

On a motion by Adam Ted Gisclair, seconded by James Danos, the following Ordinance was proposed and adopted:

ORDINANCE NO. 1

AN ORDINANCE TO ESTABLISH CONSTRUCTION REQUIREMENTS FOR ALL PIPELINES WITHIN GEOGRAPHIC DISTRICT, PROVIDING FOR THE NECESSITY AND ISSUANCE OF CONSTRUCTION PERMITS, ESTABLISHING REQUIREMENTS FOR THE DESIGN AND INSTALLATION OF PIPELINE, PROVIDING ADDITIONAL REQUIREMENTS FOR SUBDIVISIONS, PROVIDING FOR PENALTIES FOR VIOLATIONS HEREOF.

WHEREAS, The South Lafourche Levee District has been empowered by L.S.R.S. 38:1054 to adopt rules and regulations for the carrying into effect and perfecting a comprehensive levee, drainage and pumping system; and effectuate a program of beautification and creating more pleasant surroundings,

WHEREAS, a system of pumping stations is presently under construction enabling the removal of water from the borrow area outside of the system, and

WHEREAS, it has begun construction of a levee system with borrow pits available for drainage use, and

WHEREAS, it is necessary to afford unencumbered drainage from the front on Bayou Lafourche Ridge to the rear borrow pit and to provide for limitation upon construction or major repairs, substantial improvement or relocation of pipelines and utility lines, to provide for permits therefor.

NOW, THEREFORE, BE IT ORDAINED by the South Lafourche Levee District, under authority of L.S.R.S. 38:1054, subsequent to advertisement and public hearing as required by law, that:

SECTION I.

General Provisions:

A. Definition:

Pipelines: any pipe used to transport hydrocarbons, oil, liquid chemicals, natural gas, toxic materials, sulfur, coal, or lignite, slurry, brine or any toxic material.

B. All pipelines shall obtain a permit from the South Lafourche Levee District prior to the installation, or relocation, major repair, or substantial improvement of pipelines.

SECTION II.  
Pipelines:

A. Conditions of Permit:

In order to obtain a permit the applicant pipeline company, must submit plans to the South Lafourche Levee District which show, to scale, the location, dimensions, depth and elevations the proposed installation, relocation, major repair, or substantial improvement. The plan must show that the work to be done will be in compliance with the rules contained in this ordinance. The plan must also show the extent to which any water courses of natural or man made drainage will be altered.

B. Approval or Denial of Permit:

1. The applicant for a permit will have his permit accepted or rejected by the South Lafourche Levee District within thirty (30) days from the date of filing.
2. In the event that the permit application is denied, then the applicant may apply to the South Lafourche Levee District for a hearing before the Board, within thirty (30) days of the denial of the permit. If no application for a hearing is made then, the denial of the permit is final.
3. If applicant applies for a hearing before the Board, then the Board must grant to applicant a hearing within ninety (90) days of the request for a hearing.
4. At the hearing, the applicant will have the right to present witness and exhibits.
5. At the conclusion of the hearing the Board will render a decision, granting the permit or refusing the permit, within thirty (30) days.

C. Length of Permit Validity:

Construction must begin within six (6) months from the date that the permit is issued. If no construction is begun within six (6) months of the date of the permit, the permit expires.

D. Depth of Pipelines:

All pipelines shall be buried a minimum of ten (10) feet below the surface of the ground, or the bottoms of the stream or man made canal.

E. Cathodic Protection:

All pipelines at all times shall be equipped with adequate Cathodic protection. In January of each year a licensed Louisiana Engineer employed by the owner of the pipeline shall inspect the cathodic protection system and swear before a notary public in Lafourche Parish, that the Cathodic Protection Systems on the pipeline are in good working order and that it has been inspected by the engineer.

F. Marking the Pipelines:

There must be installed markings showing the location of the pipeline every five hundred (500) feet on its route and at every property line and at the crossing of every stream and canal. These markings should be clearly visible and readable by a person of normal vision from a distance of ten (10) feet. In January of each year, the owner of the pipeline will inspect the pipeline to determine if the markers are still in place, and replace or repair all damaged or missing markers. The owner of the pipeline will send a letter to South Lafourche Levee District certifying that the markers have been inspected and replaced or repaired.

G. Relocation of Pipelines:

Owners of pipelines shall relocate, within thirty (30) days of notice, pipelines, at their own expense when they are located in the path of projects of any governmental agency.

H. X-Rays:

During the construction of the pipelines, the pipeline owner shall make available to the South Lafourche Levee District all reports of X-ray findings and the X-rays taken in connection with the construction of the pipeline.

I. Inspection of Pipeline for Depth:

During January of every year the owner of the pipeline will cause the pipeline to be inspected to see that it maintains its depth of ten (10) feet below the surface. The owner of the pipeline will send a letter to the South Lafourche Levee District certifying that the pipeline has maintained its depth of ten (10) feet below the surface of the soil, or that it is being repaired to maintain its depth.

J. Route of Pipeline:

The route of a pipeline shall be a route as far as possible from dwellings inhabited by human beings. In the event that it becomes necessary to locate a pipeline within one hundred (100) yards of dwellings inhabited by human beings, or of a subdivision or under a public road, or under a navigable stream, the pipeline shall be placed in a cased vented pipe.

SECTION III.

SECTION IV.

Variance:

Where the South Lafourche Levee District finds that hardships may result with the strict compliance of this ordinance, it may vary the ordinance so that substantial justice may be done and the public interest secured: provided, however, that such variation will not have the effect of nullifying the intent and the purpose of this ordinance.

SECTION V.

Exclusions:

This ordinance shall not apply to retain distribution of natural gas, such as South Coast Gas.

SECTION VI.

Violations:

Any person violating or refusing to comply with any provision of this ordinance, shall, upon conviction, be fined not more than One Hundred (\$100) Dollars and no/100 for each offense, or may be imprisoned in the Parish Jail for a period up to thirty (30) days or both. Each day the violation exists shall constitute a separate offense.

SECTION VII.

Severability:

If any section, paragraph, sentence, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance which shall remain in full force and effect. For this purpose, the provisions of this ordinance are hereby declared to be severable.

SECTION VIII.

Effective Date:

This ordinance shall become effective on Nov. 4, 1980 and shall remain in force until modified, amended or rescinded by the South Lafourche Levee District.


SECTION IX.

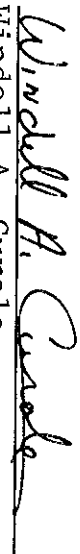
Adoption:

This ordinance having been submitted in writing, having been read and adopted by sections at a public meeting of the South Lafourche Levee District, was then submitted to an official vote as a whole, the vote thereon being as follows:

YEAS:           9  
NAYS:           0  
ABSENT:        0  
ABSTAINED:    0

This ordinance was declared adopted on this 4th day of November, 1980.

  
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Leon Theriot  
President

  
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Windell A. Currole  
Executive Secretary