergency work, shall not be operated in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 6:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.
- b. Non-commercial or non-industrial use of power tools shall not be operated in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.

(10) Landscaping.

- a. Commercial and industrial use of landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on or within 250 feet of a regulated receiver between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply. This restriction shall not apply to sounds originating from agriculture zoned uses when such sounds are due to normal use.
- b. Non-commercial or non-industrial use landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply. This restriction shall not apply to sounds originating from agriculture zoned uses when such sounds are due to normal use.

(11) Schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court are in use or adjacent to any hospital, which unreasonably interferes with the working of such institution or which disturbs patients in a hospital.

(12) Loading, unloading. The creation of a loud and excessive noise in connection with loading or/unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers, between the hours of 10:00 p.m. and 8:00 a.m. This restriction shall only apply to industrial and commercial zoning adjacent to residential zoning.

(13) Sound-amplifying equipment.

- a. Unless otherwise permitted, the playing of any radio, television set, sound-amplifying equipment, or other sound-producing device or any musical instrument in such a manner or with such volume, particularly between the hours of 10:00 p.m. and 8:00 a.m., as to disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.



- b. Self-contained, portable, hand-held music or sound-amplifying equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 7:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.
- c. Unless otherwise permitted, the use or operation, or the causing to be used or operated, in front of or outside of any building, place or premise or through any window, doorway or opening of such building abutting upon the public street, or upon any public street any device or apparatus for tapping windows, or for amplifying sound from any radio, television set, sound-amplifying equipment, or any other sound-reproducing device.
- d. The use of any drum, loudspeakers or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
- e. The use of mechanical loudspeakers or sound-amplifying equipment on trucks or other moving or standing vehicles for advertising or other purposes.

(14) Motor sports parks and recreational vehicles.

- a. Except as permitted in the following subsection (2), no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds the limits set forth in section 32-163 at or across the property line when operated on private property. This ordinance shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or non-commercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.
- b. Permits for vehicle racing events may be obtained from the AHJ after submission of a noise management plan as required.

(b) Emergency signaling devices are exempt from section 32-163 in the case of an emergency and the following cases:

- (1) Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
- (2) Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this section.
- (3) Testing of an emergency signaling device in accordance with state and federal regulations.
- (c) Nonemergency signaling devices operated by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by governmental entities for traffic control purposes are exempt from section 32-163.
- (d) Operation and testing of emergency equipment and safety protection systems (for example, relief valves) are exempt from section 32-163.
- (e) Accidents and emergency responses to accidents which pose a clear and immediate danger to life, health, or significant loss of property are exempt from section 32-163.
- (f) Motor vehicles and motorcycles on traffic ways of the parish are exempt from section 32-163 provided that:

- (1) Vehicle horns, signaling devices, and similar devices are sounded for less than five consecutive seconds or are sounded as a danger warning.
  - (2) Adequate mufflers or sound dissipative devices are properly installed such that:
    - a. No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.
    - b. No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
- (g) No person shall repair, rebuild, modify, or test any motor vehicle, motorcycle, or motorboat in such a manner as to exceed the limits set forth in section 32-163.
- (h) Airport and aircraft operations:
  - (1) The AHJ shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance which the airport owner may have authority to control in its capacity as proprietor.
  - (2) Nothing in this article shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects, conducted in accordance with, or pursuant to applicable federal laws or regulations.
- (i) Any public performance, gathering or parade for which a permit has been obtained from the parish is exempt from section 32-163.
- (j) Outdoor school and playground activities are exempt from section 32-163. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.
- (k) Repairs or excavations of bridges, streets or highways by or on behalf of the parish, State of Louisiana, or the federal government, are exempt from limits set forth in section 32-163 between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it is impractical to perform the work between 7:00 a.m. and 7:00 p.m.
- (l) Any government or utility construction or maintenance activities are exempt from section 32-163.
- (m) Regulated noise generators (RNG) shall submit a noise management plan (NMP) for approval by the parish unless the RNG has obtained waivers from all impacted regulated receivers. Regulated noise generators are those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in section 32-163, and may include but are not limited to oil and gas industry sites (e.g. well heads, compressor stations, refineries, etc.), motor sports parks, machine shops, industrial plants, etc.
  - (1) No RNG shall create any noise that exceeds the limits set forth in section 32-163 subject to applicable exemptions in this section.
  - (2) Prior to the issuance of a RNG permit and the commencement of operations, the operator shall submit a noise management plan (NMP), approved by the AHJ, detailing how the equipment, structures, site plan, and proposed activities on site complies with the maximum permissible sound levels of this article. Refer to the

parish's noise management plan guide document for specific information. At a minimum, the noise management plan must:

- a. Identify operation noise impacts;
  - b. Provide documentation establishing the background sound level prior to construction or commencement of operations. A noise survey must be conducted in accordance with [section 32-163](#) for the most impacted regulated receiver or receivers. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all future development until another noise survey is approved by the AHJ; and
  - c. Detail how the impacts will be mitigated. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to the following:
    1. Location and acoustic characteristics of all noise sources that have the potential to exceed the limits set forth in [section 32-163](#);
    2. Nature and proximity of all adjacent development, location, and type;
    3. Seasonal and prevailing weather patterns, including wind directions;
    4. Vegetative cover on or adjacent to the site; and
    5. Topography.
- (3) The operator shall be responsible for verifying compliance with this article and the noise management plan after the installation of the noise generation equipment. The AHJ may require verification by continuous monitoring for up to 72 hours, or for such duration as the RNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance at any regulated receiver. The AHJ may waive the requirement for monitoring if the NMP establishes that the potential impact at any regulated receiver is 3 dB or more below the applicable limits of this ordinance. In the event of complaints, additional measurements may be required upon notification to proceed by the AHJ. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour. The RNG may request a longer measurement period - up to 72 hours. The cost of such monitoring shall be borne by the operator of the RNG.
- (4) The sound level meter used in conducting noise evaluations shall be in accordance with [section 32-163](#).
- (5) Noise mitigation equipment, structures, products, and materials or other alternate methods as approved by the AHJ may be used to ensure compliance.
- (6) If a complaint is received by either the operator or the parish from any regulated receiver operating under an approved noise management plan, the operator shall, within 36 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor at the source of the complaint for up to a 72-hour period the exterior sound level generated to ensure compliance unless the operator can prove after best efforts, an additional 24-hour extension is required. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour if operating under an approved noise management plan, and no less



than five minutes if not operating under and approved noise management plan. The RNG may request a longer measurement period up to 72 hours. The cost of such monitoring shall be borne by the operator of the RNG. Compliance is assessed in any one-hour interval within the monitoring period, subject to Table 2 for an RNG operating under an approved noise management plan.

- (7) A RNG is not required to continue monitoring if the operator can show the source of the noise has permanently ceased.
- (8) A citation may be immediately issued for a clear violation of the provisions of this article, unless section 32-163(m)(6) applies. If the violation is based upon measurement, the measurement must demonstrate that the cited RNG is the cause of the violation for any one-hour measurement interval, unless a shorter interval is otherwise permitted or indicated by Table 2. However, if the operator of the RNG is in compliance with the approved noise management plan, and a violation still occurs, the operator will be given 36 hours from notice of non-compliance to correct the violation from an identified source before a citation is issued. Additional extensions of the 24-hour period may be granted in the event that the source of the violation cannot be identified after reasonable diligence by the operator or if the mitigation efforts require additional time for investigation and implementation.
- (9) RNGs are entitled to review all data measured for compliance by AHJs.
- (n) Oil and gas wells in addition to the requirements listed for regulated noise generators in section 32-165.
- (1) All workover operations shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless the operator demonstrates through a NMP that such activities can meet the limits set forth in section 32-163. Heavy vehicles associated with workover operations may not operate in residential areas between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays.
- (2) The exterior sound level generated by the drilling, redrilling or other operations of all oil and gas wells shall be continuously monitored for up to 72 hours, or for such duration as the RNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance. The AHJ may waive the requirement for monitoring if the NMP establishes that the potential impact at any regulated receiver is 3 dB or more below the applicable limits of this ordinance. The cost of such monitoring shall be borne by the operator. Monitoring will not be required if the RNG has obtained waivers from all regulated receivers within 3,000 feet. Monitoring may be performed at more than one location. If a complaint is received by either the operator or the parish from any regulated receiver, the operator shall, within 36 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor at the source of the complaint for up to a 72-hour period the exterior sound level generated by the drilling, redrilling or other operations to ensure compliance. If operating under an approved Noise Management Plan, a minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour and Table 2 applies. If not operating under an approved Noise Management Plan, a minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than five minutes and Table 2 does not apply.

- (3) If the MPSL is determined to be exceeded at a regulated receiver, the operator shall limit nighttime operations such that levels are within the permissible limit, until such time as mitigation measures have been implemented. If mitigation measures do not provide attenuation sufficient to bring the levels within the MPSL, then the operator must continue to limit nighttime operations such that levels are within the permissible limit.
- (4) The limits of this ordinance shall not apply to workover operations performed as emergency work, where emergency work is as defined in section 32-160.

(o) Loudspeakers/public address systems.

- (1) No person or entity shall cause, allow, or permit for any purpose any loudspeaker, public address system, or similar device that produces, reproduces, or amplifies sound, such that the sound there from exceeds the levels stated in section 32-163 relative to the receiving property type without first obtaining a permit to do so. The permit shall be granted only for the amplification of music or human speech, or both. The permit:
  - a. May be obtained by making application to the parish.
  - b. Requires payment of a \$10.00 fee for the administrative costs of issuing the permit or a sworn statement of inability to pay the fee.
  - c. Is valid for one 14-hour period between the hours of 8:00 a.m. and 10:00 p.m.
  - d. Shall not be issued to the same or any other person or entity for the same location more than twice during any 30-day period. In the case of a sound truck, location shall relate to the area traversed by the truck in one day.
  - e. Shall not authorize, allow, or otherwise permit the production, reproduction, or amplification of sound that exceeds 65 dBA when measured from the property line of the nearest receiving property.
  - f. Requires an application containing the following information:
    - 1. The date of the application and the date and hours for which the permit is requested.
    - 2. The name and address of the applicant.
    - 3. The name and address of the person who will have charge of the sound amplifying equipment.
    - 4. The purpose for which the sound equipment will be used.
    - 5. The address and a description of the location where the sound equipment will be used.
    - 6. A description of the type of sound amplifying equipment to be used.
- (p) The legal discharge of firearms is not subject to the provisions of this ordinance.
- (q) The owner of a regulated receiver property may grant a noise impact right to a noise generator for a defined noise impact. This noise impact right must, at a minimum, specify the maximum permissible sound levels for the receiver property due to the specific noise generator. The agreement must be officially recorded and transferrable with the deed or other document transferring with ownership of the impacted property. A copy of the agreement establishing the noise impact right shall be submitted to the parish by the noise generator in a noise management plan. Upon acceptance of the agreement by both parties, the noise generator is subject

to the terms of the agreement and is protected from the levels identified in section 32-163 for the receiving property in question.

(r) Permits for variance.

(1) Any person who owns or operates any noise source may apply to the parish for a variance from one or more of the provisions of this ordinance. Each variance request shall be accompanied by a professional recommendation from relevant areas of expertise justifying the variance request in accordance with this section. Variance requests shall be made in writing to the AHJ, for submission to the Parish Commission. The Parish Commission shall consider variance requests at its meeting utilizing its normal processes at a public meeting.

(2) Applications for a permit of variance shall supply information including, but not limited to:

- a. The nature and location of the noise source for which such application is made.
- b. The reason for which the permit of variance is requested.
- c. The duration of activity for which a variance is requested.
- d. The level of noise at the most impacted receiver or receivers that will occur during the period of the variance.
- e. The section or sections of this article for which the permit of variance shall apply.
- f. A description of interim noise control measures to be taken for the applicant to minimize noise and the impacts occurring therefrom.
- g. A specific schedule of the noise control measures that shall be taken to bring the source into compliance with this article within a reasonable time should the source continue after the variance period.

(3) Applicants must bear the cost of a third-party review of their application by a qualified professional in environmental noise; the recommendation of the third-party review will be advisory to the parish authority.

(4) No variance shall be approved unless the applicant presents adequate proof that:

- a. Sound levels occurring during the period of the variance will not constitute a danger to public health.
- b. Compliance with the article would impose an unreasonable hardship on the applicant without equal or greater benefits to the public.

(5) In making the determination for recommendation to the Parish Commission for granting a variance, the AHJ shall consider the following factors:

- a. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property that is caused or threatened to be caused.
- b. The social and economic value of the activity for which the variance is sought.
- c. The ability of the applicant to apply the best practical noise control measures.

- (6) If approved for a variance, the party responsible for the noise source must inform the potentially impacted recipients of the duration and nature of the noise.
- (7) A copy of the permit of variance must be kept on file by the parish.
- (8) Failure to supply the information required by the AHJ shall be cause for rejection of the application.

## **Sec. 32-165. - Procedures for measuring noise.**

- (a) Testing shall be conducted in accordance with methods set forth hereinafter, and expanded in greater detail in the parish's noise measurement procedures guidance document. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the AHJ. The AHJ may itself employ such alternatives when warranted by test conditions or other circumstances. Acceptable measurement methods.
- (b) Measurements shall be conducted by the NCO or other qualified professional in environmental noise in accordance with methods set forth hereinafter.
- (c) Operating conditions of the noise source during the measurement will vary based on the noise source of interest. Insofar as practicable, measurements shall be conducted under representative conditions to those that initiated the investigation. Relevant operational conditions may include but are not limited to typical, design, maximum, and fluctuating conditions.
- (d) ~~If short-term transient~~ background sounds increase the monitored sound levels, the measurements should be postponed until these ~~extraneous-transient~~ sounds do not increase the monitored sound levels of interest or these periods of noise should be removed during post-processing of the measurement data.
- (e) General requirements. The investigator shall, to the extent practicable, conduct all measurements in accordance with the following procedures and report related information:
  - (1) Identify all measurement equipment by manufacturer, model number, and serial number.
  - (2) Report the date, day of week, and time of day.
  - (3) Identify all sources contributing sound to the point of measurement—Characterize and localize sound sources.
  - (4) Conduct measurements at or within the property line of any affected person or entity. If measurements are made within the property line, measurements should be made no closer than 25 feet from the façade of a structure. Report the distance and direction to the noise source in question.
    - a. For noise due to temporary activities, if the receptor is a structure, measurements shall be conducted at least 25 feet from the receptor on the side of the receptor where the sound levels are most representative of the noise source in question. Measurements may be made at the location of a receptor if the receptor is an outdoor regulated receiver.
    - b. For noise due to lasting activities, measurements shall be conducted at or within the property line as appropriate for the noise source in question. Measurements should be made no closer than 25 feet from the façade of a structure. Measurements may be made at the location of a receptor if the receptor is an outdoor regulated receiver.
    - c. If a property owner or tenant refuses to provide property access, then noise measurements may be located at an alternative location at approximately the same distance and approximately the same direction from the RNG. If there is no suitable alternative location, and property access is not granted, then there can be no finding of violation.
  - (5) ~~The measurement session should consist of three individual measurement periods. A minimum measurement period should be sufficient to ensure that the sound~~

~~levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than five minutes, unless the duration or duty cycle of the sound source under observation is less than five minutes. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour if operating under an approved noise management plan, and no less than five minutes if not operating under an approved noise management plan, or less than such interval as has otherwise been permitted.~~

- (6) ~~Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of three consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday. Measurements must be processed to eliminate the contributions of short-term background sounds as identified in section 32-165.~~ Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of three consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday.
- a. Measurements must be processed to remove the contributions of transient background sounds as follows: any one-hour Leq (total A-weighted level, or unweighted (flat) level in the 31.5 and 63 Hz octave bands), which exceeds the arithmetic average of the two adjacent hourly Leq's by 10 dB or more shall be removed from the noise level computation.
- b. A single corrected continuous background A-weighted noise level will be established by taking the logarithmic average of all remaining one-hour Leq values after removal of transient background sounds, and after removal of any time periods where the measurement conditions are not suitable (32-165 (e)(10)).
- c. A single corrected continuous background unweighted noise level in the 31.5 and 63 Hz octave bands will be established by taking the logarithmic average of all remaining one-hour Leq values after removal of transient background sounds, and after removal of any time periods where the measurement conditions are not suitable (32-165 (e)(10)).
- (7) Calibrate the measuring device before and after each series of readings. Report calibration results.
- (8) Report environmental conditions during measurements including wind speed and direction.
- (9) Describe relevant source operational condition(s).
- (10) Outdoor sound measurements made under the following conditions shall not be used to determine compliance:
- a. Measurements without a wind screen properly attached to the measuring device.
- b. Measurements when the wind speed exceeds 11 miles per hour (including gusts); low-frequency measurements in the 31.5 Hz and 63 Hz bands may not be performed when the wind speed exceeds five miles per hour (including gusts).
- c. Measurements under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.
- d. When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).
- (11) Background sound level measurement values to be reported:
- a. For the purpose of compliance, report the A-weighted, time-interval equivalent sound pressure level,  $L_{Aeq\ 15min}$ , measured in accordance with



section 32-165, and the unweighted time-interval equivalent sound pressure levels in the 31.5 Hz and 63 Hz octave bands,  $L_{31.5eq}$ , and  $L_{63eq}$ , measured in accordance with 32-165. The time base for these equivalent levels shall be one minute, and five minutes, and one hour.

- b. ~~For the purpose of planning or permitting, report the A-weighted, time-interval equivalent three-day sound pressure level,  $L_{Aeq3day}$ , after the measurements have been processed for removal of short-term background sounds and measured in accordance with section 32-165, corrected equivalent three-day sound pressure level, and the corrected equivalent three-day sound pressure level, and the corrected unweighted (flat) level in the 31.5 and 63 Hz octave bands.~~

(f) Measurement instrumentation.

- (1) The sound level meter must be able to measure the continuous energy equivalent sound level of steady, intermittent, and fluctuating sources. Any instrument used for sound pressure level measurement must be able to measure A-weighted sound pressure levels with a slow, exponential time-averaging setting and meet requirements for a Type Class 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (~~ANSI S1.401983(R2006)~~) (ANSI S1.4-2014/IEC 61672 (R2019)), or the latest approved revision thereof.
- (2) To investigate impulsive noise limits, the sound level meter must be able to measure A-weighted sound pressure levels with a fast, exponential time-averaging setting.
- (3) To investigate the presence of tonal components, the sound level meter must be able to measure  $\frac{1}{3}$  octave band sound pressure levels. The meter must meet the minimum technical specification in American National Standards Institute (~~ANSI~~) publication S1.11-2004 ANSI S1.4-2014/IEC 61672 (R2019)) or latest revision, and the  $\frac{1}{3}$  octave band filters must meet the specifications of ANSI S1.11-2014/IEC 61260 (R2019) or latest revision for Class 2 filter sets.
- (4) The calibrator must meet the requirements for ANSI S1.40-2006 or latest revision.
- (5) The sound level meter must be recalibrated at least every two years and the field calibrator must be recalibrated at least once per year by the manufacturer or by a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology. A copy of written documentation of such recalibration, in a form approved by the parish, shall be kept with the equipment to which it refers.
- (6) All measurement instrumentation standards apply to RNG and AHJ.

**Sec. 32-166. - Enforcement.**

- a) Any person or entity that violates any provision of this article shall be subject to a civil penalty for each offense of not more than \$500.00 or a term of imprisonment of 30 days. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense. Further, the parish may enforce this ordinance through all civil remedies available, including, but not limited to, injunctive relief.
- (b) No provision of this article shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this article or from other law.

**Sec. 32-167. - Prohibition of use of engine brake or compression release brakes.**

Notwithstanding the provisions of sections [32-162](#) through [32-165](#), it shall be unlawful to operate or use an engine brake during the operation of a motor vehicle on or within the right-of-way of Jefferson Paige Road between its intersection with Greenwood Road (U.S. Hwy 80) and its intersection with Jolly Napier Road. Violation of the provisions of this section shall be a

misdemeanor and punishable by a penalty for each offense of a fine of up to \$500.00 or a term of imprisonment of up to 30 days.

**Sec. 32-168. - Severability and abrogation.**

- (a) If any provision or portion of a provision of this article is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- (b) All ordinances or parts of ordinances which are inconsistent with any provisions of this article are hereby repealed as to the extent of such inconsistencies.

## ORDINANCE NO. 6328 OF 2023

### BY THE CADDO PARISH COMMISSION:

#### **AN ORDINANCE AMENDING AND REINACTING CHAPTER 32, ARTICLE VI OF THE CADDO PARISH CODE OF ORDINANCES, REPEALING SECTION 32-52 AND SECTION 34-22 OF THE CODE OF THE CADDO PARISH CODE OF ORDINANCES, AND OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, Caddo Parish's noise ordinances have not been updated since 2011; and

WHEREAS, more detailed research and newer technology is now available; and

WHEREAS, new noise generating activities are prevalent, requiring more nuanced measurements of noise to discern the true impact upon citizens; and

WHEREAS, Bossier Parish, Caddo's original partner in the noise studies that led to the 2011 update of Caddo Parish Ordinance has recently commissioned a new study and updated its noise ordinance based on those findings; and

WHEREAS, Caddo and Bossier Parish together constitute a regional area and Caddo finds it prudent to update its noise ordinances as well, to provide for continuity and joint enforcement opportunities.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 32, Article VI of the Caddo Parish Code of Ordinances is hereby amended and reenacted as follows:

### **ARTICLE VI. - REGULATION OF NOISE WITHIN THE UNINCORPORATED LIMITS OF THE PARISH OF CADDO**

#### **Sec. 32-160. - Definitions.**

*Agricultural property* means property used in cultivating the soil, producing crops (including timber), and raising livestock.

*A-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level is designated dBA.

*Ambient sound* means all-encompassing sound associated with a given environment composing of sound sources near and far.

*Background sound* means all-encompassing sound associated with a given environment without contributions from the source(s) of interest. It combines long-term and short-term background sound.

*Background sound level* means the sound level defined by the long-term background sound level in an area which excludes the noise source of interest and short-term background noise.

*C-weighted sound level* means the sound pressure level in decibels as measured on a sound level meter using the C-weighting network which is more sensitive to low-frequency sounds than the A-weighting network. C-weighting is used to assess the low-frequency content of a complex sound environment. The level is designated dBC.

*Construction* means any site preparation, assembly, erection, substantial repair, alteration, or similar action, but excluding demolition, for or of public or private rights-of-way, structures, utilities or similar property.

*Continuous background sound* means the background sound measured during a measurement period, after excluding the contribution of transient background sounds. Continuous relates to the constant nature of the background sound, not to any measurement duration. Transient background sounds are those sounds that are not continuous, such as a barking dog, an individual accelerating vehicle, an individual aircraft flyover, etc. As a general rule, sound events from a



single source that occur at a rate of 12 times per hour (at least once every five minutes) should be considered part of the continuous background sound.

Corrected equivalent-continuous sound pressure level means measurement period data which has been corrected for transient background sound by the transient sound having been inhibited from being collected with or having been removed from the measurement period data.

Corrected equivalent-continuous background sound pressure level means measurement period data, without contributions from the source or sources of interest, which has been corrected for transient background sound by the transient sound having been inhibited from being collected with or having been removed from the measurement period data.

*Daytime hours* means the hours from 7:00 a.m. on one day and 10:00 p.m. the same day.

*Designated protected receiver* means a property that is not residential where the owner has applied for and obtained approval from the parish to reduce the maximum permissible sound levels below those established for properties designated as other receiver. All such applications shall be acted upon by the parish administrator following a public hearing thereon and the sending of specific notice to the owners of all property located within 500 feet of the proposed designated protected receiver.

*Decibel (dB)* means a unit for measuring the level of a sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

*Demolition* means any dismantling, intentional destruction or removal of structures, utilities, public or private right-of-way surfaces, or similar property.

*Emergency* means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

*Emergency signaling device* means includes fire, burglar, civil defense alarm, siren, whistle, or similar device intended primarily for emergency purposes.

*Emergency work* means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

*Engine brake* (commonly referred to by brand names such as Jacobs Brake or Dynatard brake) means an engine retarder, compression release engine brake or dynamic braking device utilizing engine backpressure that converts an operating diesel or gasoline engine into a power absorbing mechanism for the purpose of retarding the forward motion of a vehicle.

Fluctuating noise means the sound pressure level of a fluctuating noise which varies more than six dBA during the period of observation when measured with the slow meter characteristic of a sound level meter.

Impacted regulated receiver means a regulated receiver which may potentially be exposed to noise levels due to the operation of a regulated noise generator that violates or exceeds one or more provisions of this ordinance. It is the duty of the regulated noise generator to assess their potential impact on regulated receivers.

*Impulsive sound* means a sound of short duration, usually less than two seconds, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts, hammering, and the discharge of firearms.

*Lasting activity* means an activity that is associated with the intended long-term use of the property.

*Long-term background sound* means the background sound during a measurement period after removing the short-term background sound. It is considered to be approximately stationary during the measurement period and the sound sources captured can be described statistically over the measurement period.

*Muffler or sound dissipative device* means a properly functioning system for abating the sound of escaping gasses on equipment where such a device is part of the normal configuration of the equipment.

*Nighttime hours* means the hours between 10:00 p.m. on one day and 7:00 a.m. the following day.

*Noise* means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

*Noise control officer (NCO)* means the department having lead responsibility for this article.

*Noise impact right* means a property right agreement defining a permissible noise level impact by a noise generator upon a property which is attached to and transfers with ownership of the affected property.

*Noise sensitive receiver* means includes, but is not limited to, a property where a school, hospital, nursing home, church, court, public library, or similar institution is located.

*Other receiver* means all property other than residential property, agricultural property, noise sensitive receivers and designated protected receivers.

*Plainly audible*<sup>1</sup> means any sound that can be detected by a person using his or her unaided hearing faculties.

*Property line* means with respect to single occupancy properties, the line along the ground surface and its vertical extension that separates the real property owned, leased, or occupied by one person or entity from that owned, leased, or occupied by another person or entity. With respect to shared occupancy properties the term shall mean the imaginary line that represents the legal limits of occupancy of any person or entity who owns, leases, or otherwise occupies an apartment, condominium, hotel or motel room, office, or any other type of occupancy from that of other occupants.

*Pure tone* means any sound which can be distinctly heard as a single pitch or a set of single pitches.

*Qualified professional in environmental noise* means an individual who has education or training in environmental noise measurement instruments and practices and has experience in the performance of environmental noise measurements. If necessary for the purposes of this article, the individual must also have experience in the assessment and mitigation of environmental noise.

*Receiving property type* means the property designations identified in this article for the purpose of determining the maximum permissible sound levels for a regulated receiver.

*Receptor* means an occupied structure or outdoor public space (e.g. park, playground, etc.) located on a regulated receiver property.

*Regulated noise generator (RNG)* means those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in this article.

*Regulated receiver* means any real property designated as a residential property, designated protected receiver, noise sensitive receiver, or other receiver.

*Residential property* means any real property developed and used for human habitation that contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, unless such premises are actually occupied and used primarily for purposes other than human habitation.

*Short-term background sound* means consists of one or more infrequent sound events and is relatively loud compared to the long-term background sound. The time of occurrence of these events cannot be described statistically over the full measurement period means e.g. barking dog, accelerating vehicle, aircraft flyover, etc.

*Significant noise generators (SNG)* means those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in this article.

*Sound-amplifying equipment* means any machine or device for the amplification of the human voice, music, or any other sound. The term "sound-amplifying equipment" shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed. Sound-amplifying equipment, as used in this section, shall not

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<sup>1</sup> "Plainly audible" is a standard used in multiple United States jurisdictions. (See State v. Ewing, 81 Hawaii 156, 914 P.2d 549 (App. 1996)) The standard has been held as neither vague nor overbroad and provides a clear understanding to those it regulates.

include warning devices or authorized emergency vehicles or horns or other warning devices on any vehicle used only for traffic safety purposes.

*Sound level* means the sound pressure level obtained by the use of a sound level meter. If a frequency-weighting network is used, such as A or C, then the level shall be indicated as dBA or dBC, respectively. If a frequency weighting is not used, then the un-weighted or flat level shall be indicated as dB(Flat). Frequency-weighted networks shall comply with the American National Standards Institute specifications for sound level meters (~~ANSI S1.401983(R2006)~~) (~~ANSI S1.4-2014/IEC 61672 (R2019)~~), or the latest approved revision thereof.

*Sound level meter* means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averaging device, output meter, and weighting networks used to measure sound pressure levels. The instrument should meet requirements for a ~~Type 1 or Type 2~~ Class 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (~~ANSI S1.401983(R2006)~~) (~~ANSI S1.4-2014/IEC 61672 (R2019)~~), or the latest approved revision thereof.

*Sound pressure* means the instantaneous difference between the actual pressure and the average or barometric pressure of a given point in space, as produced by sound energy.

*Sound pressure level* means 20 times the logarithm to the base ten of the ratio of the RMS sound pressure to the reference pressure of 20 micropascals (20 micronewtons per square meter). The sound pressure level is denoted  $L_p$  or SPL and is expressed in decibels (dB).

*Temporary noise event* means an activity that generates noise which could impact a protected receiver and occurs over the course of up to 14 consecutive days. The use of the term "temporary" is relative to the acoustic tolerance of a noisy activity and does not speak to whether that activity is associated with the intended long-term use of the property.

*Temporary activity* means an activity that is planned to occur for a pre-determined, finite length of time. Examples include but are not limited to construction, maintenance, and drilling of wells.

*Utility* means a business entity subject to government regulation that provides an essential commodity or service such as, but not limited to, water, electric, electric distribution, gas, gas distribution, gas transmission, gas gathering and telephone.

*Variance* means relief from compliance with one or more provisions of this ordinance; submitted to the Parish Commission for review and vote per subsection 32-164(r).

*Waiver* means an agreement between an entity generating noise and the occupants, residents, owner, or other entity having authority for a regulated receiver, releasing the noise generating entity from compliance with enumerated terms of this ordinance, for a defined period of negotiable term. Waivers may be obtained for any provision of this ordinance, not just for those provisions where waivers are specifically anticipated within the ordinance. Proof of waivers, to include documentation of enumerated provisions of this article for which the waiver grants relief, shall be made available to the AHJ (32-161) upon request.

*Workover operation* means a term used in the oil and gas industry meaning work performed in a well after its initial completion.

## **Sec. 32-161. - Authority having jurisdiction (AHJ).**

- (a) The noise ordinance shall be enforced by a noise control officer (NCO). The requirements to be an NCO are established as follows:
  - (1) An employee of the parish who is trained to perform noise enforcement activities.
  - (2) An employee who has received noise enforcement training. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.
- (b) ~~Powers; means n-~~ Noise control officers shall have the power to:
  - (1) Coordinate the noise control activities of all departments in the parish and cooperate with all other public bodies and agencies to the extent practicable;

- (2) Review the actions of the parish and advise of the effect, if any, of such actions on noise control;
- (3) Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this article;
- (4) Issue permits;~~and variances as approved by the Caddo Parish Commission;~~
- (5) Investigate and pursue possible violations of this article for sound levels which equal or exceed the sound levels set forth in section 32-163, when measured at a receiving property located within the designated jurisdiction of the noise control officer, in accordance with section 32-165 below;
- (6) Cooperate with noise control officers of adjacent municipalities in enforcing one another's noise ordinances; and
- (7) Determine if a complaint is frivolous, duplicitous, or vexatious.

**Sec. 32-162. - Applicability.**

- (a) This article applies to sound originating from or received at or within the property line of the following property types:
  - (1) Residential property.
  - (2) Designated protected receiver.
  - (3) Noise sensitive receiver.
  - (4) Other receiver.
- (b) All ~~significant regulated~~ noise generators permitted or initiated on or after ~~the adoption date of this article~~ April 1, 2011 shall be subject to the regulations contained herein.
- (c) A noise generator existing prior to ~~the date of adoption of this article~~ April 1, 2011 is subject to the regulations contained herein if the actions of the noise generator constitute a new use. A significant increase in acoustic conditions at a regulated receiver constitutes a new use for the noise generator if the conditions are due to the following:
  1. Changes in the operation of the noise generator,
  2. Modifications to or addition of equipment,
  3. Changes to the physical layout of the noise generating property,
  4. Facility expansion, or
  5. Any action on the part of owner or operator that leads to an increase in sound level, or an increase in the frequency or number of occurrences of temporary noise events, at a regulated receiver.

A significant increase in acoustic conditions at a regulated receiver includes an increase in sound level by more than 5 dBA or an increase to the applicable levels in Table 1, whichever is greater, or an increase in frequency (or number) of occurrences.

- (d) For a change in designation of a receiving property type that decreases the maximum permissible sound levels at a property, the regulated levels corresponding to the new designation shall only apply to noise generators beginning operation, or which constitute new uses for existing noise generators, on or after the date of approval of the new designation. Existing noise sources associated with lasting activities at the time of the change in property type designation shall be treated as part of the background sound at the receiving property.
- (e) All noise sources in existence prior to April 1, 2011 shall continue to be regulated by ordinances in effect prior to the effective date of this article.

**Sec. 32-163. - Maximum permissible sound levels.**

(a) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a sound level that exceeds the ~~continuous~~-background sound level by more than ~~5-7~~ dBA in daytime, the continuous background sound level by more than 5 dBA in nighttime, or the applicable levels in Table 1 at a regulated receiver, whichever is greater, when measured in accordance with section 32-165, over an interval of time as follows:

- (1) For any one-hour measurement interval subject to the adjustments of Table 2 if the noise source is operating under the provisions of an approved noise Management Plan;
- (2) For any five-minute interval, and the adjustments of Table 2 do not apply, if the noise source is not operating under the provisions of an approved noise management plan;
- (3) For an interval of time as otherwise permitted.

For compliance purposes, if the continuous background sound level cannot be determined in accordance with section 32-165, the levels listed in Table 1 relative to the receiving property type shall be used. For planning and permitting purposes, a noise survey is required to determine a 72-hour continuous background sound level at the most impacted regulated receiver or receivers, and the survey must be conducted in accordance with section 32-165. Once a noise survey has been reviewed and approved by the AHJ, the established continuous background sound level or levels will apply to all properties considered by the noise survey, both in daytime and nighttime, until another noise survey is approved by the AHJ. The sound level shall be measured at or within the receiving property line in accordance with section 32-165.

Table 1: Maximum permissible A-weighted continuous sound levels\* (dBA) outdoors listed by receiving property type and time of day: see the Caddo Parish Uniform Development Code for definitions of Residential, Commercial and Industrial Districts

<u>Receiving Property Type:</u>	<u>Daytime Hours</u>	<u>Nighttime Hours</u>
	<u>7:00 a.m.—10:00 p.m.</u>	<u>10:00 p.m.—7:00 a.m.</u>
Noise Sensitive Receiver	<u>50-45</u>	<u>40-45</u>
<u>Residential or Designated Protected Receiver</u>	<u>55-50</u>	<u>45-50</u>
<u>Other Receiver</u>	60	60
<u>Residential Districts</u>	<u>55</u>	<u>55</u>
<u>Commercial Districts</u>	<u>60</u>	<u>60</u>
<u>Industrial Districts</u>	<u>80</u>	<u>80</u>

\*Maximum permissible levels are subject to sections 32-163(b), 32-163(c), 32-163(d), and 32-163(e)



Table 2: Exceedance adjustments to Maximum permissible A-weighted sound levels\* (dBA).

Exceedance Adjustment, dBA	Duration of increase, minutes*
<u>10</u>	<u>5</u>
<u>15</u>	<u>1</u>
<u>20</u>	<u>Less than 1</u>

\*Cumulative minutes in any one-hour interval.

- (b) A temporary noise allowance can be applied to the levels determined in 32-163(a). This allowance accounts for a receiver's added tolerance for known temporary noise events due to temporary activities of up to 14 days. The allowance requires that the party responsible for the noise source inform the potentially impacted recipients of the duration and nature of the noise. A temporary noise allowance can occur only once every 90 days for whatever duration of that activity consistent with the following:
- (1) For noise events lasting one day or less, a 15 dB increase in maximum permissible A-weighted sound level is permissible.

(2) For noise events lasting up to 14 consecutive days, a 10 dB increase in A-weighted sound level is permissible.

(3) For any noise events lasting longer than 14 days, the noise associated with that temporary activity is not considered a temporary noise event.
- (c) Low frequency noise limit:
- (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates low-frequency outdoor sound levels in the 31.5 and 63 Hz octave bands that exceed 65 dB(Flat) or exceeds the background sound levels in the 31.5 and 63 Hz octave bands by more than 5 dB(Flat), whichever is greater.
- (d) Impulsive noise limit:
- (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates impulse sound levels that exceed the background sound level by 15 dBA at or within the receiving property line in accordance with the impulsive measurement requirements of section 32-165.
- (e) Tones:
- (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB(Flat)) values as follows:

a. 5 dB for center frequencies of 500 Hertz and above,

b. 8 dB for center frequencies between 160 and 400 Hertz, and

c. 15 dB for center frequencies less than or equal to 125 Hertz.

(f) Measurements for determination of compliance or violation:

- (1) Compliance with, or violation of, the levels specified in this section must be assessed through measurements as described in 32-165. Measurements used as a basis for determination of violation of a provision of this section must demonstrate that the cited RNG is the cause of the violation:
  - a. For any one-hour measurement interval if the RNG is operating under an approved noise management plan.
  - b. For any five-minute measurement interval if the RNG not operating under an approved noise management plan.
  - c. For a shorter interval as otherwise permitted.
- (2) Compliance is indicated if the noise solely generated by the RNG cannot be discriminated from the corrected equivalent-continuous background sound pressure level, or if the noise levels solely generated by the RNG otherwise conform to the requirements of this section.

**Sec. 32-164. – Enumerated acts, Exemptions and restricted uses.**

The following standards shall apply to the associated activities or sound sources below:

- (a) Nonexclusive enumeration. The following acts, among others, are declared to be loud, disturbing and unreasonable noises and noises in violation of this ordinance, but this enumeration shall not be deemed to be exclusive:
  - (1) *Horns or signal devices.* The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar or other vehicle except when reasonably necessary to ensure safe operation; the creation by means of any such signal device of any noise for more than five consecutive seconds.
  - (2) *Yelling, shouting, etc.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel or other type of residence, or of any persons in the vicinity.
  - (3) *Hawkers, peddlers and vendors.* The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.
  - (4) *Animals, birds, etc.* The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall not disturb the comfort or repose of any person in the vicinity. This provision shall not apply to animal sounds originating from any parcel zoned for agricultural use.
  - (5) *Defect in vehicle or load.* The use of any automobile, motorcycle, streetcar or vehicle so out of repair or loaded in such manner as to create loud and unreasonable grating, grinding, rattling or other noise.
  - (6) *Steam whistles.* The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work, or as a warning of fire or danger, or upon the request of proper authorities.
  - (7) *Exhausts.* The discharge of any process vent, high-velocity gas stream, high-pressure gas, forced-exhaust stream, steam engine, stationary internal combustion engine, motor-driven vehicle of any type or motorboat engine except through a muffler or other device which will effectively prevent loud noises therefrom.
  - (8) *Construction and repairing of buildings.* The following acts are declared to be loud, disturbing and unreasonable noises, and noises in violation of this article:
    - a. Construction and demolition activity, excluding emergency work, shall not be performed in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 6:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in construction and

demolition activity shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply to construction and demolition activities.

- b. This section shall not apply to excavations or repairs of bridges, streets or highways by or on behalf of the parish during the night, when the public welfare and convenience renders it impossible to perform such work during the day.

(9) Power tools.

- a. Commercial and industrial use of power tools, excluding emergency work, shall not be operated in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 6:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.
- b. Non-commercial or non-industrial use of power tools shall not be operated in or immediately adjacent to any residential zoned use or noise sensitive receiver between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.

(10) Landscaping.

- a. Commercial and industrial use of landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on or within 250 feet of a regulated receiver between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply. This restriction shall not apply to sounds originating from agriculture zoned uses when such sounds are due to normal use.
- b. Non-commercial or non-industrial use landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply. This restriction shall not apply to sounds originating from agriculture zoned uses when such sounds are due to normal use.

(11) Schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the school, institution of learning, church or court are in use or adjacent to any hospital, which unreasonably interferes with the working of such institution or which disturbs patients in a hospital.

(12) Loading, unloading. The creation of a loud and excessive noise in connection with loading or/unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers, between the hours of 10:00 p.m. and 8:00 a.m. This restriction shall only apply to industrial and commercial zoning adjacent to residential zoning.

(13) Sound-amplifying equipment.

- a. Unless otherwise permitted, the playing of any radio, television set, sound-amplifying equipment, or other sound-producing device or any musical instrument in such a manner or with such volume, particularly between the hours of 10:00 p.m. and 8:00 a.m., as to disturb the quiet, comfort or repose of persons in any office, hospital or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.



- b. Self-contained, portable, hand-held music or sound-amplifying equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 7:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.
- c. Unless otherwise permitted, the use or operation, or the causing to be used or operated, in front of or outside of any building, place or premise or through any window, doorway or opening of such building abutting upon the public street, or upon any public street any device or apparatus for tapping windows, or for amplifying sound from any radio, television set, sound-amplifying equipment, or any other sound-reproducing device.
- d. The use of any drum, loudspeakers or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
- e. The use of mechanical loudspeakers or sound-amplifying equipment on trucks or other moving or standing vehicles for advertising or other purposes.

(14) Motor sports parks and recreational vehicles.

- a. Except as permitted in the following subsection (2), no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted therefrom exceeds the limits set forth in section 32-163 at or across the property line when operated on private property. This ordinance shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or non-commercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.
- b. Permits for vehicle racing events may be obtained from the AHJ after submission of a noise management plan as required.

(b) Emergency signaling devices are exempt from section 32-163 in the case of an emergency and the following cases:

- (1) Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
- (2) Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this section.
- (3) Testing of an emergency signaling device in accordance with state and federal regulations.
- (c) Nonemergency signaling devices operated by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by governmental entities for traffic control purposes are exempt from section 32-163.
- (d) Operation and testing of emergency equipment and safety protection systems (for example, relief valves) are exempt from section 32-163.
- (e) Accidents and emergency responses to accidents which pose a clear and immediate danger to life, health, or significant loss of property are exempt from section 32-163.
- (f) Motor vehicles and motorcycles on traffic ways of the parish are exempt from section 32-163 provided that:

- (1) Vehicle horns, signaling devices, and similar devices are sounded for less than five consecutive seconds or are sounded as a danger warning.
  - (2) Adequate mufflers or sound dissipative devices are properly installed such that:
    - a. No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.
    - b. No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
- (g) No person shall repair, rebuild, modify, or test any motor vehicle, motorcycle, or motorboat in such a manner as to exceed the limits set forth in section 32-163.
- (h) Airport and aircraft operations:
  - (1) The AHJ shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance which the airport owner may have authority to control in its capacity as proprietor.
  - (2) Nothing in this article shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects, conducted in accordance with, or pursuant to applicable federal laws or regulations.
- (i) Any public performance, gathering or parade for which a permit has been obtained from the parish is exempt from section 32-163.
- (j) Outdoor school and playground activities are exempt from section 32-163. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.
- (k) Repairs or excavations of bridges, streets or highways by or on behalf of the parish, State of Louisiana, or the federal government, are exempt from limits set forth in section 32-163 between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it is impractical to perform the work between 7:00 a.m. and 7:00 p.m.
- (l) Any government or utility construction or maintenance activities are exempt from section 32-163.
- (m) Regulated noise generators (RNG) shall submit a noise management plan (NMP) for approval by the parish unless the RNG has obtained waivers from all impacted regulated receivers. Regulated noise generators are those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in section 32-163, and may include but are not limited to oil and gas industry sites (e.g. well heads, compressor stations, refineries, etc.), motor sports parks, machine shops, industrial plants, etc.
  - (1) No RNG shall create any noise that exceeds the limits set forth in section 32-163 subject to applicable exemptions in this section.
  - (2) Prior to the issuance of a RNG permit and the commencement of operations, the operator shall submit a noise management plan (NMP), approved by the AHJ, detailing how the equipment, structures, site plan, and proposed activities on site complies with the maximum permissible sound levels of this article. Refer to the

parish's noise management plan guide document for specific information. At a minimum, the noise management plan must:

- a. Identify operation noise impacts;
  - b. Provide documentation establishing the background sound level prior to construction or commencement of operations. A noise survey must be conducted in accordance with [section 32-163](#) for the most impacted regulated receiver or receivers. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all future development until another noise survey is approved by the AHJ; and
  - c. Detail how the impacts will be mitigated. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to the following:
    1. Location and acoustic characteristics of all noise sources that have the potential to exceed the limits set forth in [section 32-163](#);
    2. Nature and proximity of all adjacent development, location, and type;
    3. Seasonal and prevailing weather patterns, including wind directions;
    4. Vegetative cover on or adjacent to the site; and
    5. Topography.
- (3) The operator shall be responsible for verifying compliance with this article and the noise management plan after the installation of the noise generation equipment. The AHJ may require verification by continuous monitoring for up to 72 hours, or for such duration as the RNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance at any regulated receiver. The AHJ may waive the requirement for monitoring if the NMP establishes that the potential impact at any regulated receiver is 3 dB or more below the applicable limits of this ordinance. In the event of complaints, additional measurements may be required upon notification to proceed by the AHJ. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour. The RNG may request a longer measurement period - up to 72 hours. The cost of such monitoring shall be borne by the operator of the RNG.
- (4) The sound level meter used in conducting noise evaluations shall be in accordance with [section 32-163](#).
- (5) Noise mitigation equipment, structures, products, and materials or other alternate methods as approved by the AHJ may be used to ensure compliance.
- (6) If a complaint is received by either the operator or the parish from any regulated receiver operating under an approved noise management plan, the operator shall, within 36 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor at the source of the complaint for up to a 72-hour period the exterior sound level generated to ensure compliance unless the operator can prove after best efforts, an additional 24-hour extension is required. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour if operating under an approved noise management plan, and no less

than five minutes if not operating under and approved noise management plan. The RNG may request a longer measurement period up to 72 hours. The cost of such monitoring shall be borne by the operator of the RNG. Compliance is assessed in any one-hour interval within the monitoring period, subject to Table 2 for an RNG operating under an approved noise management plan.

(7) A RNG is not required to continue monitoring if the operator can show the source of the noise has permanently ceased.

(8) A citation may be immediately issued for a clear violation of the provisions of this article, unless section 32-163(m)(6) applies. If the violation is based upon measurement, the measurement must demonstrate that the cited RNG is the cause of the violation for any one-hour measurement interval, unless a shorter interval is otherwise permitted or indicated by Table 2. However, if the operator of the RNG is in compliance with the approved noise management plan, and a violation still occurs, the operator will be given 36 hours from notice of non-compliance to correct the violation from an identified source before a citation is issued. Additional extensions of the 24-hour period may be granted in the event that the source of the violation cannot be identified after reasonable diligence by the operator or if the mitigation efforts require additional time for investigation and implementation.

(9) RNGs are entitled to review all data measured for compliance by AHJs.

(n) Oil and gas wells in addition to the requirements listed for regulated noise generators in section 32-165.

(1) All workover operations shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless the operator demonstrates through a NMP that such activities can meet the limits set forth in section 32-163. Heavy vehicles associated with workover operations may not operate in residential areas between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays.

(2) The exterior sound level generated by the drilling, redrilling or other operations of all oil and gas wells shall be continuously monitored for up to 72 hours, or for such duration as the RNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this ordinance. The AHJ may waive the requirement for monitoring if the NMP establishes that the potential impact at any regulated receiver is 3 dB or more below the applicable limits of this ordinance. The cost of such monitoring shall be borne by the operator. Monitoring will not be required if the RNG has obtained waivers from all regulated receivers within 3,000 feet. Monitoring may be performed at more than one location. If a complaint is received by either the operator or the parish from any regulated receiver, the operator shall, within 36 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor at the source of the complaint for up to a 72-hour period the exterior sound level generated by the drilling, redrilling or other operations to ensure compliance. If operating under an approved Noise Management Plan, a minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour and Table 2 applies. If not operating under an approved Noise Management Plan, a minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than five minutes and Table 2 does not apply.

- (3) If the MPSL is determined to be exceeded at a regulated receiver, the operator shall limit nighttime operations such that levels are within the permissible limit, until such time as mitigation measures have been implemented. If mitigation measures do not provide attenuation sufficient to bring the levels within the MPSL, then the operator must continue to limit nighttime operations such that levels are within the permissible limit.
- (4) The limits of this ordinance shall not apply to workover operations performed as emergency work, where emergency work is as defined in section 32-160.

(o) Loudspeakers/public address systems.

- (1) No person or entity shall cause, allow, or permit for any purpose any loudspeaker, public address system, or similar device that produces, reproduces, or amplifies sound, such that the sound there from exceeds the levels stated in section 32-163 relative to the receiving property type without first obtaining a permit to do so. The permit shall be granted only for the amplification of music or human speech, or both. The permit:
  - a. May be obtained by making application to the parish.
  - b. Requires payment of a \$10.00 fee for the administrative costs of issuing the permit or a sworn statement of inability to pay the fee.
  - c. Is valid for one 14-hour period between the hours of 8:00 a.m. and 10:00 p.m.
  - d. Shall not be issued to the same or any other person or entity for the same location more than twice during any 30-day period. In the case of a sound truck, location shall relate to the area traversed by the truck in one day.
  - e. Shall not authorize, allow, or otherwise permit the production, reproduction, or amplification of sound that exceeds 65 dBA when measured from the property line of the nearest receiving property.
  - f. Requires an application containing the following information:
    - 1. The date of the application and the date and hours for which the permit is requested.
    - 2. The name and address of the applicant.
    - 3. The name and address of the person who will have charge of the sound amplifying equipment.
    - 4. The purpose for which the sound equipment will be used.
    - 5. The address and a description of the location where the sound equipment will be used.
    - 6. A description of the type of sound amplifying equipment to be used.
- (p) The legal discharge of firearms is not subject to the provisions of this ordinance.
- (q) The owner of a regulated receiver property may grant a noise impact right to a noise generator for a defined noise impact. This noise impact right must, at a minimum, specify the maximum permissible sound levels for the receiver property due to the specific noise generator. The agreement must be officially recorded and transferrable with the deed or other document transferring with ownership of the impacted property. A copy of the agreement establishing the noise impact right shall be submitted to the parish by the noise generator in a noise management plan. Upon acceptance of the agreement by both parties, the noise generator is subject



to the terms of the agreement and is protected from the levels identified in section 32-163 for the receiving property in question.

(r) Permits for variance.

(1) Any person who owns or operates any noise source may apply to the parish for a variance from one or more of the provisions of this ordinance. Each variance request shall be accompanied by a professional recommendation from relevant areas of expertise justifying the variance request in accordance with this section. Variance requests shall be made in writing to the AHJ, for submission to the Parish Commission. The Parish Commission shall consider variance requests at its meeting utilizing its normal processes at a public meeting.

(2) Applications for a permit of variance shall supply information including, but not limited to:

- a. The nature and location of the noise source for which such application is made.
- b. The reason for which the permit of variance is requested.
- c. The duration of activity for which a variance is requested.
- d. The level of noise at the most impacted receiver or receivers that will occur during the period of the variance.
- e. The section or sections of this article for which the permit of variance shall apply.
- f. A description of interim noise control measures to be taken for the applicant to minimize noise and the impacts occurring therefrom.
- g. A specific schedule of the noise control measures that shall be taken to bring the source into compliance with this article within a reasonable time should the source continue after the variance period.

(3) Applicants must bear the cost of a third-party review of their application by a qualified professional in environmental noise; the recommendation of the third-party review will be advisory to the parish authority.

(4) No variance shall be approved unless the applicant presents adequate proof that:

- a. Sound levels occurring during the period of the variance will not constitute a danger to public health.
- b. Compliance with the article would impose an unreasonable hardship on the applicant without equal or greater benefits to the public.

(5) In making the determination for recommendation to the Parish Commission for granting a variance, the AHJ shall consider the following factors:

- a. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property that is caused or threatened to be caused.
- b. The social and economic value of the activity for which the variance is sought.
- c. The ability of the applicant to apply the best practical noise control measures.



- (6) If approved for a variance, the party responsible for the noise source must inform the potentially impacted recipients of the duration and nature of the noise.
- (7) A copy of the permit of variance must be kept on file by the parish.
- (8) Failure to supply the information required by the AHJ shall be cause for rejection of the application.

## **Sec. 32-165. - Procedures for measuring noise.**

- (a) Testing shall be conducted in accordance with methods set forth hereinafter, and expanded in greater detail in the parish's noise measurement procedures guidance document. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the AHJ. The AHJ may itself employ such alternatives when warranted by test conditions or other circumstances. Acceptable measurement methods.
- (b) Measurements shall be conducted by the NCO or other qualified professional in environmental noise in accordance with methods set forth hereinafter.
- (c) Operating conditions of the noise source during the measurement will vary based on the noise source of interest. Insofar as practicable, measurements shall be conducted under representative conditions to those that initiated the investigation. Relevant operational conditions may include but are not limited to typical, design, maximum, and fluctuating conditions.
- (d) ~~If short-term transient~~ background sounds increase the monitored sound levels, the measurements should be postponed until these ~~extraneous-transient~~ sounds do not increase the monitored sound levels of interest or these periods of noise should be removed during post-processing of the measurement data.
- (e) General requirements. The investigator shall, to the extent practicable, conduct all measurements in accordance with the following procedures and report related information:
  - (1) Identify all measurement equipment by manufacturer, model number, and serial number.
  - (2) Report the date, day of week, and time of day.
  - (3) Identify all sources contributing sound to the point of measurement—Characterize and localize sound sources.
  - (4) Conduct measurements at or within the property line of any affected person or entity. If measurements are made within the property line, measurements should be made no closer than 25 feet from the façade of a structure. Report the distance and direction to the noise source in question.
    - a. For noise due to temporary activities, if the receptor is a structure, measurements shall be conducted at least 25 feet from the receptor on the side of the receptor where the sound levels are most representative of the noise source in question. Measurements may be made at the location of a receptor if the receptor is an outdoor regulated receiver.
    - b. For noise due to lasting activities, measurements shall be conducted at or within the property line as appropriate for the noise source in question. Measurements should be made no closer than 25 feet from the façade of a structure. Measurements may be made at the location of a receptor if the receptor is an outdoor regulated receiver.
    - c. If a property owner or tenant refuses to provide property access, then noise measurements may be located at an alternative location at approximately the same distance and approximately the same direction from the RNG. If there is no suitable alternative location, and property access is not granted, then there can be no finding of violation.
  - (5) ~~The measurement session should consist of three individual measurement periods. A minimum measurement period should be sufficient to ensure that the sound~~

~~levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than five minutes, unless the duration or duty cycle of the sound source under observation is less than five minutes. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than one hour if operating under an approved noise management plan, and no less than five minutes if not operating under an approved noise management plan, or less than such interval as has otherwise been permitted.~~

- (6) ~~Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of three consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday. Measurements must be processed to eliminate the contributions of short-term background sounds as identified in section 32-165.~~ Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of three consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday.
- a. Measurements must be processed to remove the contributions of transient background sounds as follows: any one-hour Leq (total A-weighted level, or unweighted (flat) level in the 31.5 and 63 Hz octave bands), which exceeds the arithmetic average of the two adjacent hourly Leq's by 10 dB or more shall be removed from the noise level computation.
  - b. A single corrected continuous background A-weighted noise level will be established by taking the logarithmic average of all remaining one-hour Leq values after removal of transient background sounds, and after removal of any time periods where the measurement conditions are not suitable (32-165 (e)(10)).
  - c. A single corrected continuous background unweighted noise level in the 31.5 and 63 Hz octave bands will be established by taking the logarithmic average of all remaining one-hour Leq values after removal of transient background sounds, and after removal of any time periods where the measurement conditions are not suitable (32-165 (e)(10)).
- (7) Calibrate the measuring device before and after each series of readings. Report calibration results.
- (8) Report environmental conditions during measurements including wind speed and direction.
- (9) Describe relevant source operational condition(s).
- (10) Outdoor sound measurements made under the following conditions shall not be used to determine compliance:
- a. Measurements without a wind screen properly attached to the measuring device.
  - b. Measurements when the wind speed exceeds 11 miles per hour (including gusts); low-frequency measurements in the 31.5 Hz and 63 Hz bands may not be performed when the wind speed exceeds five miles per hour (including gusts).
  - c. Measurements under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.
  - d. When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).
- (11) Background sound level measurement values to be reported:
- a. For the purpose of compliance, report the A-weighted, time-interval equivalent sound pressure level,  $L_{Aeq\ 15min}$ , measured in accordance with

section 32-165, and the unweighted time-interval equivalent sound pressure levels in the 31.5 Hz and 63 Hz octave bands, L 31.5eq, and L 63eq, measured in accordance with 32-165. The time base for these equivalent levels shall be one minute, and five minutes, and one hour.

- b. For the purpose of planning or permitting, report the A-weighted, time-interval equivalent three-day sound pressure level, L<sub>Aeq3day</sub>, after the measurements have been processed for removal of short-term background sounds and measured in accordance with [section 32-165](#), corrected equivalent three-day sound pressure level, and the corrected equivalent three-day sound pressure level, and the corrected unweighted (flat) level in the 31.5 and 63 Hz octave bands.

(f) Measurement instrumentation.

- (1) The sound level meter must be able to measure the continuous energy equivalent sound level of steady, intermittent, and fluctuating sources. Any instrument used for sound pressure level measurement must be able to measure A-weighted sound pressure levels with a slow, exponential time-averaging setting and meet requirements for a Type Class 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (ANSI S1.401983(R2006)) (ANSI S1.4-2014/IEC 61672 (R2019)), or the latest approved revision thereof.
- (2) To investigate impulsive noise limits, the sound level meter must be able to measure A-weighted sound pressure levels with a fast, exponential time-averaging setting.
- (3) To investigate the presence of tonal components, the sound level meter must be able to measure  $\frac{1}{3}$  octave band sound pressure levels. The meter must meet the minimum technical specification in American National Standards Institute (ANSI) publication S1.11-2004 ANSI S1.4-2014/IEC 61672 (R2019)) or latest revision, and the  $\frac{1}{3}$  octave band filters must meet the specifications of ANSI S1.11-2014/IEC 61260 (R2019) or latest revision for Class 2 filter sets.
- (4) The calibrator must meet the requirements for ANSI S1.40-2006 or latest revision.
- (5) The sound level meter must be recalibrated at least every two years and the field calibrator must be recalibrated at least once per year by the manufacturer or by a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology. A copy of written documentation of such recalibration, in a form approved by the parish, shall be kept with the equipment to which it refers.
- (6) All measurement instrumentation standards apply to RNG and AHJ.

**Sec. 32-166. - Enforcement.**

- a) Any person or entity that violates any provision of this article shall be subject to a civil penalty for each offense of not more than \$500.00 or a term of imprisonment of 30 days. If the violation is of a continuing nature, each day during which it occurs shall constitute an additional, separate, and distinct offense. Further, the parish may enforce this ordinance through all civil remedies available, including, but not limited to, injunctive relief.
- (b) No provision of this article shall be construed to impair any common law or statutory cause of action, or legal remedy therefrom, of any person for injury or damage arising from any violation of this article or from other law.

**Sec. 32-167. - Prohibition of use of engine brake or compression release brakes.**

Notwithstanding the provisions of sections [32-162](#) through [32-165](#), it shall be unlawful to operate or use an engine brake during the operation of a motor vehicle on or within the right-of-way of Jefferson Paige Road between its intersection with Greenwood Road (U.S. Hwy 80) and its intersection with Jolly Napier Road. Violation of the provisions of this section shall be a

misdemeanor and punishable by a penalty for each offense of a fine of up to \$500.00 or a term of imprisonment of up to 30 days.

**Sec. 32-168. - Severability and abrogation.**

- (a) If any provision or portion of a provision of this article is held to be unconstitutional, preempted by federal or state law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.
- (b) All ordinances or parts of ordinances which are inconsistent with any provisions of this article are hereby repealed as to the extent of such inconsistencies.

ORDINANCE NO. 6317 OF 2023

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES TO APPROPRIATE FUNDS FOR A CADDO COMMUNITY LIGHTHOUSE PILOT PROJECT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, in 2021 Caddo Parish experienced a winter weather freeze where Caddo residents lost access to drinking water and electricity; and

WHEREAS, without water and electricity conditions quickly deteriorated for our senior citizens; and

WHEREAS, the Community Lighthouse Project is a strategy to establish a network of 20 neighborhood-led resiliency hubs at congregations and non-profit institutions throughout Caddo Parish with commercial-scale solar power and backup battery capacity and an emergency water supply; and

WHEREAS, the North Louisiana Interfaith is seeking support to develop Community Lighthouses at Morning Star Baptist Church and The Highland Center as part of the pilot phase; and

WHEREAS, the Long-Range Planning Committee recommends this project and requires that the funding be held until North Louisiana Interfaith has matching funds; and

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Budget of Estimated Revenues and Expenditures for the Oil and Gas and ARPA Fund for the year 2023 is hereby amended as follows:

	<u>Budget Increase (Decrease)</u>
<b><u>Oil and Gas Fund</u></b>	
Expenditures:	
Community Lighthouse Pilot Project	\$250,000
<b><u>ARPA Fund</u></b>	
Expenditures:	
Green Infrastructure	(\$250,000)
Community Lighthouse Pilot Project	\$250,000

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

\_\_\_\_\_  
Parish Attorney

\_\_\_\_\_  
Date

# ORDINANCE AND RESOLUTION FACT SHEET

## CADDO PARISH COMMISSION

TITLE	
AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES TO APPROPRIATE FUNDS FOR A CADDO COMMUNITY LIGHTHOUSE PILOT PROJECT  (Ordinance No. 6317 of 2023)	
ORIGINATING DEPARTMENT: Long Range Planning Committee	
BACKGROUND INFORMATION: Amending the budget of Estimated Revenues and Expenditures for the Oil and Gas and ARPA Fund to appropriate \$500,000 for a Caddo Community Lighthouse Pilot Project.	
KEY STAFF CONTACT: Hayley Barnett	
AUTHORIZATION	
Department Head	<u>Hayley B Barnett</u> Date <u>5/15/2023</u>
Legal	_____ Date _____
Parish Administrator	_____ Date _____



**ORDINANCE NO. 6329 OF 2023**

BY CADDO PARISH COMMISSION:

**AN ORDINANCE AMENDING THE BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE CAPITAL OUTLAY AND THE OIL AND GAS FUND IN THE AMOUNT OF \$140,000 TO PROVIDE AN APPROPRIATION FOR THE REHABILITATION OF THE VILLAGE OF HOSSTON’S WATER STAND PIPE, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO**

WHEREAS, the Village of Hosston is a small water system in areas of Caddo Parish and was formed to provide a high-quality water supply to residents of Hosston / Mira and surrounding areas; and

WHEREAS, the Caddo Parish Commission would like to appropriate \$140,000 for the rehabilitation of the water stand pipe; and

WHEREAS, these improvements continue the Parish of Caddo’s vision of providing reliable drinking water to its citizens; and

WHEREAS, collaborating with the Village of Hosston on this project will ensure that the new Travel Plaza will have sufficient water for the truck stop, the two restaurants and any other economic development possibilities at this I-49 interchange; and

WHEREAS, it is necessary to amend the 2023 Budget in order to appropriate the funds for the rehabilitation of the water stand pipe, and

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that the Budget of Estimated Revenues and Expenditures for the Capital Outlay Fund and the Oil and Gas Fund for the year 2023 is hereby amended as follows:

	<u>Budget Increase (Decrease)</u>
Capital Outlay Fund:	
Village of Hosston Water System	\$140,000
Transfer from Oil and Gas Fund	\$140,000
Oil and Gas Fund:	
Transfer to Capital Outlay	\$140,000
Fund Balance	(\$140,000)

BE IT FURTHER ORDAINED, that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

**Approved as to legal form:**

\_\_\_\_\_  
**Parish Attorney**

\_\_\_\_\_  
**Date**

# ORDINANCE AND RESOLUTION AUTHORIZATION FORM

## CADDO PARISH COMMISSION

TITLE	
ORDINANCE AMENDING THE 2023 BUDGET OF ESTIMATED REVENUES AND EXPENDITURES FOR THE CAPITAL OUTLAY FUND AND THE OIL AND GAS FUND  (Ordinance No. 6329 of 2023)	
ORIGINATING DEPARTMENT: Commissioner Hopkins	
BACKGROUND INFORMATION: Amending the budget of Estimated Revenues and Expenditures for the Capital Outlay Fund and the Oil and Gas Fund by \$140,000 to provide an appropriation for the rehabilitation of Hosston water stand pipe.	
KEY STAFF CONTACT: Hayley Barnett	
AUTHORIZATION	
Department Head	<u>Hayley Barnett</u> Date <u>5/11/23</u>
Legal	_____ Date _____
Parish Administrator	_____ Date _____

ORDINANCE NO. 6331 of 2023

BY THE CADDO PARISH COMMISSION

**AN ORDINANCE TO AUTHORIZE THE PURCHASE  
OF PROPERTY LOCATED AT 4862 DIXIE GARDEN  
LOOP RD, SHREVEPORT, CADDO PARISH,  
LOUISIANA, AND TO OTHERWISE PROVIDE WITH  
RESPECT THERETO**

WHEREAS, the Parish of Caddo has budgeted funds for the purpose of purchasing flood prone properties in the Parish of Caddo;

WHEREAS, the property located at 4862 Dixie Garden Loop Rd, Shreveport, Caddo Parish, Louisiana has flooded on numerous occasions during the last several years; and

WHEREAS, the owners of the property located at 4862 Dixie Garden Loop Rd desire to sell the property due to repetitive flooding and the Parish of Caddo desires to purchase the property located at 4862 Dixie Garden Loop Rd to assist with flood control in the area of the property described as follows:

ELY Portion of Lot 7, measuring 210.3ft on NLY line & 202.69ft on SLY line Dixie Gardens sub Unit 3, a subdivision of Caddo Parish, Louisiana as per plat recorded in the Conveyance Records, GEO: 171337-012-00040-00.

WHEREAS, an appraisal of the property has been obtained which establishes the fair market value of this property at \$200,000.00; and

WHEREAS, the Parish has negotiated a sales price of \$200,000.00 for the property which is the established fair market value.

WHEREAS, the Caddo Parish Commission has determined that the property located at 4862 Dixie Garden Loop Rd, Shreveport, Caddo Parish, Louisiana is needed for the Parish of Caddo flood prone area mitigation program.

WHEREAS, Section 3-11(11) of the Chapter of the Parish of Caddo requires the adoption of an ordinance for the conveyance of any land or property to or from the parish.

NOW, THEREFORE BE IT ORDAINED by the Caddo Parish Commission, in due, legal and regular session convened, that the Caddo Parish Commission does hereby authorize the purchase of property described herein above and located at 4862 Dixie Garden Loop Rd, Shreveport, Caddo Parish, Louisiana.

BE IT FURTHER ORDAINED, That the Parish is authorized to purchase the property located at 4862 Dixie Garden Loop Rd, Shreveport, Caddo Parish, Louisiana for a price of \$200,000.00.

BE IT FURTHER ORDAINED, That the Caddo Parish Administrator or his designee shall be authorized to do any and all things and to sign any and other documents in a form acceptable to the Caddo Parish Attorney necessary to effectuate the purposes set forth herein.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications which can be given effect without the invalid provision, items or applications, and to this end, the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon its adoption.

BE IT FURTHER ORDAINED, that all ordinances or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

\_\_\_\_\_  
Parish Attorney's Office

\_\_\_\_\_  
Date

ORDINANCE AND RESOLUTION FACT SHEET  
CADDO PARISH COMMISSION

TITLE	
<p>Ordinance No. 6331 of 2023</p> <p style="text-align: center;"><b>AN ORDINANCE TO AUTHORIZE THE PURCHASE OF PROPERTY LOCATED AT 4862 DIXIE GARDEN LOOP RD, SHREVEPORT, CADDO PARISH, LOUISIANA, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO</b></p>	
DATE 5/10/23	ORIGINATING DEPARTMENT: Public Works/ Fleet Services
<b>BACKGROUND INFORMATION</b>	
Purchasing flood prone properties assist Parish's flood mitigation program.	
<b>FINANCIAL IMPACT AND SOURCE OF FUNDING</b>	
\$200,000 from Capital funds of Public Works already appropriated.	
<b>EFFECT(S) OF PROPOSED ACTION</b>	
Said property becomes owned by the Parish and is allowed to flood without damage to other properties in the area. Property is in District 4.	
<b>ALTERNATIVES/STAFF RECOMMENDATION</b>	
<p>Alternative: Do not purchase.</p> <p>Tim Weaver, Director of Public Works recommends the adoption of the ordinance as presented.</p>	
<b>KEY STAFF CONTACT</b>	
<p>Tim Weaver, Director of Public Works</p> <p>Donna Y. Frazier, Parish Attorney</p>	
<b>COORDINATION</b>	
Department Head	(Initial)
Parish Administrator/CEO	(Initial)

MINUTES OF THE WORK SESSION OF THE  
CADDO PARISH COMMISSION  
HELD ON THE 15th DAY OF MAY, 2023

The Caddo Parish Commission met in a Work Session, on the above date, at 3:38 p.m., in the Government Chambers, with Mr. Burrell, presiding, and the following members in attendance, constituting a quorum: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, and Young (10). ABSENT: Commissioners Jones, and Lazarus (2).

The invocation was given by Mr. Epperson, and Mr. Atkins led the Commission in the Pledge of Allegiance.

**ADMINISTRATION REPORT**

- Mrs. Bryant reported that the visit by Mr. Johnny Moyer with Altice USA was delayed. Mrs. Bryant reported receipt of the first payment from the opioid settlement, the payment schedule and restrictions of use of the opioid settlement funds. Mrs. Bryant provided a COVID-19 update, the current population in Juvenile Detention, the calendar of Caddo Parish Parks & Recreation's Summer Programs, and the April 2023 Financial Report.
- Mrs. Gage-Watts and Mrs. Bryant discussed the amount of the opioid settlement and the suggested plan of the opioid settlement funds. Mrs. Bryant provided an update on the tornado sirens. Mrs. Gage-Watts requested to schedule a meeting to progress the tornado sirens within the next week, which Mrs. Bryant acknowledged that the Administration would work continue to work on.
- Mr. Chavez requested more information on the summer work program, which Mrs. Bryant addressed.
- Mr. Epperson and Mrs. Bryant discussed homelessness and mental health and its correlation to crime and drug use. Mr. Epperson suggested devising an encapsulated solution to all of the issues.
- Answering Mr. Cothran's enquiry about opening another facility like the Harbor, Juvenile Services Director Clay Walker addressed that The Harbor is for juveniles and their families and had conversations about expanding its services. Mr. Cothran and Mrs. Bryant discussed the start date of the summer work program, which Mrs. Bryant would provide the start dates on Thursday's meeting.
- Mr. Jackson requested that the Administration correspond with Judge Erin Lee Wardell regarding human trafficking/drug court. Mr. Jackson requested that Mr. Clay Walker provide data on crisis intervention at the next Juvenile Services Committee meeting in June. Mr. Clay Walker also suggested mobilizing the Juvenile Services Citizen's Advisory Committee and the Community Committee.
- Mr. Atkins requested that Dr. Ken Ward and MPC Director Mr. Clark schedule a meeting with him to discuss an issue on Tammy Lane.
- Mr. Burrell discussed opioid funding uses for methamphetamine, which Mrs. Bryant addressed. Mr. Burrell suggested that Administration seek means to address methamphetamine, fentanyl, employment, and juvenile issues.

**COMMISSION REMARKS**

- Mr. Young discussed The Highland Center's current services and their expansion of services
- The Clerk reminded the Commission that May 15<sup>th</sup> is the deadline to submit their personal financial reports.

**PRESIDENT'S REPORT**

Mr. Burrell discussed the Stuffed Shrimp Festival.

**OLD BUSINESS**

It was **moved by Mr. Jackson**, seconded by Mr. Young, *that Ordinance No. 6317 Of 2023, an ordinance amending the Budget of Estimated Revenues and Expenditures to appropriate funds for a Caddo Community Lighthouse Pilot Project and to otherwise provide with respect thereto be moved to Thursday for introduction.*



**Substitute motion by Mr. Cothran**, seconded by Mrs. Gage-Watts, *that Ordinance No. 6317 of 2023 be remanded to the Long Range Planning Committee.*

Mr. Epperson suggested that the project be in a designated public facility instead of a non-profit facility and that the funding be sourced from FEMA or Homeland Security. Mr. Chavez enquired whether the Parish would be able to fund other entities for solar panels, which Mr. Young addressed. Mr. Chavez requested more information on the budget of the project.

**Amendment by Mr. Jackson**, seconded by Mrs. Gage-Watts, *to amend the substitute motion to advance Ordinance No. 6317 of 2023 and to remand to the American Rescue Plan Committee.*

**Substitute motion by Mrs. Gage-Watts**, seconded by Mr. Young, *to suspend the rules.*

Mrs. Gage-Watts requested that Caddo Community Lighthouse Pilot Project representatives to address the Commission's questions.

Mrs. Gage-Watt's substitute motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Gage-Watts, Hopkins, Jackson, and Young (8). NAYS: Epperson (1). ABSENT: Commissioners Johnson, Jones, and Lazarus (3). ABSTAIN: None (0).

**Point of clarification by Mr. Jackson**, that ARPA funds and the Inflation Act funds are federal funds.

Mrs. Gage-Watts requested the representatives to discuss a breakdown of the project expenditure line items. Mr. Chavez requested to know about the individuals that would be helped, the costs of the project, and alternative methods to the project. Mr. Nathaniel Wills, Mrs. Madison Poche from the Highland Center and Mr. Broderick Bagert from Together New Orleans addressed the Commission about the project, its funding sources, and the need for the project. Mr. Jackson clarified for the American Rescue Plan Committee meet before final passage of Ordinance No. 6317 of 2023.

Mr. Jackson's amendment carried, as shown by the following roll call votes: AYES: Commissioners Burrell, Gage-Watts, Hopkins, Jackson, Johnson, and Young (6). NAYS: Atkins, Chavez, Cothran, and Epperson (4). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

### **NEW BUSINESS**

It was **moved by Mr. Epperson**, seconded by Mr. Jackson, *that Ordinance No. 6329 Of 2023, an ordinance amending the Budget of Estimated Revenues and Expenditures for the Capital Outlay and the Oil and Gas Fund in the amount of \$140,000 to provide an appropriation for the rehabilitation of the Village of Hosston's water stand pipe, and to otherwise provide with respect thereto* be moved to Thursday's agenda for introduction.

Mr. Johnson suggested the project be funded through the Capital Outlay Fund, which Mrs. Bryant addressed.

Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Gage-Watts, Hopkins, Jackson, Johnson, and Young (9). NAYS: Epperson (1). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

It was **moved by Mr. Hopkins**, seconded by Mr. Jackson, *that Ordinance No. 6330 Of 2023, an ordinance placing a moratorium on the building approval or permitting of all solar panel farms, commercial solar power plants, or similar operations that have not currently obtained approval from the Louisiana Public Service Commission, and to otherwise provide with respect thereto* be moved to Thursday's agenda for introduction and be remanded to Long Range Planning Committee.

Mr. Jackson requested that the Administration research revenue generation from solar farms.

**Substitute motion by Mr. Young**, seconded by Mr. Chavez, *to remand Ordinance No. 6330 of 2023 to the Long Range Planning Committee.*

**Call for the Question by Mrs. Gage-Watts**, seconded by Mr. Johnson. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, and Young (10). NAYS: None (0). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

Substitute motion failed, as shown by the following roll call votes: AYES: Commissioners Chavez, Cothran, Hopkins, Jackson, and Young (5). NAYS: Atkins, Burrell, Epperson, Gage-Watts, and Johnson (5). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

Mr. Hopkins' motion failed, as shown by the following roll call votes: AYES: Commissioners Burrell, Hopkins, and Young (3). NAYS: Atkins, Chavez, Cothran, Epperson, Gage-Watts, Jackson, and Johnson (7). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

It was **moved by Mr. Young**, seconded by Mr. Jackson, *that Ordinance 6331 Of 2023, an ordinance to authorize the purchase of property located at 4862 Dixie Garden Loop Rd, Shreveport, Caddo Parish, Louisiana, and to otherwise provide with respect thereto* be moved to Thursday's agenda for introduction.

Public Works Assistant Director Dr. Ken Ward discussed the purpose of the ordinance. Mr. Young requested that the Administration stipulate that the Parish level the property to mitigate the flooding of the property, which the Administration acknowledged there is an action plan for the property.

Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Gage-Watts, Hopkins, Jackson, Johnson, and Young (9). NAYS: Epperson (1). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

It was **moved by Mr. Young**, seconded by Mr. Jackson, *to advance Resolution 23 Of 2023, a resolution urging and requesting the Louisiana Department of Transportation and Development to select a location north of exit 245 on I-49 near Ida as the location of the proposed visitor information center, and to otherwise provide with respect thereto.*

**Substitute moved by Mr. Johnson**, seconded by Mr. Gage-Watts, *to englobe and advance the following items:*

- *Resolution 23 Of 2023*
- *Resolution 24 Of 2023*
- *Resolution 25 Of 2023*
- *Special Resolution Proclaiming Memorial Day in Caddo Parish*
- *Special Resolution Recognizing National Maritime Day*
- *Special Resolution of Recognition Upon the Retirement of Judge David Matlock*

Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Chavez, Cothran, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, and Young (10). NAYS: None (0). ABSENT: Commissioners Jones, and Lazarus (2). ABSTAIN: None (0).

#### **COMMUNIQUE/COMMITTEE REPORTS**

- Mr. Young announced a Broadmoor Association meeting held at Broadmoor Presbyterian Church on Tuesday, May 16<sup>th</sup> at 6 pm regarding the renovation of Corby's park, golf course and tennis courts. Mr. Young announced a ceremony for regional law enforcement officers killed in the line of duty held at the Bossier Parish Courthouse Benton on Wednesday May 17<sup>th</sup> at 9 am.
- Mr. Hopkins requested the Administration to follow up with Comcast regarding Comcast's maps of work locations.
- Mr. Burrell indicated that he reminded Dr. Wilson about Comcast's presentation to be shared with the Broadband Committee.

#### **CONSENT AGENDA**

- *Ordinance No. Ordinance 6328 Of 2023, an ordinance amending and reenacting chapter 32, Article VI of the Caddo Parish Code of Ordinances, repealing Section 32-52 and Section 34-22 of the code of the Caddo Parish Code of Ordinances, and otherwise providing with respect thereto*

There being no further business to come before the Commission, the meeting adjourned at 5:15 p.m.

/s/ Linda J. Montgomery  
Linda J. Montgomery  
Administrative Specialist I

**RESOLUTION NO. 23 OF 2023**

BY THE CADDO PARISH COMMISSION:

A RESOLUTION URGING AND REQUESTING THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT TO SELECT A LOCATION NORTH OF EXIT 245 ON I-49 NEAR IDA AS THE LOCATION OF THE PROPOSED VISITOR INFORMATION CENTER, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

WHEREAS, the Louisiana Department of Transportation and Development is studying the location of a proposed visitor information center in north Caddo Parish along recently completed I-49;

WHEREAS, North Caddo boast a vibrant tourism industry and should promote further growth by providing support for tourism throughout all of Louisiana;

WHEREAS, the Village of Ida extended their water system to serve this proposed facility;

WHEREAS, this visitor center will have access to and from I-49, therefore; this facility will be an optimal location for all communities south to supply marketing materials to lure potential visitors to their towns, attractions, and businesses;

WHEREAS, the Lieutenant Governor supports building a visitor's center on I-49 in north Caddo Parish and will operate it as a tourism welcome center;

WHEREAS, the proposed visitor center will greatly enhance the potential economic and development opportunities for all communities north of Shreveport; and

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Caddo Parish Commission does hereby urge the Louisiana Department of Transportation and Development to select the location of the proposed visitor center somewhere north of the exit 245 on I-49 near Ida.

BE IT FURTHER RESOLVED that this resolution shall be forwarded to Governor John Bel Edwards, Lieutenant Governor Billy Nungesser, DOTD Secretary Eric Kalivoda, the Northwest Louisiana legislative delegation, and the political subdivisions within Northwest Louisiana.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

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Parish Attorney

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Date

ORDINANCE AND RESOLUTION FACT SHEET

CADDO PARISH COMMISSION

TITLE	
Resolution No. 24 of 2023 A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO	
DATE 5/8/2023	ORIGINATING DEPARTMENT: Public Works/Engineering
BACKGROUND INFORMATION	
Request from Cypress Energy Partners, LLC., to lease certain Parish owned property located in Sections 34, Township 16 North, Range 13 West. Total acreage is 12.334 acres. Acreage is located in Districts 9.	
FINANCIAL IMPACT AND SOURCE OF FUNDING	
Parish will receive a one time Bonus payment and potential royalty payments in the future. There is no cost to the Parish.	
EFFECT(S) OF PROPOSED ACTION	
Will allow the State Mineral Board to receive bids to lease the mineral rights of Caddo Parish on 12.334 acres.	
ALTERNATIVES/STAFF RECOMMENDATION	
Do not authorize the adoption of this resolution. Public Works recommends to approve the resolution.	
KEY STAFF CONTACT	
Ken Ward	
COORDINATION	
Department Head	(Initial)
Parish Administrator/CEO	(Initial)

RESOLUTION NO. 00 OF 2023

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

Those certain road dedications located in Section 34, Township 16 North, Range 13 West, known as Goldsberry Road, Goldsberry Circle and Harris Lane, said properties containing a total of 12.334 acres, more or less, all located in Section 34, Township 16 North, Range 13 West, all in Caddo Parish, Louisiana.

WHEREAS, the Parish of Caddo has received a written request from Cypress Energy Partners, LLC., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, be and it is hereby requested and authorized to accept nominations and advertise for oil, gas and mineral leases, accept bids and award and execute oil, gas and mineral leases on the aforesaid properties of certain mineral interests owned by the Parish of Caddo.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres

around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4<sup>th</sup> or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$3,000.00 per acre.

BE IT FURTHER RESOLVED that any such lease contain a hard or solid mineral exclusion provision as follows: This lease shall exclude free sulphur, potash, lignite, salt and any other hard or solid mineral. Lessee shall not have any rights to explore, drill for, mine, produce or take any action whatsoever in regard to any such hard or solid mineral deposits.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

BE IT FURTHER RESOLVED if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

\_\_\_\_\_  
Office Of The Parish Attorney

\_\_\_\_\_  
Date



28

Goldsberry Rd

27

26

33

34

35

T16N-R13W

Harris Ln

Goldsberry Cir

Debs Rd

4

3

T15N-R13W

2

Google Earth

2000 ft

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ORDINANCE AND RESOLUTION FACT SHEET

CADDO PARISH COMMISSION

TITLE	
Resolution No. 25 of 2023 A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO	
DATE 5/8/2023	ORIGINATING DEPARTMENT: Public Works/Engineering
BACKGROUND INFORMATION	
Request from Cypress Energy Partners, LLC., to lease certain Parish owned property located in Sections 3, Township 16 North, Range 13 West. Total acreage is 6.742 acres. Acreage is located in Districts 8.	
FINANCIAL IMPACT AND SOURCE OF FUNDING	
Parish will receive a one time Bonus payment and potential royalty payments in the future. There is no cost to the Parish.	
EFFECT(S) OF PROPOSED ACTION	
Will allow the State Mineral Board to receive bids to lease the mineral rights of Caddo Parish on 6.742 acres.	
ALTERNATIVES/STAFF RECOMMENDATION	
Do not authorize the adoption of this resolution. Public Works recommends to approve the resolution.	
KEY STAFF CONTACT	
Ken Ward	
COORDINATION	
Department Head	(Initial)
Parish Administrator/CEO	(Initial)

RESOLUTION NO. 00 OF 2023

BY THE CADDO PARISH COMMISSION:

A RESOLUTION TO AUTHORIZE THE CADDO PARISH ADMINISTRATOR TO REQUEST AND AUTHORIZE THE LOUISIANA STATE MINERAL AND ENERGY BOARD AND THE OFFICE OF MINERAL RESOURCES TO ACCEPT NOMINATIONS AND ADVERTISE FOR OIL, GAS AND MINERAL LEASES, ACCEPT BIDS, AND AWARD AND EXECUTE OIL, GAS AND MINERAL LEASES ON CERTAIN MINERAL INTERESTS OWNED BY THE PARISH OF CADDO, AND OTHERWISE PROVIDING WITH RESPECT THERETO

WHEREAS, the Parish of Caddo may own certain mineral rights underlying the following described property, to-wit:

Those certain road dedications located in Section 3, Township 16 North, Range 13 West, known as Kay Lane, Red River Lane and a portion of East Kings Highway also known as Old Harts Island Road, and that certain tract of land in River Storage Subdivision, Unit 1, being shown as a Servitude of Passage in Plat recorded in Book 2050, Page 185, conveyance records of Caddo Parish and the same as conveyed by deed recorded under Registry #2510890 on 6-24-2014, said properties containing a total of 6.742 acres, more or less, all located in Section 3, Township 16 North, Range 13 West, all in Caddo Parish, Louisiana.

WHEREAS, the Parish of Caddo has received a written request from Cypress Energy Partners, LLC., that the Parish seek public bids for an oil, gas and mineral lease covering said property; and

WHEREAS, the Parish of Caddo does not have the knowledge or resources available to determine if it owns the mineral rights and the Parish of Caddo will rely on the expertise and experience of the lessee in determining ownership; and

WHEREAS, it is expressly agreed that any lease granted by the Parish of Caddo and accepted by lessee is without any warranty of title and without any recourse against the Parish of Caddo whatsoever, either express or implied, and it is expressly agreed that the Parish of Caddo shall not be required to return any payments received or be otherwise responsible to lessee therefore; and

WHEREAS, the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, is available upon the request of Caddo Parish to lease the aforesaid property for oil, gas and other minerals if requested to do so by Caddo Parish.

NOW, THEREFORE, BE IT RESOLVED by the Caddo Parish Commission in due, regular and legal session convened, that the Louisiana State Mineral and Energy Board and the Office of Mineral Resources, be and it is hereby requested and authorized to accept nominations and advertise for oil, gas and mineral leases, accept bids and award and execute oil, gas and mineral leases on the aforesaid properties of certain mineral interests owned by the Parish of Caddo.

BE IT FURTHER RESOLVED that any such lease contain a no surface operations provision as follows: Lessee, its successors or assigns, may produce oil, gas and other minerals from the leased premises by drilling from a surface location on other lands, but notwithstanding any other provision of this lease, Lessee, its successors or assigns, shall not use the surface of the Lessor's property for drilling or any other operations without prior written permission of Lessor, which permission may be withheld at Lessor's discretion.

BE IT FURTHER RESOLVED that any such lease contain a horizontal pugh provision as follows: Notwithstanding anything to the contrary herein contained, at the end of the primary term or any extension thereof by operations, if the Commission of Conservation of the State of Louisiana establishes a drilling unit which includes a part of the land herein leased, the production of oil, gas and other minerals from such unit shall maintain this lease in full force and effect only as to such portions of the leased land embraced in said pooled unit; and this lease shall expire as to that part of the land herein leased not included in such unit; and lessee, its successors and assigns agrees to relinquish by formal instrument any portion of the leased land not included in a unit created by the Commission of Conservation while this lease is in effect

BE IT FURTHER RESOLVED that any such lease contain a vertical pugh provision as follows: Upon the expiration of the primary term hereof or any extension thereof by operations, this lease shall automatically terminate and be of no further force or effect except as to all that part of the leased premises then included within the geographical boundaries of a producing unit duly established by governmental agency or authority having jurisdiction, from the surface of the earth to a depth of 100 feet below the deepest depth from which any well commenced during the primary term hereof on the leased

premises or on lands pooled therewith is completed and from which there is production in paying quantities, such depth determination to be made on a unit by unit basis. In the absence of units so established, this lease shall terminate except as to 40 acres around each producing oil well and 160 acres around each producing or shut-in gas well located on the leased premises, in as near the form of a square as is practicable, from the surface of the earth down to a depth of 100 feet below the deepest depth from which said well or wells are completed and from which there is production in paying quantities, such depth determination to be made on a well by well basis.

BE IT FURTHER RESOLVED that any such lease contain a minimum royalty provision as follows: Royalty of not less than 1/4<sup>th</sup> or 25%.

BE IT FURTHER RESOLVED that any such lease contain a minimum bonus provision as follows: Bonus of not less than \$3,000.00 per acre.

BE IT FURTHER RESOLVED that any such lease contain a hard or solid mineral exclusion provision as follows: This lease shall exclude free sulphur, potash, lignite, salt and any other hard or solid mineral. Lessee shall not have any rights to explore, drill for, mine, produce or take any action whatsoever in regard to any such hard or solid mineral deposits.

BE IT FURTHER RESOLVED that any such lease contain a maximum term provision as follows: Primary term of lease shall not exceed three (3) years.

BE IT FURTHER RESOLVED if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications which can be given effect without the invalid provisions, items or applications, and to this end, the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

\_\_\_\_\_  
Office Of The Parish Attorney

\_\_\_\_\_  
Date



