

**T.P. Ordinance No. 22-30**

**AN ORDINANCE AMENDING AND ENACTING CHAPTER 44 – SURFACE MINING OPERATIONS, ARTICLE II – DIRT PITS AND PONDS, SECTION 44-49 – SPECIAL REGULATIONS**

**BE IT ORDAINED** by the Tangipahoa Parish Council-President Government, State of Louisiana, acting as the Governing Authority thereof revises and amends the Tangipahoa Parish Code of Ordinance, Chapter 44 – Surface Mining Operations as follows:

**Chapter 44 SURFACE MINING OPERATIONS**

**ARTICLE II. Dirt Pits and Ponds**

**Sec. 44-49. Special regulations.**

- (a) *Requirements for ponds of one acre or less in area on a single-family residential home site.* An application shall be submitted and fees paid in order to obtain a permit. The pond must be dug in a manner that will allow for it to hold water. For safety reasons, the edge of the pond shall be sloped at a minimum ratio of 3:1. The edge of the pond can be no closer than 30 feet from a neighboring property line. During construction of the one acre or less size pond, if legitimate complaints arise, the parish government may require watering in order to control dust. The required buffer may be waived in writing from adjacent affected property owner.
- (b) *Requirements for dirt pits and/or ponds more than one acre but no more than five acres in area.* An application shall be submitted along with the items set forth in this subsection before a permit may be issued pursuant to this article. If the merchantable timber is to be harvested from the site, a parish logging permit must be obtained. The applicant must present a plan for access to a state highway or to a parish roadway. A water truck may be required to control dust. If the site is constructed with the intention to create a pond, such pond shall be constructed in a manner that will allow it to hold water and at the completion of the job, for safety reasons, the edges of the pond shall be sloped at a minimum ratio of 3:1. The edge of any such dirt pit and/or pond can be no closer than 30 feet from a neighboring property line. The required buffer may be waived in writing from adjacent affected property owner. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from a neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation shall be for a one-year term and must be renewed yearly thereafter during the operation. Prior to expanding the site to include excavation of more than five acres, the contractor/miner/excavator must apply for and obtain the permit required by subsection (c) of this section.
- (c) *Requirements for dirt pits and/or ponds more than five acres in area.* This will be considered as a commercial site and as such, the permit application must be reviewed and recommended for approval by the permit office, reviewed and recommended for approval by the parish director of public works and then and only then be submitted to the parish council for final approval of the permit, by resolution, and which approval shall not be unreasonably withheld. Prior to placing this permit application on the parish council agenda, the applicant shall first have written approval from the building official and from the parish director of public works. Once a permit is issued, the following requirements must be upheld. If timber is to be harvested to clear the site, a logging permit is required. A water truck must be maintained on the site and must be used daily to control dust except in the event of substantial periods of rain. If the site is constructed with the intention to create a pond, at completion of the job, such pond shall be constructed in a manner that will allow it to hold water and for safety reasons, the edges of the pond shall be sloped at a minimum ratio of 3:1. At all times, the edges of any such dirt pit and/or pond can be no closer than 30 feet from an neighboring property line. The required buffer may be waived in writing from adjacent affected property owner. Furthermore, to protect neighboring properties from damages to water wells, sewer systems and foundations, no such dirt pit or pond shall be located any closer than 200 feet from an neighboring property owner's existing residential house structure. If at any time the pit becomes abandoned, there shall be no pool of water or pond unless the edges of the pool or pond are sloped at a minimum ratio of 3:1. A permit for this size operation shall be for a one-year term and must be renewed yearly thereafter during the operation of the dirt pit. In addition to the other requirements for a permit, the applicant shall also submit along with the permit application the following, to-wit:
  - (1) Site plan that includes the legal description and survey of the entire property;
  - (2) A diagram of the proposed dirt pit or pond at completion;
  - (3) A letter of approval from the parish director of public works;
  - (4) A letter of approval from the parish building official;
  - (5) A resolution of the parish council granting the permit; and
  - (6) A logging permit, if applicable.

**BE IT FURTHER ORDAINED** that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

This ordinance having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council shall take effect immediately upon the signature of the Tangipahoa Parish President.

On motion by Mr. Ridgel and seconded by Mr. Mayeaux, the foregoing ordinance was hereby declared adopted on this 27<sup>th</sup> day of June, 2022 by the following roll-call vote:

**YEAS:** Forrest, Ingraffia, Joseph, Bruno, Ridgel, Mayeaux, Wells, Vial, Hyde, Coates

**NAYS:**

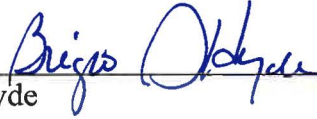
**ABSENT:**

**NOT VOTING:**

**ATTEST:**



Jill DeSouge  
Clerk of Council  
Tangipahoa Parish Council



Brigitte Hyde  
Chairwoman  
Tangipahoa Parish Council

INTRODUCED: June 13, 2022

PUBLISHED: June 23, 2022 OFFICIAL JOURNAL Hammond Daily Star


ADOPTED BY TPC: June 27, 2022

DELIVERED TO PRESIDENT: 28<sup>th</sup> day of June, 2022 at 8:00am

APPROVED BY PRESIDENT:  6/29/2022  
Robby Miller Date

VETOED BY PRESIDENT: \_\_\_\_\_  
Robby Miller Date

RECEIVED FROM PRESIDENT: 29<sup>th</sup> day of June, 2022 at 2:00pm

This is a true and  
certified copy of the original  
TP Ordinance No 22-30  
adopted by the Tangipahoa  
Parish Council - President  
Government on 6/27/2022  
  
Jill DeSouge  
Clerk of Council  
6/30/2022  
Date