

NOTICE.....The City Council meetings will temporarily be held at 1551 East Napoleon Street.

AGENDA
SULPHUR CITY COUNCIL MEETING
MONDAY, SEPTEMBER 12, 2022, AT 5:30 P.M.

THERE WILL BE A REGULAR MEETING OF THE SULPHUR CITY COUNCIL **MONDAY, SEPTEMBER 12, 2022, AT 5:30 P.M.**, IN THE COUNCIL CHAMBERS LOCATED AT 1551 EAST NAPOLEON STREET, SULPHUR, LOUISIANA, TO DISCUSS AND ADOPT THE FOLLOWING:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES OF PREVIOUS MEETING

APPROVAL OF AGENDA

1. PUBLIC HEARING on ordinance declaring certain surplus movable property of the City of Sulphur and providing for the disposal thereof. ORD87-22 (Mayor Danahay)
2. INTRODUCTION OF ORDINANCE amending Chapter 18, Section 4 of the Code of Ordinances of the City of Sulphur – Subdivisions. ORD88-22 (Mayor Danahay)
3. INTRODUCTION OF ORDINANCE repealing Ordinance No. 1787, M-C Series – major subdivision definition. ORD89-22 (Mayor Danahay)
4. INTRODUCTION OF ORDINANCE granting a variance to Patty Deville, 334 Evelyn Street, to allow for chicken and pig enclosures to be less than the required 50 feet from a residential property line. ORD90-22 (Dru Ellender)
5. INTRODUCTION OF ORDINANCE authorizing Mayor Mike Danahay to enter into a Cooperative Endeavor Agreement with the State of Louisiana Facility Planning and Control for Maplewood Pump Station, Planning and Construction. ORD91-22 (Mayor Danahay)
6. INTRODUCTION OF ORDINANCE creating a Home Rule Charter Commission for the City of Sulphur. ORD92-22 (Mandy Thomas)
7. RESOLUTION awarding bid for the Sulphur Housing Authority Sanitary Sewer Lift Station Replacement. RES64-22 (Mayor Danahay)

8. RESOLUTION accepting Substantial Completion for North Water Well No. 13 – Verdine Water Plant. RES65-22 (Mayor Danahay)
9. RESOLUTION granting a variance to Jerry Powell, 309 Morgan Road, to allow for a mobile home to be older than 10 years of age (2002). RES66-22 (Melinda Hardy).
10. RESOLUTION approving liquor license for Family Dollar Store #23877 located at 1601 East Napoleon Street. RES68-22 (Mayor Danahay)
11. RESOLUTION appointing a member to the Land Use Commission for District 2. RES69-22 (Nick Nezat)
12. RULE TO SHOW CAUSE for the condition of the following addresses:
 - a. To condemn building or structure located at 1007 Alvin Street, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender).
 - b. To condemn building or structure located at 300 Landry Street, in accordance with Article IX, Section 5-286 through 5-296. (Nick Nezat)
 - c. To condemn building or structure located at 701 Phillips Street, in accordance with Article IX, Section 5-286 through 5-296. (Melinda Hardy)
 - d. To condemn building or structure located at 705 North Stanford Street, in accordance with Article IX, Section 5-286 through 5-296. (Dru Ellender)
 - e. To condemn building or structure located at 1609 Palermo Drive, in accordance with Article IX, Section 5-286 through 5-296. (Joy Abshire)
13. PUBLIC COMMENT - 3 MINUTES PER SPEAKER - ONLY SPEAK 1 TIME PER ITEM.

This ends the public comment section of the meeting.

ADJOURNMENT

The next regular City Council meeting will be held on Tuesday, October 11, 2022, at 5:30 p.m. in the Council Chambers located at 1551 East Napoleon Street, Sulphur, LA.

ORDINANCE NO. _____, M-C SERIES AS AMENDED

AN ORDINANCE DECLARING CERTAIN SURPLUS MOVABLE PROPERTY OF THE CITY OF SULPHUR AND PROVIDING FOR THE DISPOSAL THEREOF (EQUIPMENT AND SCRAP METAL).

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, and in accordance with LA. R.S. 33:4712, that the following described surplus movable property of the City of Sulphur, not needed for public purposes, after having been duly advertised be declared surplus:

DEPT	TYPE	DESCRIPTION	YEAR	MAKE	MODEL	SERIAL #/VIN #	REASON	DATE	VALUE
PWORKS	EQUIP	TRUCK BED (LONG WHEEL BASE)	2017	FORD	F-250	N/A	NOT NEEDED	3/16/22	\$500.00
SHOP	EQUIP	CAR DOLLY		LOAD STAR	80 TD	11C111112XH001599	OUT OF SERVICE	3/30/22	\$100.00
SHOP	MISC	SCRAP METAL					NOT NEEDED	3/30/22	\$300.00
WWPLNT	MISC	SCRAP METAL					NOT NEEDED	8/1/202	\$300.00

BE IT ALSO FURTHER ORDAINED that this ordinance shall become effective immediately upon the Mayor’s signature.

APPROVED AND ADOPTED by
the City Council of the City of
Sulphur, Louisiana, on this ____ day
of _____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the foregoing Ordinance has been presented to the Mayor on this ____ day of _____, 2022, at ____ o’clock ____m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received from the Mayor at ____ o’clock ____m. on this _____ day of _____, 2022, the foregoing ordinance which has approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk

ORDINANCE NO. _____, M-C SERIES

ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES
OF THE CITY OF SULPHUR TO PROVIDE FOR MINOR SUBDIVISION
REQUIREMENTS.

Sec. 18-1. - Authority and purpose.

- (a) In accordance with the provisions of Act 300 of the Laws of the State for the Year 1946, and particularly Section 12 thereof (R.S. 33:112), and in order to promote the health, safety, convenience, morals, and general welfare of the community, to provide for the proper arrangement and width of streets in relation to other existing or planned streets and to the master plan, and to provide for adequate and convenient open spaces for traffic, vehicular parking, utilities, access of fire-fighting apparatus, recreation, light and air for the avoidance of congestion of population, the following regulations are adopted by the city council.
- (b) The city's department of public works shall be authorized to develop standard construction details and material specifications establishing minimal standards applying to construction of subdivisions. These standards shall be periodically reviewed and updated by the department of public works and adopted by the city council.
- (c) These regulations are intended to supplement other regulations applicable to the construction of subdivisions and therefore are not all inclusive. The developer must adhere to all other applicable regulatory requirements. These requirements include but are not limited to those affecting the public health, safety and welfare and the protection of the environment.

Sec. 18-2. - Applicability.

- (a) Subject to the exceptions hereinafter provided, any sale or contract of sale or agreement to purchase any lot or division of land either by lot description or by metes and bounds shall constitute a subdivision of land and require, prior to any sale or contract of sale or agreement to purchase and before the delivery of a deed, the submission of a plat to the council as required by law.
- (b) The applicable provisions of this ordinance shall apply to any "regulated development" as defined in the city's Zoning Ordinance.
- (c) These regulations shall not apply to:
 - (1) Land in subdivisions previously legally recorded, except in the case of resubdivision;
 - (2) Subdivisions in which a building exists on each proposed lot, provided that the owner certifies on the plat that all such existing buildings were constructed prior to December, 1983, and provided that such plat is submitted to the council for signature by the secretary prior to filing with the clerk of court;
 - (3) The subdivision of land to be used for orchards, forestry, or the raising of crops, provided that the owner certifies upon the plat that such land is to be used only for orchards, forestry, or the raising of crops;
 - (4) Small parcels of land sold to or exchanged between adjoining property owners, where the sale or exchange does not create additional lots provided that the secretary of the council certifies upon the plat that the sale or exchange does not create additional lots;
 - (5) Partition of land between or among co-owners unless such partition results in the division into two (2) or more lots, any of which is less than three (3) acres in area.

Sec. 18-3. - Conference with council.

It is suggested that each subdivider of land confer with the council, or its staff, before preparing the tentative geometric layout, in order to become thoroughly familiar with subdivision requirements and with the proposals of the official master plan affecting the territory in which the proposed subdivision lies.

Sec. 18-4. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley shall mean a dedicated right-of-way not less than twenty (20) feet in width to provide access to the back or side of properties whose principal frontage is on a street.

Applicant shall mean the owner, or authorized representative of the owner, of any land proposed to be subdivided or developed subject to the provisions of these regulations.

Arterial streets shall be those streets intended to move traffic from one (1) urban area to another, typically with trips in excess of one (1) mile. Arterial streets may be specifically identified in the city's Zoning Ordinance. Direct access to adjacent properties may be limited.

City standards refers to subdivision standards for urban areas in incorporated city limits which are served by or capable of being served by present central sewerage systems and present central water supply systems.

City shall be understood to mean Sulphur, Louisiana.

Collector streets shall be those streets intended to move traffic from local streets to arterial streets or highways. These streets are intended to carry traffic from one (1) urban area to another as well as provide access to adjacent land. Collector streets may be specifically identified in the city's Zoning Ordinance.

Developer shall be understood to be the applicant.

Development shall mean the use of land including change or enlargement of any use or disturbance of any land and the performance of any building or mining operation.

Duplex shall mean two (2) single-family residential dwelling units attached to form one (1) single unit. The unit shares a common wall.

Expressway shall mean a street shown on a major street plan adopted by the council, or any revision thereof, which street has an existing or proposed right-of-way width of one hundred twenty (120) feet or more.

Local streets shall be those streets intended to provide access to other streets from individual properties and to provide right-of-way for public utilities and drainage facilities. Local streets may be specifically identified in the city's Zoning Ordinance.

Lot shall mean a portion of a subdivision or other parcel of land, intended as a single building site or unit for transfer of ownership or for development, including the development of one (1) ownership with two (2) or more buildings for separate occupancy.

Major street shall mean a street which serves or is intended to serve as a major traffic way and is shown on a major street plan and adopted by the commission or a revision thereof.

Minor Subdivision shall mean the division of a lot, tract, or parcel of land **into five (5)** ~~which does not exceed one (1) acre prior to its division, into three (3) or less lots, plots, sites~~ or other division of land for the purpose **whether of immediate or future development where the development** ~~of sale or of building development and~~ does not require the construction of any public or private infrastructure, and in which all lots conform with the City's Zoning Ordinance.

Major Subdivision shall mean:

- (1) The division of a lot, tract, or parcel of land into more than five (5) ~~which exceeds one acre prior to its division or is a division of four (4) or more lots, plots, sites, or~~ other division of land for the purpose **of** ~~whether~~ immediate or future **development**

or any subdivision which does not meet the definition of a Minor Subdivision; of sale or of building development;

- (2) The dedication of a **public** road, highway, street, alley, or servitude through a tract of land regardless of area;

Neighborhood unit development shall mean a self-contained subdivision or a group of subdivisions designed to accommodate four hundred (400) or more families and requiring a separate elementary school.

Parkway shall mean a route intended to be used primarily by passenger vehicles which may have a varying width of right-of-way and which right-of-way is, or is intended to be developed with a park-like character.

Paved shall be understood as being a wearing course for a street, alley, walkway, bike path, or other transportation route constructed of asphaltic concrete pavement or portland cement concrete pavement, to applicable city construction standards.

Right-of-way shall mean a strip of ground dedicated by the subdivider for public use, title to which shall rest in the public for the purposes stated in the dedication.

Regulated development shall mean a proposed development, other than a subdivision as defined in this chapter, which the Zoning Ordinance requires to comply with the standards and requirements of this chapter.

Rural area shall mean the areas within the city limits between the thickly urbanized central areas and the city limit boundaries; commonly referred to as suburban areas.

Servitude or easement shall mean a strip dedicated by the subdivider for public utilities, drainage and other public purposes, the title to which shall be in the public.

Street shall mean a right-of-way dedicated to public use which provides principal vehicular and pedestrian access to adjacent properties.

Subdivider shall be understood to be the applicant.

Townhouse shall mean two (2) or more attached living units attached to form a single unit. Units share common walls.

Triplex shall mean three (3) single-family residential dwelling units attached to form one (1) single unit. The unit shares a common wall.

Utility space allocation shall refer to a diagram indicating physical locations inside a public right of way or easement for the installation of various public utilities.

Sec. 18-5. - Standards for lot development.

- (a) Lot dimensions shall:
 - (1) Comply with the minimum requirements of the Zoning Ordinance;
 - (2) Be sufficient to allow for yard or setback requirements on any and all sides;
 - (3) Provide for off-street parking and loading for the intended use of the lot as required by the Zoning Ordinance.
- (b) Reserved.
- (c) All side lines of lots shall be at right angles to straight street lines, or radial to curved street lines, unless a variation to this rule will give a better street and lot plan.
- (d) Corner lots shall have extra width to permit the establishment of front building setback lines, on both the front and the side of the lots adjoining the streets, irrespective of whether the rear lot lines of the corner lots abut lots fronting on the side streets. This extra width shall allow for the established setback in a neighborhood or zoning regulations setbacks, whichever is more restrictive.

- (e) Lots on major street intersections and at all acute angle intersections which, in the opinion of the council, are likely to be dangerous to the traffic movement shall have a radius of twenty (20) feet at the street corner, where grade separate structures are proposed at the intersection of major streets, the lots and improvements in the subdivision shall be arranged so as to make adequate provision for the structures.
- (f) Double or reversed frontage lots are to be avoided. Their use is restricted to providing separation of residential development from arterial streets or to overcome other specific disadvantages of lot orientation.
- (g) Lot arrangement shall allow for driveway access to streets in conformity with applicable regulations.
- (h) Residential lots shall not generally derive access from an arterial street. Where such access is necessary for commercial, industrial or multi-family residential uses, the number of access points shall be minimized to limit traffic hazards. Driveways providing access from arterial streets shall be arranged to avoid the need for vehicles to back into the street to exit.
- (i) Grading of lots shall be sufficient to:
 - (1) Provide drainage away from all adjacent structures
 - (2) Avoid concentration of storm water on any lot
 - (3) Provide for access of surface water runoff to a drainage outfall without the reliance on surface drainage across adjacent lots without the provision of dedicated drainage easements
- (j) No construction debris or other waste material shall be buried on site or left deposited on any lot or other surfaces of the development.
- (k) Fences shall be installed by the developer to provide protection from adjacent hazardous locations, if determined to be present.
- (l) The development's deed restrictions or covenants shall prevent the diversion of surface water runoff from the manner indicated in the approved plan.

Sec. 18-6. - Blocks.

- (a) No blocks shall be longer than one thousand five hundred (1,500) feet between street lines. For blocks over seven hundred fifty (750) feet in length the city council may require a paved crosswalk near the center of the block with a minimum right-of-way width of ten (10) feet where the nearest portion of the block is within one thousand five hundred (1,500) feet of the existing school, or playgrounds.
- (b) Where it is desired to subdivide a tract of land which because of its size or location does not permit an alignment directly related to a normal street arrangement there may be established one (1) or more places. Such a place may be in the form of a court, a street with a cul-de-sac or other arrangement; provided, however, that proper access shall be given to all lots from a dedicated street or court. A turning circle shall be required at the end of dead-end streets which provide access to subdivided lots. Dead-end streets which are intended as a permanent feature shall not exceed six hundred (600) feet from the intersection to the center of the turning circle. Temporary dead-end streets (those proposed to connect with future streets indicated on approved plats but not yet constructed) shall not exceed one thousand two hundred (1,200) feet from the intersection to the end of the street. The end of the street and the subdivision boundary or platted phase boundary shall be identical points.

Sec. 18-7. - Street and alley rights-of-way.

- (a) Major street and major parish road rights-of-way shall conform to the widths designated on the major street plan as adopted by the council and on all subsequent amendments and additions thereto.
- (b) Minimum rights-of-way are as follows:
 - (1) *Alleys:* Twenty (20) feet
 - (2) *Local streets:* Fifty (50) feet
 - (3) *Collector streets:* Sixty (60) feet

- (4) *Arterial streets*: Seventy-five (75) feet
- (c) Turning circles at the end of dead-end streets shall be open, paved spaces, preferable circular, equivalent to a circle having a right-of-way radius of sixty-eight (68) feet, with a minimum inside turning radius of thirty-five (35) feet.
 - (d) Alleys shall be provided at the rear of all commercial and industrial lots, except that the council may waive this requirement where other definite and assured provision is made for service access, such as off-street loading, unloading, and parking consistent with and adequate for the uses proposed.
 - (e) Alleys at the rear of residential lots are not recommended except under unusual conditions.
 - (f) Alley intersections and sharp changes in alignment shall be avoided but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement (minimum five (5) feet).
 - (g) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the council.

Sec. 18-8. - Off-street parking and loading spaces.

Off-street parking and loading space shall be indicated on the plat for every lot or group of lots proposed or developed for business or commercial usage to provide a minimum of parking space for each lot and otherwise as called for in the land use ordinance. Off-street parking and loading space shall be provided outside of street rights-of-way on private property, and shall be reserved by private subdivision restrictions shown on the plat.

Sec. 18-9. - Servitudes or easements.

Where alleys are not provided, a servitude or easement shall be provided as directed by the council according to the utility company needs in a particular area.

Sec. 18-10. - Location of utilities.

All utility poles for electric power, telephone and other purposes and pipelines for water and gas shall be located in the servitude, with adequate additional servitudes for the location of guy wires and braces, unless it is certified by the utility companies concerned that the location is impractical, or unless this placement is not feasible in the opinion of the council.

A utility space allocation drawing shall be submitted for city approval. The Drawing shall indicate the proposed relative location of all utilities within or adjacent to the street or alley right-of-way. Drawing shall indicate both a sectional and plan view of the utilities and adjacent improvements (streets, walks, etc.). Developer shall confer with and accommodate the city as to the preferred location for the utilities to be dedicated to the city for operation and maintenance. All utilities to be accepted by the city for operation and maintenance must be directly adjacent to and accessible from a dedicated, paved, public street or alley.

Sec. 18-11. - Location of new streets in relation to existing and proposed streets.

The arrangement of streets in new subdivisions shall make provision for the continuation of the principal existing streets in adjoining areas (or their proper projection where adjoining land is not subdivided) insofar as they may be deemed necessary by the council for public requirement. The street and alley arrangement must also be such as to cause no hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. In general, provisions should be made for through streets at intervals of approximately one-half (½) mile or less and offset traffic streets at intervals of approximately one-half (½) mile or less and offset traffic streets avoided. In cases where the subdivision includes or adjoins an existing major and secondary street of width less than the minimum widths established herein, the council may require the dedication of additional right-of-way width.

Where a development is adjacent to an existing arterial route, direct access to residential lots within the subdivision and adjacent to the arterial route should not rely on the arterial route. A

parallel local or collector street or alley should be provided within the development for access to those lots.

Deed restrictions or covenants shall be included to provide measures preventing driveway or other access routes from connecting to arterial streets.

Street intersections shall conform with the following:

- (1) Angles of intersection shall approximate ninety (90) degrees. New streets shall not intersect at an angle of less than seventy-five (75) degrees.
- (2) Wherever practicable, proposed new intersections along an existing street shall coincide with any existing intersection (street, alley or major commercial/industrial driveway) on the opposite side of the existing street. Centerline offsets of new streets shall not be less than one hundred fifty (150) feet, except when the opposite approach is separated by a continuous raised median on the intersected street.
- (3) A street or alley intersection shall not be within one hundred fifty (150) feet of an at-grade intersection with a railroad.

Sec. 18-12. - Street names.

Two (2) suitable street name signs as provided by the city council shall be placed at all street intersections, at locations to be designated by the engineering department. The proposed street names shall be checked against duplication of street names and approved by the council, with final approval by city council.

Sec. 18-13. - Building lines.

Refer to Article IV, Part 3—District Regulations, of the Land Use Ordinance of the City of Sulphur.

Sec. 18-14. - Character of development.

The subdivider shall confer with the council regarding the type and character of development that will be permitted in the subdivision and may agree with the council as to certain minimum restrictions to be placed upon the property to prevent the construction of substandard buildings, and to control the type of structures, or the use of the lots which, unless so controlled, would clearly depreciate the character and value of the proposed subdivision and of adjoining property. Deed restrictions or covenants shall be included to provide for the proper protection and maintenance of the development in the future; provided, however, that the deed restrictions or covenants shall not contain reversionary clauses wherein any lot shall return to the subdivider because of a violation thereon of the terms of the restrictions or covenants. A copy of the restrictions shall accompany the plat for final approval.

Sec. 18-15. - Parks, playgrounds, school sites, etc.

In subdividing property, consideration shall be given by the developer to the dedication or reservation of suitable sites for schools, parks, playgrounds, and other areas for public use so as to conform to the recommendations of the council in its adopted master plan for the city. Areas to be dedicated or reserved for schools, parks, and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be dedicated to, or acquired by the appropriate taxing agency. In general, whenever the proposed subdivision contains twenty (20) acres or includes more than one hundred (100) lots, consideration shall be given to the reservation of dedication of a suitable area for school and recreation purposes.

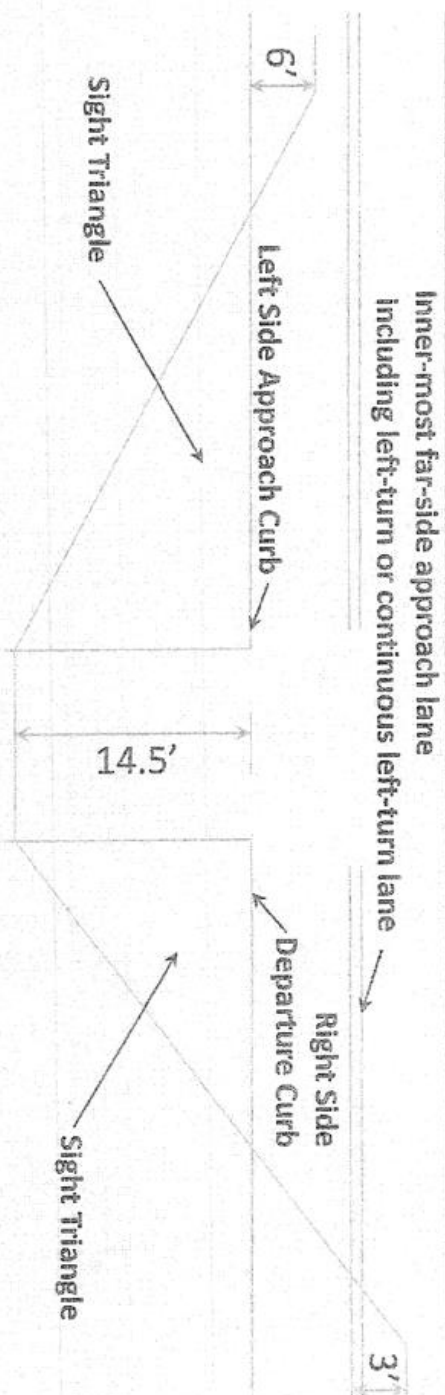
Sec. 18-16. - Street and sidewalk improvement standards.

Final authority and approval of all street improvement standards and specifications shall belong to the city engineer based on the following generally accepted criteria set forth here to facilitate preliminary subdivision design.

All streets, alleys and sidewalks shall be paved. Wearing course shall be asphaltic concrete pavement or portland cement concrete pavement. Structural pavement sections shall be based on a geotechnical investigation of subsurface conditions and an engineering report recommendation. Pavement design shall be based on a twenty-year functional life. Pavement sections identified below are minimum requirements and do not address construction traffic during development nor site specific subsurface or traffic conditions. All sections shall be curb and gutter (portland cement concrete) with subsurface drainage.

- (1) All local streets shall be a minimum of twenty-five (25) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than two (2) inches of asphaltic concrete pavement wearing course supported on six (6) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on a prepared subgrade.
- (2) All collector streets shall be a minimum of twenty-six (26) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than two (2) inches of asphaltic concrete pavement wearing course supported on eight (8) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on eight (8) inches of a prepared subgrade.
- (3) All alleys shall be a minimum of fourteen (14) feet in width, measured from back of curb to back of curb. Minimum structural section shall not be less than one and one-half (1½) inches of asphaltic concrete pavement wearing course supported on six (6) inches of base course and prepared subgrade or six (6) inches of portland cement concrete pavement wearing course supported on a prepared subgrade.
- (4) Commercial and industrial subdivision. In those subdivisions, portions of subdivisions or groups of lots where no lots will be sold or used for residential purposes, and all such lots are declared by appropriate instrument to be used for commercial or industrial purposes only, as spelled out in the zoning regulations, all streets shall be a width of twenty-eight (28) feet, measured from back of curb to back of curb. Minimum structural section shall be constructed with an eight-inch portland cement concrete pavement supported on a six-inch base course and prepared subgrade, unless it is determined by the city engineer and planning commission, based on the developer's engineering report, that the nature of the anticipated traffic load and of the subsurface conditions warrants a variance from this standard.
- (5) Reserved.
- (6) Boulevard-type streets. Where the street is of the boulevard type, that is, two (2) lanes of traffic separated by a neutral ground, the paving on each traffic lane shall be not less than eighteen (18) feet in width, measured from back of curb to back of curb.
- (7) Authority of commission to require higher street standards. Where an existing or proposed major street is located in or adjacent to the suburban area, the council reserves the right to require higher street standards and specifications so as to have the street of such construction as will adequately carry the traffic which can reasonably be anticipated to use such existing or proposed major street. The subdivider shall dedicate the area as is required by the council for the proposed major street, however, should the construction requirements be higher than those set forth herein, the addition cost of such construction shall be borne by the city, if immediate construction to major street standards is required. Profiles of all streets and ditches shall be submitted with construction plans.
- (8) Sidewalks. Sidewalks may be required along officially designated major streets and along all other streets where deemed essential for the public safety by the council. Such sidewalks shall be constructed in accordance with the standards and specifications of the city street department. Sidewalks shall be a minimum width of four (4) feet.
- (9) Minimum specifications shall include the following:
 - a. Minimum horizontal curvature shall be:

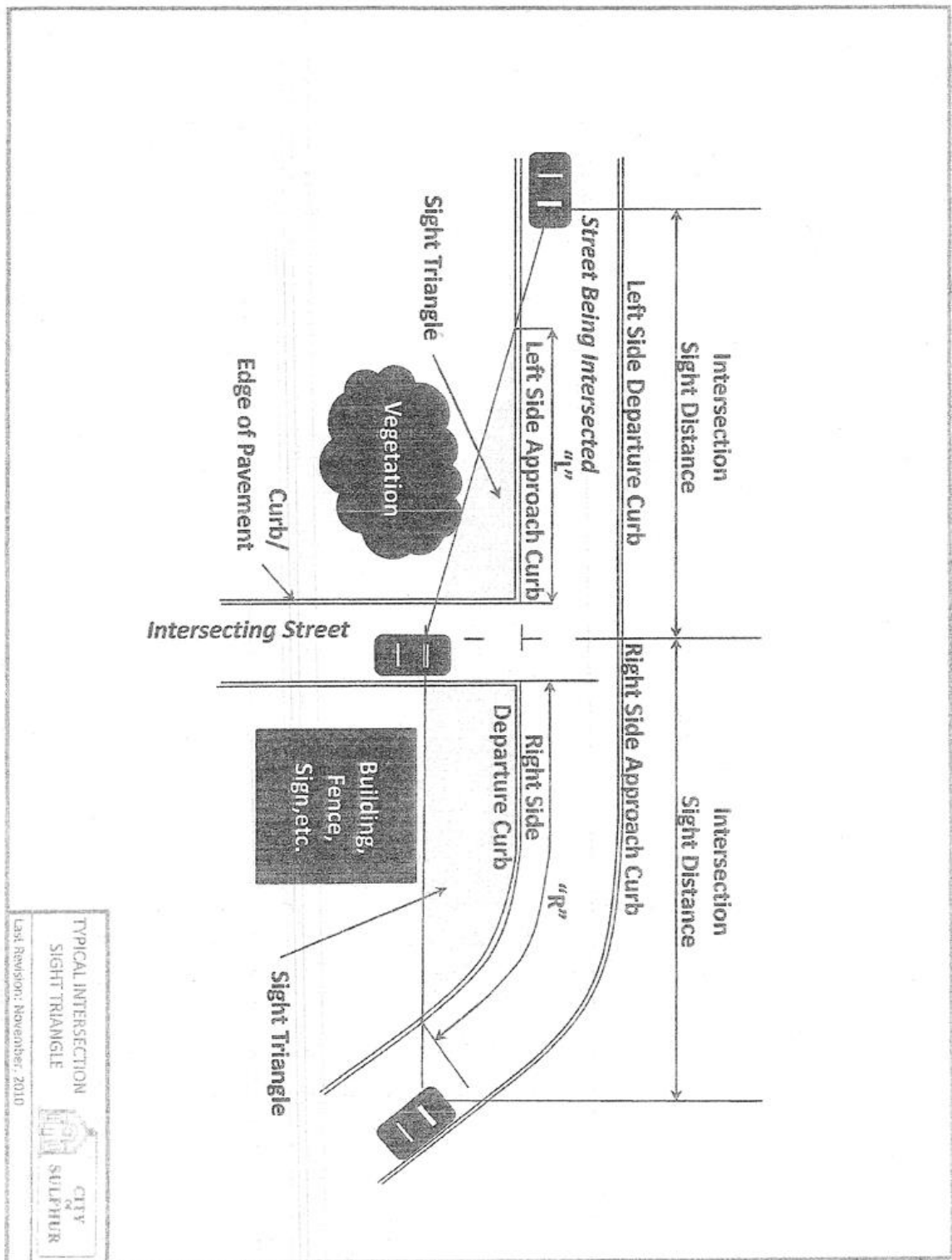
1. Fifty (50) feet for local streets. (Eighty (80) feet preferred as typical minimums)
 2. One hundred (100) feet for collector streets. (Three hundred twenty-five (325) feet preferred as typical minimums)
 3. The latest design standard for urban arterial streets as published by the Louisiana Department of Transportation and Development for Arterial Streets.
 4. Forty (40) feet for alleys.
- b. Minimum profile grades shall be:
1. 0.35% for local streets.
 2. 0.4% for collector streets.
 3. 0.4% for arterial streets.
 4. 0.3% for alleys.
- c. Minimum curb radii at intersections shall be:
1. Twenty (20) feet for local streets.
 2. Thirty (30) feet for collector streets.
 3. As required for turning movement for high truck volume intersections.
- (10) A lighting plan shall be submitted by the developer indicating the layout for street illumination fixtures.
- (11) All preliminary plans and final plats to show right-of-way dedication for corner clips as described in article IV, part 2, subsection 2(2) and intersection sight triangles as described in section 21-5. Note: Sight triangles are to be shown on all preliminary plans and final plats similar to a building setback line but do not require additional right-of-way dedication or easement.



Obstruction of vision so as to constitute a traffic hazard is defined to be the permitting or maintenance of any item mentioned in section 21-5 or similar thereto which exceeds the height of thirty (30) inches from street level and which is located so as to obstruct, obscure, or reduce intersection sight distance. Intersection sight distance is provided by a Sight Triangle, defined as, a three-sided area formed by 14.5 feet of the intersecting street curbs and a straight line joining said street curb lines at points defined by the roadway leg distances set forth on the table aside, unless specified otherwise herein. The Public Works Department maintains this diagram that illustrates the Sight Triangle. The American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design of Highways and Streets, or latest revision thereof determines this length of the required intersection sight distance.

Posted Speed Limit	Roadway Leg Distance Along Street Being Intersected Curb Line											
	Number of Travel Lanes on the Left-Side Approach (Including Right-Side Medians)											
	1 Ln		2 Ln		3 Ln		4 Ln		5 Ln		6+ Ln	
	L	R	L	R	L	R	L	R	L	R	L	R
25 mph	220'	141'	235'	84'	251'	70'	256'	54'	281'	44'	286'	36'
30 mph	266'	172'	284'	115'	303'	85'	321'	67'	339'	55'	358'	46'
35 mph	312'	202'	333'	136'	355'	102'	376'	80'	397'	66'	419'	55'
40 mph	358'	232'	382'	157'	407'	117'	431'	93'	456'	76'	480'	64'
45 mph	404'	263'	431'	178'	459'	133'	487'	106'	514'	87'	541'	73'
50 mph	450'	293'	480'	199'	511'	149'	541'	119'	572'	97'	603'	83'
55 mph	496'	324'	529'	219'	563'	165'	596'	131'	630'	108'	664'	92'
60 mph	542'	354'	578'	240'	615'	181'	652'	144'	688'	119'	725'	101'
65 mph	587'	384'	627'	261'	667'	197'	707'	157'	746'	130'	786'	110'
70 mph	633'	414'	676'	282'	719'	213'	762'	169'	805'	140'	848'	120'

Note: For 90 degree intersections with less than 3% grades only. Every 10 to 12 ft. of median or improved shoulder is equivalent to one travel lane. Lane(L)/R (Left side street being intersected approach curb)/R(Right side street being intersected departure curb). Distances presented as "L" may be substituted for "R" distances along one-way streets where traffic approaches the intersecting street from the right. Street widths are measured from the edge of pavement or face of curb.



Sec. 18-17. - Sewerage and water supply.

The installation of all sewer connections, subdivision sewer systems, sewage disposal systems and devices shall be constructed under the supervision of and approved by the city sewerage department, and the connections, systems and devices shall meet the requirements of the state health and human resources administration.

Sec. 18-18. - Sanitary sewer—Accessible.

- (a) When a subdivision is located in an existing sewer district where a public sewer is accessible, the subdivider shall connect with such sanitary sewer and provide adequate sewer lines to the property line of each lot.
- (b) When a subdivision is partially located within the existing city limits where a public sanitary sewer is accessible, the regulations of subsection (a) shall govern.

Sec. 18-19. - Same—Not accessible.

Where no public sanitary sewers are accessible the developer shall construct the necessary transport system to connect to the nearest public sanitary sewerage system. Said system may

include pump station(s) and pressure mains or gravity transport mains. Should the public system be any other than the City of Sulphur's System, the developer shall present to the city signed agreements indicating the public system will accept the connection and transport the waste water to a permitted treatment facility.

Sec. 18-20. - Wastewater collection and transport systems.

Wastewater collection, transport, pumping and treatment systems shall conform to all specifications and requirements of the City of Sulphur. All wastewater plans must be reviewed and approved by the office of public health (OPH). Minimum standards, in addition to those required by the OPH include:

- (a) Minimum service line for single residential connection is six (6) inches in diameter.
- (b) No dual or common service shall be allowed.
- (c) Minimum service line serving commercial or industrial users is six (6) inches in diameter.
- (d) At least forty-two (42) inches of cover shall be provided over sanitary sewerage collection mains.
- (e) There shall be no physical connection between a potable water system and the sewerage system. Parallel water and sewerage mains shall be separated horizontally by at least ten (10) feet.
- (f) Water mains shall cross over sewerage mains by at least two (2) feet or the sewer main shall be constructed of ductile iron pipe encased in concrete for twenty (20) feet, centered on the crossing.
- (g) All gravity mains and pressure mains shall be tested for leakage and be within specified tolerances. All flexible pipe gravity mains shall be tested for roundness (deflection) and found to be within specified tolerances (Five (5) percent unless specified otherwise in city standards). All manholes shall be inspected for water tightness and be within specified tolerances. All pump stations shall be given an operational start up inspection in the presence of the city.
- (h) All service lines shall terminate in a clean out assembly and be marked with an above ground utility marker and a below grade magnetic marker.

Sec. 18-21. - Water supply.

The water supply system shall be constructed under the supervision of the health unit and shall comply with the requirements of the state health and human resources administration and fire protection authorities.

All subdivisions shall be provided with a water distribution system serving every lot. Every proposed building site shall be within five hundred (500) feet of a fire hydrant. Minimum water main size shall be sufficient to provide a minimum of twenty (20) psi residual pressure during design fire flow events. Minimum sizes shall not be less than the following:

- (a) No main shall be less than six (6) inches in diameter
- (b) No dead end main longer than five hundred (500) feet shall be less than eight (8) inches in diameter.
- (c) No dead end main serving more than one (1) hydrant shall be less than eight (8) inches in diameter.
- (d) No looped main over one thousand five hundred (1,500) feet in length serving two (2) hydrants or more shall be less than eight (8) inches in diameter.
- (e) No looped main over one thousand (1,000) feet in length serving three (3) hydrants or more shall be less than eight (8) inches in diameter.

- (f) No looped main serving four (4) hydrants or more shall be less than eight (8) inches in diameter.

Sec. 18-22. - Drainage.

- (a) *Master plan.* The developer shall plan all drainage for his subdivision in accordance with the area plan for drainage and in accordance with the drainage district area plan.
- (b) *Changing or altering existing drainage channels.* No person shall deepen, widen, fill, reroute or change the location of any existing ditch, stream, drain, or drainage canal without first obtaining written permission from the city engineering department. Plans for the deepening, widening, filling, rerouting or changing the location of any existing ditch, stream, drain or drainage canal shall comply with the area drainage plan and shall be constructed under the supervision of and be approved by the city engineer. Adequate servitudes or rights-of-way must be dedicated for the construction and maintenance of any channels which may be relocated.
- (c) *Servitudes for existing drainage channels.* Whenever any stream or improved surface drainage course is located in an area that is being subdivided, the subdivider shall dedicate an adequate right-of-way along each side of the stream as determined by the city council or governing drainage district.
- (d) *Stormwater.* Adequate provision shall be made for the disposal of stormwater subject to the approval of city engineer or governing drainage district.
- (e) *Contour map and drainage of adjacent areas.* A contour map shall be prepared for the area comprising the subdivision and such additional area as may be required or necessary to include all watersheds which drain into the property to be developed, provided that this map of the adjacent area may be prepared from U.S.G.S. datum and data. In the design of the drainage for the subdivision, provision must be made to adequately take care of adjacent watershed areas which drain across or through the development or receive storm waters from the development.

All drainage structures installed as part of the development must be sufficient for the drainage of the entire watershed, both that portion being developed and the areas outside of the development which drain across or through the development. As a minimum, areas outside of the development which drain across or through the development shall be accounted for in the development's drainage design based on the land use in effect at the time of submittal of final plans on the development to the city. If preliminary or final development plans have been submitted to the city for the area outside of the development prior to preliminary or final plans being submitted to the city on the development, then areas outside of the development which drain across or through the development shall be accounted for in the development's drainage design based on the land use indicated in the preliminary or final plans submitted to the city at a minimum. Adequate easements and construction servitudes shall be provided for future needs, however, the developer shall be required to construct necessary drainage structures of sufficient hydraulic capacity to cover drainage needs of the development and adjacent areas as previously defined.

- (f) *Offsite drainage.* Drainage of storm water runoff from the development shall discharge into a publicly maintained drainage structure or feature. Developer shall obtain consent of the appropriate public entity for connection to its facility. The rate of storm water discharge from the development shall not exceed the capacity of the receiving structure. All drainage structures or features transporting storm water runoff from the development to a point of discharge, as previously defined, shall be located in a dedicated drainage right-of-way, easement or servitude.
- (g) *Rights-of-way.* Wherever drainage ditches or canals or similar drainage areas exist or are provided within the subdivision plan, adequate rights-of-way shall be dedicated on either side of such drainage facilities for maintenance and construction purposes. The width of such dedicated rights-of-way shall be determined by the planning director and the city engineer, based upon established criteria after review of the drainage requirements of the subdivision and consultation with engineer designing the subdivision and drainage district officials.

- (h) All subsurface drainage for local and collector streets shall be designed on the basis of a ten (10) year design frequency for the storm water runoff event as a minimum.
- (i) Subsurface drainage for arterial streets and some collector streets (dependant upon ADT and intended primary usage) shall be designed on the basis of a ten-year design frequency for the storm water runoff event.
- (j) Maximum length of pipe without an access structure is four hundred (400) feet.
- (k) Minimum pipe size for road drainage is fifteen (15) inches in diameter.
- (l) Curb inlet spacing shall be sufficient to limit lane flooding to:
 - (a) Two-thirds ($2/3$) of the width of the outside travel lane on local streets.
 - (b) One-half ($1/2$) of the width of the outside travel lane on collector and arterial streets.
- (m) A design drainage map and drainage calculations shall be submitted with the drawings, indicating drainage areas included in the drainage design and other factors pertinent to the design.
- (n) Prior to the commencement of any construction, site improvements, or landscape alterations for any development, the developer shall submit all drainage plans to Consolidated Gravity Drainage District No. 1 (West Calcasieu).

Sec. 18-23. - Permanent markers.

- (a) All subdivision boundary corners and the four (4) corners of all street intersections in subdivisions of previously unsubdivided tracts shall be marked with permanent monuments of concrete with a minimum dimension of four (4) square inches, extending a minimum of three (3) feet below the ground line, or steel pipe firmly imbedded in concrete which extends a minimum of three (3) feet below the ground line. Should conditions prohibit the placing of monuments on line, off-set marking will be permitted, provided however, that exact off-set courses and distances are shown on the subdivision plat.
- (b) A permanent benchmark shall be accessibly placed, and its elevation shall be based on mean sea level datum as determined by the U.S. Geological Survey, and accurately noted on the subdivision plat.

Sec. 18-24. – Procedures

Procedure for Major Subdivisions

- (a) *Conference with commission staff.* The subdivider or his engineer is invited to review his proposed development with the staff of the council before proceeding with his plans for a subdivision.
- (b) *Preliminary plan.* After a conference with the council staff, the subdivider shall submit four (4) black and white prints of the preliminary plans to the secretary of the council who will check the preliminary plan for compliance with the geometric standards and the preliminary plan requirements. When these requirements are fulfilled, the secretary will submit the preliminary plan to the council for approval of the subdivision. Upon approval by the council, the secretary will return to the subdivider an approved copy of the preliminary plan. If the subdivider fails to proceed with the steps required in subsections (c) through (e) below within six (6) months from the date of preliminary approval, the council reserves the right to cancel its preliminary approval. The preliminary approval of all incomplete subdivisions on file with the city at the time of adoption of these regulations shall be canceled six (6) months after adoption of these regulations unless application is made by the subdivider for renewal of the preliminary approval.
- (c) *Final plat and construction plans.* The subdivider or his engineer shall confer with the city council and the health unit to determine the standards and specifications which will govern proposed improvements. After preliminary approval of the geometric layout has been

granted by the council, the developer shall submit complete construction plans for the entire development of the area given preliminary approval together with a complete and accurate contour map using mean sea level datum, to the city engineer for their review and approval. The construction plans shall include the complete design of the sanitary sewer system, storm drainage system, and the street system for the entire area to be subdivided. It shall be recognized as a principle that the sanitary sewer and storm drainage facilities cannot be properly designed on a piecemeal basis and that the entire area should be studied and worked out as a unit giving due consideration to the problems which may be created by the subdivision of adjacent lands, especially as pertains to drainage. The subdivider shall do no construction work until his completed construction plans have been approved by the city engineering department, and a reasonable time must be allotted for the proper study of the plans submitted. After the construction plans have been approved, the subdivider and his engineer shall proceed with the preparation of the final plat. The subdivider shall not sell any lots in the subdivision until the final plat has been approved.

- (d) *Distribution of final plat and construction plan.* When the final plat and construction plans are complete, the subdivider shall distribute black and white prints as follows:
 - (1) Two (2) copies of the final plat and one (1) copy of construction plans to the secretary of the council;
 - (2) Two (2) copies of the final plat, one (1) set of linen or reproducible tracings of construction plans and two (2) copies of construction plans to the city engineer;
 - (3) One (1) copy of the final plat and two (2) copies of sewer construction plans to the health unit.
- (e) *Approval of construction plans.* After construction plans have been approved by the city engineer and sewer construction plans have been approved by the department of public health and the health unit, the secretary of the council shall be notified of the approval in writing.
- (f) *Construction of improvements.* After approved construction plans have been filed with the secretary of the council, the subdivider may construct the required improvements. The city engineer shall be notified in advance of the date that the construction shall begin. Construction shall be performed under the supervision of the city engineer and shall at all times be subject to inspection by that department. However, this in no way shall relieve the subdivider and his engineer of close field supervision and final compliance with approved plans and specifications. A field inspection shall be maintained continuously on the site during all phases of the construction of sanitary sewers, underground storm drains and street pavements. The city engineer may demand that any inspector who appears incompetent or otherwise unsatisfactory shall be replaced by a satisfactory inspector. No construction work shall be undertaken prior to notifying the city engineer of the date on which the work will be commenced. The city engineer shall not accept any construction work which is in such a condition that it will require immediate and excessive maintenance by the city.
- (g) *Acceptance of improvements.* When construction is complete and in accordance with the approved plans and specifications and complies with the provisions of these regulations, the subdivider shall submit to the city the following for review prior to any consideration of acceptance of the improvements:
 - (1) Written certification from the professional of record that the constructed work, including, but not limited to any roadways or utilities, conforms with city approved plans and specifications.
 - (2) All quality control test reports on infrastructure improvements including any utilities and roadways, and then obtain written final approval and acceptance from the city engineer and submit such written approval to the secretary of the council.
 - (3) As-built drawings of all infrastructure improvements in an electronic format.
 - (4) An executed agreement providing a warranty for the improvements that runs for two (2) years from the date of the city's formal acceptance of the improvements, wherein the subdivider's contractor and/or subdivider (as specified by the city

engineer) guarantees that the improvements are free from defects and fit for their intended purpose.

- (h) *Approval of final plat.* Upon completion and acceptance of improvements, the secretary of the council shall check the final plat for conformity with the preliminary plans and for compliance with section 18-27. He shall then submit the plat to the council for final approval, and will indicate the approval by his signature on the plat.
- (i) *Filing and distribution of final plat.* The subdivider shall furnish the secretary of the council with one (1) full size black and white print and one (1) ledger size black and white print of the signed final plat, and the subdivider shall record a copy of the final plat at their expense in the office of the clerk and recorder for Calcasieu Parish within thirty (30) after final approval.
- (j) *Exceptions.* The following exceptions to certain provisions of this section are permissible:
 - (1) *Bond in lieu of immediate construction.* In lieu of immediate construction of improvements as required in subsection (f), the subdivider may file with the council a surety bond securing to the city council the actual satisfactory construction of proposed improvements within a period of not more than two (2) years from the date of the bond. The amount of the bond shall be approved by the city engineer and the form of the bond shall be approved by the city attorney. The bond shall be subject to cancellation only upon written approval of the director of the department of public works.
 - (2) *Subdivision or portion of a tract.* The owner or developer of a tract shall prepare a preliminary plan for the entire tract and then may submit a final plat for only a portion of the tract. No construction shall be started until construction plans for the entire area covered by the final plat have been approved. Improvements must be installed for all of that area for which a final plat is submitted and the owner may sell, lease or offer for sale or lease only those lots in the improved portion of the property. In such cases of partial development of a subdivision, the street system, drainage system, trunk sewers and sewerage treatment plans shall be designed and built to serve the entire area, or designed and built in such a manner as to be easily expanded or extended to serve the entire area.
 - (3) *Subdivisions not involving improvements.* After preliminary approval has been granted and it is determined by the council that no improvements are required, the subdivider may eliminate the steps required by subsections (c) through (g), except to prepare the final plat and submit two (2) black and white or blue lines to the secretary of the council.
 - (4) *Subdivisions consisting of five (5) lots or less.* For subdivisions consisting of five (5) lots or less, the final plat may be submitted in lieu of a separate preliminary plan.

Procedures for Minor Subdivisions

- (a) *Final plat and construction plans.* The subdivider shall follow the requirements set forth in Section 18-26 - **Information Required for Minor Subdivisions on Final Plat**. The Final Plat shall be submitted to the Director of Public Works for review. The subdivider shall not sell any lots in the subdivision until the final plat has been approved and recorded.
- (b) *Distribution of final plat and construction plan.* When the final plat is complete the subdivider shall distribute Two (2) copies of black and white prints to the secretary of the council.
- (c) *Approval of final plat.* The Director of Public Works shall check the final plat for conformity with City Zoning Ordinances. If approved in writing by the Council person(s) for the City Council District(s) where the property is situated, the Public Works Director (or their designee) and the Mayor shall have the authority to approve all minor subdivisions if the minor subdivision conforms with all City of Sulphur Zoning Requirements and Ordinances.
- (d) *Filing and distribution of final plat.* The subdivider shall furnish the secretary of the council with one (1) full size black and white print and three (3) ledger size black and

white print of the signed final plat, and the subdivider shall record a copy of the final plat at their expense in the office of the clerk and recorder for Calcasieu Parish within thirty (30) after final approval.

Sec. 18-25. - Information required for Major Subdivisions on preliminary plat.

- (a) The purpose of the preliminary plan is to provide the subdivider and the council with sufficient information to study the proposed development and to determine that the subdivision will meet the requirements of these regulations. The preliminary plan shall be drawn to a scale of one (1) inch equals one hundred (100) feet or less. If the subdivision contains more than one hundred sixty (160) acres, the preliminary plan may be drawn to a scale of one (1) inch equals two hundred (200) feet.
- (b) The following specific information shall be required on the preliminary plan:
 - (1) *Title.* The title under which the proposed subdivision is to be recorded; the description of the property to be subdivided; the name of the owner or the subdivider; and the name of the engineer, surveyor or landscape architect, if any, who is platting the tract;
 - (2) *Boundary lines and existing improvements.* The present property, section and township lines; indication of incorporated areas, sewer districts, zoning districts, school district and other legally established districts, streets, buildings, water courses, drainage ditches, wooded areas, and other features within the area to be subdivided as well as similar facts regarding existing conditions on land immediately adjacent;
 - (3) *Adjoining property.* The names and boundaries of all adjoining subdivisions and the names and record owners of adjoining tracts of unsubdivided land;
 - (4) *Features of proposed subdivision.* The proposed location, approximate grade and gradient, width and names of streets and alleys; proposed location, width and other description of lots, building lines, servitudes and easements; and location and dimensions of existing buildings;
 - (5) *Sewers, waterlines and drainage ditches.* Existing drainage ditches, sanitary and storm sewers, water mains, culverts and other underground structures within the tract or immediately adjacent; statement of proposed plans for drainage and sewage disposal, including location of proposed culverts and bridges and a contour map where terrain might affect location of sewers and ditches;
 - (6) *Public utilities.* The location of all proposed public utilities including storm and sanitary sewers, water, gas and power lines;
 - (7) *Streets.* Statement of proposed street improvements, including contour map where terrain might affect location of street;
 - (8) *Special use areas.* Location and size of proposed parks, playgrounds, church or school sites or other special uses of land to be considered for dedication to public use;
 - (9) *North point.* Scale and date;
 - (10) *Vicinity map.* A key or vicinity map, showing the area to be subdivided in relation to the nearest major street or road.

Sec. 18-26. – Final Plat

Information Required for Major Subdivisions on Final Plat

- (a) The final plat shall be drawn in ink to a scale of one (1) inch equals one hundred (100) feet or less, from an accurate survey and on one (1) or more sheets whose maximum dimensions are eighteen (18) inches by twenty-four (24) inches. In certain instances where the subdivided area is of unusual size or shape, the council may permit the variation in the

scale or size of the final plat. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.

- (b) In addition to the information required in subsection (a) for the preliminary plan, the following specific information shall be required on the final plat:
- (1) *Linear and angular dimensions.* All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, servitudes, easements, building lines or any other areas for public or private use. Linear dimensions shall be expressed in feet and decimals of a foot;
 - (2) *Curve data.* Radii, arcs, chords, points of tangency, and central angles for all curvilinear streets; radii for all rounded corners;
 - (3) *Permanent markers and bench marks.* Location and description of all permanent markers; location, description and elevation of bench marks, based on mean sea level datum as determined by U.S.G.S. Where no recognized bench mark exists, a permanent bench mark shall be established on the property at mean sea level datum and shown on the plat;
 - (4) *Identification of lots.* All lot lines and identification system for all lots and blocks. All individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "reserved";
 - (5) *Date and seal;*
 - (6) *Certification and seal by civil engineer or surveyor.* Certification and seal by a civil engineer or surveyor licensed to practice either of these professions in the state. Such certification shall be to the effect that the plat represents an actual survey made by the civil engineer or surveyor, that it conforms to R.S. 33:5051 and that all the necessary survey monuments are correctly shown on the plat;
 - (7) *Statement of dedication.* Statement signed by the owner to the effect that the streets and rights-of-way are dedicated to the perpetual use of the public for proper purposes, and that all areas shown as servitudes are granted to the public for use of utilities, drainage, removal of septic tank effluent or sewage or other proper purposes for the general interest of the public. The statement shall provide no trees, shrubs or other plants may be planted, nor shall any building, fence, structure or improvements be constructed or installed within or over any servitude or right-of-way so as to prevent or unreasonably interfere with any purpose for which the servitude or right-of-way is granted;
 - (8) *Statement regarding sewage disposal.* Statement signed by the owner and subdivider to the effect that no person shall provide or install a method of sewage disposal, except connection to an approved sanitary sewer system, until the method of sewage treatment and disposal has been approved by the health unit;
 - (9) *Restrictions.* Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be lettered on the plat and signed by the owner or his agent for recording in the office of the city clerk. Should the restrictions and trusteeships be of such length as to make the lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, references to the instrument shall be made on the plat and the copies shall be furnished to the secretary of the council as he requests;
 - (10) *Inundation.* When the area subdivided lies at such low elevation that without additional drainage facilities not then available it will become inundated or overflowed by rain or stormwater, a statement shall be lettered on the subdivision plat, setting forth these facts, and portions that have been overflowed shall be indicated on the plat.

Information Required for Minor Subdivisions on Final Plat

In addition to the information required in subsection (a) for the preliminary plan, the following specific information shall be required on the final plat:

- (a) The final plat shall be drawn in ink to a scale of one (1) inch equals one hundred (100) feet or less, from an accurate survey and on one (1) or more sheets whose maximum dimensions are eighteen (18) inches by twenty-four (24) inches. In certain instances where the subdivided area is of unusual size or shape, the council may permit the variation in the scale or size of the final plat. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet.
 - (1) *Linear and angular dimensions.* All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, servitudes, easements, building lines or any other areas for public or private use. Linear dimensions shall be expressed in feet and decimals of a foot;
 - (2) *Permanent markers and bench marks.* Location and description of all permanent markers; location, description and elevation of bench marks, based on mean sea level datum as determined by U.S.G.S. Where no recognized bench mark exists, a permanent bench mark shall be established on the property at mean sea level datum and shown on the plat;
 - (3) *Identification of lots.* All lot lines and identification system for all lots and blocks. All individual areas shall be designated by number or letter, and lots in new subdivisions shall be numbered consecutively. No tract or portion of land shall be indicated as "reserved";
 - (4) *Date and seal;*
 - (5) *Certification and seal by civil engineer or surveyor.* Certification and seal by a civil engineer or surveyor licensed to practice either of these professions in the state. Such certification shall be to the effect that the plat represents an actual survey made by the civil engineer or surveyor, that it conforms to R.S. 33:5051 and that all the necessary survey monuments are correctly shown on the plat;
 - (6) *Restrictions.* Private restrictions, restrictive covenants or trusteeships and their periods of existence to apply to lots in the subdivision shall be lettered on the plat and signed by the owner or his agent for recording in the office of the city clerk. Should the restrictions and trusteeships be of such length as to make the lettering of same on the plat impracticable and thus necessitate the preparation of a separate instrument, references to the instrument shall be made on the plat and the copies shall be furnished to the secretary of the council as he requests;
 - (7) *Inundation.* When the area subdivided lies at such low elevation that without additional drainage facilities not then available it will become inundated or overflowed by rain or stormwater, a statement shall be lettered on the subdivision plat, setting forth these facts, and portions that have been overflowed shall be indicated on the plat.

Sec. 18-27. - Information required for construction plan.

All designs shall be made in accordance with design standards of the city engineer and copy of complete design data shall be submitted for permanent record. The basic requirements on plans for streets and drainage improvements are as follows:

- (1) *Contour map.* Contour map of the area comprising the subdivision and sufficient additional area to include all water sheds which might be a factor in the design of the storm sewer system;
- (2) *Layout plan of storm sewer system or ditch drainage system.* To include culvert locations;
- (3) *Layout plan of sanitary sewer system.* If it is to be built;

(4) *Plan profile.* Plan and profile of all streets, including the following:

- a. Profile along the center line and each property line;
- b. Proposed curb grade;
- c. Grade of storm sewers or ditch drainage system;
- d. Grade of sanitary sewers;
- e. Design details of street and sewer improvements.

Sec. 18-28. - Variations and exceptions.

Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in these regulations would result in real difficulties and substantial hardships or injustices, the council may vary or modify the requirements, so that the subdivider is allowed to develop his property in a reasonable manner, but so that at the same time, the public welfare and interest of the city are protected and the general intent and spirit of these regulations are preserved.

Sec. 18-29. - Penalties.

Whoever, being owner or agent of the owner of any land located in a subdivision, transfers or sells, or agrees to sell any land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved by the council and recorded or filed in the office of the city clerk, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold. The description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties. Where decisions are left herein to the city engineer, any person dissatisfied with the decision may appeal therefrom to the council. The appeal shall be made by letter addressed to the council through its secretary, with sufficient copies to go to all members of the council. Upon receipt of such an appeal, the secretary shall notify the members of the council of the appeal on the agenda of the council for a hearing.

Sec. 18-30. - Alternate penalty provision.

- (a) It shall be unlawful for any person to violate or fail to comply with any provision of this chapter. In the alternative to any specific penalty provided therefor, the violation of, or failure to comply with, any provision of this chapter shall be punished by a fine not to exceed five hundred dollars (\$500.00) or imprisonment for a term not to exceed six (6) months or by both such fine and imprisonment within the discretion of the court, together with court costs and expenses.
- (b) Each day any violation of, or failure to comply with, any provision of this chapter continues, each such violation or failure to comply shall constitute a separate offense.
- (c) The City of Sulphur, through the office of property standards, shall have the right to enter upon any and all premises to ascertain whether the terms of this chapter are being complied with and any person denying or obstructing such entry shall be subject to the penalties provided herein.
- (d) Nothing in this chapter shall affect any criminal remedy provided by law or any legal power to inflict penalties for contempt.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor’s signature.

APPROVED AND ADOPTED by
the City Council of the City of
Sulphur, Louisiana, on this _____
day of _____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the
foregoing Ordinance has been
presented to the Mayor on this
_____ day of _____,
2022, at _____ o’clock _____.m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received
from the Mayor at _____ o’clock _____.m.
on this _____ day of _____,
2022, the foregoing ordinance which has
approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk

This ordinance is being repealed as a stand-alone ordinance since we incorporated the amended definition in item #2 on September agenda.

ORDINANCE NO. _____, M-C SERIES

ORDINANCE REPEALING ORDINANCE NO. 1787, M-C SERIES – MAJOR SUBDIVISION DEFINITION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby repeal Ordinance No. 1787, M-C Series – Major Subdivision definition:

Major Subdivision shall mean:

- (1) The division of a lot, tract, or parcel of land which exceeds one acre prior to its division or is a division of four (4) or more lots, plots, sites, or other division of land for the purpose, whether immediate or future, of sale or of building development;

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor’s signature.

APPROVED AND ADOPTED by the
City Council of the City of Sulphur,
Louisiana, on this ____ day of _____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the foregoing Ordinance has been presented to the Mayor on this ____ day of _____, 2022, at _____ o’clock ____ .m.

I HEREBY CERTIFY that I have received from the Mayor at _____ o’clock ____ .m. on this ____ day of _____, 2022, the foregoing ordinance which has been approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk

ARLENE BLANCHARD, Clerk

ORDINANCE NO. _____, M-C SERIES

ORDINANCE GRANTING A VARIANCE TO PATTY DEVILLE, 334 EVELYN STREET, TO ALLOW FOR CHICKEN AND PIG ENCLOSURES TO BE LESS THAN THE REQUIRED 50 FEET FROM A RESIDENTIAL PROPERTY LINE.

WHEREAS, in accordance with Chapter 4, Section 6 of the Code of Ordinances of the City of Sulphur, a chicken and pig enclosure shall not be nearer than 50 feet from any property line used for either residential or commercial purposes; and

WHEREAS, applicant is requesting a variance to allow for the chicken and pig enclosures to be located the following distances from the following property lines:

North (side) – 34 feet
South (side) – 34 feet
East (rear) - 27 feet

WHEREAS, the following described property located in the City of Sulphur, State of Louisiana, is owned by Patty Deville, 334 Evelyn Street, Sulphur, Louisiana 70663, to-wit:

COMMENCING 89 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 1 BLOCK 3 OF EFFIE C. PEVETO SUBDIVISION IN THE NORTH HALF OF THE NORTHEAST QUARTER (N/2 OF NE/4) OF SECTION 33, TOWNSHIP 9 SOUTH, RANGE 10 WEST, THENCE SOUTH 102.5 FEET, THENCE WEST 227.5 FEET, THENCE NORTH 102.5 FEET, THENCE EAST 227.5 FEET, TO THE POINT OF COMMENCEMENT, TOGETHER WITH ALL BUILDINGS AND IMPROVEMENTS SITUATED THEREON.

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

That the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

BE IT ORDAINED that the City Council does hereby grant a variance to Patty Deville, 334 Evelyn Street, to allow for chicken and pig enclosures to be located closer than the required 50 feet.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon Mayor's signature.

APPROVED AND ADOPTED by the
City Council of the City of Sulphur on this
_____ day of _____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the
foregoing Ordinance has been
presented to the Mayor on this
_____ day of _____,
2022, at _____ o'clock _____.m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received
from the Mayor at _____ o'clock _____.m.
on this _____ day of _____,
2022, the foregoing ordinance which has
approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received

8/29/22

\$50.00 Fee (Non-Refundable)

p.d.
(Exact cash or check only)

Patty L Deville

8-24-2022

PROPERTY OWNER INFORMATION

Name of Property Owner

Patty L Deville

(Owner must provide proof of ownership such as property tax record or recorded deed)

Mailing Address:

334 Evelyn St

City:

Sulphur

State:

LA

Email:

lilbelle703@yahoo.com

Physical Address:

334 Evelyn St

City:

Sulphur

State:

LA

Phone Number (H)

337 532 2822

(W)

(C)

PROPERTY INFORMATION

Location Address:

334 Evelyn St

Present Zoned Classification:

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)

South 102.5 ft West 227.5 ft

VARIANCE REQUEST INFORMATION

Purpose of Variance Request:

Response to previous denied variance.

Plan to relocate cages to different location with less animals.

How did you find out you needed a variance?

Request for response from council

I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision, as stated in the City of Sulphur Land Use Ordinance, Number 541, M-C Series.

Further, I do certify that the property for which the above request is being made does not hold any restrictions or covenants that would be in conflict with said request.

Furthermore, I, the applicant, agree to dispose of the sign(s) placed on my property after the hearing.

Patty L Deville

8-24-2022

1. Is site located within the City Limits?

Yes

No

N/A

2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?

✓

3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?

✓

4. Will the location be served by a fire protection?

✓

5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?

✓

6. Is property within a designated flood hazard area?

✓

Flood zone classification _____ bfe _____ ft.

ORDINANCE NO. _____, M-C SERIES

ORDINANCE AUTHORIZING MAYOR MIKE DANAHAAY TO ENTER INTO A COOPERATIVE ENDEAVOR AGREEMENT WITH THE STATE OF LOUISIANA OFFICE OF FACILITY PLANNING AND CONTROL FOR MAPLEWOOD PUMP STATION, PLANNING AND CONSTRUCTION.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby authorize Mayor Danahay to enter into a Cooperative Endeavor Agreement with the State of Louisiana Office of Facility Planning and Control for Maplewood Pump Station, Planning and Construction.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's approval, or upon proper re-adoption by the Council pursuant to Section 2-13(C) of the Home Rule Charter of the City of Sulphur.

APPROVED AND ADOPTED by
City Council of the City of
Sulphur, Louisiana, on this _____
day of _____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the foregoing Ordinance has been presented to the Mayor on this _____ day of _____, 2022, at _____ o'clock _____.m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received from the Mayor at _____ o'clock _____.m. on this _____ day of _____, 2022, the foregoing ordinance which has approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk



**COOPERATIVE ENDEAVOR AGREEMENT BETWEEN
THE STATE OF LOUISIANA and
CITY OF SULPHUR
Maplewood Pump Station, Planning and Construction
(Calcasieu)
FP&C Project No. 50-MS9-22-01**

In accordance with Article VII, Section 14 of the 1974 Constitution of the State of Louisiana (Constitution), the **STATE OF LOUISIANA** (State), herein represented by **JASON D. SOOTER, DIRECTOR, FACILITY PLANNING AND CONTROL, DIVISION OF ADMINISTRATION (DOA)**, and **CITY OF SULPHUR** (Entity), a political subdivision of the State, herein represented by **MIKE DANAHAY, MAYOR** do hereby enter into a Cooperative Endeavor Agreement (Agreement) to serve the public for the purposes hereinafter declared.

ARTICLE I

1.1 WHEREAS, the Capital Outlay Act (Act), adopted in accordance with Article VII, Section 6 of the Constitution, is the comprehensive capital outlay budget required by said Article VII, Section 6, and contains an appropriation for the Entity for the Project Number and Project Description (Project) as set forth in a State Funding Summary ("Funding Summary") attached hereto for reference only; and

1.2 WHEREAS, the Omnibus Bond Act of the Louisiana Legislature (OBA), adopted in accordance with Article VII, Section 6 of the Louisiana Constitution of 1974, provides for the issuance by the State Bond Commission of State General Obligation Bonds for certain of the projects contained in the Act, including the Project, which bonds are to be secured by a pledge of the full faith and credit of the State, as well as by monies dedicated to and paid into the Security and Redemption Fund as provided in Article VII, Section 9 of the Constitution, which authorization includes the issuance, **if applicable**, of State General Obligation Bonds for the Project (Project Bonds) as set forth in the Funding Summary; and

1.3 WHEREAS, **if applicable**, the Entity has supplied the State with evidence of the availability and commitment of Local, Federal or Non-State Matching Funds for the Project, as set forth in the Funding Summary; and

1.4 WHEREAS, the State appropriated State General Fund (Direct) or other sources of cash for the Project or the Bond Commission did grant a cash line of credit and/or a non-cash line of credit for the Project in the amount(s) as stated in the Funding Summary; and

1.5 WHEREAS, the Act provides that all of the funds appropriated, in the absence of express language to the contrary, shall be considered as having been appropriated directly to FP&C and shall be administered by FP&C under Cooperative Endeavor Agreements;

IT IS HEREBY AGREED by the State and the Entity that:

**ARTICLE II
PURPOSE**

2.1 The purpose of this Agreement is to set forth the terms of administering the Project by FP&C. FP&C will administer this Project in accordance with the Non-State Entity Capital Outlay Administrative Guidelines, January, 2019 ed. (the "Guidelines"), which is incorporated herein and made a part of this Agreement. As required by Section 147(e) of the Internal Revenue Code of 1986, as amended. The Entity hereby understands and agrees that, in addition to requirements of the Guidelines, no proceeds of the Project Bonds can or will be used for airplanes, skyboxes or luxury private boxes, health club facilities, facilities primarily used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises.

3.3 The Entity hereby acknowledges and confirms that this Project constitutes a **Public Purpose** and will fulfill a public need within the parish in which the Project is to be located, all in accordance with Article VII, Section 14 of the Constitution.

3.4 Allowable costs shall not include the operating expenses of the Entity. In no case shall the total of any of the allowable costs exceed the amount shown in the Funding Summary.

ARTICLE IV USE OF FUNDS

4.1 The Entity hereby acknowledges and agrees that the funds provided by the State to the Entity shall be used solely for the purposes authorized and permitted in the Act and in accordance with all provisions of law affecting the Project, as well as the constitutional and statutory restrictions on the use of State funds for public purposes. The Entity acknowledges that any funds not used in accordance with the terms of this Agreement and state law will be reimbursed to the State.

4.2 The Entity shall not execute any contracts or agreements that would expend or commit State funds in excess of the amount for which lines of credit were granted pursuant to the Act. The Entity shall be solely responsible for any amount that exceeds the amount appropriated by the State.

4.3 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity shall not take any action which would have the effect of impairing the tax exempt status of the Project Bonds. The Entity agrees that the proceeds will not be used directly or indirectly in any trade or business carried on by any person other than a governmental unit. The Entity further agrees that the proceeds will not be used directly or indirectly to provide a facility used by any person other than the Entity pursuant to a lease, management contract, requirements contract or other arrangement granting, directly or indirectly, an interest in or special legal entitlement to the Project to a person other than the Entity, unless the State receives an opinion from a nationally recognized bond counsel that such contract will not adversely affect the tax-exempt status of the Project Bonds. The Entity shall immediately notify the State prior to entering into any such contract.

4.4 The Entity shall make no changes in its local laws, bylaws, charter or other organizational documents which would allow use of the Project for any purpose other than a public purpose.

ARTICLE V ADMINISTRATIVE COSTS

5.1 Notwithstanding any provision of this contract to the contrary, FP&C may use up to six percent of each State fund line item contained in the Funding Summary for costs associated with administering the Project, all in accordance with the provisions of the Act.

ARTICLE VI PUBLIC BID LAWS

6.1 The Entity will solicit bids for the services, labor and materials needed to construct said Project in accordance with the public bid laws of the State, including, but not limited to R.S. 38:2211, *et seq.*, applicable to political subdivisions of the State. The Entity will also keep a procurement file relative to the necessary acquisition of services, labor and materials needed to complete said Project which will be subject to review by the State at any time.

ARTICLE VII COORDINATION

7.1 It is the responsibility of the Entity to administer the Project according to all applicable laws, rules and regulations and to ensure that the work is the best obtainable within established trade practice. The submittal of documentation to FP&C as required by this Agreement shall be for the purpose of verifying that the funds are spent in accordance with this Agreement and the applicable legislation, providing evidence of the progress of the Project and verifying that such documentation is being produced. FP&C will not provide extensive document review for the Project or take the responsibility for determining whether or not this documentation is complete and accurate.

of Administration or his designee. Any change order in excess of fifty thousand dollars but less than one hundred thousand dollars shall be submitted to the Joint Legislative Committee on the Budget for review but shall not require Committee approval.

ARTICLE IX **HOLD HARMLESS AND INDEMNITY**

9.1 The Entity agrees and obligates itself, its successors and assigns to defend, indemnify and save harmless and provide a defense for the State, its officials, officers and employees against any and all claims, demands, suits, actions (*ex contractu*, *ex delictu*, quasi-contractual, statutory or otherwise), judgments of sums of money, attorney's fees and court costs to any party or third person including, but not limited to amounts for loss of life or injury or damage to persons, property or damages to contractors, subcontractors, suppliers, laborers or other agents or contractors of the Entity or any of the above, growing out of, resulting from or by reason of any violation of the requirements of the Act and OBA or any other State law, or any negligent act or omission, operation or work of the Entity, its employees, servants, contractors or any person engaged upon or in connection with the engineering services, construction and construction engineering required or performed by the Entity hereunder including, but not limited to any omissions, defects or deficiencies in the plans, specifications or estimates, or by virtue of any extra work, delays, disruptions, inefficiencies or nonpayment of any engineering, construction or construction engineering cost incurred, or any other claim of whatever kind or nature arising from, out of or in any way connected with the Project, to the extent permitted by law.

9.2 Nothing herein is intended, nor shall be deemed to create a third party beneficiary to or for any obligation by FP&C herein or to authorize any third person to have any action against FP&C arising out of this Agreement.

9.3 The Entity further agrees and obligates itself, its successors and assigns, to indemnify and hold harmless the State for any monetary consequences resulting any Project Bonds issued by the State or interest therein being declared taxable as a result of the Entity's actions or inactions hereunder.

ARTICLE X **DISBURSEMENT OF FUNDS**

10.1 After execution of this Agreement in accordance with the terms hereof and the Act, the State, through FP&C, shall provide the Entity, identified under the Federal Tax Identification Number as set forth in the Funding Summary, with funds on an *as-needed* basis as approved by FP&C, but not to exceed the total Capital Outlay Cash, less FP&C Administration fee, as set forth in the Funding Summary. The Entity shall not be entitled to reimbursement of any expenditures made prior to the issuance of a cash line of credit or receipt of cash funding.

10.2 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity agrees to use its best efforts to expend all of the funds subject to this Agreement within two (2) years from the date of the issuance of the Project Bonds. FP&C agrees that it will notify the Entity of the date the Project Bonds are issued within one (1) month from the issuance thereof. The Entity understands and agrees that if the funds subject to this Agreement are not totally expended within two (2) years from the issuance of the Project Bonds, FP&C can close the Project and recommend that the Legislature reallocate any unexpended proceeds to other projects.

10.3 The Entity recognizes and agrees that the receipt of the State monies is contingent upon the receipt, pledge and expenditure of Local/Federal Matching Funds by the Entity in the amount stated in the Funding Summary. The Entity acknowledges and agrees that the requisite amount of matching funds has been received, pledged, and/or expended on the Project.

10.4 In the event funds subject to this Agreement represent a non-cash line of credit as set forth in the Funding Summary, the Entity understands that the funds so designated represent a non-cash line of credit and that no monies can be withdrawn from the Treasury for the non-cash line of credit unless and until the State Bond Commission has either issued bonds or a cash line of credit therefor.

ARTICLE XI **OWNERSHIP OF PROPERTY**

11.1 The Entity hereby covenants that it owns, will acquire title to, or obtain servitudes for the property upon

ARTICLE XII **INSURANCE**

12.1 If State funds for this Project are used in whole or in part towards construction of fixed insurable improvements, then upon completion of construction, the Entity shall, for the term of this Agreement, maintain or cause to be maintained property insurance issued by a company or companies admitted to do business in the State of Louisiana, in an amount equal to 100% of the replacement cost of such improvements.

12.2 If the property is located in a Special Flood Hazard Area, flood insurance equal to 100% of the value of the building or up to a minimum of \$500,000 as allowed by National Flood Insurance Program (NFIP) shall be obtained on this property. This includes properties shown on a Flood Insurance Rate Map (FIRM) issued by FEMA as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, ZM, or E.

ARTICLE XIII **PLEDGE OF LEASE REVENUES**

13.1 If the Project is authorized to be funded through the issuance of Project Bonds, the Entity hereby covenants and agrees that it shall not, while any portion of the Project Bonds issued by the State to fund the Project remain outstanding, enter into any agreement or otherwise covenant to directly pledge to the State any lease revenues from any lessee, its successors or assigns, for the payment of principal, interest or other requirements with respect to the Project Bonds, nor shall the Entity deposit any such lease revenues into the Bond Security and Redemption Fund of the State unless the State receives an opinion from a nationally recognized bond counsel that such contract and/or deposit of funds will not adversely affect the tax-exempt status of the Project Bonds.

ARTICLE XIV **TERM**

14.1 The provisions of this Agreement shall be effective from the date of execution hereof and shall be binding upon all parties and shall remain in effect until FP&C determines that the project(s) for which funds are appropriated is completed or for as long as any Project Bonds issued for the Project, or any refunding bonds therefor, remain outstanding.

ARTICLE XV **TERMINATION**

15.1 FP&C may terminate this Agreement for cause based upon the failure of Entity to totally spend all funds subject to this Agreement within two years from the execution of this Agreement or, if applicable, within two years from the issuance of any Project Bonds or for any act by the Entity that the State determines to be unlawful or in violation of this Agreement.

15.2 FP&C may terminate this Agreement at any time without penalty by giving thirty (30) days written notice to the Entity of such termination. Entity shall be entitled to payment for deliverables in progress to the extent work has been approved by FP&C and subject to the availability of funds.

ARTICLE XVI **AVAILABILITY OF FUNDS**

16.1 The availability of funds set forth in the Funding Summary are subject to and contingent upon appropriation of funds by the legislature and, if applicable, issuance of a line of credit by the State Bond Commission.

ARTICLE XVII **ASSIGNMENT**

17.1 Entity shall not assign any interest in this contract and shall not transfer any interest in same (whether by assignment or novation), without prior written consent of the FP&C.

Project Bonds, including bonds issued by the State to refinance such Project Bonds (such term of Project Bonds is expected to be not less than 20 years).

18.3 The Entity agrees to comply with the provisions of La. R.S 24:513 (H)(2)(a) and shall designate an individual who shall be responsible for filing annual financial reports with the legislative auditor and shall notify the legislative auditor of the name and address of the person so designated.

ARTICLE XIX **REQUIRED MATCH**

19.1 Pursuant to LA R.S. 39:112(E)(2), Entity agrees to provide a match of not less than twenty-five (25) percent of the total requested amount of funding except as provided in LA R.S. 39:112(E)(2)(a) or (b).

ARTICLE XX **AMENDMENT OF AGREEMENT**

20.1 Any alteration, variation, modification, or waiver of provisions of this Agreement shall be valid only when they have been reduced to writing, duly signed. No amendment shall be valid until it has been executed by all parties.

ARTICLE XXI **REVISIONS TO STATE FUNDING SUMMARY**

21.1 FP&C may revise the Funding Summary based on the appropriation in the most current Capital Outlay Act and, if applicable, the issuance of a line of credit by the State Bond Commission.

ARTICLE XXII **PROJECT CLOSEOUT**

22.1 The Entity shall submit to FP&C a final Request for Disbursement with all invoices, payment applications, change order, etc., on any contract for which FP&C has obligated funding. The Entity shall also submit to FP&C a statement that no additional funds are due to the Entity under this appropriation. Said final Request for Disbursement and statement shall be submitted not later than eighteen (18) months after the date of substantial completion or acceptance of the project.

22.2 Should the Entity fail to submit the final Request for Disbursement within the time period specified in Section 22.1, then FP&C will consider all obligations as being paid in full to the Entity and the project will be closed.

THUS DONE AND SIGNED, this _____ day of _____, 2022,
at _____, Louisiana.

WITNESSES:

STATE OF LOUISIANA

FP&C Witness #1 Sign Here

BY: _____
JASON D. SOOTER
FP&C DIRECTOR
DIVISION OF ADMINISTRATION

FP&C Witness #2 Sign Here

THUS DONE AND SIGNED, this _____ day of _____, 2022,
at _____, Louisiana.

WITNESSES:

CITY OF SULPHUR

Entity Witness #1 Signature

BY: _____
MIKE DANAHAY
MAYOR

Entity Witness #1 Printed Name

Entity Witness #2 Signature

Entity Witness #2 Printed Name

FUNDING SUMMARY
THE STATE OF LOUISIANA and
City of Sulphur
Maplewood Pump Station, Planning and Construction
(Calcasieu)
FP&C Project No. 50-MS9-22-01

REVISION NO. _____ Date: _____

ACT #	YEAR	DESCRIPTION	STATE CASH	STATE NON-CASH LINE OF CREDIT	OTHER	TOTAL FUNDING
117	2022	Gen Fund (Direct) Non- Recurring	\$500,000			\$500,000
TOTAL			\$500,000		\$166,667	\$666,667
		FPC ADMIN.	\$22,500			

Federal Tax Identification for Entity: 72-6001361

Notes:

1. Planning costs shall not exceed 10% of Construction costs. Miscellaneous costs shall not exceed 5% of Construction costs.
2. Capital Outlay Cash includes General Funds, NRP Bonds, Cash Line of Credit and/or Bonds sold.
3. Total in "Other" column equals required 25% match as reflected in Article XIX.
4. The estimated cost of construction is \$1,750,000.00 per the 2022-23 Capital Outlay Request.

ORDINANCE NO. M-C SERIES

ORDINANCE CREATING A HOME RULE CHARTER COMMISSION FOR
THE CITY OF SULPHUR.

WHEREAS, in accordance with Section 7-06 (E) of the Home Rule Charter of the City of Sulphur, the City Council may appoint, by ordinance, a Home Rule Charter Commission; and

WHEREAS in accordance with LSA-R.S. 33:1395-1 the following rules shall apply to said Commission:

- A. The commission shall consist of not less than seven nor more than eleven members who shall be elected or appointed in the manner provided by the governing authority of the municipality or parish. Each member of the commission shall hold office until a charter is either adopted or rejected by the registered voters of the municipality, as provided hereafter, and any vacancies in the commission shall be filled by appointment of the remaining members. The members of the commission shall take office immediately after election or appointment and shall propose the charter and submit it to the governing authority of the municipality within eighteen months thereafter. The proposed charter shall not be altered or changed in any way by the governing authority of the municipality.
- B. The terms of charter commission members shall expire with either the adoption or rejection of the charter by the voters. In situations where no charter has been drafted by the end of the eighteen-month time period, members' terms shall automatically expire.
- C. The full text of the proposed charter shall be published once in the official publication of the municipality or parish within thirty days after its submission to the local governing authority of the municipality or parish. Responsibility for publication rests with the governing body affected. If a parish and a municipality are involved, publication shall be by the parish in its official journal; and

WHEREAS, members of the commission shall reside and be a registered voter of the City of Sulphur; and

WHEREAS, said commission shall consist of the following members:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

BE IT ORDAINED by the City Council of the City of Sulphur, Louisiana, that they do hereby create a Home Rule Charter Commission for the City of Sulphur.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon the Mayor's signature.

APPROVED AND ADOPTED by the
City Council of the City of Sulphur,
Louisiana, on this _____ day of
_____, 2022.

MANDY THOMAS, Chairman

I HEREBY CERTIFY that the foregoing Ordinance has been presented to the Mayor on this ____ day of _____, 2022, at _____ o'clock _____.m.

ARLENE BLANCHARD, Clerk

I HEREBY CERTIFY that I have received from the Mayor at _____ o'clock _____.m. on this _____ day of _____, 2022, the foregoing ordinance which has approved/vetoed by the Mayor.

ARLENE BLANCHARD, Clerk

RESOLUTION NO. _____, M-C SERIES

Resolution awarding low bid received for Sulphur Housing Authority Sanitary Sewer Lift Station Replacement.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that bids for Sulphur Housing Authority Sanitary Sewer Lift Station Replacement were opened and read aloud in an open and public bid session on Monday, August 8, 2022 at 11:00 a.m. and bids were as follows:

<u>Company</u>	<u>Base Bid Amount</u>	<u>Alt. #1</u>	<u>Alt #2</u>	<u>Alt #3</u>
MPB Construction, LLC	\$625,457.00	-\$11,114.00	-\$19,051.00	-\$40,320.00
Williams Equip. Services, LLC	\$626,424.39	-\$25,264.45	-\$20,222.26	-\$49,902.60
E.B. Feucht & Sons, LLC	\$884,555.00	-\$17,400.00	-\$ 8,500.00	-\$43,000.00

BE IT FURTHER RESOLVED that the City Council does hereby accept the recommendation of Mayor Mike Danahay and award the bid for as follows contingent upon receipt of the 10 Day Forms:

<u>Company</u>	<u>Base Bid Amount</u>
MPB Construction, LLC	\$625,457.00

BE IT ALSO FURTHER RESOLVED that Mayor Mike Danahay is authorized to sign all paperwork in connection therewith.

APPROVED AND ADOPTED by the
City Council of the City of Sulphur,
Louisiana, on this _____ day of
_____, 2022.

MANDY THOMAS, Chairman

ATTEST:

ARLENE BLANCHARD, Clerk



Meyer & Associates, Inc. Consulting Engineers

Vernon F. Meyer, P.E.
President

Richard T. Meyer, P.E.
Vice President

August 10, 2022

Mayor Mike Danahay
City of Sulphur
P. O. Box 1309
Sulphur, LA 70664

Re: Sulphur Housing Authority
Sanitary Sewer Lift Station Replacement
Bid Tabulation & Award Recommendation
M.A. Project No. A9-18050-DA

Dear Mayor Danahay:

In regard to the captioned project, we would like to offer the following Bid Evaluation and Award Recommendation concerning the three (3) bid proposals received on August 8, 2022.

BID SUMMARY AND EVALUATION

The following is a summary of the bids received:

Bidder	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3
MPB Construction, LLC	\$625,457.00	-\$11,114.00	-\$19,051.00	-\$40,320.00
Williams Equipment Services, LLC	\$626,424.39	-\$25,264.45	-\$20,222.26	-\$49,902.60
E.B. Feucht & Sons, LLC	\$884,555.00	-\$17,400.00	-\$8,500.00	-\$43,000.00
Engineer's Estimate	\$575,000.00			

An itemized bid tabulation is attached for your review.



Mayor Mike Danahay.
August 10, 2022
Page 2

A review of the bid summary reveals that the lowest responsible bidder was MPB Construction, LLC with a Total Base Bid of \$625,457.00. The Total Base Bid is approximately \$50,000.00 higher than the Engineer's estimated construction amount. However, the two (2) low Bidders were highly competitive with less than 0.2% difference in the Total Base Bid amounts. Therefore, it is our opinion that the Total Base Bid amount of \$625,457.00 as submitted by MPB Construction, LLC. provides a very competitive and reasonable cost for performing the work called for in the plans and specifications.

AWARD RECOMMENDATION

Meyer & Associates, Inc. recommends award of a construction contract to MPB Construction, LLC. in the amount of their Total Base Bid of \$625,457.00 contingent upon receipt of the 10 Day Forms. Due to the importance of the items included in the Deductive Alternate Bids, we do not recommend the City take the bid price deductions in order to lower the construction costs. Upon your concurrence with this award recommendation, the Notice of Award and Construction Contracts will be forthcoming under separate cover.

We trust our recommendation meets with your approval; and should you have any questions concerning same, please advise.

Sincerely,

Wayne L. Harris, P.E.

Enclosure

Cc: Mr. Austin Abrahams, City of Sulphur – Public Works w/att
Mrs. Tina Trahan, M.A. w/att
Mrs. LeAnna LaVergne, M.A. w/att.

Attached is the preliminary punch list. It may change prior to the Council meeting.

RESOLUTION NO. _____, M-C SERIES

Resolution accepting Substantial Completion for North Water Well #13 – Verdine Water Plant.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby accept Substantial Completion for North Water Well #13 – Verdine Water Plant.

APPROVED AND ADOPTED by the
City Council of the City of Sulphur,
Louisiana, on this _____ day of
_____, 2022.

MANDY THOMAS, Chairman

ATTEST:

ARLENE BLANCHARD, Clerk

MEYER & ASSOCIATES, INC.

PUNCH LIST

PROJECT: Water Well #13 (#3R) – North Water Well
(Verdine Water Plant)

DATE: 8/6/2022 & 8/26/2022

PROJECT NO: A8-20074-DA
WPVERD

INSPECTION WAS CONDUCTED AT ABOVE PROJECT BY:

CONTRACTOR-OWNER

ENGINEER-ARCHITECT

Contractor: Layne Christensen Company

Engineer: Wayne Harris, PE

Owner: City of Sulphur

Inspector: Michael Williams

The following items are to be corrected or completed to comply with the Contract Documents:

Type of Inspection	Preliminary	Substantial X	Final	1 Yr. Guaranty
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NO.	ITEM	VALUE
1	Provide all required painting and coatings touch up as noted by Meyer inspectors and City of Sulphur Water Superintendent. Some anchor bolts for electrical switchgear building are carbon steel showing rusting. Remove and replace carbon steel anchor bolts with non-corrosion material or surface prep and paint the carbon steel bolts. (photographs attached)	\$750.00
2	Cut and remove excess filter fabric cloth at north and west perimeter of electrical switchgear building	\$250.00
3	Specified well casing electrical grounding system (grounding rod & wiring) is not visible. Provide evidence the specified ground system is installed.	
4	Drain (3/4") for well head is not draining properly through CPVC drain piping properly. Water drains over edge of well head over the pump pedestal and foundation. Remove, unclog, & rearrange CPVC drain piping to resolve drainage. CPVC drain piping from well head is constructed in continuous connection to underground drainage system. It cannot be connected continuous. The CPVC above grade piping must incorporate a required indirect air gap. CPVC drain pipe in vertical location above grade needs to be cut and a CPVC air gap fixture (or a CPVC reducer fitting with open unconnected top) needs to be installed.	\$2,000.00

Distribution:

1. Project Manager
2. Contractor's Representative
3. Resident Project Representative
4. File

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5	Existing electrical GFI outdoor outlet cover near well needs to be removed and replaced with a continuous use cover. Existing cover does not provide weather protection of the GFI receptacle when in use during wet weather conditions or splash from well piping valve leaks. The existing air release valve malfunction is causing water to splash on the GFI receptacle.	\$1,000.00
6	Repair or remove & replace existing malfunctioning 2" air release valve on well discharge header piping. Constant water stream flow from approximate 0.25" orifice nib while well is in operation. Clean rust stains from discharge piping coatings and well foundation slab caused by raw well water discharge from malfunctioning air/vacuum valve. (photographs attached).	\$4,000.00
7	Fix soft areas and low spots of surface aggregate within the chainlink-fenced site and refresh with remaining required top dress up layer of gray limestone surface stone (approximately 4 to 5 cubic yards).	
8	Establish grass outside of west fence line area all the way to North Huntington and to 10 foot outside the perimeter of the north, south, and east fence line	\$2,000.00
9	Furnish Cummins field representative emergency generator load bank test reports to Meyer & Associates and the City of Sulphur.	\$1,000.00
10	Furnish all Cox Electrical Controls field representative electrical switchgear startup reports to Meyer & Associates and the City of Sulphur.	\$1,000.00
11	Furnish all Kaough & Jones field representative well startup reports to Meyer & Associates and the City of Sulphur. Including L1, L2, & L3 phase voltage readings.	\$1,000.00
12	Furnish all Layne field representative well startup reports to Meyer & Associates and the City of Sulphur.	\$500.00
13	Furnish calibration report for well flow meter to Meyer & Associates and the City of Sulphur.	\$500.00
14	Furnish As-Built layout drawing mark-ups of piping arrangement & location, valve locations, well location, electrical switchgear building, electrical conduit runs, electrical generator, fencing, drives, etc..	\$5,000.00

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15	Prepare and furnish four (4) hard copy bound and one (1) PDF copy detailed well completion report as specified inclusive, but not limited to, (A) all well registration paperwork, (B) driller's log (not handwritten), (C) drawing of completed well (not a handwritten sketch), (D) all detailed equipment information summary sheet, (E) sieve analysis certificate, (F) detailed type written pumping test log spreadsheet (start time, time lapse, static level, pumping level, drawdown, orifice reading, flow rate, specific gravity, pressure gauge, etc.), (G) Well screen submittal data (detailed), (H) Electric Log, (I) all specified primary & secondary water chemical, radiochemistry, and asbestos, pesticides, and asbestos chemistry analysis laboratory reports with QA/QC documentation, (J) all Louisiana Department of Health & Hospital Total Coliform & E. Coli, testing reports, (K) well pump technical information inclusive of well pump curve, and (L) well pump motor technical information.	\$10,000.00
16	Furnish proof of filing of Water Well long registration form (DNR-GW-1) with the Louisiana Department of Natural Resources Office of Conservation.	\$5,000.00
17	Furnish all operation & maintenance manuals for electrical generator, transfer switch, well pump, well motor, flow meter, and all valves.	\$1,250.00
18	Furnish specified fiberglass marking posts for relocated water well transmission piping route.	\$750.00
TOTAL		\$36,000.00

Distribution:

1. Project Manager
2. Contractor's Representative
3. Resident Project Representative
4. File

RESOLUTION NO. M-C SERIES

RESOLUTION GRANTING A VARIANCE TO JERRY POWELL, 309 MORGAN ROAD, TO ALLOW FOR A MOBILE HOME TO BE OLDER THAN 10 YEARS OF AGE (2002).

WHEREAS, in accordance with Chapter 14, Section 5(a)(1)(a) of the Code of Ordinances, a variance may be considered by City Council for mobile/manufactured homes that are greater than 10 years of age.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a variance to Jerry Powell, 309 Morgan Road, to allow for a mobile home to be older than 10 years of age (2002) for the following described property:

LOT 6 S R MORGAN SUB OF 36.9.10

This variance is granted by the City of Sulphur and may be withdrawn by the City of Sulphur should said variance interfere with the rights and privileges owned by the City of Sulphur pursuant to a pre-existing right of way, servitude or easement. If withdrawn, any improvements constructed thereon shall be removed at the expenses of owner thereof.

Grantee hereby agrees and contracts to hold Grantor harmless from any damages created and/or caused by the granting of this variance, including, but not limited to, litigation defense, litigation costs, violation of subdivision restrictive covenants, building code violations or any other damages, property and/or monetary or otherwise, relating thereto.

Upon approval of this variance the owner of this variance shall be responsible for the recordation thereof, with the Clerk of Court, Calcasieu Parish, Louisiana, and shall provide the City of Sulphur a receipt evidencing recordation within 10 days of the effective date of this variance.

No work shall commence until all applicable permits are obtained. In the event work is commenced prior to obtaining all applicable permits, this variance shall be withdrawn and considered null and void.

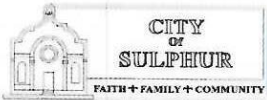
BE IT FURTHEREST RESOLVED by the City Council of the City of Sulphur, Louisiana, that they do hereby grant a variance to Jerry Powell, 309 Morgan Road, to allow for a mobile home to be older than 10 years of age (2002).

APPROVED AND ADOPTED by
the City Council of the City of Sulphur,
Louisiana, on this _____ day of
_____, 2022.

MANDY THOMAS, Chairman

ATTEST:

ARLENE BLANCHARD, Clerk



CITY OF SULPHUR
APPLICATION FOR

DEVELOPMENT APPROVAL - VARIANCE

Date Received 7-25-22 \$50.00 Fee (Non-Refundable) Pd. AA
(Exact cash or check only)

IT IS APPLICANT'S RESPONSIBILITY TO KEEP SIGN POSTED ON PROPERTY. IF SIGN ISN'T PLACED ON PROPERTY 10 DAYS PRIOR TO MEETING DATE PLEASE NOTIFY CITY. IF SIGN IS REMOVED IT COULD DELAY ACTION ANOTHER MONTH. ONCE VARIANCE IS APPROVED/DISAPPROVED, APPLICANT MUST REMOVE SIGN FROM PROPERTY

Print Name Jerry Powell

Date 7-25-2022

PROPERTY OWNER INFORMATION

Name of Property Owner JERRY POWELL
(Owner must provide proof of ownership such as property tax record or recorded deed)
Mailing Address: 309 Morgan Rd. City: Sulphur State: LA Email: _____
Physical Address: 309 Morgan Rd. City: Sulphur State: LA
Phone Number (H) 337-302-2789 (W) - (C) _____

PROPERTY INFORMATION

Location Address: 309 Morgan Rd Sulphur, LA.
Present Zoned Classification: ~~Res~~ Mixed Residential

LEGAL DESCRIPTION FROM ABSTRACT OR TAX RECORD (PRINT NEATLY OR TYPE)

Lot 6 S R Morgan Sub of 36.9.10

DO YOU CURRENTLY HAVE ANY PENDING VIOLATION WITH ANY ORDINANCE OF THE CITY OF SULPHUR
YOU, OR A REPRESENTATIVE, MUST ATTEND THE SCHEDULED MEETING

YES ☐ NO ☒

INITIAL JP.

(Mobile home
2002)

VARIANCE REQUEST INFORMATION

Purpose of Variance Request: Both Retired on Limited Income. Unit was all we could afford to purchase to replace our destroyed Home. Hurricane Laura destroyed our mobile home. Have been getting extensions to live in RV.

I do hereby understand that no petition for a change in the classification of property shall be filed unless such petition is duly signed and acknowledged by the owners of authorized agents of not less than fifty (50) percent of the area of land for which a change of classification is requested; provided however, that where any lot located in the aforesaid area is owned in division, all co-owners must sign the petition for that lot to be included in the fifty (50) percent area provision, as stated in the City of Sulphur Land Use Ordinance, Number 541, M-C Series.

Further, I do certify that the property for which the above request is being made does not hold any restrictions or covenants that would be in conflict with said request.

Furthermore, I, the applicant agree to dispose of the sign(s) placed on my property after the hearing.

Applicant Signature: [Signature] Date: 7-25-2022

	Yes	No	N/A
1. Is site located within the City Limits?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed use be a nuisance to the surrounding area because of odors, vibrations, unsightly areas or other unwarranted elements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the capacity of the road and off-street parking facilities adequate for use by the proposed development?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the location be served by a fire protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Can the proposed development be expected to adversely affect the character/aesthetics of the area involved?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is property within a designated flood hazard area? "X"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flood zone classification _____ bfe _____ ft.			









RESOLUTION NO. _____, M-C SERIES

Resolution approving liquor license for Family Dollar Store #23877 located at 1601 East Napoleon Street.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby approve liquor license for Family Dollar Store #23877 located at 1601 East Napoleon Street.

APPROVED AND ADOPTED by
the City Council of the City of
Sulphur, Louisiana, on this _____
day of _____, 2022.

MANDY THOMAS, Chairman

ATTEST:

ARLENE BLANCHARD, Clerk



LIQUOR LICENSE APPLICATION APPROVAL SHEET

The following applicant is applying to the City of Sulphur for a permit to sell beverages of alcohol content at a retail.

Business Name: FAMILY DOLLAR STORE # 23877

Owner: FAMILY DOLLAR STORES OF LOUISIANA LLC

Business Location: 1601 E NAPOLEON ST SULPHUR, LA 70663

Date of Application: JUNE 23, 2022

Class: ☐ A ☒ B

Content: ☐ High ☒ Low

Applicant has provided all required documentation to the City of Sulphur Licensing Department.

City of Sulphur Issuance Agent: [Signature]

Director of Finance: [Signature]

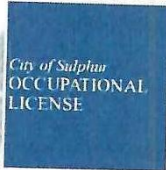
☒ Recommend ☐ Deny

City Council Approval: ☐ ACCEPTED ☐ DENIED

Council Representative Signature _____

Date: _____

Special Comments: _____



Denise Chandler, Director of Municipal Services

City of Sulphur
Occupational License
P O Box 1309
Sulphur, LA 70664
Phone: 337-527-4517
license@sulphur.org



Mike Danahay, Mayor

RECEIVED
JUN 23 2022

BY: *[Signature]*

City of Sulphur
Liquor License Application

Name of Business: Family Dollar Store #23877

Location of Business: 1601 E Napoleon St, Sulphur, LA 70663

Legal Name of Owner: Family Dollar Stores of Louisiana, LLC

Home/Corp Address: 500 Volvo Parkway, Chesapeake, VA 23320-1604

Mailing Address: 500 Volvo Parkway, Chesapeake, VA 23320-1604

Application is for: ☐ CLASS "A" ☒ CLASS "B"

Content: ☐ HIGH ☒ LOW ☐ HIGH & LOW

Sole Proprietor: ☐ Partnership ☒ Corp/LLC

Has a homeowner petition been signed by residents? ☐ YES ☒ NO

Have you applied for a state license? ☒ YES ☐ NO

Are you the owner of the premises to be licensed? ☐ YES ☒ NO

If NO, do you hold a bona Fide Lease? ☒ YES ☐ NO

Owner's name and address of the premises Family Dollar Stores of Louisiana, LLC

Is the business to be conducted wholly by you or by more than one representative? Please see attached.

Federal Tax #: 56-1373359 La. State Tax #: 00030596

SULPHUR ORDINANCE

Sec. 3-28. - Location—Affecting issuance.

(b) No permit required by this division shall be granted for any premises situated within three hundred (300) feet or less, of a public playground or of a building used exclusively as a church or synagogue, public library, or school, or full-time day care center except a school for business education conducted as a business college or school. This distance shall be measured as a person walk, using the sidewalk, from the nearest point of the property line of the church or synagogue, library, playground, or school to the nearest point of the premises to be licensed.

(Code 1970, § 3-18; Ord. No. 546, 10-14-03) | **State Law reference**— Similar provisions, R.S. 26:80, 280.

Is there a church, synagogue, library, playground, or school located within 300 ft. of premise to be licensed? ☐ YES ☒ NO

If YES, has measurements been taken? ☐ YES ☐ NO ☐ N/A

If YES, what are the measurements in feet? _____ Ft. ☐ N/A

Are there any residents located within 300 feet of premise to be licensed? ☒ YES ☐ NO ☐ N/A

If YES, has measurements been taken? ☐ YES ☒ NO ☐ N/A

If YES, what are the measurements in feet? _____ Ft. ☐ N/A

NOTE: The City of Sulphur will validate all measurements

FAITH



FAMILY



COMMUNITY

Revised 8/16/2021

Page 2 of 5



LOUISIANA
DEPARTMENT of REVENUE

Post Office Box 4969
Baton Rouge, LA 70821-4969



FAMILY DOLLAR #23877
1601 E NAPOLEON ST
SULPHUR LA 70663-3654

Date of Notice: 04/08/2022
Letter ID: L0863692048
Location ID: B4479804-0378
Tax Type: Sales

**State Sales Tax Clearance Certificate
For Office of Alcohol and Tobacco Control**

Louisiana Revised Statutes 26:78, 26:80, 26:278 and 26:280 provide that the Louisiana Department of Revenue and the local sales tax collection agency or agencies issue a clearance for sales tax purposes before a state Alcoholic Beverage and/or Beer Permit(s) is issued.

This document certifies that you are current in filing and paying your state and/or local sales taxes. This Sales Tax Clearance Certificate must be attached to your Alcoholic Beverage and/or Beer Permit application and submitted to the Office of Alcohol and Tobacco Control of the Louisiana Department of Revenue, and the local Office of Alcoholic Beverage Control.

Clearance will expire one year from date issued

Date: 04/08/2022

Department of Revenue Account Number: 4479804-000

Federal Identification Number: 561373359

State ATC Permit Number: 99999999

Local Sales Tax Agency Account Number:

Local ABC Permit Number:

Location Address of Applicant: 1601 E NAPOLEON ST
SULPHUR LA 70663-3654

I hereby certify that the above listed taxpayer is current in filing and paying all required sales tax returns and taxes.

State

Signature

Director

Title

April 08, 2022

Date

Local

Signature

Title

Date



Sales and Use Tax Department
PO Drawer 2050; 2439 6th Street Lake Charles, LA 70602-2050

Calcasieu Parish School Board

BUILDING FOUNDATIONS FOR THE FUTURE

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(337) 217-4280 Fax (337) 217-4281

**PARISH OF CALCASIEU
SALES TAX CLEARANCE CERTIFICATE
FOR OFFICE OF ALCOHOL AND TOBACCO CONTROL**

Louisiana Statutes require that both state and local revenue or tax offices provide a tax clearance before the issuance or renewal of a state or local Alcoholic Beverage Permit.

In accordance with Act 1016 of the 1995 Regular Session of the Louisiana Legislature, this document certifies that the taxpayer listed herein is current in filing Calcasieu Parish Sales Taxes and there are no delinquent taxes, penalties, or interest due. This Calcasieu Parish Sales Tax Clearance Certificate must be attached to your Alcoholic Beverage Control permit application in all instances, whether initial or renewal, and submitted to the Office of Alcohol and Tobacco Control.

**NOTICE: A STATE TAX CLEARANCE IS REQUIRED IN ADDITION TO THE
LOCAL CLEARANCE.**

Calcasieu Parish Taxpayer Number: 00030596

Federal Employer Identification Number: 56-1373359

LA Department of Revenue & Taxation No: 4479804-000

Taxpayer Name: FAMILY DOLLAR STORES OF LA LLC

Trade Name (if different): FAMILY DOLLAR STORES OF LA LLC

Location Address: 1601 E NAPOLEON ST
SULPHUR, LA 70663

Mailing Address: 500 VOLVO PKWY
CHESAPEAKE, VA 23320

I hereby certify that there are no delinquent sales taxes, penalties, or interest due the Calcasieu Parish Sales and Use Tax Department from the above listed taxpayer, excluding items under formal appeal pursuant to applicable statutes.

Monica Hanning // Clerk // 7/6/2022
Authorized Signature Title Date
Calcasieu Parish Sales & Use Tax Department

F032/(5/2017)

REPRESENTING

Calcasieu Parish School Board, STX Districts 2 & 3, Calcasieu Parish Police Jury, STX Districts 1 & 4A
Calcasieu Parish Law Enforcement District, City of DeQuincy, Town of Iowa, City of Lake Charles
City of Sulphur, Town of Vinton, City of Westlake, SWLa Convention & Visitors Bureau

Anna Manuel

From: Caitlen Johnson
Sent: Wednesday, July 27, 2022 8:26 AM
To: Anna Manuel
Subject: RE: Background check for members/ manager Family Dollar

All applicants are clear with Sulphur Police.

****NOTE:****The response to this request for a Criminal Record Check is based on a review of the Sulphur Police Department's Database. This does not include the existence of a record in another local agency such as Sulphur City Court; Sulphur City Marshal's Office; Calcasieu Parish Sheriff's Office; the Louisiana State Police and the FBI Identification Division.

-----Original Message-----

From: Anna Manuel <amanuel@sulphur.org>
Sent: Wednesday, July 27, 2022 8:00 AM
To: Caitlen Johnson <cjohnson@sulphur.org>
Cc: Anna Manuel <amanuel@sulphur.org>
Subject: Background check for members/ manager Family Dollar

Thank you and have a blessed day!

Anna Manuel
License Department
City of Sulphur
110 N Huntington St. Sulphur, La 70663
amanuel@sulphur.org
Office: 337-527-4517
Fax: 337-527-2053

RESOLUTION NO. _____, M-C SERIES

Resolution appointing a member to the Land Use Commission for District 2.

BE IT RESOLVED by the City Council of the City of Sulphur, Louisiana, the governing authority thereof, that they do hereby appoint Troy Darby to the Land Use Commission for District 2.

APPROVED AND ADOPTED by
the City Council of the City of
Sulphur, Louisiana on this _____
day of _____, 2022.

MANDY THOMAS, Chairman

ATTEST:

ARLENE BLANCHARD, Clerk