



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpj.net

Kerri Callais
*Councilmember
at Large*

Richard "Richie" Lewis
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
District A*

Nathan Gorbaty
*Councilmember
District B*

Howard Luna
*Councilmember
District C*

Wanda Alcon
*Councilmember
District D*

**Manuel "Monty"
Montelongo III**
*Councilmember
District E*

Roxanne Adams
Clerk of Council

#19

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MAY 7, 2019 AT SEVEN O'CLOCK P.M.

On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2156-05-19

Summary No. 3700

Introduced by: Councilmember Luna

Planning Commission Recommended **APPROVAL** on 4/23/19

Public Hearing held on 5/7/19

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUBSUBSECTION 22-7-4.8; ENFORCEMENT, VIOLATIONS AND PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 22 Zoning, Section 22-7 Site Development Standards, SubSection 22-7-4 Sign Regulations; SubSubSection 22-7-4.8 Enforcement, Violations, and Penalties as attached in Exhibit "A".

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.



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Extract #19 continued
May 7, 2019

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: Gorbaty

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7th day of May, 2019.

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President 5/8/2019 4:07pm
Date and Time

Received by

Approved

Vetoed

Parish President

Guy McInnis

Returned to Clerk of the Council

5/8/2019 4:10pm
Date and Time

Received by

Exhibit A
Summary No. 3700
Ordinance SBPC #2156-05-19

Ch. 22 – Zoning

Section 22-7 – Site Development Standards

Subsection 22-7-4 – Sign Regulations

SubSubSection 22-7-4.8 – Enforcement, Violations, and Penalties

22-7-4.8. Enforcement, violations and penalties.

- (a) *Enforcement.* The provisions of this section shall be administered and enforced by the director of the department of community development, a parish planner, or, in the absence of these, the building inspector. All such officers shall have the authority and power to make inspections of any signs, sign structures, murals, or premises necessary to carry out their duties in the enforcement of the provisions of this section.
- (b) *Violation and notice.*
 - (1) If any sign or sign structure is erected, structurally altered, or maintained or used in violation of any of the provisions of this article, any proper parish official or his or her duly authorized deputies or representatives shall begin any appropriate actions or proceedings to prevent such unlawful or illegal act, conduct, or use in or about or concerning any such sign, sign structure, or premises. Each day that any such violation continues shall constitute a separate violation of this section. The director of the department of community development, the parish planner, or the building inspector may call upon the sheriff of St. Bernard Parish to furnish necessary personnel to carry out his/her orders.
 - (2) All notices of violations will be mailed to the offender by United States Postal Service certified mail to one (1) owner of the property as declared on the tax rolls of the assessor. Notice to one (1) owner shall constitute notice to any co-owner.
 - (3) If the certified notice should be returned by the United States Postal Service, notice will be accomplished by posting said notice in a conspicuous location on the sign and to the building directly associated with the sign in violation in addition to publishing a public notice once in the official journal of St. Bernard Parish.
 - (4) The notice shall contain the following:
 - a. The location of the sign;
 - b. Type of sign violation;
 - c. The penalties and enforcement proceedings that the owner may be liable for if the sign in violation is not voluntarily abated.
 - d. A copy of Municipal Ordinance 22-7-4.9. The due process procedure which sets forth the administrative procedures to appeal said violation.
- (c) *Penalties.* Signs in violation that are not abated or appealed within thirty (30) days of notification, the parish, through the Department of Public Works – Road Yard or designee_is hereby authorized to destroy and remove the sign in violation and the property owner as shown on the latest property assessment rolls, shall be assessed a charge for the removal of the sign in accordance with the following schedule:
 - (1) A charge for the labor and equipment used to remove the sign.

Exhibit A
Summary No. 3700
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- (2) An additional charge shall be assessed for the cost of any preparatory work. Included in this charge will be a charge to cover inspection and administrative costs.
In connection with any work performed pursuant to this section, the department of engineering may proceed to have the necessary work done either by its own employees or by an independent contractor.
- (3) Upon failure of any such property owner to pay the charges assessed in performing said removal of the sign, a lien and privilege in favor of St. Bernard Parish for the cost, shall be against the property on which the sign was removed.
- (4) Political Signage: All political signs found in violation of district regulations (Sec. 22-7-4.5(n) Dimensions, conditions, and restrictions for sign types (Political signs) shall be removed within 72 hours after issuance of a violation by the property owner or the Department of Public Works – Road Yard or designee thereafter subject to above penalties and administrative costs.