

**CHAPTER 19**

**PLANNING AND ZONING**

- Sub-Chapter A -- Regional Planning Commission**
- Sub-Chapter B -- Parish Planning Commission**
- Sub-Chapter C -- Zoning**

**Sub-Chapter A**

**Regional Planning Commission**

**SECTION 19:1. PARISH TO PARTICIPATE IN REGIONAL PLANNING COMMISSION NO. THREE; MEMBERSHIP; EFFECTIVE DATE; REMOVAL OF COMMISSION MEMBERS**

The Assumption Parish Police Jury hereby participates in the creation of a Regional Planning Commission for the Parishes of St. James, St. John the Baptist, St. Charles, Terrebonne, Lafourche, and Assumption, referred to as Louisiana Planning District Number 3. The name of the planning commission will be selected at the first general meeting of the commission once it is legally constituted. Membership on the Commission shall consist of not less than eighteen (18), nor more than twenty-six (26) members. The Police Jury of the respective parishes named above shall each appoint at least one (1) and no more than two (2) members; each incorporated municipality within the district shall appoint one (1) member, and in each Parish, a parishwide organization which represents the interests of the low income residents shall appoint another member. The commission shall become a legal body immediately upon the passage of these provisions by at least four (4) of the concerned police juries. At any time after this effective date, the remaining police juries or municipalities may become members by passing this ordinance. Any member of the commission, after public hearing, may be removed by the body appointing him for inefficiency, neglect of duty, or malfeasance.

(Ordinance of March 15, 1972; as amended by Motion of November 28, 1972)

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**Comment** -- As originally established, the commission was to be composed of from twelve (12) to twenty-four (24) members. The November, 1972, amendment revised that to between eighteen (18) and twenty-six (26) members.

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**Cross References** - Administration, Ch. 2; buildings and construction regulations, Ch. 5; flood damage prevention, Ch. 5; roads, bridges, watercourses and drainage, Ch. 25; subdivisions, Ch. 26.

**State Law References** - Physical development of parishes and municipalities, R.S. 33:101 et seq.; regional planning commissions, R.S. 33:131 et seq.; state planning and development districts, R.S. 33:140.61 et seq.; Parish Redevelopment Law, R.S. 33:4625; municipal zoning regulations, R.S. 33:4721 et seq.; authority of parishes and municipalities to adopt zoning and land use regulations, etc., to comply with the National Flood Insurance Act of 1968, R.S. 38:84.

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**SECTION 19:2. COMMISSION MEMBERS; COMPENSATION; TENURE**

The members of the commission shall serve without compensation. The members of the commission first appointed shall hold office for staggered terms to prevent a complete change of the members at any one time. Their successors shall be appointed for a term of no more than nine (9) years from and after expiration of the term of their predecessors in office. If a vacancy occurs otherwise than by expiration of term, it shall be filled by appointment for the unexpired term. (Ordinance of March 15, 1972)

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**Comment** -- See LRS 33:132 for state provisions on membership of regional planning commissions.

**SECTION 19:3. ELECTION OF CHAIRMAN AND OTHER OFFICERS; MEETINGS**

The commission shall elect a chairman from its members and create and fill such other of its offices as it may determine. The term of chairman shall be one (1) year, with eligibility for re-election. The commission shall hold at least one (1) regular meeting on alternate months, or as often as deemed necessary. It shall adopt rules for transactions, findings and determinations, which record shall be a public record. (Ordinance of March 15, 1972)

**SECTION 19:4. POWERS OF COMMISSION HIRING AND CONTRACTING FOR SERVICES; UTILIZATION OF OTHER AGENCIES; EXPENDITURES**

The commission may appoint such employees as it may deem necessary for its work and may also contract with planning experts, engineers, architects and other consultants for such services as they may require. The commission may utilize the staff of the two (2) existing community action agencies or other public or private agencies now serving the planning district for the gathering of data, preparation of reports, or program requests and as the operational arm of the commission to put into effect any programs dealing with human relations or human resources activities which the commission may develop. The expenditures of the commission, exclusive of those made from funds received by gift, shall be within the amounts appropriated for the purpose by the commission. (Ordinance of March 15, 1972)

**SECTION 19:5. OTHER POWERS AND DUTIES AS CONFERRED BY STATE LAW**

The commission shall exercise all the powers and duties conferred by R.S. 33:131 through R.S. 33:140, inclusive. (Ordinance of March 15, 1972)

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**Comment** -- See LRS 33:133 for designation of officers, meetings and other operational rules.

**SECTION 19:6. COMMISSION AUTHORIZED TO DIVIDE ITSELF INTO SUB-BODIES NEEDED TO SECURE FEDERAL, STATE OR OTHER LOCAL FUNDS**

The commission is authorized to divide itself into a body or bodies utilizing any or all categories of its members for the purpose of becoming eligible for federal, state or local funds for

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programs which would aid in the development of this district. In case of such an act, the original composition and the commission will remain intact and the new body thus created will assume a different name, but will have its meetings at the same time as the commission meetings.  
(Ordinance of March 15, 1972)

**SECTIONS 19:7 - 19:20. RESERVED**

**[RESERVED]**

[The next page is Sub-Chapter B, "Parish Planning Commission", page 19-9.]

## **Sub-Chapter B**

### **Parish Planning Commission**

#### **SECTION 19:21. CREATION OF PARISH PLANNING COMMISSION**

There is hereby created the Assumption Parish Planning Commission which shall consist of nine (9) members, all to be appointed by the Parish Police Jury who may remove any member of the Commission, after public hearing, for inefficiency, neglect of duty or malfeasance. (Ordinance of 3/28/78; amended by Ordinance of 10/10/79)

#### **SECTION 19:22. COMPENSATION; APPOINTMENT; TERMS**

All members of the commission shall serve without compensation and shall hold no other public office. Of the members of the commission first appointed, three (3) shall hold office for a term of four (4) years; one (1) shall hold office for a term of five (5) years; one shall hold office for a term of six (6) years; one for a term of seven (7) years; one for a term of eight (8) years; one for a term of nine (9) years; and, one for a term of ten (10) years. All successors of the members of the planning commission shall be appointed by the Police Jury and serve for a period of four (4) years. (Ordinance of 3/28/78; amended by Ordinance of 10/10/79)

#### **SECTION 19:23. SELECTION OF CHAIRMAN**

The Commission shall elect a Chairman from its members and create and fill such other of its offices as it may determine. The term of Chairman shall be one (1) year, with eligibility for re-election. The Commission shall hold at least one (1) regular meeting in each month. It shall adopt rules for transactions, findings and determinations, which record shall be a public record. (Ordinance of 3/28/78; amended by Ordinance of 10/10/79)

#### **SECTION 19:24. APPOINTMENT OF EMPLOYEES; CONTRACTS FOR SERVICE; EXPENDITURES**

The Commission may appoint such employees as it may deem necessary for its work and may also contract with planning experts, engineers, architects and other consultants for such services as they may require. The expenditures of the Commission, exclusive of those made from funds received by gift, shall be within the amounts appropriated for that purpose by the Assumption Parish Police Jury. (Ordinance of 3/28/78; amended by Ordinance of 10/10/79)

#### **SECTION 19:25. POWERS AND DUTIES**

The Commission shall exercise all the powers and duties conferred by R.S. 33:101 through R.S. 33:119, inclusive. (Ordinance of 3/28/78; amended by Ordinance of 10/10/79)

#### **SECTIONS 19:26 - 19:29. RESERVED**

**[RESERVED]**

[The next page is Sub-Chapter C, "Zoning", page 19-15.]

## **Sub-Chapter C**

### **Zoning**

**[RESERVED]**

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**Comment** -- For authority of police juries to enact zoning regulations, see Article VI, Section 17, Louisiana Constitution (1974).

**[RESERVED]**

[The next page is CHAPTER 20, "PUBLIC WELFARE", page 20-1.]