

ORDINANCE
2022-O-05

AN ORDINANCE REGULATING THE CONSTRUCTION
OF PONDS IN THE UNINCORPORATED AREAS
OF VERMILION PARISH, LOUISIANA

BE IT ORDAINED by the Vermilion Parish Police Jury that there is a need to protect the public safety, health and welfare of the citizens of the Parish of Vermilion in reference to the construction of ponds in the unincorporated areas of Vermilion Parish, Louisiana;

BE IT FURTHER ORDAINED by the Police Jury of Vermilion Parish, in regular session convened on this 15TH day of June, 2022, that the Vermilion Parish Police Jury adopt Parish Ordinance No. 2022-O-05 as follows:

Sec. 1. DEFINITIONS:

“POND” as used herein means:

A man-made body of water located on the lands of a single owner, or of a single group of joint owners, which does not have an outlet, or has a small outlet, to any public bodies of water.

Sec. 2. PERMIT REQUIRED:

Any person (including but not limited to a landowner, lessee, possessor, permittee, invitee, business entity or governmental body) wishing to create, expand, improve or repair a POND on property located in Vermilion Parish, Louisiana shall first obtain a permit from the Vermilion Parish Police Jury.

PONDS in existence on the effective date of this Ordinance are exempted from the requirement of obtaining a permit. However, if said PONDS are enlarged, expanded, improved or repaired subsequent to the effective date of this Ordinance, any such enlargement, expansion, improvement or repair of a POND shall require a permit and shall be in compliance with the requirements of this Ordinance.

Additionally, PONDS in existence on the effective date of this Ordinance may not encroach on property not owned by the owner or possessor of said POND.

Sec 3. FORM OF PERMIT:

The permit application shall be on forms approved by the Vermilion Parish Police Jury.

Sec 4. REQUIREMENTS:

All requirements set forth in the permit application shall be submitted, including a plat of survey showing the amount of acreage of the land, location of the POND on said land, depth of the POND, width of the POND, slope of the POND, the location and size of overflow, and the location of the placement of the spoil and/or excavated soil. The location and construction of a POND shall comply with all setback restrictions approved by the Parish engineer and set forth in the permit.

Sec 5. EXEMPTIONS:

PONDS created by persons engaged in the business of agriculture shall be exempt from the requirement of a permit.

Sec. 6. CRIMINAL LIABILITY:

Any person who violates this Ordinance shall, upon conviction thereof, be guilty of a misdemeanor and shall be subject to a fine of not more than Five Hundred and no/100 (\$500.00) Dollars, or a prison term of not more than thirty (30) days, or both, for each violation. Each day that a violation of this ordinance exists shall be considered a separate offense.

Sec. 7. REPEAL OF CONFLICTING ORDINANCES:

All ordinances or resolutions or parts thereof in conflict herewith are hereby repealed.

Sec. 8. SEVERABILITY:

Should any part of this ordinance be declared null, void, invalid, illegal or unconstitutional, the remainder of the said ordinance shall remain in full force and effect.

Sec. 9. EFFECTIVE DATE:

This ordinance shall become effective after final approval of the Vermilion Parish Police Jury, signature of the President of the Vermilion Parish Police Jury, promulgation and legal delay.

This ordinance having been submitted in writing, having been read and adopted at a public meeting of the Vermilion Parish Police Jury, State of Louisiana was then submitted to an official vote as a whole, the vote was thereon being as follows:

YEAS: Mr. Dane Hebert, Mr. Jason Picard, Mr. Brent Landry, Mr. Ronald Darby, Mr. Paul Bourgeois, Mr. Chad Lege, Mr. Ronald Menard, Mr. Scott Broussard, Mr. Dexter Callahan, Mr. Sandrus Stelly, Mr. Chad Vallo

NAYS: None

ABSENT: Mr. Mark Poche', Mr. Errol J. Domingues

ADOPTED (DATE): June 15, 2022

ATTEST: _____
Jason Picard, President