

**COMPILED ORDINANCES  
Parish of  
RAPIDES, LOUISIANA**

**Codified through  
Ordinance of Feb. 6, 2006.  
(Supplement No. 135)**

## **Preliminaries**

### **PREFACE**

This volume constitutes a compilation of the Special Acts relating to the Parish and the ordinances, resolutions, motions and other actions of the police jury of a general and permanent nature. Actions of special or limited interest, such as authorizing bond issues, accepting bids, making appropriations, etc., are not included herein.

The chapters of the Compilation have been conveniently arranged in alphabetical order and the various sections within each chapter have been appropriately catchlined to facilitate usage. Appropriate footnotes which tie related sections of the Compilation together and which refer to relevant state laws have been included. Also, the source of each section is included in the history note appearing in parentheses at the end thereof.

The numbering system used in this Compilation is the same system used in many state codes. Each section number consists of two component parts separated by a dash, the figure before the dash referring to the chapter number and the figure after the dash referring to the position of the section within the chapter. Thus, the first section of Chapter 1 is numbered 1-1 and the fourteenth section of Chapter 20 is 20-14.

A special feature of this Compilation is the looseleaf system of binding and supplemental servicing. With this looseleaf system, the Compilation will be kept up-to-date periodically. Upon the final passage of ordinances, they will be properly edited and the page or pages affected will be reprinted. These new pages will be distributed to the holders of the Compilation with instructions for the manner of inserting the new pages and deleting the obsolete pages.

The successful maintenance of this Compilation up-to-date at all times will depend largely upon the holder of the volume. As revised sheets are received it will become the responsibility of the holder to have them inserted according to the attached instructions. It is strongly recommended by the publishers that all such additions be inserted immediately upon receipt to avoid misplacing them and, in addition, that all deleted pages be saved and filed for historical reference.

The general index of the Compilation has been prepared with the greatest of care. Each particular item has been placed under several headings, some of the headings being couched in lay phraseology, others in legal terminology, and still others in language generally used by city officials and employees. There are numerous cross references within the index itself which stand as guideposts to direct the user to the particular item in which he is interested.

The publication of this Compilation was under the direct supervision of George R. Langford, President, and C. Julian Manson, Editor of the Municipal Code Corporation, Tallahassee, Florida. Credit is gratefully given to the other members of the publisher's staff for their sincere interest and able assistance throughout the project.

The publishers are most grateful to all parish officers for their interest and cooperation in the preparation of this Compilation. Special acknowledgement is made to Mr. F. Jean Pharis, District Attorney, and Mr. Cleighton L. Bushnell, Parish Secretary, for their advice and assistance.

This Compilation is presented for the use and benefit of the citizens of Rapides Parish.

TABLE INSET:

	MUNICIPAL CODE CORPORATION
	Tallahassee, Florida.

1965

## Chapter 3 AIRPORTS\*

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**\*Editor's note:** At special election held on Tuesday, April 16, 1968 electors of Rapides Parish authorized tax of one (1) mill on the dollar on all taxable property in the Parish to be used exclusively for the purpose of maintaining airports and landing fields in the Parish.

**Cross references:** Aircraft on lake reservoirs prohibited, § 19 1/2-7.

**State law references:** Acquisition, construction and operation of airports, R.S. 2:131 et seq., 33:4622.

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Art. I. Reserved, §§ 3-1--3-10

Art. II. Esler Airport, §§ 3-11--3-80

Div. 1. Generally, §§ 3-11--3-38

Div. 2. Fire Prevention, §§ 3-39--3-55

Div. 3. Zoning, §§ 3-56--3-80

Art. III. Alexandria Airfield [England Air Force Base], §§ 3-81--3-96.12

Div. 1. Reserved, §§ 3-81--3-90

Div. 2. Airbase Landing District, §§ 3-91--3-96.12

Art. IV. Reserved

**ARTICLE III. ALEXANDRIA AIRFIELD [ENGLAND AIR FORCE BASE\*]**

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**\*Editor's note:** Airport facilities previously named Alexandria Air Field now constitute England Air Force Base.

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**DIVISION 2. AIRBASE LANDING DISTRICT\***

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**\*Editor's note:** An ordinance enacted May 1, 1989, amended Ch. 3 but did not specify the manner of such amendment; hence, codification of the substantive provisions of such ordinance as superseding former Art. III, Div. 2, §§ 3-91--3-96, was at the discretion of the editors. The deleted provisions also pertained to zoning in areas adjacent to England Air Force Base and derived from §§ 1--6 of an ordinance of Oct. 14, 1942.

**State law references:** Airport zoning, R.S. 2:381 et seq.

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**Sec. 3-91. Findings of fact; purpose.**

By virtue of the authority granted to Rapides Parish by Revised Statutes of the State of Louisiana, as amended, and due to the fact that the parish police jury finds it necessary to enact this division in order to protect and promote the general health, safety, economy and welfare of the inhabitants of Rapides Parish, Louisiana, by preventing incompatible uses or the creation or establishment of flight hazards; and providing for the protection of property in the vicinity of Alexandria International Airport by creating obstruction clearance and compatible use zones and establishing boundaries thereof; providing for changes in restrictions encompassing in such zones; defining certain terms used herein; providing for enforcement; amendment; and imposing penalties for violations thereof; and to prevent the destruction or impairment of the utility of Alexandria International Airport, Alexandria, Louisiana, and the public investment therein and the enhancement of the quality of life and safety of individuals residing in areas affected, the provisions of this division shall amend the Rapides Parish Zoning Ordinances as adopted and will be an addition to that ordinance to become chapter 3, article III, division 2 "Alexandria Airport Landing District."

(Ord. of 5-1-89, § 1; Ord. of 10-10-05(4))

**Sec. 3-92. Short title.**

This division shall be known and may be cited as the "Alexandria International Airport Landing District Ordinance" for the area adjacent to Alexandria International Airport, Rapides Parish, Louisiana.

(Ord. of 5-1-89, § 2; Ord. of 10-10-05(4))

**Sec. 3-93. Definitions.**

For the purpose of this division, the following words and terms shall have the meanings respectively ascribed:

*Airport Protection, Zone 1 or APZ I:* This refers to the zoning designation with the Alexandria Airport landing district of those parcels of land situated within a rectangular area, three thousand (3,000) feet wide, measured one thousand five hundred (1,500) feet to either side of the centerline of the ends of each active runway; this rectangular area begins at the outer end of the CZ and from these points extends outward to a distance of eight thousand (8,000) feet from the runway threshold.

*Airport Protection, Zone 2 or APZ II:* This refers to the zoning designation with the Alexandria Airport landing district of those parcels of land situated within a rectangular area, three thousand

(3,000) feet wide, measured one thousand five hundred (1,500) feet to either side of the centerline of the ends of each active runway; this rectangular area begins at the outer end of APZ I or eight thousand (8,000) feet from the runway threshold and from these points extend outward for a distance of seven thousand (7,000) feet.

*Administrative agency:* Rapides Parish Police Jury or designated person or agency.

*Airport:* In this division, airport means Alexandria International Airport, Alexandria, Rapides Parish, Louisiana.

*Alexandria Airport landing district:* This shall mean the parcel(s) of land described and defined further in section 3-94.

*Clear zone:* This refers to the zoning designation within the Alexandria Airport landing district of those parcels of land situated within a rectangular area, two thousand (2,000) feet wide, measured one thousand (1,000) feet to either side of the centerline of the ends of each active runway. This rectangular area begins at each runway threshold and extends outward from each runway for a distance as specified below:

Runway 18--four thousand (4,000) feet.

Runway 36--four thousand (4,000) feet.

Runway 32--four thousand (4,000) feet, and Runway 18 - six thousand (6,000) feet.

*Nonconforming use:* Any structure, natural growth or use or land which does not conform to a regulation prescribed in this division or an amendment thereto, as of the effective date of such regulations.

*Person:* Any individual, firm, partnership, copartnership, corporation, company, association, joint stock association, or political body, also any trustee, receiver, executor, assignee or other similar representative thereof.

*Structure:* Any object constructed or installed in any manner, including, but not limited to: buildings, towers, smokestacks, signs and irrigation systems.

*Subzone:* Refers to all APZ and clear zones within the described Alexandria Airport landing district.

(Ord. of 5-1-89, § 3; Ord. of 10-10-05(4))

### **Sec. 3-94. District boundaries.**

The Alexandria Airport landing district shall consist of all land that falls within all or part of Sections 10, 11, 12, 16, 17, 18, 19, 20, 40, 41, 42, 45, 52, 53, 54, 55, 73, 74, 76, and 77, of Township 4 North, Range 2 West of Rapides Parish; Sections 26 and 85, Township 4 North, Range 1 West, of Rapides Parish; Sections 9, 10, 11, 13, 14, 22, 23, 27, and 28 of Township 5 North, Range 2 West of Rapides Parish, south of the Red River; and Sections 26, 31, 35, 37 of Township 5 North, Range 2 West of Rapides Parish, north of the Red River.

(Ord. of 5-1-89, § 4; Ord. of 10-10-05(4))

### **Sec. 3-95. Compliance with land use restrictions.**

Land zoned APZ I, APZ II or clear zone may not be used for any purpose other than those described on Table I in section 3-96 as permissible and compatible with the zoning designations carried by that parcel of land. Property owners or land users should consult the administrative agency to determine the locations of property and limitations imposed thereon by this division.

(Ord. of 5-1-89, § 5; Ord. of 10-10-05(4))

**Sec. 3-96. Land use table.**

(a) *Permissible uses:* All uses indicated by a "yes" in the applicable column of Table I are allowed.

(b) *Prohibited uses:* All uses indicated by a 'no' in the applicable subzone column of Table I are expressly prohibited.

(c) *Land use table:*

TABLE 1;EOL;LAND USE COMPATIBILITY IN ALEXANDRIA AIRPORT PROTECTION ZONES AND CLEAR ZONES

TABLE INSET:

Land Use			
	>75 DNL CZ	70-75 DNL APZ-1	65-70 DNL APZ-II
<b>Residential</b>			
Single-family Dwellings	No	No	Yes (1)
Multi-family Dwellings	No	No	Yes (1)
Permanent Residence Mobile Homes	No	No	No
Transient Lodging-Hotels, Motels	No	No	Yes (1)
<b>Transportation, Communications and Utilities</b>			
Railroad	Yes (2, 9, 10)	Yes (2, 9, 10)	Yes
Motor Vehicle Transportation	No	Yes (2, 9, 10)	Yes
Aircraft Transportation No		Yes (2, 9, 10)	Yes
Highway and Street ROW	Yes (2, 9, 10)	Yes (2, 9, 10)	Yes
Auto Parking	No	Yes (2, 9, 10)	Yes
Communications	Yes (2, 9, 10)	Yes (2, 9)	Yes (9)
Utilities	Yes (2, 9, 10)	Yes (9, 10)	Yes
Landfills and Hazardous Waste Facilities	No	No	No
<b>Commercial and Retail Trade</b>			
Wholesale Trade	No	Yes (1, 9, 10)	Yes
Building Materials - Retail	No	Yes (9, 10)	Yes
General Merchandise-Retail	No	Yes (9, 10)	Yes
Food Retail-Groceries	No	Yes (9, 10)	Yes

Other Food Retail	No	Yes (9, 10)	Yes
Automotive, Marine, Aviation - Retail	No	Yes (9, 10)	Yes
Apparel and Accessories Retail	No	Yes (1, 9, 10)	Yes
Furniture, Home Furnishings-Retail	No	Yes (1, 9, 10)	Yes
Eating and Drinking Places	No	Yes (9, 10)	Yes
Other Retail	No	Yes (9, 10)	Yes
Mobile Home Sales	No	Yes (9, 10)	Yes
Industrial and Manufacturing			
Food and Kindred Products	No	Yes (9, 10)	Yes
Textile Mill Products	No	Yes (9, 10)	Yes
Apparel	No	Yes (9, 10)	Yes
Lumber and Wood Products	No	Yes (9, 10)	Yes
Furniture and Fixtures	No	Yes (9, 10)	Yes
Paper and Allied Products	No	Yes (9, 10)	Yes
Printing and Publishing	No	Yes (9, 10)	Yes
Chemicals and Allied Products	No	Yes (7, 9, 10)	Yes (7)
Petroleum Refining and Related Industries	No	No	No
Rubber and Miscellaneous Plastic	No	Yes (9, 10)	Yes
Stone, Clay and Glass Products	No	Yes (9, 10)	Yes
Primary Metal Industries	No	Yes (9, 10)	Yes
Fabricated Metal Industries	No	Yes (9, 10)	Yes
Professional, Scientific and Controlling Instruments	No	Yes (9, 10)	Yes
Miscellaneous Manufacturing	No	Yes (9, 10)	Yes
Services			
Finance, Insurance and Real Estate	No	Yes (10)	Yes
Personal Services	No	Yes (10)	Yes
Cemeteries	No	Yes (3, 10)	Yes
Business Services	No	Yes (10)	Yes
Warehousing and Storage Services	No	Yes (10)	Yes
Explosives Storage	No	No	No
Repair Services	No	Yes (10)	Yes
Medical and Other Health Services	No	No	Yes (1)
Hospital	No	No	No
Legal Services	No	Yes (10)	Yes
Other Professional Services	No	Yes (10)	Yes
Contract Construction Services	No	Yes (10)	Yes
Government Services	No	Yes (10)	Yes
Educational Facilities	No	No	No



Religious Facilities	No	No	Yes (1)
Cultural, Entertainment and Recreation			
Cultural Activities	No	No	Yes (1)
Nature Exhibitions and Zoos	No	No	Yes
Entertainment Assembly	No	No	Yes (1)
Miscellaneous Public Assembly	No	No	Yes (1)
Fairgrounds and Amusement Parks	No	No	Yes (9)
Outdoor Sports Activities	No	Yes (8, 9, 10)	Yes (9)
Indoor Sports Activities	No	No	Yes
Playground and Athletic Areas	No	Yes (9, 10)	Yes (9)
Water-based Recreation Areas	No	No	Yes (9)
Other Recreation	No	Yes (9, 10)	Yes (9)
Resort and Group Camps	No	No	Yes
Parks	No	Yes (9, 10)	Yes (9)
Resource Production, Extraction and Open Land			
Agriculture (4)	Yes (10)	Yes (10)	Yes
Dairy and Livestock Farms (5)	No	Yes (10)	Yes
Forestry Activities	No	Yes (10)	Yes
Fishing Activities and Related Services (6)	No	No	Yes
Mining Activities	No	No	Yes
Undeveloped and Unused Land	Yes	Yes	Yes
Manmade Water Areas	No	No	Yes
Permanent Open Space	Yes	Yes	Yes

Yes: Permissible uses.

No: Prohibited uses.

Notes:

- (1) Use compatible only if measures to achieve outdoor to indoor noise level reduction (NLR) of at least twenty-five (25) dB (within sixty-five (65) to seventy (70) DNL) or thirty (30) dB (within seventy (70) to seventy-five (75) DNL) are incorporated into the design and construction of the interior portions of the building.
- (2) No passenger terminals and no major aboveground transmission lines.
- (3) Meeting places, auditoriums, chapels, etc., not allowed.
- (4) Includes livestock grazing but excludes feedlots and intensive animal husbandry.
- (5) Includes feedlots and intensive animal husbandry.
- (6) Includes hunting and fishing.
- (7) Excludes products with explosive or flammable characteristics.
- (8) Facilities must be low intensity, e.g., golf courses, soccer fields, baseball fields, etc.
- (9) Facilities must not create electronic interference, conflicting light, vapor, smoke, etc. which might cause interference with aircraft navigation, as specified in section 3-96.10.

(10) Facilities, structures, or trees must not exceed height restrictions as specified in section 3-96.10.

(Ord. of 5-1-89, § 6; Ord. of 10-10-05(4))

### **Sec. 3-96.1. Nonconforming uses.**

(a) The regulations prescribed in sections 3-95 and 3-96 shall not be construed to require the removal, lowering or other change or alteration of any structure not conforming to the regulations as of the effective date hereof, or otherwise interfere with the construction or alteration of any structure which has begun prior to the effective date of this division.

(b) Any use of land, building or structure lawfully existing at the time this division or amendments hereto become effective shall be allowed to continue even though such use does not conform with the regulations of this division or amendments hereto for the Alexandria Airport landing district in which it is located.

(1) *Discontinuance of legal nonconforming uses:*

a. In the event that a legal nonconforming, nonresidential use of a land, building or structure is discontinued for a period of thirty-six (36) consecutive months, any future use thereof shall be in conformity with the regulations of this division.

b. In the event that a legal nonconforming use of buildings or structures is destroyed to any extent by fire, explosion, act of God or act of the public enemy, it may be reconstructed. Such reconstruction shall be commenced within thirty-six (36) months of the destruction and shall be limited to one hundred (100) percent of the destroyed structure's floor area.

(2) *Expansion of a legal nonconforming use.* A nonresidential legal nonconforming use of land, building or structure shall not be enlarged, extended, or structurally altered unless such enlargement, extension, or structural alteration, and further use of such property conforms with the regulations of this Alexandria Airport landing district division in which such property is located. In the event that the above described nonconformity involves a building or structure, said building or structure shall not be permitted to be relocated elsewhere on property or enlarged or extended by separate and detached construction.

(Ord. of 5-1-89, § 7; Ord. of 10-10-05(4))

### **Sec. 3-96.2. Administration and enforcement.**

(a) An administrative agency designated by the police jury shall administer and enforce this division. It may be provided with the assistance of such other persons as the police jury may direct.

(b) If the administrative agency should find that any of the provisions of this division are being violated, it shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. It shall order discontinuance of illegal use of land, buildings or structures; removal of illegal buildings or structures or of illegal additions, alterations or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this division to ensure compliance with or to prevent violation of its provisions.

(Ord. of 5-1-89, § 8; Ord. of 10-10-05(4))

**Sec. 3-96.3. Permits.**

Development permits shall be required for all construction within the Alexandria Airport landing district. In addition, a site plan showing building, sign and parking locations shall accompany commercial and industrial use building permit preapplications.

(1) *Future uses.* No material changes shall be made in the use of land and no structure shall be erected, altered, reconstructed or otherwise established in any of the zones herein specifically listed unless a permit therefor shall have been applied for and granted. Each such application shall indicate the purpose for which the permit is desired, with sufficient particularity to be determined whether the resulting use, structure would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit applied for shall be granted.

(2) *Existing uses.* Procedure described under section 3-96.1, nonconforming land uses.

(Ord. of 5-1-89, § 9; Ord. of 10-10-05(4))

**Sec. 3-96.4. Board of adjustment and appeals--Established; organization; conduct.**

(a) *Creation; composition; terms; vacancies; officers.* A board of adjustment and appeals is hereby established, which shall consist of five (5) members to be appointed by the police jury, who shall be freeholders and qualified voters of Rapides Parish, but not parish employees, all to serve without compensation. The initial terms of the members to be appointed to the board of adjustment and appeals shall be initially staggered terms with two (2) members serving an initial term of one (1) year, two (2) members serving an initial term of two (2) years, and one (1) member serving an initial term of three (3) years; each subsequent term of appointment shall be for a term of three (3) years. All members shall be removable for cause by the appointing authority upon written charges and after public hearings. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant. The board shall elect its own chairman who shall serve for one (1) year. The secretary of the administrative agency shall serve as the secretary of the board of adjustment and appeals but shall not be considered as a voting member of the board. It shall be the duty of the secretary to cause a true and correct record of all proceedings of the board to be kept.

(b) *Rules; meetings.* The board of adjustment and appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this division. Meetings shall be held at the call of the chairman and at such other times the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

(c) *Appeals procedure.* Appeals to the board of adjustment and appeals may be taken by any person aggrieved of by any officer, department, board or bureau of the parish affected by any decision of the administrative agency. Appeals shall be taken within fifteen (15) days, as provided by the rules of the board, by filing with the administrative agency from whom the appeal is taken, and with the board of adjustment and appeals, a notice of appeal specifying the grounds thereof. The agency from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

The board of adjustment and appeals shall fix a reasonable time for the hearing of appeal, not to exceed ninety (90) days, and decide same within a reasonable period of time not to exceed thirty (30) days, give public notice thereof and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

The district attorney shall be the legal advisor to the board of adjustment and appeals and shall represent the parish and the board in connection with any appeals therefrom.

(d) *Stay of proceedings.* An appeal stays all proceedings in furtherance of the action appealed from, unless the administrative agency from whom the appeal is taken certifies to the board of adjustment and appeals after the notice is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment and appeals or by a court of record on application, on notice to the administrative agency from whom the appeal is taken and on due cause unknown.

(Ord. of 5-1-89; Ord. of 5-9-89; Ord. of 10-10-05(4))

### **Sec. 3-96.5. Same--Powers and duties.**

(a) *Appeal procedure, generally.* The board of adjustment and appeals shall have the power and duty to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the administrative agency in the enforcement of this division.

(b) *Reversing decision of administrative agency.* In exercising the above mentioned powers, the board of adjustment and appeals may, so long as such action is in conformity with the terms of this division, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as ought to be made, and to that end shall have the powers of the administrative agency from whom the appeal is taken.

The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of the administrative agency, or to decide in favor of the applicant on any matter upon which it is required to pass under the division or to effect any variation in the application of this division.

(Ord. of 5-1-89, § 11; Ord. of 10-10-05(4))

### **Sec. 3-96.6. Appeals to district court.**

Any person or persons or any officer, department, commission, board, bureau or any other agency of the parish jointly or severally aggrieved by any decision of the board may apply for appellate review in the Ninth Judicial District Court in accordance with Louisiana R.S. 2:387.

(Ord. of 5-1-89, § 12; Ord. of 10-10-05(4))

### **Sec. 3-96.7. Intent as to appeals and police jury function.**

Duties of administrative agency, board of adjustments and appeals, police jury and courts on matters of appeal:

(1) It is the intent of this division that all questions of interpretation and enforcement shall be first presented to the administration agency, and that such question shall be presented to the board of adjustment and appeals only on appeal from the decisions of the administrative agency, and that recourse from the decisions of the board of adjustment and appeals shall be to the district court of the parish as provided by law.

(2) It is further the intent of this division that the duties of the parish in connection with this chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as

stated in this section and this division. Under this division the police jury shall have only the duties of considering and adopting or rejecting proposed amendments or the repeal of this division, as provided by law.

(Ord. of 5-1-89, § 13; Ord. of 10-10-05(4))

### **Sec. 3-96.8. Variance and temporary use permit procedure.**

(a) *Authority.* The administrative agency, designated in accordance with section 3-96.2, shall have the power to grant variances as described herein and to authorize the issuance of variance permits therefor with the provision that the executive director of the England Authority, or his designee, shall be notified of any variances being requested and shall be asked for comments on such requests.

(b) *Application for a variance or temporary use permit.* Application for variance to the regulations of this division or for any temporary use permit shall be made to the administrative agency.

Permitted variances or temporary use permits may be granted only upon a specific finding that the purpose of military airport compatibility and of this division is preserved. Applications shall be made on forms prescribed by the administrative agency, shall be filed with the director, and shall be accompanied by:

(1) Accurate plot plans and description of the property involved, description of the proposed uses, preliminary floor plans and elevations of all proposed buildings, and an estimate of the valuation of the proposed construction.

(2) Evidence satisfactory to the administrative agency of the ability and intention of the applicant to proceed with actual construction work in accordance with said plans within one hundred twenty (120) days after allowing any variance or granting of any temporary use permit.

(3) Reasons for requesting the variance or temporary use permit.

(Ord. of 5-1-89, § 14; Ord. of 10-10-05(4))

### **Sec. 3-96.9. Notification of buyers.**

No person shall sell any property within the subzones of the Alexandria Airport landing district unless the prospective buyer has been notified in writing of the fact that the property is within the subzones of the airbase landing district.

(Ord. of 5-1-89, § 15; Ord. of 10-10-05(4))

### **Sec. 3-96.10. Height and obstruction criteria.**

(a) *Prohibited uses.* The following uses shall be prohibited within the designated clear zones and accident potential zones:

(1) Uses that release into the air any structure that would impair visibility or interfere with the operation of aircraft.

(2) Uses that produce light emissions, either direct or indirect, that would interfere with pilot vision.

(3) Uses that produce emissions that would interfere with aircraft communications systems or navigational equipment.

(4) Uses that would attract birds or waterfowl, such as operation of sanitary landfills, maintenance of feeding stations, or growth of certain vegetation.

(b) *Zones established.* In order to carry out the provisions of this division, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Alexandria International Airport. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) *Approach-departure clearance zone.* The inner edge of this zone coincides with the width of the primary surface and is two thousand (2,000) feet wide. Beginning two hundred (200) feet beyond each end of the primary surface at the centerline elevation of the runway end and extending for fifty thousand (50,000) feet from point of beginning, it flares uniformly with a width of sixteen thousand (16,000) feet.

(2) *Transitional zones.* The transitional zones are the areas beneath the transitional surfaces.

(3) *Inner horizontal zone.* A plane, oval in shape, constructed by scribing an arc with a radius of seven thousand five hundred (7,500) feet above the centerline at the end of each runway and interconnecting these arcs with tangents.

(4) *Outer horizontal zone.* A plane, oval in shape, extending outward from the outer periphery of the conical surface for a horizontal distance of thirty thousand (30,000) feet.

(5) *Conical zone.* A surface extending from the periphery of the inner horizontal surface outward and upward for a horizontal distance of seven thousand (7,000) feet.

(6) *Clear zone.* A surface located on the ground or water at each end of the primary surface.

(c) *Height limitations.* Except as otherwise provided in this division, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this division to a height in excess of the applicable height therein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

(1) *Approach-departure clearance zones.* The slope of the approach clearance surface is fifty to one (50:1) along the runway centerline extended until it reaches an elevation of five hundred (500) feet above the established airfield elevation. It then continues horizontally at this elevation to a point of fifty thousand (50,000) feet from the point of beginning.

(2) *Transitional zones.* These surfaces connect the primary surfaces, the first two hundred (200) feet of the clear zone surfaces, and the approach clearance surfaces to the inner horizontal surface, conical surface, outer horizontal surface or other transitional surfaces. The slope of the transitional surface is seven to one (7:1) outward and upward at right angles to the runway centerline.

(3) *Inner horizontal surface.* A plane established one hundred fifty (150) feet above the airfield elevation.

(4) *Outer horizontal surface.* A plane established five hundred (500) feet above the airfield elevation.

(5) *Conical surface.* Slopes outward and upward at a slope of seven to one (7:1) for a horizontal distance of seven thousand (7,000) feet to a height of five hundred (500) feet above the established airfield elevation.

(d) *Excepted height limitations.* Nothing in this division shall be construed as prohibiting the

construction or maintenance of any structure, or growth of any tree to a height up to fifty (50) feet above the surface of the land. Any construction above fifty (50) feet must first be approved by the administrative agency.

(e) *AICUZ study*. The several height and obstruction zones herein established are shown in the air installation compatible use (AICUZ) study as produced by the United States Air Force and dated 1983 and on file with the administrative agency.

(Ord. of 5-1-89, § 16; Ord. of 10-10-05(4))

### **Sec. 3-96.11. Enforcement.**

This division shall be enforced in accordance with the procedures set forth in section 3-96.2.

(Ord. of 5-1-89, § 17; Ord. of 10-10-05(4))

### **Sec. 3-96.12. Penalties for violation.**

(a) Violations of the provisions of this division or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special exceptions) shall constitute a misdemeanor. Any person who violates this division and fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(b) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, surveyors, contractor, agent, or other person who commits, participates in, assist in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(c) Nothing herein contained shall prevent the parish from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. of 5-1-89, § 18; Ord. of 10-10-05(4))