

Minutes
Public Hearing Meeting
Town of Iowa
115 N. Thomson
October 14, 2019
Iowa, La
7:00 p.m.

Mayor Paul Hesse called a public hearing to order at 7:00 p.m. Present was Mayor Hesse; Council Members Julie Fontenot, Joe Becnel, Daniel Hennigan, Gerald Guidry, and Vernessa Guillory; Town Attorney Eugene Bouquet; Town Clerk Cynthia Mallett; Fire Chief Lewis; and about 6 citizens.

Mayor read the following:

1. To consider adopting Ordinance 2019-07. An Ordinance amending Ordinance No 2019-07, establishing certain building restrictions and regulations for the Town of Iowa, Louisiana, and providing for the administration and enforcement thereof. Mayor Hesse asked if anyone had any questions or comments. There were no questions or comments.

Public Hearing was closed at 7:02 p.m.

Minutes
Public Meeting
Town of Iowa
115 N. Thomson
October 14, 2019
Iowa, La
7:02 p.m.

Mayor and Town Council met in regular session this date in compliance with all requirements as to notice.

Present: Paul Hesse, Mayor; Council Members: Gerald Guidry, Joe Becnel, Daniel Hennigan, Julie Fontenot, and Vernessa Guillory; Fire Chief Lewis; Town Attorney Eugene Bouquet; Town Clerk Cynthia Mallett; and about 6 citizens

Invocation by Council Member Joe Becnel; followed by Pledge.

Mayor Hesse called the meeting to order at 7:02 pm.

It was **moved by**, Daniel Hennigan **seconded by**, Gerald Guidry to adopt agenda. The motion passed unanimously.

It was **moved by** Daniel Hennigan, **seconded by** Julie Fontenot, to approve September 18, 2019 Special Meeting Minutes as written not read. The motion passed unanimously.

OLD BUSINESS:
None

NEW BUSINESS:
It was **moved by** Julie Fontenot, **seconded by** Joe Becnel to adopt Ordinance No 2019-07, An Ordinance amending Ordinance No. 2019-06, establishing certain building restrictions and regulations for the Town

of Iowa, Louisiana, and providing for the administration and enforcement thereof. The motion carried unanimously.

ORDINANCE No. 2019-07

AN ORDINANCE AMENDING ORDINANCE NO. 2019-06, ESTABLISHING CERTAIN BUILDING RESTRICTIONS AND REGULATIONS FOR THE TOWN OF IOWA, LOUISIANA, AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF,

WHEREAS, the Mayor and Town Council deem it necessary for the purpose of promoting health, safety, morals, or the general welfare of the Community to enact such an ordinance as to prevent overcrowding of land, to secure safety from fire, panic, and provide adequate light and air, to avoid undue concentration of population, and to facilitate the adequate provisions of transportation, water, sewerage, schools, parks in conformance with The Louisiana State Uniform Construction Code and shall be controlling within the corporate limits of the town.

NOW, THEREFORE, BE IT ENACTED by the Mayor and Town Council of Town of Iowa, Louisiana, as an Ordinance:

Part 1 Definitions

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

Building Code or Code means the applicable International Building Code, Electric Code, Plumbing Code, Life Safety Code or any other regulatory code in effect within the town.

Building Inspector means the officer or other person charged with the administration and enforcement of the building code ordinances or his duly authorized representative.

Camper means any towable vehicle that combines transportation and temporary living quarters for travel, recreation, and camping and for purposes of this Ordinance includes new and used travel trailers, fifth-wheel travel trailers, folding camper trailers, and slidein truck campers.

Campground means any facility permitted for use by campers and/or motor homes where the use of the facility is not for a permanent residence.

Commercial Establishments means any establishments of or connected with a business or trade providing some goods or services to others in pursuit of a profit.

Commission means the Louisiana Manufactured Housing Commission.

Corner Lot means a lot which abuts two (2) or more streets at their intersection, or upon a curbed street, provided that the two (2) sides of the lot form an interior angle of not more than one hundred thirty-five (135) degrees.

Dwelling means a building used entirely for permanent, residential purposes and can be construed to include fixed residential structures, mobile homes, manufactured homes and manufactured housing. Campers, recreational vehicles, motor homes or travel trailers are deemed as temporary dwellings unless they are situated with a planned and approved park.

Lot means a plat or parcel of land adequate for occupancy by a use herein permitted no less than five thousand (5000) square feet.

Manufactured Home and Manufactured Housing means a factory-built, residential dwelling unit constructed to standards and codes, as promulgated by the United States Department of Housing and Urban Development (HUD), under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. § 5401 et seq., as amended. Further, the terms “manufactured home” and “manufactured housing” may be used interchangeably and apply to structures bearing the permanently affixed seal of the United States Department of Housing and Urban Development or to factory-built, residential dwellings that are mounted on a chassis.

Minimum Standards mean compliance with the minimum standards for the installation of manufactured homes as defined and regulated by LA R.S. 51:912.21, and where applicable to all applicable building codes and/or anchoring requirements as established or retained herein.

Mobile Home means a factory-built, residential dwelling unit built to voluntary standards prior to the passage of the National Manufactured Housing Construction and Safety Standards Act of 1974. This term includes and is interchangeable with the term “house trailer”, but does not include the term “manufactured home”, as only manufactured homes are built to federal construction standards. After adoption of this ordinance by the Iowa Town Council, Mobile Homes, or Trailers as they are commonly referred, shall no longer be moved into the town limits or within the town limits.

Manufactured Home Park means any tract of land containing two (2) or more manufactured homes, which are immobilized for use as a residence and are connected to city utilities, including individual sewage connections. It involves a parcel of land under single ownership which has been planned and improved for the placement of manufactured homes. Manufactured Home Parks shall not be constructed within the corporate limits of the Town of Iowa after passage of this ordinance.

Modular Home means a factory-built, residential dwelling unit built to the International Residential Code as adopted by the Louisiana State Uniform Construction Code Council.

Motor Home means a motor vehicle designed as an integral unit to be used as a conveyance upon the public streets and highways and for use as a temporary or recreational dwelling as defined by LA R.S. 32:781.

Over-Roof Tie means a certain device approved by the manufactured homes manufacturer and used for the purpose of securing the manufactured homes systems to ground anchors in order to resist wind forces.

Park means a commercial business in which land is developed for the purpose of renting/leasing spaces for parking of Manufactured Homes, Recreational Vehicles (RV), Travel Trailers, Motor Homes or Campers.

Seal or Label means the permanently affixed device or insignia issued by the United States Department of Housing and Urban Development (HUD) or other authority having jurisdiction that is displayed on the exterior of a factory-built manufactured home, certifying that the home is in compliance with the code.

Residence is a term used synonymously with a dwelling.

Through Lot means a lot whose depth extends between two more less parallel streets and has frontage on each street.

Travel Trailer means any towable vehicle that combines transportation and temporary living quarters and includes travel trailers, fifth-wheel trailers, folding camper trailers, and slide-in campers as further defined by LA R.S. 32.781.

Yard means a required open space unoccupied and unobstructed by any structure or portion of any structure or portion of any structure from six (6) inches above the general ground level of the graded lot upward, provided, however that fences and walls may be permitted in any yard subject to height limitations as indicated herein.

Part 2 RESTRICTIONS AND REGULATIONS

Section 1 Residences and Dwellings

1.1 No two (2) dwellings shall be allowed upon an individual lot within the town limits. This applies to residential fixed homes as well as Manufactured Homes. Tracts of land within the town limits that are larger than typical divided lots and that have not been subdivided into individual/divided lots shall require a Special Permit from the Town of Iowa to allow two (2) or more dwelling units to be placed on them.

1.2 No residence or dwelling shall be constructed or moved onto any lot unless it complies with the following regulations:

1.3 Area Regulations for all Buildings

1.3.1 Yard

a. Front Yard: there shall be a front yard having a depth of not less than twenty (20) feet. On through lots, this minimum front yard shall be provided on both streets.

b. Side Yard: there shall be two (2) side yards, one on each side of the building having a minimum width of seven (7) feet each.

Corner Lots: the side yard on that side abutting the side street shall not be less than three (3) feet.

c. Rear Yard: there shall be a rear yard having a depth of not less than fifteen (15) feet.

1.4 Manufactured Home

1.4.1 No more than one (1) Manufactured Home shall be placed onto an individual lot, except within an approved Manufactured Home Park. When a Manufactured Home or Mobile Home encompasses area of more than one lot, outside of an approved Park, each lot is considered to contain a dwelling.

1.4.2 Manufactured Homes older than five (5) years from manufactured date and less than a wind zone II shall not be moved into the Town of Iowa as of the effective date of passage of this ordinance.

1.4.3 Recreational Vehicles, Travel Trailers, Motor Homes and Campers shall not be placed onto individual lots within the town limits to be used as dwellings as of the effective date of this ordinance. These temporary type dwelling units shall only be placed within parks designed as such and formally pre-approved by the Iowa Town Council.

1.4.4 Recreational Vehicles, Travel Trailers, Motor Homes and Campers may be parked upon an individual lot that contains a permanent type dwelling, for storage, maintenance and temporary use as a dwelling. It shall not be used as a dwelling for a period longer than 30-days.

- a. A permit must be applied for and issued by the Town of Iowa if the Recreational Vehicle, Travel Trailer, Motor Home or Camper will be used as a temporary dwelling for 1-30 days.

1.4.5 No Manufactured Home shall be placed on any individual lot unless the following regulations are complied with:

Area regulations for Manufactured Homes located on individual lots.

1. Yard:

- a. Front Yard: Manufactured Homes shall have a front yard having a depth of not less than twenty (20) feet.
- b. Side Yard: there shall be two (2) side yards, one on each side of the Manufactured Home having a minimum of ~~ten (10)~~ seven (7) feet each.

Corner Lots: the side yard on that side abutting the side street shall not be less than three (3) feet.

- c. Rear Yard: There shall be a rear yard having a depth of not less than fifteen (15) feet.

1.4.6 No Manufactured Home unit or manufactured housing unit may be moved within the Town of Iowa and onto an individual lot OR within a Park until the owner of the unit has applied for and received a permit with the Town of Iowa and the Calcasieu Parish Police Jury. The application for a permit must be accompanied by a plat drawn to scale or a property drawing depicting the planned measurements of the unit and its location to all property lines and any other structures on the property. The

submitted application will be reviewed by the Town of Iowa to assure the planned placement will comply with area regulations for the structure and to make determination of whether the property to which the unit is to be moved lies within a Flood Hazard Area. The application, if initially pre-approved by the Town of Iowa, will be provided to the owner who must submit it to the Calcasieu Parish Building Permit Office for formal review, approval, and inspection. The Building Inspector will perform necessary inspections to assure the placement is performed as depicted in the owners planned plat or drawing. If the location of the property is determined to be in a Flood Hazard Area, a final Certificate of Elevation must be obtained and presented to the Town of Iowa and to the Calcasieu Parish Building Permit Office.

1.4.7 Requirements for Manufactured Home/Housing Units located within a Park or onto an Individual Lot:

1. All Units shall be installed per the standards of LA. R.S. 51, Chapter 2 Part XIV-B. The title of this standard is "Minimum Standards for Installation of Manufactured Homes".

2. Each person, whether owner, lessee or possessor who locates or installs any manufactured home on any lot, park space or other parcel of land within the corporate limits of the town shall be required to install skirting around the entire perimeter of the unit which screens the frame, axles, wheels and crawl space storage area with adequate access provided for inspections. Said skirting shall consist of either a solid curtain wall material such as treated wood, vinyl, metal, masonry, ABS plastic color skirting with interlocking edges (key locked) or PVC painted metal approved skirting or shall consist of partially perforated materials such as wood or vinyl lattice work. All skirting shall be white or colorcoded to the color of the manufactured home and shall be maintained in a good state of repair. All skirting shall be secured to the structure and/or ground in such a manner as to ensure it remains intact and in place. Said skirting shall be completely installed within thirty (30) days of the town connecting utilities. Thereafter, the owner or possessor must request an inspection of the skirting installation by filing a request for inspection with the Town Clerk. In the event that the skirting is not completely installed, or if the request for inspection is not requested within the above noted time period, the town may disconnect utility

services to the unit without further notice to the owner, lessee, possessor or occupant. For good cause shown prior to passage of the thirty-day time limit, the Mayor may grant one (1) thirty-day extension to the original required time period.

1.5 Commercial Establishments

1.5.1 No commercial establishment shall be placed on any property unless the following regulations and restrictions are complied with.

1.5.2 If at the time of construction of the commercial establishment, and:

1. If the property on which the commercial establishment is to be located adjoins a residence or dwelling or an empty lot on either or both sides, then:

a. Front Yard: Minimum of Twenty (20) feet in depth

b. Side Yard: There shall be a side yard of a minimum of seven (7) feet on the side adjoining a dwelling or empty lot. There shall be no side yardage requirements on that side adjoining another commercial establishment.

Corner Lots: The side yard on that side abutting the side street shall not have any minimum requirement.

c. Rear Yard: Minimum of ten (10) feet in depth.

2. If the property on which the commercial establishment is to be located adjoins a commercial establishment on both sides, then there shall be no yardage requirements of any kind.

Part 3 Administration and Enforcement

3.1 Building Permit and Certificates of Occupancy: This ordinance shall be enforced by a Building Inspector for the Calcasieu Parish Police Jury, which the Town of Iowa has an Cooperative Endeavor Agreement to perform such inspections. No structure shall be erected, altered, or moved until the Building Inspector has issued a Building Permit certifying that the plans of building and structures are in conformity with this ordinance. Applications for permits under the provisions of this section shall be accompanied by a plat drawn to scale showing actual dimensions of the lot to be built on, the size, shape and location of the buildings to be erected, the estimated cost thereof, and such

other information as may be required by the Building Inspector insuring proper enforcement of this ordinance.

3.2 Penalties: Any persons violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined not more than \$100.00 or confined for not more than 30-days in the town jail for each offense. Each day such violation continues shall constitute a separate offense. In case any building or structure is erected, constructed, reconstructed, altered, or repaired in violation of this ordinance or in violation of the plat showing the proposed lot and building to be erected thereon, the Building Inspector, acting for and on behalf of the Town of Iowa in addition to any other remedies, may institute appropriate action or proceedings in the name of the Town of Iowa to prevent any such unlawful erection, construction, re-construction, alteration and repairs. This may involve the homeowner to remove and reconstruct the structure to a condition to be in compliance with this ordinance and all building codes.

3.3 Special Permits of the Mayor and Town Council

3.3.1 The Mayor and Town Council of the Town of Iowa reserve unto themselves the right and authority to issue special permits in special cases with extenuating and unforeseen circumstances. The permit applicant shall submit a request for such special permit to the Town Clerk who will place the matter on the agenda for the next regular Town Council Meeting. The Town Council will hear the request from the applicant and will either approve or disapprove by vote at the meeting. The Town Council may request the recommendation of the Building Inspector prior to taking official action by vote.

After public hearing was held on the above Ordinance, the title having been read and the Ordinance considered, on motion by Julie Fontenot, seconded by Joe Becnel to adopt the Ordinance, a record vote was taken and the following result was had:

YEAS: Julie Fontenot, Joe Becnel, Gerald Guidry, Vernessa Guillory, and Daniel Hennigan

NAYS: None

ABSENT: None

ABSTAIN: None

WHEREUPON, the presiding officer declared the above Ordinance duly adopted on the 14th day of October, 2019

PAUL HESSE, MAYOR

I certify that the above ordinance was presented to the Mayor by me on the 15th day of October, 2019.

CYNTHIA MALLET, TOWN CLERK

I, acknowledge receipt of the above ordinance from the Town Clerk on this 15th day of October, 2019.

PAUL HESSE, MAYOR

I, hereby approve the above ordinance on this 15th day of October, 2019.

PAUL HESSE, MAYOR

I certify that the above ordinance was received by me from the Mayor on this 15th day of October, 2019.

CYNTHIA MALLET, TOWN CLERK

Mr. Walt Jessen, Engineer, gave an update on the progress of projects, the water manifold project and the N. Lightner project.

Mr. James Hardy, Public Works Supervisor, gave a report of accomplishments during the month of September.

Chief Lewis, Iowa Fire Department, gave updates and report for the month of September.

Police Chief Vincent requested the Council approve transfer of Officer Ralph Picard from full-time Dispatch/Patrol/Crime Scene to reserve status effective 10-20-2019. It was **moved by** Daniel Hennigan, **Seconded by** Gerald Guidry to remove Officer Ralph Picard from full-time dispatch/patrol/crime scene and approve him for reserve status. The motion carried unanimously. Chief Vincent requested to hire Justin Trahan as temporary part-time Dispatch/Patrol/Crime Scene. It was **moved by** Julie Fontenot, **seconded by** Daniel Hennigan to hire Justin Trahan as temporary part-time Dispatch/Patrol/Crime Scene. The motion passed unanimously.

It was **moved by** Julie Fontenot, **seconded by** Daniel Hennigan to approve Resolution to adopt the Louisiana Compliance Questionnaire. The motion passed unanimously.

LOUISIANA COMPLIANCE QUESTIONNAIRE

RESOLUTION 2019 - 15

A resolution to adopt the Louisiana Compliance Questionnaire

BE IT RESOLVED that the Louisiana Compliance Questionnaire was received from the Office of the Legislative Auditor, State of Louisiana, and was properly completed by the Clerk of the Town of Iowa and presented to the Mayor and Town Council of the Town of Iowa in the same as hereby approved and adopted.

BE IT FURTHER RESOLVED that a copy of said Compliance Questionnaire be filed in the records of the Town of Iowa and further, that a completed copy of the Resolution be forwarded to McElroy, Quirk, & Burch, the auditing firm engaged by the Town of Iowa to test the accuracy of the answers to questionnaire and submit to the Town of Iowa and the Legislative Auditor their opinion and validity of the answers therein contained.

This Resolution is declared adopted on this 14th day of October, 2019.

Paul Hesse, MAYOR

ATTEST:

Cynthia Mallett, Municipal Clerk

Mr. Kudla came before the Mayor and Council to present the plans and costs for the rehabilitation of tennis court. Questions were asked by council members and answered by Mr. Kudla. It was **moved by** Julie Fontenot, **seconded by** Daniel Hennigan to approve drawings, plans, and cost of proposed Tennis Court Rehabilitation by Kudla Architecture, also to approve Mr. Kudla solicit for quotes. The motion passed unanimously.

Mayor Hesse gave an updated financial report.

Open for Mayor and Council Comments: Mayor Hesse invited comments from the citizens, and the Council. Mrs. Catherine Trahan came forward to request that the Town of Iowa Town Council take action on enforcing the cleaning up of a property located at 510 Barkley and Hwy 90. Also, grade ditch from her property down to Hwy 90. Chief Vincent addressed Mrs. Trahan's concern and said that the ordinance officer will take care of the enforcement of concerns stated.

It was **moved by** Gerald Guidry, **seconded by** Julie Fontenot to adjourn meeting. Meeting was adjourned at 7:53 pm.

ATTEST:

Paul Hesse, Mayor

Cynthia Mallett, MMC