

AN ORDINANCE AMENDING CHAPTER 12 ½ OF THE JEFFERSON DAVIS PARISH CODE OF ORDINANCES TO CREATE AN ARTICLE IV AND INCORPORATE THEREIN PROVISIONS FOR THE ISSUANCE OF PERMITS FOR LOGGING OPERATIONS CONDUCTED WITHIN JEFFERSON DAVIS PARISH AND TO SET APPROPRIATE PERMIT AND INSPECTION FEES AND PENALTIES.

BE IT ORDAINED by the POLICE JURY OF JEFFERSON DAVIS PARISH, LOUISIANA, in Regular Session convened, that Chapter 12 ½ of the Jefferson Davis Parish Code of Ordinances be amended to create an Article IV to read as follows:

ARTICLE IV. LOGGING OPERATIONS

Section 12 ½ - 36. Logging Occupational Permit.

All persons, corporations, firms or anyone desiring to conduct logging operations in Jefferson Davis Parish, shall apply for and execute a Logging Occupational Permit from the police jury in the form and under the terms and conditions made part of this article, as follows:

Jefferson Davis Parish Police Jury,
Parish of Jefferson Davis, Louisiana

Logging Occupational Permit

WHEREAS, _____ has applied to the Jefferson Davis Parish Police Jury, on the _____ day of _____, _____, for permission to conduct logging operations in Jefferson Davis Parish, Louisiana.

BE IT KNOWN, that the Jefferson Davis Parish Police Jury, in duly convened session on the _____ day of _____, _____, approved the application of _____, to conduct logging operations in Jefferson Davis Parish.

General conditions under which permit is granted:

- (1) For each tract of land to be harvested by a logging company given permission to operate in Jefferson Davis Parish under a Logging Occupational Permit, the logging company shall also apply to the police jury for a Logging Operations Tract Permit.
- (2) A copy of the signed timber deed(s) from the landowner(s) to the logging company, a full legal description of the tract(s) being harvested, and a plat or plats, all being clearly legible, shall be attached to the application for the Logging Operations Tract Permit to be issued by the police jury.
- (3) The Logging Occupational Permit shall be valid for a period of six months from the date of approval by the police jury. If, in the event of poor weather conditions, the locations specified for logging operations on any Logging Operations Tract Permits granted by the police jury to a logging company operating under a Logging Occupational Permit are not completely harvested during the six month term, the police jury may, within its discretion, grant an extension of time within which the logging company may complete its operations under the original permit.
- (4) No blasting work shall be done on public road rights-of-way. Such work shall be done on private property only after procuring the necessary written permission of all landowners. Copies of all landowner written permission along with a plat, all being clearly legible, shall be attached to the application.

- (5) The applicant shall also attach to each Logging Operations Tract Permit a map or written description of the travel route to be taken by all heavy loads and/or equipment, whether hauled by the applicant or a sub-contractor. All heavy loads and/or equipment shall then be moved only along that designated route. Each instance of non-compliance with this provision shall be designated as a violation of this permit, thereby subjecting the applicant to the penalties as provided in Article **IV, Section 12 ½ - 39 & 40** of the Jefferson Davis Parish code of ordinances.
- (6) The applicant shall be held solely responsible for present and future damage caused by the applicant's operations or a sub-contractor's operations on parish roads.
- (7) The parish road supervisor shall be given twenty-four (24) hours advance notice before commencement of logging operations on each separate tract of land to be harvested, and upon completion of logging operations the parish road supervisor shall be notified within twenty-four (24) hours of the movement of the logging company.
- (8) The applicant to whom this permit is granted agrees to hold harmless the Jefferson Davis Parish Police Jury and their duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
- (9) All logging operations shall be in accordance with all these provisions and violation of such can result in this permit being revoked.
- (10) A copy of the Logging Operations Tract Permit issued by the police jury should be maintained on the job site at all times and shall be produced immediately upon request by the parish road supervisor or any employee or duly appointed agent of the Jefferson Davis Parish Police Jury.
- (11) Application to the police jury for a Logging Occupational Permit shall include the name and address of the company's home or base office and the name, address and telephone number of the company official, who can be contacted in cases of emergency. Any changes in the above required information shall be immediately reported to the police jury and duly noted in any Logging Operations Tract Permits issued by the police jury.

The provisions of the application are hereby agreed to and accepted this _____ day of _____, _____.

Applicant: _____

Address: _____

Company Official: _____

Address: _____

Telephone Number: _____

Signed: _____

Date: _____

Section 12 ½ - 37. Permit required.

(a) It shall be unlawful for all persons, corporations, or firms, to conduct any logging operations within the parish without first having procured a written Logging Occupational Permit from the police jury authorizing such logging operations or to conduct such operations in a manner not consistent with said permit, or to conduct such operations after said permit is revoked. For each tract of land to be harvested by a logging company given permission to operate in Jefferson Davis Parish under a Logging Occupational Permit, the logging company shall also apply to the police jury for a Logging Operations Tract Permit. Said Logging Operations Tract Permit shall be in the form as follows:

Jefferson Davis Parish Police Jury
Parish of Jefferson Davis, Louisiana

Logging Operations Tract Permit

WHEREAS, _____ applied to the Jefferson Davis Parish Police Jury, on the _____ day of _____, _____, for permission to conduct logging operations in Jefferson Davis Parish, Louisiana and was granted a Logging Occupational Permit on the _____ day of _____, _____, which Permit shall expire on the _____ day of _____, _____.

WHEREAS, _____ desires to harvest a certain tract of property in Jefferson Davis Parish as described below, and now requests the issuance of a Logging Operations Tract Permit.

BE IT KNOWN, that subject to the general conditions outlined in the Logging Occupation Permit granted _____ by the Jefferson Davis Parish Police Jury, _____ is hereby permitted to conduct logging operations in Jefferson Davis Parish at the following described location: _____

The provisions of the application are hereby agreed to and accept this _____ day of _____, 20____.

Applicant _____
Address _____

Signed: _____
Date: _____

(b) In the event a logging company operating under a Logging Occupational Permit applies for and obtains Logging Operations Tract Permits for tracts of land which will not be harvested prior to the expiration of the Logging Occupational Permit, the logging company shall re-apply for a six-month Logging Occupational Permit at the expiration of the original permit and pay all permit and inspection fees. Upon approval by the police jury of a new Logging Occupational Permit, the logging company shall be allowed to carry over all Logging Operations Tract Permits approved by the police jury on tracts of land not harvested under the original Logging Occupational Permit.

Sec 12 ½-38. Subject to federal and state regulations.

Any permit issued under this section shall be subject to such regulations and restrictions as may be imposed by any state or federal agency.

Sec 12 ½-39. Permit and Inspection fee.

(a) The amount of the Logging Occupational Permit and inspection fee required in connection with this permit shall be set at \$100.00 per non-contiguous tract of timber.

(b) The permit and inspection fee shall accompany the application and shall be non-refundable. In the event logging operations begin without a parish permit, a non-refundable late fee penalty of \$1,500.00 shall be assessed.

(c) Prior to the issuance by the Police Jury of a permit, as required by this ordinance, the Applicant shall make a Guarantee Deposit in the form of a certified check or surety bond made payable to the Jefferson Davis Parish Police Jury. This deposit shall serve as a guarantee that the Applicant shall make all repairs as designated by Grantor's inspector and may be used by grantor as set out previously if applicant fails to timely make such repairs. This Guarantee Deposit shall be in the amount of Five Thousand and 00/100 Dollars (\$5,000.00). If the above

deposit fee is insufficient to cover the cost of repairs, Applicant shall be liable to Grantor for the remaining cost.

(d) These charges shall apply to each application for a logging occupational permit on each non-contiguous tract of land to be logged. Any applicant shall only be required to post one annual bond per year.

(e) No fee shall be assessed by the police jury in connection with the preparation and issuance of a logging operations tract permit.

Sec. 12 ½ - 40. Penalty.

Each violation of this article shall be punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment for not more than thirty (30) days, or both such fine and imprisonment, and each day a violation continues shall be considered a separate offense.

THUS DONE AND PASSED BY THE POLICE JURY OF JEFFERSON DAVIS PARISH, LOUISIANA, on this, the _____ day of _____, 20__.

APPROVED:

JEFFERSON DAVIS PARISH POLICE JURY

ATTEST:

Road Supervisor

Permit Specialist