

ARTICLE II. DILAPIDATED AND DANGEROUS BUILDINGS AND STRUCTURES'

Sec. 30-19. Policy.

- (a) This article is intended to serve the public interest by providing methods of dealing with buildings and structures in the unincorporated areas of the parish that have become threats to the health, safety and welfare of the public as a result of dilapidation, obsolescence, fire hazard or abandonment.
- (b) It is not the intent of this article to dictate aesthetic preferences or community standards.
- (c) It is not intended that the provisions of this article be applied to sites containing hazardous materials, industrial waste, or other toxic substances or materials. Sites so identified shall be referred to the United States Environmental Protection Agency and the state department of environmental quality for further action.

(Code 1985, § 24-1; Ord. No. 2874, 4-22-1992)

Sec. 30-20. Property standards board; attorney.

- (a) The property standards board for the parish shall consist of the members of the parish commission, who, when sitting in that capacity, shall be specifically so convened.
- (b) The attorney for the property standards board shall be the parish district attorney, provided that the board may retain private counsel where deemed appropriate.

(Code 1985, § 24-2; Ord. No. 2874, 4-22-1992)

Sec. 30-21. Violations.

It shall be a violation of this article for the owner of any property in the unincorporated portion of the parish to allow to exist thereon a structure or portion thereof which constitutes a threat to the health, safety or welfare of the public as the result of dilapidation, obsolescence, fire hazard or abandonment. Each day such condition continues to exist shall constitute a separate offense.

(Code 1985, § 24-3; Ord. No. 2874, 4-22-1992)

Sec. 30-22. Funding.

Funding for the administration and enforcement of this article by the property standards board and the parish administrative staff shall be provided by the parish's annual budget adopted by the parish commission, and all actions taken by the parish under this article shall be limited by the budgetary allowance provided therefor in each fiscal year.

(Code 1985, § 24-4; Ord. No. 2874, 4-22-1992)

State law reference(s)—Parish authority to enact ordinances that declare dilapidated structures as public nuisances and require their repair, rehabilitation, demolition, or removal, R.S. 33:1236(49); maintenance of
Sec. 30-23. Powers for order and demolition of dilapidated and dangerous buildings
remove and secure dangerous structures, R.S. 33:4757.

The property standards board may condemn, and cause to be demolished, removed or sealed, any building or structure within the unincorporated areas of the parish when it is in a condition which endangers the public health, safety or welfare as a result of dilapidation, obsolescence, fire hazard or abandonment.

(Code 1985, § 24-5; Ord. No. 2874, 4-22-1992)

Sec. 30-24. Inspection.

- (a) Duly authorized representatives of the parish may enter any building, structure or premises at reasonable times for the purpose of ascertaining whether conditions exist which may endanger the public health, safety or welfare, when there is reason to believe that such may be the case.
- (b) When entering a building, structure or premises that is occupied, such official shall first identify himself, present proper credentials, and request entry. If the building, structure or premises is unoccupied, he shall first make a reasonable effort to locate the owner or other persons having control thereof and demand entry.
- (c) If the owner, agent, occupant or tenant of any building or structure fails to consent to entry and inspection, a representative of the parish may present an affidavit to a judge of First Judicial District Court stating that he believes, or has reason to believe, that by a search of the premises designated in the affidavit he will obtain evidence tending to reveal existence of violations of this article. Upon receipt of such affidavit, the judge, if he deems the affidavit to be sufficient, shall issue a warrant authorizing the parish representative to enter and search the premises described in the affidavit and designated in the warrant to obtain evidence tending to reveal the existence of violations of this article.

(Code 1985, § 24-6; Ord. No. 2874, 4-22-1992)

Sec. 30-25. Initial report; notice; hearing; effect of recordation.

- (a) Before the property standards board may condemn any building or structure, there must be submitted to it a written report recommending the demolition, removal or sealing of the building or structure signed by the director of public works or the chief sanitarian of the parish health unit. The parish administrator shall thereupon serve notice on the record owner of the building or structure requiring him to show cause at a meeting of the property standards board why the building or structure should not be condemned. The date and hour of the meeting shall be stated in the notice, which shall be served at least ten days prior to the date of the hearing, except in case of public emergency as hereinafter provided.
- (b) The notice requirement shall be satisfied when:
 - (1) Notice is served upon the owner in the same manner as service of citation or other process, including domiciliary service, whether made by a sheriff, deputy sheriff or constable; or
 - (2) Notice is served upon the owner by registered or certified mail, sent to his last known address.
- (c) If notice cannot be made under the provisions of subsection (b) of this section, notice shall be made by publishing a copy of the notice two times in the official journal of the parish. A copy of the notice shall be posted in a conspicuous place on or near the premises which is the subject of the notice.
- (d) In case of a public emergency where the condition of the building or structure is such as to cause possible immediate risk of loss of life, serious personal injury or substantial damage to property, the property standards board may condemn the building or structure after 24 hours' notice served upon the owner or his agent or the occupant. Actual demolition shall not be begun until the expiration of the 48-hour appeal period provided by section 30-27.

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- (e) Any notice served pursuant to this section shall be filed with the parish clerk of court and shall be recorded in mortgage records of the parish. Once filed, said notice shall be deemed notice to all persons. Any transferee of such property takes the property subject to the provisions applicable to the original owner.

(Code 1985, § 24-7; Ord. No. 2874, 4-22-1992; Ord. No. 3557, 9-24-1998)

Sec. 30-26. Decision of governing authority; order to demolish, repair or seal.

- (a) After the hearing provided for in section 30-25, if in the opinion of the majority of the property standards board the facts justify it, an order shall be entered condemning the building or structure and ordering that it be demolished, removed or sealed within a specified period of time. If repairs or sealing of the building or structure will correct the dilapidated, dangerous or unsafe condition, the property standards board may grant the owner the option of providing such repairs or sealing; and in such a case the general nature or extent of the repairs or sealing to be accomplished, the time thereof, and the defects to be corrected shall be specified in the decision of the property standards board.
- (b) The decision and order of the property standards board shall be in writing and shall be final unless appealed from as hereinafter provided.
- (c) As used in this section, the term "sealing" means the boarding of each window, door and other opening of a structure in such a manner as to prevent the entry of a person into the structure. The nature of such sealing shall be sufficient to meet or exceed current standards of the Department of Housing and Urban Development of the United States Government.

(Code 1985, § 24-8; Ord. No. 2874, 4-22-1992)

Sec. 30-27. Appeal.

- (a) The owner or occupant, or the agent or other representative of the owner, may appeal the decision of the property standards board to the First Judicial District court by the filing of a petition therein, within five days of service of the order of the board, in the manner provided for service of notice by section 30-25(b), alleging reasons why the decision and order of the property standards board is illegal or improper. The issue shall be tried de novo and by preference in the district court, and the order appealed from shall be suspended during the appeal; provided, however, that, where a public emergency has been declared by the property standards board, the owner of the building or structure who desires to suspend the order of the property standards board and prevent the demolition or removal of such building or structure must, within 48 hours of the issuance of the order of condemnation by the board, obtain a temporary restraining order enjoining such action, contingent upon the furnishing of such bond as may be fixed by the district judge to cover any damage that may be caused by the condition of the building.
- (b) Either party may appeal from the judgment of the district court as in other cases.

(Code 1985, § 24-9; Ord. No. 2874, 4-22-1992)

Sec. 30-28. Compliance with order; violation; failure to comply; notice.

The owner or his designated agent must demolish and remove the building or structure or have it repaired and/or sealed, in accordance with the order of the property standards board, within the time period specified for such removal, repair, and/or sealing, running from service of the order upon him in the manner provided for service by section 30-25(b), or satisfy the property standards board within that period that sufficient arrangements have been made or a contract has been entered into to do same within a period satisfactory to the board. Failure to take such action or file a timely appeal shall constitute a violation of this section, with each day such

circumstances continue to exist constituting a separate offense, and shall authorize the parish to proceed with the demolition, removal, repair and/or sealing of the condemned building or structure in which case neither the parish, the property standards board, the parish commission, the parish administrator, nor any employee or agent of the parish shall be liable in damages.

(Code 1985, § 24-10; Ord. No. 2874, 4-22-1992)

Sec. 30-29. Lien and privilege for cost of demolition, etc., and maintenance by parish; interest.

- (a) The parish shall have a lien and privilege against the property involved for the cost of demolishing, removing, repairing and/or sealing any building or structure thereon, for the cost of maintaining the property, and for all attorney, engineering and/or inspection fees incurred in connection with such work, together with a 15 percent administrative charge. Maintenance costs may include grass cutting, weed abatement, and trash and garbage removal. Such lien shall be placed on property only in the event of the owner's refusal to pay any such costs incurred by the parish within 30 days after notice of same in the manner set forth in section 30-25. The lien and privilege shall be preserved by the parish administrator executing and placing on record in the mortgage records of the parish a sworn statement of facts, giving the description of the property and the cost of demolishing, removing, repairing or sealing the building or structure, and of maintaining property subsequent to such action.
- (b) The lien and privilege may be enforced by ordinary process in the First Judicial District Court. Alternatively, the lien and privilege may be enforced by assessing the amount thereof against the property as a tax thereon, to be enforced as any ordinary property tax lien and collected in the manner fixed for the collection of taxes, being subject to the same civil penalties for delinquencies. After the parish has incurred such costs as constitute the lien and privilege on the property, the parish administrator may send an attested bill of the costs, expenses and charges which constitute the lien and privilege to the sheriff, who shall add the amount of said bill to the next tax bill of the owner. The parish may also recover interest of the amounts secured by the lien at the rate for legal interest provided under state law, with such interest to be computed from the date of recordation of the lien until paid. The parish's lien and privilege shall prime all other liens and privileges against the property filed after the parish administrator's sworn statement is recorded pursuant to subsection (a) of this section, except that the parish's lien and privilege will not prime other taxes against the property.
- (c) The parish's lien shall not be cancelled until the amount thereof has been paid in full, including all professional fees, administrative charges and interest; except that the parish may waive the payment of interest where it reasonably determines that the amount thereof will make the total due under the lien disproportionate to the value of the property involved.
- (d) In addition to the lien and enforcement procedures set forth by this section, the parish shall have a cause of action against the owner personally for the costs and charges listed in subsection (a) of this section. Such action shall be brought by ordinary process in the First Judicial District Court, and the parish shall be entitled to recover the costs and attorney's fees incurred in the prosecution of such action.

(Code 1985, § 24-11; Ord. No. 2874, 4-22-1992)

State law reference(s)—Rates of legal and conventional interest, R.S. 9:3500.

Sec. 30-30. Closing streets and sidewalks.

The director of public works shall have the authority, when deemed necessary in the interest of public safety, to temporarily close sidewalks and streets adjacent to unsafe buildings and structures.

(Code 1985, § 24-12; Ord. No. 2874, 4-22-1992)

Sec. 30-31. Rules of procedure.

The property standards board shall adopt rules of procedures to govern the conduct of all meetings and hearings held by it pursuant to this Code. Said rules of procedures shall be reduced to writing and shall be made available to the public through the office of the parish administrator.

(Code 1985, § 24-14; Ord. No. 2874, 4-22-1992)

Secs. 30-32—30-50. Reserved.

Chapter 32 OFFENSES AND MISCELLANEOUS PROVISIONS²

ARTICLE I. IN GENERAL

Sec. 32-1. Penalty.

Except as otherwise provided in this chapter, any person violating any of the provisions of this chapter shall be punished as provided in section 1-8.

(Code 1985, § 15-1)

Sec. 32-2. Display of items commonly used as drug paraphernalia.

(a) It shall be unlawful for any person to maintain or operate any business where items commonly used as drug paraphernalia are displayed at that business. Law enforcement officers charged with enforcing parish ordinances shall provide initial written notification to a business that items commonly used as drug paraphernalia are being displayed at said business. A business that receives such a notice shall have 24 hours to remove from display all items identified in the notice. Any display of items commonly used as drug paraphernalia subsequent to the expiration of the 24-hour period shall constitute a rebuttable presumption that the person or business has knowingly displayed items commonly used as drug paraphernalia.

(1) Items commonly used as drug paraphernalia shall include, but not be limited to, the following:

- a. Metal, wooden, acrylic, glass, stone, plastic, or ceramic pipes with or without screens, permanent screens, hashish heads, or punctured metal bowls;
- b. Water pipes;
- c. Carburetion tubes and devices;
- d. Smoking and carburetion masks;
- e. Miniature spoons and vials;
- f. Chamber pipes;
- g. Carburetor pipes;
- h. Electric pipes;

²State law reference(s)—Criminal law, R.S. 14:1 et seq.; preemption of state felonies, R.S. 14:143.

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- i. Air-driven pipes;
 - j. Chillums;
 - k. Bongs; and
 - l. Ice pipes or chillers.
- (b) Whoever is found guilty of display of items commonly used as drug paraphernalia shall be fined not more than \$500.00, imprisoned in the parish jail for not more than six months, or both.
- (c) Any business whose employee is cited under this provision shall be subject to the suspension and revocation of liquor licenses pursuant to Caddo Parish Code of Ordinances, section 4-61.
- (Ord. No. 5212, 7-5-2012)

Secs. 32-3—32-20. Reserved.

ARTICLE II. OFFENSES AFFECTING PUBLIC MORALS

Sec. 32-21. Drinking alcoholic beverages on public property.

It shall be unlawful for any person to drink any alcoholic beverages in any of the public buildings used by and under the control of the parish government or on any property belonging to or leased by the parish government for recreational purposes.

(Code 1976, § 3-8; Code 1985, § 15-2)

Sec. 32-22. Wearing of pants below waist in public.

- (a) It shall be unlawful for any person to appear in public wearing pants below the waist which expose the skin or undergarments.
- (b) Any violation of subsection (a) hereof shall be cited by the law enforcement officer by the issuance of a citation and summons to appear before a court of proper jurisdiction, and shall, itself, not be grounds for an arrest or for a full search of the person cited.
- (c) Any person convicted of violating the provisions of this section shall be punished by a fine not to exceed \$100.00 and up to one eight-hour day picking up trash or refuse, or performing other court-approved community service activities.
- (d) Any person convicted of a second offense of violating the provisions of this section shall be punished by a fine not to exceed \$150.00 and up to two eight-hour days picking up trash or refuse, or performing other court-approved community service activities.
- (e) Any person convicted of three or more offenses of violating the provisions of this section shall be punished by a fine not to exceed \$250.00 and up to four eight-hour days picking up trash or refuse, or performing other court-approved community service activities.

(Ord. No. 5245, 11-8-2012)

Secs. 32-23—32-45. Reserved.

ARTICLE III. OFFENSES AFFECTING PUBLIC SAFETY, HEALTH, AND ORDER

Sec. 32-46. Courthouse grounds.

- (a) No persons, group or association shall use the grounds or steps of the parish courthouse for rallies, meetings, exhibits, or other gatherings without prior authorization of the director of the department of facilities and maintenance or designee of the parish administrator. This authorization shall be in the form of a hold-harmless agreement drafted by the parish legal department.
 - (1) No more than two hold-harmless agreements per month shall issue to the same person or organization to use any part of the courthouse grounds, subject to the herein listed exception.
 - (2) The parish administrator may issue more than two hold-harmless agreements per month to the same organization or person; however, under no circumstance, shall more than four permits per month be issued to the same person or organization.
 - (3) Hours for which hold-harmless agreements shall be issued:
 - a. The parish will issue hold-harmless agreements for events held Monday—Friday between the hours of 6:00 p.m. and 11:59 p.m.
 - b. The parish will issue hold-harmless agreements for events held on Saturdays, Sundays and holidays for events held between the hours of 7:00 a.m. and 11:59 p.m. The same event held over a multi-day period is considered a separate event for each day it is held.
 - c. These hours shall be modified, and hold-harmless agreements issued shall be revoked if court proceedings are being held during the aforementioned times, and it is determined by the parish administrator that an event held on the courthouse grounds will interfere with the court proceedings.
 - (4) No part of any event may take place on the Marshall Street side of the courthouse where the garage entry to the courthouse is located or on the McNeil Street side of the courthouse where the card-access only entry is located.
- (b) The parish courthouse grounds are defined as: the city block within the City of Shreveport and bordered between Texas Street on the north, Marshall Street on the east, Milam Street on the south, and McNeil Street on the west less and except any street rights-of-way, including sidewalks, belonging to or maintained by the City of Shreveport.
- (c) No person shall possess or drink any alcoholic beverage or remain on the courthouse grounds while in an intoxicated condition.
- (d) No person shall carry any firearm, weapon, fireworks, or explosives on the courthouse grounds unless that person is a duly qualified law enforcement officer while acting in that capacity.
- (e) No person shall ride or operate any automobile, motorcycle, or other motorized vehicle on the courthouse grounds except for authorized government vehicles and for wheelchairs or other assistive devices while being used by a person with a physical disability.
- (f) No person shall deliberately scatter or leave upon the courthouse grounds any paper, rags, bottles, cans, broken glass, garbage, offal or offensive matter.

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- (g) No person shall void any excrement or urine on the courthouse grounds unless that person is using a facility designed for that purpose such as a restroom or portable toilet.
 - (h) No person shall climb or get upon any fence, gate, sign or other structure, or lie upon a balustrade, wall, fence or seat on the courthouse grounds.
 - (i) No person shall cut, write upon, deface, defile or otherwise injure or destroy property of the parish.
 - (j) No person shall play any game of chance or have possession of any instrument of gambling on the courthouse grounds.

(Code 1976, § 2-2; Code 1985, § 15-3; Ord. No. 5718 , 10-5-2017; Ord. No. 6017 , 11-19-2020)

Sec. 32-46.1. Parish buildings—Prohibited acts.

- (a) No persons, group or association shall use the grounds or steps of parish buildings for rallies, meetings, exhibits, or other gatherings without prior authorization of the director of the department of facilities and maintenance or designee of the parish administrator. Provided that prior authorization shall not be required for any person, group or association using the grounds or steps of Government Plaza with the approval or permission of the City of Shreveport.
- (b) The parish buildings and grounds are defined as any of the following:
 - (1) Frances P. Bickham Building being the building and grounds within the City of Shreveport located on Lots 1 and 2 of Block 32, City of Shreveport except any street rights-of-way, including sidewalks, belonging to or maintained by the City of Shreveport.
 - (2) Government Plaza being the building and grounds within the City of Shreveport located on Lots 9, 10, 11, 12, 13, 14, 15 and 16 of Block 22, City of Shreveport except any street rights-of-way, including sidewalks, belonging to or maintained by the City of Shreveport.
 - (3) Juvenile Justice Complex being the buildings and grounds within the City of Shreveport located on a tract of land in the Southeast Quarter of the Southeast Quarter of Section 31, Township 18 North, Range 13 West as per Assessors City Plat 979, Tr. 53, being 4.627 acres more or less.
- (c) No person shall possess or drink any alcoholic beverage in a parish building or on grounds thereof or remain on or in a parish building or on grounds thereof while in an intoxicated condition.
- (d) No person shall deliberately scatter or leave upon grounds of a parish building any paper, rags, bottles, cans, broken glass, garbage, offal or offensive matter.
- (e) No person shall void any excrement or urine in a parish building or on the grounds thereof unless that person is using a facility designed for that purpose such as a restroom or portable toilet.
- (f) No person shall cut, write upon, deface, defile or otherwise injure or destroy property of the parish.

(Ord. No. 5838 , 1-3-2019)

Sec. 32-47. Excessive weeds and grass on railroad right-of-way.

It shall be unlawful for any railway company operating in the parish to allow its right-of-way to become infested with grass or weeds. The railroad company shall keep same properly cut and burnt off at all times, thereby preventing these grasses or weeds from reseeding themselves.

(Code 1976, § 12-5; Code 1985, § 15-4)

State law reference(s)—Clearing combustible materials from right-of-way, R.S. 3:4279.

Sec. 32-48. Discharge of firearms.

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

Dedicated residential subdivision means a platted subdivision filed of record at the parish courthouse.

- (b) It shall be unlawful to intentionally discharge any firearm of .17 caliber or larger within the geographical limits of any dedicated residential subdivision within this parish.
- (c) It shall be unlawful to intentionally discharge any firearm within one mile of any dedicated residential subdivision that lies within five miles of the city limits of Shreveport within this parish.
- (d) The provisions of this subsection shall not be construed so as to prohibit any person from discharging a firearm in the defense of his person, family or property.
- (e) Exceptions.
- (1) Within a dedicated residential subdivision:
- a. Public shooting galleries now lawfully established hereafter as provided by law or parish ordinance;
 - b. Target practice ranges or shooting galleries required and maintained by the sheriff's department or municipal police departments and target practice ranges of organizations which have presently established and approved target practice ranges in the parish;
 - c. The use and discharge of blank pistols and blank cartridges only where the use and discharge thereof is conducted in formal ceremonies conducted by recognized organizations, such as the VFW and American Legion;
 - d. Any duly legally constituted law enforcement or animal control officer while acting in his official capacity.
- (2) Within one mile of a dedicated residential subdivision that lies within five miles of the city limits of Shreveport:
- a. All exceptions listed in subsection (e)(1) of this section;
 - b. BB guns, shotguns, pellet guns.

(Code 1976, § 12-11; Code 1985, § 15-5; Ord. No. 4745, 4-17-2008)

State law reference(s)—Illegal use of weapons or dangerous instrumentalities, R.S. 14:94.

Sec. 32-49. Peddling, etc., fresh or frozen meats or seafoods.

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

Itinerant vendor means and includes all persons, firms and corporations, as well as their agents and employees, who engage in the temporary or transient business of selling or offering for sale fresh or frozen meats and fresh or frozen seafoods, when such business does not have a permanent address in this state, but operates within the parish outside of the boundary limits of municipalities.

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- (b) It shall be unlawful for any person, as an itinerant vendor, to sell, offer for sale, exhibit for sale or for the purpose of taking orders for sale, fresh or frozen meats or fresh or frozen seafoods within the parish and outside of the boundary limits of municipalities thereof.

(Code 1976, § 12-15; Code 1985, § 15-6)

State law reference(s)—Definition of itinerant vendor, R.S. 37:1921.

Sec. 32-50. Solicitation.

- (a) *Definitions.* The following words and terms, when used in this section shall have the following meaning, unless the context clearly indicates otherwise.
- (1) *Canvasser.* An individual who goes from place to place, including private property and private residences, without an invitation from the owner or occupant, for the purpose of asking for votes, opinions, signatures, membership, etc., or distributing or dispersing information, data, opinions, messages, etc. Canvassers also include persons who seek to obtain funds, contributions or donations as a secondary purpose to their canvassing.
 - (2) *Residence.* One or more rooms arranged for residential use containing cooking, living, sanitary and sleeping facilities and physically separated from any other rooms or dwelling units which may be in the same structure.
 - (3) *Exempt organization identification.* Identification card, business card or other documentation, including printed information on the order sheet, sales receipt, invoice or on the goods being offered for sale, which identifies the exempt organization on whose behalf the hawking, peddling or transient merchant sales are being conducted with sufficient specificity to enable follow-up verification by the parish of the organization's tax exempt status.
 - (4) *Exempt organizations.* Tax-exempt, nonprofit, charitable, religious and educational organizations pursuant to Section 501(c) of the Internal Revenue Code or tax-exempt political organizations under Section 527 of the Internal Revenue Code as it may be amended from time to time. Exempt political solicitors also include candidates for public office, members of a candidate's election committee or persons working on behalf of a candidate or any political issue, including without limitation, any ballot item at a forthcoming election.
 - (5) *Regulated activity.* Going from place to place:
 - a. Advertising or selling any product, service or procuring orders for the sale of merchandise or personal services for future delivery or future performance; or,
 - b. Seeking donations of money or property on behalf of any person, organization or cause; and,
 - c. Including the door-to-door activity of canvassers and exempt organizations.
 - (6) *Parish.* The Parish of Caddo except for those portions which are contained within a municipality.
 - (7) *Solicitor.* An individual who goes from place to place, including private property and private residences, without an invitation from the owner or occupant, for the purpose of:
 - a. Advertising, promoting, selling, leasing, installing or explaining any product, service, organization or cause; and
 - b. Seeking donations of money or property on behalf of any nonprofit, political or educational organization or for the purpose of procuring orders for the sale of merchandise or personal services for future delivery or future performance, whether or not the individual has a sample of the merchandise or is collecting advance payments for the orders.

Solicitor shall also include the activity which has as its ultimate purpose the obtaining of orders.

- (b) *License required.* No individual shall engage in the regulated activity within the parish without first being duly licensed in accordance with this section.
- (c) *Exceptions.* Individuals engaging in canvassing shall not be required to be licensed pursuant to this section but must have on them at all times while canvassing some form of exempt organization identification as defined in this section. Individuals who are going door to door on behalf of an exempt organization shall not be required to be licensed pursuant to this section but must identify the exempt organization to the occupant of the residence.
- (d) *License application.* An applicant for a license pursuant to this section shall provide the following information to the Parish of Caddo Finance Department at least ten business days before the regulated activity is to commence within the parish:
 - (1) Name and physical description of the applicant;
 - (2) Complete home and business address of the applicant;
 - (3) A brief description of the proposed solicitation and the merchandise or service to be solicited;
 - (4) The dates and hours of the day during which the solicitation will be conducted;
 - (5) Name and permanent physical and mailing address of the firm or business on whose behalf the orders are solicited, together with credentials establishing the applicant's relationship to the firm or business;
 - (6) Whether or not the applicant has been convicted of any crime other than traffic violations; the nature, time and location of each such offense; and the punishment or penalty imposed;
 - (7) The last localities, not exceeding five, where the applicant conducted the solicitation immediately preceding the date of the application and where within those areas the activity took place;
 - (8) Make, model, year, color and state license number of each motor vehicle to be used in connection with the proposed solicitation;
 - (9) Date of birth, and, if the applicant is of sufficient age, a state driver's license or identification card number of the applicant;
 - (10) The name, location, and telephone number of the nearest supervisor or manager overseeing the solicitation in the parish;
 - (11) Whether the applicant or the firm employing the applicant has been the subject of an investigation by a consumer protection agency or law enforcement agency, and the dates and outcome of such an investigation;
 - (12) A recent photograph of the applicant depicting the head and shoulders of the person in a clear and distinguishable manner;
 - (13) An executed consent form authorizing the release of criminal history information for the applicant;
 - (14) Whether the applicant or any officer, partner or subcontractor of the applicant has previously had a business license or registration denied, revoked or suspended by any governmental unit, identifying that governmental unit;
 - (15) The names, addresses and telephone numbers of any installer or subcontractor involved in the installation, monitoring or operation of the merchandise to be sold, leased or installed by the applicant.

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- (e) *License fees.* Fees shall be charged for the licensing of solicitors as set forth in section 35-1 of this Code and paid in full before the application for a license is considered to cover the cost to the parish of processing the application.
- (f) *License application verification.* Applications for a license under this section shall be submitted to the Parish of Caddo Finance Department. That department is authorized to conduct any and all investigations to verify the information on the application, including ordering a computerized criminal history inquiry and/or a driver's license history inquiry on the applicant.
- (g) *License application consideration.* No later than five working days after the submission of a fully completed license application, the parish shall accept or deny the license application in accordance with this section. If the application is denied, the department shall notify the applicant in writing. The written notice shall be mailed to the applicant at the address provided in the application and it shall inform the applicant of the applicant's right, within 20 days of receipt of the notice by the applicant, to request an appeal of the adverse determination to the parish commission. If an appeal to the parish commission is timely received, the hearing before the parish commission shall take place within 45 days of the receipt of the appeal by the issuing authority.
- (h) *Persons ineligible for a license.* No license shall be granted if the applicant:
- (1) Is not a citizen of the United States or a resident alien, or is legally prohibited from working in the United States;
 - (2) Is not legally allowed to work under federal or state child labor laws;
 - (3) Has been convicted of a crime of violence or domestic abuse which has not been expunged or for which a pardon has not been granted;
 - (4) Has been the subject of an investigation by a consumer protection agency or law enforcement office and such investigation has indicated a pattern of disregard of consumer rights in the conduct of the business;
 - (5) Has had a registration, license and/or identification card for solicitation revoked by the parish or any other governmental body within three years before the application date;
 - (6) Has been denied a registration or license for solicitation by the parish or any other governmental body because of circumstances which occurred within three years before the application date;
 - (7) Has violated, or is currently affiliated with a firm that has violated any provision of this section within three years before the application date, or has violated any provision of this section during the application period pending issuance of the license;
 - (8) Has knowingly falsified or misrepresented information on the license application; or
 - (9) Owes taxes or assessments to the state, parish, city, or other political subdivision that are due and delinquent.
- (i) *Restrictions on solicitation.*
- (1) *Valid license required.* No person shall engage in the regulated activity within the parish unless the person is carrying a valid parish solicitation license and identification card identifying the person.
 - (2) *Transfer of license prohibited.* A licensed solicitor shall not transfer his or her license and identification card to another individual.
 - (3) *Use of license.* A licensed solicitor shall not use a license and identification card issued to someone other than that individual.

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- (4) *Purpose of license.* The license and identification card shall be displayed only while engaging in the regulated activity within the parish and shall be used for no other purpose and in no other location. A licensed solicitor must display the parish-issued license and identification card upon the request of any person solicited.
 - (5) *Effect of no trespassing signs.* No solicitor or canvasser shall go onto private property for the purpose of engaging in the regulated activity when there are signs prominently posted indicating that trespassing is prohibited or when there are placards prohibiting solicitors in compliance with this section.
 - (6) *Health or safety hazards.* No solicitor or canvasser shall engage in the regulated activity in a manner that creates a health or safety hazard.
 - (7) *Untruthful statements prohibited.* No solicitor or canvasser shall make untrue statements to the people contacted regarding the purpose of the contact or the goods and services offered.
 - (8) *Effect of registration card.* A licensed solicitor or canvasser shall not make statements to individuals he or she contacts indicating or implying that the parish license and identification card constitutes an endorsement of their activities or products by the parish.
 - (9) *Hours of solicitation.* No solicitor shall engage in the regulated activity at any residence between the hours of 7:00 p.m. and 10:00 a.m.
 - (10) *Compliance with state and federal laws.* All solicitors or canvassers and their affiliated firms or organizations shall obey all state and federal laws and regulations.
 - (11) *Aggressive sales techniques.* No solicitor or canvasser shall enter any individual residence without the express permission of its owner or occupant. All solicitors must refrain from aggressive sales tactics and must immediately cease solicitation and depart the private property of another upon demand of the owner, occupant or any agent thereof and not return to the premises for a period of 30 days unless expressly invited back by the owner or occupant. A solicitor or canvasser must conduct the regulated activity in a reasonably courteous manner at all times, and must not engage in offensive, obscene or abusive language.
 - (12) *Panhandling.* No solicitor or canvasser shall solicit contributions of money or property other than in exchange for merchandise or personal services or on behalf of a nonprofit, religious, political or charitable organization.
- (j) *License period.* A license issued pursuant to this section is valid for six months from the date of issuance. A separate, original application shall be completed and approved pursuant to this section if the regulated activity is to continue beyond six months. The fees will not be prorated for periods of less than six months.
 - (k) *Sanctions for license violations.* Suspension or revocation of license. The parish commission may suspend or revoke a license issued pursuant to this section for a violation of:
 - (1) Fraud, misrepresentation or false statement contained in an application or a renewal application;
 - (2) Fraud, misrepresentation or false statement made in the course of carrying on the licensed occupation or business;
 - (3) Any violation of this section or state law;
 - (4) A licensee's criminal conviction provided that the licensee cannot show competent evidence of sufficient rehabilitation and present fitness to perform the duties of the licensed occupation or business; or

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- (5) Conducting the business or occupation in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the community.
- (l) *Notice and hearing.* A revocation or suspension by the parish commission shall be preceded by written notice to the licensee and a hearing. The notice shall give at least eight days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The notice shall be mailed by regular mail to the licensee at the most recent address listed on the license application.
- (m) *Placard prohibiting solicitors.* Any individual who wishes to exclude solicitors or canvassers from a residence occupied by the individual may prominently place upon or near the entrance to such residence a printed placard or sign bearing a notice indicating that solicitors are prohibited. No solicitor shall enter upon any premises, ring any doorbell or knock on any door where a placard or sign is posted, unless the solicitor has been previously invited by the individual occupying the residence.
- (n) *Penalty.* A violation of this section shall be punishable as a violation of the Code of Ordinances as provided in section 1-8. However, nothing in this section shall be construed to limit the parish's other available legal remedies for any violation of the law, including without limitation, licensing sanctions, criminal, civil and injunctive actions. In addition, violations or failure to pay civil fines may result in future license ineligibility.
- (Code 1985, § 15-6.1; Ord. No. 4765, 5-8-2008; Ord. No. 5604 , 8-18-2016; Ord. No. 5623 , 10-6-2016)

Sec. 32-51. Smoking and tobacco use.

- (a) It shall be unlawful for any person to smoke or possess any lighted tobacco product in any building or structure owned by or leased to the parish.
- (b) It shall be unlawful in the unincorporated portion of the parish to smoke or possess any lighted tobacco product in any portion of a business establishment, building or other public facility which is designated and clearly marked by the owner or operator as a "no smoking" area.
- (c) Any person who violates any provision of this section shall be subject to a fine not to exceed \$25.00.

(Code 1976, § 12-17; Code 1985, § 15-7; Ord. No. 2558, 11-23-1988; Ord. No. 4212, 2-5-2004)

State law reference(s)—Louisiana Smokefree Air Act, R.S. 40:1300.251 et seq.

Sec. 32-52. Unreasonably loud, disturbing or unnecessary noise.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Emergency means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

Emergency work means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

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

Person means any individual, firm, association, partnership, joint venture, or corporation.

Public right-of-way means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.

Public space means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.

Residential area means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of the parish zoning ordinance.

- (b) *Purpose.* This section is enacted to protect, preserve, and promote the health, safety, welfare, peace and quiet of the citizens of the parish through the reduction, control, and prevention of unreasonably loud or disturbing noise or any unnecessary noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity.
- (c) *Findings.*
- (1) Unreasonably loud or disturbing noise or any unnecessary noise degrades the environment of the parish to a degree that:
 - a. Is harmful to the health, welfare, and safety of its inhabitants and visitors;
 - b. Interferes with the comfortable enjoyment of life and property;
 - c. Interferes with the well being, tranquility, and privacy of the home; and
 - d. Both causes and aggravates health problems.
 - (2) Both the effective control and the elimination of unreasonably loud or disturbing noise or any unnecessary noise are essential to the health and welfare of inhabitants and visitors of the parish, and to the conduct of the normal pursuits of life, including recreation, work, and communication.
 - (3) The use of sound amplification equipment creates unreasonably loud or disturbing noise or any unnecessary noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, the parish.
 - (4) Certain short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of the parish.
- (d) *Scope.* This section applies to the control of all sound originating within the unincorporated areas of the parish.
- (e) *General prohibition.*
- (1) No person shall make, continue, or cause to be made or continued:
 - a. Any unreasonably loud or disturbing noise or any unnecessary noise;
 - b. Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the unincorporated area of the parish; or
 - c. Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons of ordinary sensitivity within the neighborhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.
 - (2) Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:
 - a. The proximity of the sound to sleeping facilities, whether residential or commercial;

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- b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
 - c. The time of day or night the sound occurs;
 - d. The duration of the sound; and
 - e. Whether the sound is recurrent, intermittent, or constant.
- (f) *Noises prohibited.* The following acts are declared to be per se violations of this section. This enumeration does not constitute an exclusive list.
- (1) *Unreasonable noises.* The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice and in a manner which will not unreasonably disturb the peace and comfort of adjacent residences or which will not detrimentally affect the operators of adjacent places of business are exempted from this provision.
 - (2) *Vehicle horns, signaling devices, and similar devices.* The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle, or other vehicle on any right-of-way or in any public space of the parish, for more than ten consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.
 - (3) *Nonemergency signaling devices.* Sounding or permitting the sounding of any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for nonemergency purposes, from any place for more than ten consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship, ice cream trucks, seasonal contribution solicitors or by governmental entities for traffic control purposes are exempt from the operation of this provision.
 - (4) *Emergency signaling devices.* The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in an emergency or except as provided in subsection (f)(4)a and b of this section.
 - a. Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this section.
 - (5) *Radios, televisions, boomboxes, phonographs, stereos, musical instruments and similar devices.* The use or operation of a radio, television, boombox, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player or operator of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passersby, or is plainly audible at a distance of 50 feet from the source of the sound in a commercial, industrial area, or public space; the use or operation of a radio, television, boombox, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player or operator of the device, and those who are voluntarily listening to the sound, and unreasonably

disturbs the peace, quiet, and comfort of neighbors in residential or noise sensitive areas, including multifamily or single-family dwellings.

- (6) *Loudspeakers, amplifiers, public address systems, and similar devices.* The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, and 7:00 p.m. and 10:00 a.m. on weekends and holiday in the following areas:
- a. Within or adjacent to residential or noise-sensitive areas;
 - b. Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous.

This shall not apply to any public performance, gathering or parade for which a permit has been obtained from the parish.

- (7) *Yelling, shouting, and similar activities.* Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive area or in public places, between the hours of 8:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities.
- (8) *Animals and birds.* Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls or otherwise cares for the animal or bird. Sounds made by animals or birds in animal shelters, animal sanctuaries, kennels, veterinary hospitals, pet shops or pet kennels (licensed under and in compliance with licensing and permitting provisions set forth in this Code) are exempt from this subsection.
- (9) *Loading or unloading merchandise, materials, equipment.* The creation of loud, unreasonably loud or disturbing noise or any unnecessary noise in connection with the loading or unloading of any vehicle at a place of business or residence.
- (10) *Construction or repair of buildings, excavation of streets and highways.* The construction, demolition, alternation or repair of any building or the excavation of streets and highways other than between the hours of 7:00 a.m. and 7:00 p.m., on weekdays. In cases of emergency, construction or repair noises are exempt from this provision. In nonemergency situations, the parish may issue a permit, upon application, if the parish administrator or his designee determines that the public health and safety, as affected by loud, unreasonably loud or disturbing noise or any unnecessary noise caused by construction or repair of buildings or excavation of streets and highways between the hours of 7:00 p.m. and 7:00 a.m. will not be impaired, and if the parish administrator or his designee further determines that loss or inconvenience would result to a party in interest. The permit shall grant permission in nonemergency cases for a period of not more than three days. The permit may be renewed once for a period of three days or less.
- (11) *Schools, courts, churches, hospitals, and similar noise-sensitive areas.* The creation of any loud, unreasonably loud or disturbing noise or any unnecessary noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.
- (12) *Blowers and similar devices.* In residential or noise sensitive area, between the hours of 7:00 p.m and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is loud, unreasonably loud or disturbing noise or any unnecessary noise and can be heard across the property line of the property from which it emanates.

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- (13) *Commercial establishments in the vicinity of residential property.* The creation of any noise described in subsection (e)(1) of this section from the premises of any commercial establishment.
- (g) *Exemptions.* Sounds caused by the following are exempt from the prohibitions set out in subsection (f) of this section and are in addition to the exemptions specifically set forth in subsection (f) of this section:
- (1) Motor vehicles on traffic ways of the parish, provided that the prohibition of subsection (f)(2) of this section continues to apply;
 - (2) Repairs of utility structures which pose a clear and immediate danger to life, health, or significant loss of property;
 - (3) Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in subsection (f)(4) of this section continues to apply;
 - (4) The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work;
 - (5) Repairs or excavations of bridges, streets or highways by or on behalf of the parish or the federal government, between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders its impractical to perform the work between 7:00 a.m. and 7:00 p.m.;
 - (6) Outdoor school and playground activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including, but not limited to, school athletic and school entertainment events.
- (h) *Enforcement.* If a person's conduct would otherwise violate this section and consists of speech or communication; of a gathering with others to hear or observe speech or communication; or of a gathering with others to picket or otherwise express in a nonviolent manner a position on social, economic, political or religious questions; the person must be ordered to, and have the opportunity to, move, disperse, or otherwise remedy the violation prior to arrest or a citation being issued.

(Code 1976, § 12-18; Code 1985, § 15-8; Ord. No. 3559, 9-24-1998; Ord. No. 4743, 2-21-2008)

State law reference(s)—Emanation of excessive sound or noise, exceptions, penalties, R.S. 14:103.1.

Sec. 32-53. Reserved.

Editor's note(s)—Ord. No. 5166, adopted Jan. 5, 2012, repealed § 32-53 in its entirety. Former § 32-53 pertained to production of disturbing noises by businesses and industries located within 1,000 feet of residences during specific hours and derived from the Code of 1985, § 15-11; Ord. No. 2196, adopted May 22, 1985; Ord. No. 3058, adopted May 12, 1994.

Sec. 32-54. Enclosures around swimming pools.

- (a) All swimming pools constructed or installed in the unincorporated portion of the parish shall be completely enclosed by a fence or wall at least four feet in height, constructed of masonry, wood, or chain link wire, except that above-ground pools four feet or greater in height shall not be required to be so enclosed where equipped with locking devices designed to prevent pool entry when unattended or where the ladders, steps, or other pool entry devices are so enclosed. The fence or wall shall be of substantial construction, designed to discourage entry by trespassing children, and shall be provided with a self-closing gate and a locking device at each opening.

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- (b) For the purposes of this section, the term "swimming pool" shall be applicable to any structure not intended for agricultural, industrial, drainage or water supply purposes, which will contain water of a depth of 18 inches or greater and having a minimum surface area of 100 square feet.
 - (c) Responsibility for violations under this section shall attach to all property owners and lessees constructing or installing or allowing construction or installation of swimming pools upon property owned or leased by them in the locations designated in subsection (a) of this section subsequent to February 29, 1984, and to the successors in title of such owners.
 - (d) Any person convicted of a violation of any of the provisions of this section shall have 30 days from the date of said conviction to correct the violation resulting in the conviction, and the failure to make such correction within that period and each successive 30-day period thereafter shall constitute a new and separate violation of this section.

(Code 1985, § 15-9; Ord. No. 2119, § 12-19, 2-29-1984; Ord. No. 2351, 5-28-1986)

State law reference(s)—Exercise of police power, enclosure of residential and commercial swimming pools, R.S. 33:4875.1.

Sec. 32-55. Abandoned vehicles, junk, etc.

It shall be unlawful for any person at any time to store, park or leave standing any wrecked, damaged or mechanically inoperative automobile or motor vehicle, or any part or parts thereof, or any other junk, for a period in excess of 24 hours, upon any neutral ground or any part of the right-of-way of any public road in the parish, outside any incorporated municipality, within recognized subdivisions of the parish.

(Code 1976, § 11-49; Code 1985, § 15-10)

Sec. 32-56. Improper use of 911 emergency telephone system.

- (a) It shall be unlawful for any person to use the Caddo Parish Communications District Number One Enhanced 911 Emergency Telephone System, by dialing 911, except when there is a legitimate and justified need for immediate or expedited assistance of law enforcement, fire or medical personnel.
- (b) Determinations of the automatic location identifier and automatic number identifier features of the enhanced 911 emergency telephone system shall constitute prima facie evidence of the location and telephone line from which a call is made.
- (c) The trier of fact may infer that there has been an unlawful use of the enhanced 911 emergency telephone system by the person charged when:
 - (1) Emergency personnel responding to the location from which a 911 emergency call originated, as determined by the E911 automatic identifier systems, find that there exists at that location no legitimate and justified need for immediate or expedited assistance of law enforcement, fire or medical personnel;
 - (2) The telephone line from which the call originated is listed in the name of the person charged by the local telephone company; and
 - (3) The person charged had custody or control over the room, structure or place from which the call originated.
- (d) Each violation of this section shall be punishable by a fine not to exceed \$500.00, and each dialing of 911 when there is no legitimate and justified need for immediate or expedited assistance of law enforcement, fire or medical personnel shall constitute a separate offense.

(Code 1985, § 15-13; Ord. No. 2687, 2-28-1990)

State law reference(s)—False swearing concerning the commission of a crime for purpose of violating public health or safety, R.S. 14:126.1.

Sec. 32-57. Possession of weapons or dangerous instrumentalities in court facilities or parish buildings.

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

Court facility means a building or part thereof owned by or operated by or under the control of the state, the parish, any municipality or other political subdivision of the state, which is used or intended to be used, in whole or in part, for court proceedings regardless of whether actual proceedings are in progress.

Dangerous weapon includes any gas, liquid or other substance or instrumentality, which, in the manner used, is calculated or likely to produce death or great bodily harm.

Parish building means a building or part thereof owned by or operated by or under the control of the parish for any reason.

- (b) Except as provided herein, no person shall knowingly or intentionally possess or cause to be present or attempt to possess or cause to be present in court facilities or parish buildings a firearm or other instrumentality customarily used or intended for probable use as a dangerous weapon.
- (c) Except as provided herein, no person shall knowingly or intentionally possess or cause to be present or attempt to possess or cause to be present in court facilities or parish buildings any instrumentality customarily used or intended for probable use as a means of escape or unlawful force, including but not limited to, devices discharging electrical impulses or noxious gases, liquids, or solids, which might otherwise be employed for self-defense (e.g., stun guns or mace).
- (d) This section shall not apply to peace officers, as defined by R.S. 40:2402, to include any constable, marshal, deputy marshal, sheriff, deputy sheriff, local or state police officer, commissioned wildlife agent, federal law enforcement officer, jail or prison guard, parole officer, probation officer, judge, attorney general, assistant attorney general, attorney general's investigator, district attorney, assistant district attorney, or district attorney's investigator.
- (e) Possession of a concealed handgun permit is not a defense and does not permit the bearer to enter court facilities and parish buildings as set forth herein.
- (f) Notice of this section shall be posted generally and conspicuously at each public entrance to each court facility and parish building. No person shall be convicted of an offense under this section if such notice is not posted, unless such person had actual notice of the provisions of this section.

(Code 1985, § 15-14; Ord. No. 2771, 1-23-1991; Ord. No. 2772, 2-13-1991; Ord. No. 2995, 9-8-1993; Ord. No. 5292, 3-21-2013)

Sec. 32-58. Panhandling, begging and soliciting charitable donations of money or food to the poor.

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

Accosting means approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his person, or upon property in his immediate possession.

Ask, beg, panhandle and solicit, without limitation, means and includes the spoken, written or printed word or such other acts as are conducted in furtherance of the purpose of obtaining charitable donations of money or food to the poor.

Forcing oneself upon the company of another means continuing to request, beg or solicit alms from a person after that person has made a negative response, blocking the passage of the individual addressed or otherwise engaging in conduct which could reasonably be construed as intended to compel or force a person to accede to demands.

- (b) It shall be unlawful for any person to solicit money or other things of value:
 - (1) On private property if the owner, tenant or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property;
 - (2) In any public transportation vehicle, or within 15 feet of any bus stop or taxistand;
 - (3) From any operator of a motor vehicle that is in traffic on a public street; provided, however, that this subsection shall not apply to services rendered in connection with emergency repairs requested by the owner or passengers of such vehicle;
 - (4) From any persons who are waiting in line for entry to any building, public or private, including but not limited to, any residence, business or athletic facility; or
 - (5) Within 15 feet of the entrance to or exit from a building, public or private, including but not limited to any residence, business or athletic facility.
- (c) It shall be unlawful for any person to solicit money or other things of value:
 - (1) By accosting another; or
 - (2) By forcing oneself upon the company of another.
- (d) The provisions of this section shall not apply to an organization which has obtained a permit from the parish to conduct charitable solicitations in accordance with chapter 6.

(Code 1985, § 15-21; Ord. No. 4404, 10-6-2005)

State law reference(s)—Vagrancy, R.S. 14:107; parish authority to punish vagrancy, R.S. 33:4874.

Sec. 32-59. Nuisance vegetation.

- (a) It shall be unlawful for any watercraft to launch into any body of water in the parish if it, or the trailer transporting it, is not completely free of all aquatic nuisance vegetation, including, but not limited to, hydrilla, water hyacinth and giant salvinia. All watercraft and trailers shall be subject to inspection for compliance with the provisions of this section.
- (b) For the purposes of this section, term "bodies of water" includes lakes, ponds, rivers, bayous and any other place suitable for boating.

(Code 1985, § 15-22; Ord. No. 4719, 12-6-2007)

Sec. 32-60. Caddo Lake Dam and Wallace Lake Dam limited use hours.

It shall be unlawful for any person, other than parish employees and law enforcement officers engaged in the discharge of an official act or duty, to enter or remain at Caddo Lake Dam or Wallace Lake Dam and the surrounding properties owned by the U.S. Army Corp of Engineers as depicted on the attached maps between dusk and dawn unless such person is actively engaged in fishing.

(Ord. No. 5133, 10-20-2011)

Editor's note(s)—The above-referenced maps are attached to the ordinance from which this section derives and are on file with the offices of the parish.

Sec. 32-61. Possession of synthetic cannabinoids and hallucinogens.

- (a) It shall be unlawful for any person to knowingly and intentionally possess synthetic cannabinoids, or hallucinogens as defined herein:
- (1) *Synthetic cannabinoids* means vegetable matter treated with a detectable quantity of chemical compound designed or produced to simulate the effects of tetrahydrocannabinol in humans, including, but not limited to:
 - a. JWH-018 (1-pentyl-3-(1-naphthoyl) indole);
 - b. JWH-073 (naphthalene-1-yl-(1-butyl indol-3-yl)Methanone);
 - c. JWH-200 (WIN 55,225) (1-(2-morpholin-4-ylethyl)indol-3-yl)-naphthalen-1-ylmethanone;
 - d. CP 47,497 2-[(1R, 3S)-3-hydroxy-cyclohexyl] - 5-(2-methyloctan-2-yl) phenol, also known as Cannabicyclohexanol (CP 47,497 dimethyloctyl homologue, (C8)-CP 47,497), and its homologues, whether dimethylhexyl, dimethyloctyl, or dimethylnonyl, to include its C6, C7, C8 and C9 homologues.
 - e. HU-210 (6aR, 10aR)-9-(Hydroxymethyl)-6,6-dimethyl-3-(2-methylcatan-2-yl) - 6a, 7, 10, 10a-tetrahydrobenzo [c]chromen-1-ol.
 - (2) Any scientifically quantifiable substance, similar to "synthetic cannabinoids" as defined herein which, when taken into the human body, is designed and/or intended to mimic or produce similar effects of cannabinoids.
 - (3) "Hallucinogen" means a drug which contains any quantity of isomers, salts, salts of isomers, or any quantity of a substance listed in Schedule I(C) of R.S. 40:964, or any substance which the secretary of the department and health and hospitals after investigation has found to have, and by regulation designates as having, a potential for abuse because of its depressant or stimulant effect on the central nervous system, or hallucinogenic effect.
- (b) Whoever is found guilty of possession of synthetic cannabinoids, or hallucinogens shall be fined not more than \$500.00, imprisoned in the parish jail for not more than six months, or both.

(Ord. No. 5207, 6-21-2012)

Secs. 32-62—32-89. Reserved.

ARTICLE IV. OFFENSES AGAINST PROPERTY

(Supp. No. 20)

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Sec. 32-90. Burning control.

- (a) No person shall burn any matter or materials upon public or private property outside the confines of a building or structure in the unincorporated areas of the parish unless:
 - (1) The burning is confined to an enclosure with a lid designed for the purpose of containing and preventing the spread of fire; or
 - (2) If the burning is not confined in accordance with subsection (a)(1) of this section, the fire chief, or his designated representative, of the special fire protection district in which the burning is to occur shall be notified of the nature and approximate time of the intended burn prior to its ignition. The fire chief, or his designated representative, shall either approve or disapprove the request for the intended burn based upon the prevailing fire danger conditions. Further:
 - a. The time and size of the intended burn shall be of such a nature that all flames will be extinguished;
 - b. All matter or materials intended to be burned shall have originated on the property of the intended controlled burn; and
 - c. All reasonable precautions shall be taken to prevent the fire from getting out of control of the person setting it or spreading beyond its intended perimeters, and a responsible adult shall be in attendance at all times while the fire is burning.
- (b) The fire chief of each special fire protection district shall implement procedures to track and record the approval or disapproval of burn requests.
- (c) The fire chief of each special fire protection district is hereby authorized to declare a burning ban within the special fire protection district. No person shall burn any matter or materials whatsoever upon public or private property outside the confines of a building or structure in the unincorporated areas of the parish during a burning ban.
- (d) The provisions of this section shall not apply to prescribed burns by the state department of agriculture and forestry, or by persons trained and certified by the state department of agriculture and forestry, or by persons who conduct prescribed burning as a generally accepted agricultural practice as defined by R.S. 3:3602(9).

(Code 1985, § 15-12; Ord. No. 2548, 8-24-1988; Ord. No. 3293, 3-28-1996)

State law reference(s)—Fire-raising on lands of another by criminal negligence, R.S. 14:204.

Sec. 32-91. Defacing buildings or other structures.

It shall be unlawful to deface any building or property within the unincorporated areas of the parish by making such signs or figures thereon, without the consent of the owner, or to draw obscene signs or figures or write any indecent or obscene word, words, sentences on any building, structure, bridge, street sign, retaining wall, room, hall closet, wall or fence where exposed to public view.

(Code 1985, § 15-15; Ord. No. 3089, 10-13-1994)

State law reference(s)—Criminal mischief, R.S. 14:59A(10).

Sec. 32-92. Criminal trespass.

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- (a) It shall be unlawful for any person to intentionally enter, be upon, or use any structure, watercraft or movable owned by another within the unincorporated areas of the parish without first obtaining the consent of the owner, lessee, or other person lawfully in charge of the structure, watercraft or movable where the offender knew or reasonably should have known that the entry, occupancy or use is unauthorized.
 - (b) It shall be unlawful for any person to intentionally enter, be upon, or use any immovable property owned by another within the unincorporated areas of the parish without first obtaining the consent of the owner, lessee, or other person lawfully in charge of the immovable property where the offender knew or reasonably should have known that the entry, occupancy or use is unauthorized.
 - (c) Parol evidence shall be admissible to prove the ownership, lease, or lawful charge of any structure, watercraft, movable or immovable property.
 - (d) Affirmative defenses to a prosecution pursuant to subsections (a) and (b) of this section shall be:
 - (1) That the entry was by a registered land surveyor, and his personnel engaged in the practice of land surveying, as defined in R.S. 37:682, or a person employed by a public utility acting in the course and scope of his employment relating to the operation, repair or maintenance of a public utility facility;
 - (2) That the entry was by an employee or agent of the state department of agriculture and forestry and was for the purpose of retrieving animals or locating and suppressing wildfire in accordance with the rules and regulations of the department;
 - (3) That the entry was by an unarmed person for the sole purpose of retrieving dogs, cats, or other personal pets and livestock;
 - (4) That the entry was by a parish employee or a Caddo Parish Levee District employee acting in the course and scope of their employment relating to the operation, repair or maintenance of a public utility or facility or working within the course and scope of their employment to retrieve animals;
 - (5) That the entry was by law enforcement, fire or emergency medical personnel acting within the course and scope of their employment to perform their lawful duties;
 - (6) Any person making a delivery, soliciting, selling any product or service, conducting a survey or poll, a real estate licensee or other person who has a legitimate reason for making a delivery, conducting business or communicating with the owner, lessee, custodian or a resident of the immovable property, and who, immediately upon entry, seeks to make the delivery, to conduct business or to conduct the communication;
 - (7) An employee of the owner, lessee or custodian of the immovable property while performing his duties, functions and responsibilities in the course and scope of his employment;
 - (8) Any candidate for political office or any person working on behalf of a candidate for a political office;
 - (9) The owner or occupant of a watercraft or vessel traveling in salt water engaged in any lawful purpose for the purpose of retrieval of his property or for obtaining assistance in an emergency situation.
 - (e) Lack of posting shall not be an affirmative defense to any prosecution for criminal trespass under this section.
 - (f) Whoever commits the crime of criminal trespass shall be fined not less than \$300.00 or be imprisoned for not more than 30 days or both.
 - (g) Upon a second conviction, regardless of whether the second offense occurred before or after the first conviction, the offender shall be fined not less than \$500.00 or be imprisoned for not more than 30 days or both.
 - (h) Upon a third conviction, regardless of whether the first or second offense occurred before or after the previous convictions, the offender shall be fined \$500.00 and be imprisoned for 30 days.

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- (i) Any offense committed more than five years prior to the commission of the crime of criminal trespass for which the defendant is being tried shall not be considered in the assessment of penalties hereunder.

(Code 1985, § 15-18; Ord. No. 3126, 11-23-1994; Ord. No. 3159, 4-13-1995)

State law reference(s)—Criminal trespass, R.S. 14:63.

Secs. 32-93—32-112. Reserved.

ARTICLE V. MINORS

Sec. 32-113. Children of compulsory school age to be in attendance at school; parental duty imposed.

- (a) No child between the ages of seven and 16 years, inclusive, other than a child that has been suspended or expelled from school shall be at any place within the unincorporated areas of the parish except in attendance at school between the hours of 8:30 a.m. and 2:30 p.m. during any school day as defined by the parish school board, unless the child has written proof from school authorities excusing him from attending school at the particular time, or, unless the child is accompanied by a parent or legal guardian or a responsible adult selected by the parent or legal guardian to supervise the child or is otherwise lawfully excused from being present in school.
- (b) Each parent or legal guardian of a child between the ages of seven and 16 years, inclusive, shall have a duty to prohibit the child from behaving contrary to subsection (a) of this section. No person shall negligently fail to fulfill the duty imposed by this subsection (b).
- (c) It shall be an affirmative defense to subsections (a) and (b) of this section that the child, at the time he was found at a place other than in school, was not required by law to be in attendance at school.
- (d) It shall be an affirmative defense to subsection (b) of this section that the parent or legal guardian initiated the jurisdiction of the juvenile court against the child prior to the time that the child was found violating subsection (a) of this section.
- (e) Any law enforcement officer or school attendance officer may transport any child found violating this section to the child's residence and may release the child into the care of a parent or court appointed tutor or legal guardian, to the school the child usually attends, or to any location designated by the authorities of the school which the child usually attends as a receiving center for such children, the choice of destination to be made at the discretion of the law enforcement officer or school attendance officer based on proximity of the destination and other relevant factors, and subject to the need to respond to emergency or priority calls.
- (f) Any child who violates a provision of this section shall be subject to the jurisdiction of the juvenile court.
- (g) If a child found to be in violation of this section refuses to follow the direction of the law enforcement officer or provide the school attendance officer his correct name and address and the correct name and address of his school or if the child has on a previous occasion been informed of a violation of this section, he shall be taken into custody and the parent, tutor or other adult person having the care and custody of the child shall be notified to come and take charge of the child. If the parent, tutor or other adult person cannot be located or fails to come and take charge of the child, the child shall be released to the juvenile authorities. If the juvenile authorities fail to take charge of the child, the child shall be returned to his home or usual place of abode. The child shall be issued a citation directing the child and the parent or tutor or court appointed legal guardian to appear in the juvenile division of the parish sheriff's office.

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- (h) Any child violating the provisions of this section shall be dealt with in accordance with all appropriate provisions of the state children's code.
 - (i) If a child is found in violation of this section, on the third or subsequent occasion, within a 365-day period, the parent, tutor or other court appointed legal guardian or other adult person having the care and custody of the child, after having previously been notified of these violations, shall be guilty of negligently failing to supervise a child of compulsory school age, a misdemeanor, subject to the jurisdiction of the district court and be fined not more than \$500.00 for each offense or sentenced to not more than 60 days in jail or both.

(Code 1985, § 15-20; Ord. No. 3858, 2-1-2001)

State law reference(s)—School attendance, compulsory ages, duty of parents, R.S. 17:221; exemptions from compulsory school attendance, R.S. 17:226.

Sec. 32-114. Children suspended or expelled from school.

- (a) If a child is suspended or expelled from school in the parish, then each parent, tutor, person with the guardianship of the person of the child as defined by the Louisiana Children's Code art. 116 (Ch. C. art. 116) or other responsible adult of the child shall have the following duties for the duration of the suspension or expulsion:
 - (1) The duty to personally supervise the child, or to arrange for a responsible adult to supervise the child, at the times that the child would otherwise have been required to be in attendance in school had he not been suspended or expelled; and
 - (2) The duty to prohibit the child from being at any public place at the times that the child would have been required to be in attendance at school had he not been suspended or expelled, except under the following circumstances:
 - a. When the child is accompanied by the parent or legal guardian, or a responsible adult selected by the parent or legal guardian to supervise the child;
 - b. When the child is employed pursuant to an age and schooling certificate issued by the school authorities during the times that the child is on the job or traveling directly to or from a job site;
 - c. When the child is on an emergency errand. Emergency errand is defined for the purposes of this section as an errand which requires seeking medical attention, attending a funeral or any other activity which involves the health care or safety of the child or his immediate family; or
 - d. When the child has been directed by the parent or legal guardian to engage in a specific activity or to carry out expressed instructions during the times that the child is actually engaged in fulfilling those directions or instructions.

No person shall fail to fulfill the duties imposed by this subsection (a).

- (b) No child that has been suspended or expelled from school shall fail to comply with supervision provided or arranged by a parent or legal guardian pursuant to subsection (a) of this section.
- (c) No child that has been suspended or expelled from school shall be in any public place at the times that he would have been required to be in attendance at school had he not been suspended or expelled, except under the circumstances described in subsection (a) of this section.
- (d) As used in this section, public place includes any street, recreational center, sidewalk, park, cemetery, schoolyard, body of water or watercourse, public conveyance, parking lot or any other place engaging in the sale of merchandise, public accommodation or amusement.

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- (e) A law enforcement officer or school designated attendance officer may transport any child found violating this section to the child's residence and may release the child into the care of the parent, tutor or court appointed legal guardian, to the school the child usually attends, or to any location designated by the school authorities as a receiving center for such children. The choice of destination can be made at the discretion of the law enforcement officer or school attendance officer based on proximity of the destination and other relevant factors and subject to the need to respond to emergency or priority calls. If the child found to be in violation of this section refuses to give to the law enforcement officer or school attendance enforcement officer his correct name and address or the correct name and address of his school or, if the child has on a previous occasion violated the provisions of this section, he shall be taken into custody and the parent, tutor or other adult person having the care and custody of the child shall be notified to come and take charge of the child. If the parent, tutor or other responsible adult cannot be located or fails to come and take charge of the child, and if the parish sheriff's office juvenile authorities fail to take custody of the child, the child shall be returned to his home or usual place of abode. The child shall be issued a citation directing the child and the parent, tutor or other responsible adult to appear in the juvenile division of the parish sheriff's office.
- (f) Any child that violates this section is subject to the jurisdiction of the parish juvenile court.
- (g) If a child is found to be in violation of this section, on the second or subsequent occasion, within a 365-day period, the parent, tutor, responsible adult, court appointed adult guardian, or other responsible adult person having the care and custody of the child, after having previously been notified of these violations, shall be guilty of failing to supervise a suspended or expelled child, a misdemeanor, subject to the jurisdiction of the district court, punishable by a fine of not more than \$500.00 for each offense or a sentence of not more than 60 days in jail or both.
- (h) For the purposes of this section, the term "child" means any person between the ages of seven and 16 years of age, inclusive.

(Code 1985, § 15-20.1; Ord. No. 3858, 2-1-2001)

Secs. 32-115—32-159. Reserved.

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

Sec. 32-160. Definitions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Plainly audible⁽¹⁾ means any sound that can be detected by a person using his or her unaided hearing faculties.

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

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

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

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

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

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

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

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

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

Sound level means the sound pressure level obtained by the use of a sound level meter. If a frequency-weighting network is used, such as A or C, then the level shall be indicated as dBA or dBC, respectively. If a frequency weighting is not used, then the un-weighted or flat level shall be indicated as dB(Flat). Frequency-weighted networks shall comply with the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)) or the latest approved revision thereof.

Sound level meter means an instrument which includes a microphone, amplifier, RMS detector, integrator or time averaging device, output meter, and weighting networks used to measure sound pressure levels. The instrument should meet requirements for a Type 1 or Type 2 sound level meter as specified in the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)), or the latest approved revision thereof.

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

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

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

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

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

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

(Ord. No. 5072, § 32-20, 3-3-2011; Ord. No. 6020 , 12-3-2020)

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

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

- (a) The noise ordinance shall be enforced by a noise control officer (NCO). The requirements to be an NCO are established as follows:
 - (1) An employee of the parish who is trained to perform noise enforcement activities.
 - (2) An employee who has received noise enforcement training. The employee must be acting within his or her designated jurisdiction and must be authorized to issue a summons in order to be considered a noise control officer.
- (b) Powers means noise control officers shall have the power to:
 - (1) Coordinate the noise control activities of all departments in the parish and cooperate with all other public bodies and agencies to the extent practicable;
 - (2) Review the actions of the parish and advise of the effect, if any, of such actions on noise control;
 - (3) Review public and private projects, subject to mandatory review or approval by other departments or boards, for compliance with this article;
 - (4) Issue permits;
 - (5) Investigate and pursue possible violations of this article for sound levels which equal or exceed the sound levels set forth in section 32-163, when measured at a receiving property located within the designated jurisdiction of the noise control officer, in accordance with section 32-165 below;
 - (6) Cooperate with noise control officers of adjacent municipalities in enforcing one another's noise ordinances; and
 - (7) Determine if a complaint is frivolous, duplicitous, or vexatious.

(Ord. No. 5072, § 32-21, 3-3-2011)

Sec. 32-162. Applicability.

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- (a) This article applies to sound originating from or received at or within the property line of the following property types:
- (1) Residential property.
 - (2) Designated protected receiver.
 - (3) Noise sensitive receiver.
 - (4) Other receiver.
- (b) All significant noise generators permitted or initiated on or after the adoption date of this article shall be subject to the regulations contained herein.
- (c) A noise generator existing prior to the date of adoption of this article is subject to the regulations contained herein if the actions of the noise generator constitute a new use. A significant increase in acoustic conditions at a regulated receiver constitutes a new use for the noise generator if the conditions are due to the following:
1. Changes in the operation of the noise generator,
 2. Modifications to or addition of equipment,
 3. Changes to the physical layout of the noise generating property,
 4. Facility expansion, or
 5. Any action on the part of owner or operator that leads to an increase in sound level, or an increase in the frequency or number of occurrences of temporary noise events, at a regulated receiver.
- A significant increase in acoustic conditions at a regulated receiver includes an increase in sound level by more than 5 dBA or an increase to the applicable levels in Table 1, whichever is greater, or an increase in frequency (or number) of occurrences.
- Notwithstanding the foregoing, a significant increase in acoustic conditions at a regulated receiver will not constitute a new use if caused solely by increased utilization of the noise generator, not to exceed its design or permitted capacity.
- D. For a change in designation of a receiving property type that decreases the maximum permissible sound levels at a property, the regulated levels corresponding to the new designation shall only apply to noise generators beginning operation, or which constitute new uses for existing noise generators, on or after the date of approval of the new designation. Existing noise sources associated with lasting activities at the time of the change in property type designation shall be treated as part of the background sound at the receiving property.
- E. All noise sources in existence prior to April 1, 2011 shall continue to be regulated by ordinances in effect prior to the effective date of this article.

(Ord. No. 5072, § 32-22, 3-3-2011)

Sec. 32-163. Maximum permissible sound levels.^[1]

- (a) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a sound level that exceeds the background sound level by more than 5 dBA or the applicable levels in Table 1 at a regulated receiver, whichever is greater, when measured in accordance with section 32-165. For compliance purposes, if the background sound level cannot be determined in accordance with section 32-165, the levels listed in Table 1 relative to the receiving property type shall be used. For planning and permitting purposes, a noise survey is required to determine the background sound level at the nearest or most impacted property,

and the survey must be conducted in accordance with section 32-165. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all properties considered by the noise survey until another noise survey is approved by the AHJ. The sound level shall be measured at or within the receiving property line in accordance with section 32-165.

Table 1: Maximum permissible A-weighted sound levels (dBA) listed by receiving property type and time of day.

Outdoor;						
Receiving Property Type:	Noise Sensitive Receiver		Residential or Designated Protected Receiver		Other Receiver	
	7a.m.-10p.m.	10p.m.-7a.m.	7a.m.-10p.m.	10p.m.-7a.m.	7a.m.-10p.m.	10p.m.-7a.m.
Maximum permissible A-weighted sound level, dBA*	50	45	55	50	60	60

*maximum permissible levels are subject to Sections 32-163.B, 32-163.C, 32-163.D, and 32-163.E.

- (b) A temporary noise allowance can be applied to the levels determined in section 32-163(a). This allowance accounts for a receiver's added tolerance for known temporary noise events due to temporary activities of up to 14 days. The allowance requires that the party responsible for the noise source inform the potentially impacted recipients of the duration and nature of the noise. A temporary noise allowance can occur only once every 90 days for whatever duration of that activity consistent with the following:
 - (1) For noise events lasting one day or less, a 15 dB increase in maximum permissible A-weighted sound level is permissible.
 - (2) For noise events lasting up to 14 consecutive days, a 10 dB increase in A-weighted sound level is permissible.
 - (3) For any noise events lasting longer than 14 days, the noise associated with that temporary activity is not considered a temporary noise event.
- (c) *Low frequency noise limit:*
 - (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates low-frequency outdoor sound levels in the 31.5 and 63 Hz octave bands that exceed 65 dB(Flat) or exceeds the background sound levels in the 31.5 and 63 Hz octave bands by more than 5 dB(Flat), whichever is greater.
- (d) *Impulsive noise limit:*
 - (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates impulse sound levels that exceed the background sound level by 15 dBA at or within the receiving property line in accordance with the impulsive measurement requirements of section 32-165.
- (e) *Tones:*

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- (1) No person or entity shall cause, allow, or permit the operation of any source of sound which creates a pure tone where the one-third octave band sound pressure level in the band of interest exceeds the arithmetic average of the sound-pressure levels for the two adjacent one-third octave bands by the corresponding decibel (dB(Flat)) values as follows:
 - a. Five dB for center frequencies of 500 Hertz and above,
 - b. Eight dB for center frequencies between 160 and 400 Hertz, and
 - c. Fifteen dB for center frequencies less than or equal to 125 Hertz.

(Ord. No. 5072, § 32-23, 3-3-2011)

⁽ⁱⁱ⁾ Maximum permissible sound level: The predetermined levels are defined by the receiving property type. The levels in Table 1 are based on the World Health Organization's Guidelines for Community Noise (1999) in conjunction with analysis of onsite measurements conducted throughout the parish.

Sec. 32-164. Exemptions and restricted uses.

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

- (1) Emergency signaling devices are exempt from section 32-163 in the case of an emergency and the following cases:
 - a. Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.
 - b. Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within 15 minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this section.
 - c. Testing of an emergency signaling device in accordance with state and federal regulations.
- (2) Nonemergency signaling devices operated by houses of religious worship, ice cream trucks, seasonal contribution solicitors, or by governmental entities or railroads for traffic control purposes are exempt from the operation of this provision.
- (3) Operation and testing of emergency equipment and safety protection systems (for example, relief valves) are exempt from section 32-163.
- (4) Accidents and emergency responses to accidents which pose a clear and immediate danger to life, health, or significant loss of property are exempt from section 32-163.
- (5) Motor vehicles and motorcycles on traffic ways of the parish are exempt from section 32-163 provided that:
 - a. Vehicle horns, signaling devices, and similar devices are sounded for less than five consecutive seconds or are sounded as a danger warning.
 - b. Adequate mufflers or sound dissipative devices are properly installed such that:
 - i. No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.

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- ii. No person shall remove or render inoperative, or cause to be removed or rendered inoperative, other than for purposes of maintenance, repair, or replacement, any muffler or sound dissipative device on a motor vehicle or motorcycle.
 - (6) No person shall repair, rebuild, modify, or test any motor vehicle, motorcycle, or motorboat in such a manner as to exceed the limits set forth in section 32-163.
 - (7) *Motor sports parks and recreational vehicles:*
 - a. Except as permitted in the following subsection b., no person shall operate or cause to be operated any recreational motorized vehicle off a public right-of-way in such a manner that the sound level emitted there from exceeds the limits set forth in section 32-163 at or across the property line when operated on private property. This article shall apply to all recreational motorized vehicles, whether or not duly licensed and registered, including, but not limited to, commercial or non-commercial racing vehicles, motorcycles, go-carts, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.
 - b. Permits for vehicle racing events may be obtained from the AHJ after submission of a noise management plan as required.
 - (8) *Airport and aircraft operations:*
 - a. The AHJ shall consult with the airport proprietor to recommend changes in airport operations to minimize any noise disturbance which the airport owner may have authority to control in its capacity as proprietor.
 - b. Nothing in this article shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects, conducted in accordance with, or pursuant to applicable federal laws or regulations.
 - (9) Any public performance, gathering or parade for which a permit has been obtained from the parish is exempt from section 32-163.
 - (10) Outdoor school and playground activities are exempt from section 32-163. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.
 - (11) *Power tools:*
 - a. Commercial and industrial use of power tools and landscaping and yard maintenance equipment, excluding emergency work, shall not be operated on or within 250 feet of a regulated receiver between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends or federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.
 - b. Non-commercial or non-industrial use of power tools and landscaping and yard maintenance equipment shall not be operated between the hours of 8:00 p.m. and 8:00 a.m., unless such activities can meet the applicable limits set forth in section 32-163. All motorized equipment used in these activities shall be operated with a muffler. At all other times, the limits set forth in section 32-163 do not apply.
 - (12) Construction and demolition activity, excluding emergency work, shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless such activities can meet the limits set forth in section 32-163. All motorized equipment used in construction and demolition activity shall be operated with a muffler. At

all other times, the limits set forth in section 32-163 do not apply to construction and demolition activities.

- (13) Repairs or excavations of bridges, streets or highways by or on behalf of the parish, State of Louisiana, or the federal government, are exempt from limits set forth in section 32-163 between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders its impractical to perform the work between 7:00 a.m. and 7:00 p.m.
- (14) Any government or utility construction or maintenance activities are exempt from section 32-163.
- (15) Personal or commercial vehicular music amplification or reproduction equipment shall not be operated in such a manner that it is plainly audible at a residential property line between the hours of 10:00 p.m. and 8:00 a.m.
- (16) Personal vehicular music amplification equipment shall not be operated in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator.
- (17) Self-contained, portable, hand-held music or sound amplification or reproduction equipment shall not be operated on a public space or public right-of-way in such a manner as to be plainly audible at a distance of 50 feet in any direction from the operator between the hours of 8:00 a.m. and 10:00 p.m. Between the hours of 10:00 p.m. and 8:00 a.m., sound from such equipment shall not be plainly audible by any person other than the operator.
- (18) Significant noise generators (SNG) shall submit a noise management plan (NMP) for approval by the parish. Significant noise generators are those land uses that are known or may reasonably be expected to generate noise upon adjacent properties that exceeds the limits set forth in section 32-163, and may include but are not limited to oil and gas industry sites (e.g. wells heads, compressor stations, refineries, etc.), motor sports parks, machine shops, industrial plants, etc.
 - a. No SNG shall create any noise that exceeds the limits set forth in section 32-163 subject to applicable exemptions in section 32-164.
 - b. Prior to the issuance of a SNG permit and the commencement of operations, the operator shall submit a noise management plan (NMP), approved by the AHJ, detailing how the equipment, structures, site plan, and proposed activities on site complies with the maximum permissible sound levels of this article. Refer to the parish's noise management plan guidance document for specific information. At a minimum, the noise management plan must:
 - i. Identify operation noise impacts;
 - ii. Provide documentation establishing the background sound level prior to construction. A noise survey must be conducted in accordance with section 32-165 for the nearest or most impacted property. Once a noise survey has been reviewed and approved by the AHJ, the established background sound level will apply to all future development until another noise survey is approved by the AHJ.; and
 - iii. Detail how the impacts will be mitigated. In determining noise mitigation, specific site characteristics shall be considered, including but not limited to the following:
 - a) Location and acoustic characteristics of all noise sources that have the potential to exceed the limits set forth in section 32-163;
 - b) Nature and proximity of all adjacent development, location, and type;
 - c) Seasonal and prevailing weather patterns, including wind directions;
 - d) Vegetative cover on or adjacent to the site; and
 - e) Topography.

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- c. The operator shall be responsible for verifying compliance with this article and the noise management plan after the installation of the noise generation equipment.
 - d. The sound level meter used in conducting noise evaluations shall be in accordance with section 32-165.
 - e. Noise mitigation equipment, structures, products, and materials or other alternate methods as approved by the AHJ may be used to ensure compliance.
 - f. The AHJ may require continuous monitoring for up to 72 hours, or for such duration as the SNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this article when the SNG is in within 1,000 feet of a regulated receiver. In the event of complaints, additional measurements may be required upon notification to proceed by the AHJ. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.
 - g. If a complaint is received by either the operator or the parish from any regulated receiver, the operator shall, within 24 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor for up to 72-hour period the exterior sound level generated to ensure compliance. At the request of the AHJ, the operator shall monitor the exterior sound level at the source of the complaint. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.
 - h. A citation may be immediately issued for a clear violation of the provisions of this article. However, if the operator of the SNG is in compliance with the approved noise management plan, and a violation still occurs, the operator will be given 24 hours from notice of non-compliance to correct the violation from an identified source before a citation is issued. Additional extensions of the 24-hour period may be granted in the event that the source of the violation cannot be identified after reasonable diligence by the operator or if the mitigation efforts require additional time for investigation and implementation.
- (19) *Oil and gas wells:* In addition to the requirements listed for "Significant noise generators" in section 32-164.
- a. All workover operations shall not be performed between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays, unless the operator demonstrates through a NMP that such activities can meet the limits set forth in section 32-163. Heavy vehicles associated with workover operations may not operate in residential areas between the hours of 7:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 7:00 p.m. and 9:00 a.m. on weekends and federal holidays.
 - b. The exterior sound level generated by the drilling, redrilling or other operations of all gas wells located within 1,000 feet of a regulated receiver shall be continuously monitored for up to 72 hours, or for such duration as the SNG is able to demonstrate is representative of the maximum sustained noise generation conditions, to ensure compliance with the noise limits of this article. The cost of such monitoring shall be borne by the operator. If a complaint is received by either the operator or the parish from any regulated receiver, the operator shall, within 24 hours of notice of the complaint and upon notification to proceed by the AHJ, continuously monitor for up to 72-hour period the exterior sound level generated by the drilling, redrilling or other operations

to ensure compliance. At the request of the AHJ, the operator shall monitor the exterior sound level at the source of the complaint. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than 15 minutes, unless the duration or duty cycle of the sound source under observation is less than 15 minutes. The cost of such monitoring shall be borne by the operator of the SNG.

(20) *Loudspeakers/public address systems:*

- a. No person or entity shall cause, allow, or permit for any purpose any loudspeaker, public address system, or similar device that produces, reproduces, or amplifies sound, such that the sound therefrom exceeds the levels stated in section 32-163 relative to the receiving property type without first obtaining a permit to do so. The permit shall be granted only for the amplification of music or human speech, or both. The permit:
 - i. May be obtained by making application to the parish.
 - ii. Requires payment of a \$10.00 fee for the administrative costs of issuing the permit or a sworn statement of inability to pay the fee.
 - iii. Is valid for one 14-hour period between the hours of 8:00 a.m. and 10:00 p.m.
 - iv. Shall not be issued to the same or any other person or entity for the same location more than twice during any 30-day period. In the case of a sound truck, location shall relate to the area traversed by the truck in one day.
 - v. Shall not authorize, allow, or otherwise permit the production, reproduction, or amplification of sound that exceeds 65 dBA when measured from the property line of the nearest receiving property.
 - vi. Requires an application containing the following information:
 - a) The date of the application and the date and hours for which the permit is requested.
 - b) The name and address of the applicant.
 - c) The name and address of the person who will have charge of the sound amplifying equipment.
 - d) The purpose for which the sound equipment will be used.
 - e) The address and a description of the location where the sound equipment will be used.
 - f) A description of the type of sound amplifying equipment to be used.

(21) Lawful discharge of firearms.

(22) *Permits for variance:*

- a. Any person who owns or operates any noise source may apply to the parish for a variance from one or more of the provisions of this article.
- b. Applications for a permit of variance shall supply information including, but not limited to:
 - i. The nature and location of the noise source for which such application is made.
 - ii. The reason for which the permit of variance is requested.

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- iii. The level of noise at the nearest or most impacted receiver that will occur during the period of the variance.
 - iv. The section or sections of this article for which the permit of variance shall apply.
 - v. A description of interim noise control measures to be taken for the applicant to minimize noise and the impacts occurring therefrom.
 - vi. A specific schedule of the noise control measures that shall be taken to bring the source into compliance with this article within a reasonable time should the source continue after the variance period.
- c. Applicants must bear the cost of a third-party review of their application by a qualified professional in environmental noise; the recommendation of the third-party review will be advisory to the parish authority.
 - d. No variance shall be approved unless the applicant presents adequate proof that:
 - i. Sound levels occurring during the period of the variance will not constitute a danger to public health.
 - ii. Compliance with the article would impose an unreasonable hardship on the applicant without equal or greater benefits to the public.
 - e. In making the determination of granting a variance, the Caddo Parish Commission shall consider the following factors:
 - i. The character and degree of injury to, or interference with, the health and welfare or the reasonable use of property that is caused or threatened to be caused.
 - ii. The social and economic value of the activity for which the variance is sought.
 - iii. The ability of the applicant to apply the best practical noise control measures.
 - f. If approved for a variance, the party responsible for the noise source must inform the potentially impacted recipients of the duration and nature of the noise.
 - g. If approved for a variance, the Caddo Parish Commission shall determine the duration of the permit.
 - h. A copy of the permit of variance must be kept on file by the parish.
 - i. Failure to supply the information required by the Caddo Parish Commission shall be cause for rejection of the application.
 - j. applications for variances of an emergency nature may be acted upon by noise control officers. If granted, such variances shall not exceed 30 days duration.

(Ord. No. 5072, § 32-24, 3-3-2011)

Sec. 32-165. Procedures for measuring noise.

- (a) Testing shall be conducted in accordance with methods set forth hereinafter, and expanded in greater detail in the parish's noise measurement procedures guidance document. Alternative methods, procedures, or instruments may be used subject to approval and conditions prescribed by the AHJ. The AHJ may itself employ such alternatives when warranted by test conditions or other circumstances.

Acceptable measurement methods:

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- (b) Measurements shall be conducted by the NCO or other qualified professional in environmental noise in accordance with methods set forth hereinafter.
 - (c) Operating conditions of the noise source during the measurement will vary based on the noise source of interest. Insofar as practicable, measurements shall be conducted under representative conditions to those that initiated the investigation. Relevant operational conditions may include but are not limited to typical, design, maximum, and fluctuating conditions.
 - (d) If short-term background sounds increase the monitored sound levels, the measurements should be postponed until these extraneous sounds do not increase the monitored sound levels of interest or these periods of noise should be removed during post-processing of the measurement data.
 - (e) General requirements—The investigator shall, to the extent practicable, conduct all measurements in accordance with the following procedures and report related information:
 - (1) Identify all measurement equipment by manufacturer, model number, and serial number.
 - (2) Report the date, day of week, and time of day.
 - (3) Identify all sources contributing sound to the point of measurement—Characterize and localize sound sources.
 - (4) Conduct measurements at or within the property line of any affected person or entity. Report the distance and direction to the noise source in question.
 - a. For noise due to temporary activities, measurements shall be conducted at least ten feet from the receptor on the side of the receptor where the sound levels are most representative of the noise source in question.
 - b. For noise due to lasting activities, measurements shall be conducted at or within the property line as appropriate for the noise source in question.
 - (5) The measurement session should consist of three individual measurement periods. A minimum measurement period should be sufficient to ensure that the sound levels measured are typical of the source of interest but in no event should the duration of the measurement period be less than five minutes, unless the duration or duty cycle of the sound source under observation is less than five minutes.
 - (6) Background sound level measurements intended for the purpose of planning or permitting shall be conducted for a minimum measurement period of three consecutive days (72 consecutive hours) and include at least 24 hours during either Saturday or Sunday. Measurements must be processed to eliminate the contributions of short-term background sounds as identified in section 32-165.
 - (7) Calibrate the measuring device before and after each series of readings. Report calibration results.
 - (8) Report environmental conditions during measurements including wind speed and direction.
 - (9) Describe relevant source operational condition(s).
 - (10) Outdoor sound measurements made under the following conditions shall not be used to determine compliance:
 - a. Measurements without a wind screen properly attached to the measuring device.
 - b. Measurements when the wind speed exceeds 11 miles per hour (including gusts).
 - c. Measurements under any condition which allows the measuring device to become wet, such as rain, snow, or condensation.

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- d. When the ambient temperature is below 14 degrees F (-10 degrees C) or above 122 degrees F (50 degrees C).
- i. Background sound level measurement values to be reported:
- a) For the purpose of compliance, report the A-weighted, time-interval equivalent 15 minute sound pressure level, $L_{Aeq\ 15min}$, measured in accordance with section 32-165.
 - b) For the purpose of planning or permitting, report the A-weighted, time-interval equivalent three-day sound pressure level, $L_{Aeq3day}$, after the measurements have been processed for removal of short-term background sounds and measured in accordance with section 32-165.
- (f) *Measurement instrumentation.*
- (1) The sound level meter must be able to measure the continuous energy equivalent sound level of steady, intermittent, and fluctuating sources. Any instrument used for sound pressure level measurement must be able to measure A-weighted sound pressure levels with a slow, exponential time-averaging setting and meet requirements for a Type 1 sound level meter as specified in the American National Standards Institute specifications for sound level meters (ANSI S1.4-1983 (R2006)), or the latest approved revision thereof.
 - (2) To investigate impulsive noise limits, the sound level meter must be able to measure A-weighted sound pressure levels with a fast, exponential time-averaging setting.
 - (3) To investigate the presence of tonal components, the sound level meter must be able to measure one-third octave band sound pressure levels. The meter must meet the minimum technical specification in the American National Standards Institute (ANSI) publication S1.11-2004 or latest revision for Class 2 filter sets.
 - (4) The calibrator must meet the requirements for ANSI S1.40-2006 or latest revision.
 - (5) The sound level meter must be recalibrated at least every two years and the field calibrator must be recalibrated at least once per year by the manufacturer or by a laboratory accredited for such calibrations by either the American Association for Laboratory Accreditation or the National Institute of Standards and Technology. A copy of written documentation of such recalibration, in a form approved by the parish, shall be kept with the equipment to which it refers.

(Ord. No. 5072, § 32-25, 3-3-2011)

Sec. 32-166. Enforcement.

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

(Ord. No. 5072, § 32-26, 3-3-2011)

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

Notwithstanding the provisions of sections 32-162 through 32-165, it shall be unlawful to operate or use an engine brake during the operation of a motor vehicle on or within the right-of-way of Jefferson Paige Road between its intersection with Greenwood Road (U.S. Hwy 80) and its intersection with Jolly Napier Road. Violation of the provisions of this section shall be a misdemeanor and punishable by a penalty for each offense of a fine of up to \$500.00 or a term of imprisonment of up to 30 days.

(Ord. No. 6020 , 12-3-2020)