



St. Bernard Parish Council

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

#13

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Joshua "Josh" Moran
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

Fred Everhardt, Jr.
Councilmember
District E

Roxanne Adams
Clerk of Council

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 WEDNESDAY, MARCH 2, 2022 AT SEVEN O'CLOCK P.M.

On motion of Mr. Moran, seconded by Mrs. Alcon, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #2416-03-22

Summary No. 3994

Introduced by: Councilmember Moran on 2/15/22

Public Hearing held on 3/2/22

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE II, SOLID WASTE DISPOSAL; JUNK; DIVISION 1, GENERALLY; SECTION 11-25, GARBAGE CONTAINERS – MULTIFAMILY DWELLINGS OF FOUR-PLEX AND LARGER AND COMMERCIAL ESTABLISHMENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby ordain that Chapter 11, Health and Sanitation; Article II, Solid Waste Disposal; Junk; Division 1, Generally; Section 11-25, Garbage Containers – Multifamily Dwellings of Four-Plex and Larger and Commercial Establishments of the St. Bernard Parish Code of Ordinances is hereby amended as per attached 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 #13, continued
March 2, 2022

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

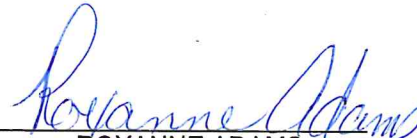
YEAS: Moran, Luna, Alcon, Everhardt

NAYS: None

ABSENT: McCloskey, Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 2nd day of March, 2022.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President 3/7/22 10:00am
Date and Time

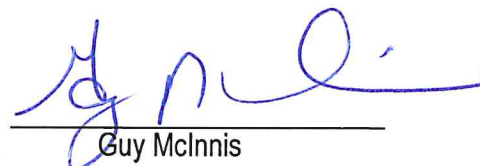
Received by



Approved 

Vetoed

Parish President


Guy McInnis

Returned to Clerk of the Council

3/16/22 9:00am
Date and Time

Received by

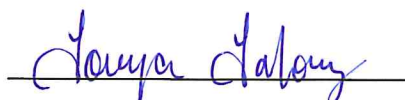


Exhibit "A"
Summary No. 3994
Ordinance SBPC #2416-03-22

Chapter 11 – Health and Sanitation

Article II – Solid Waste Disposal; Junk

Division 1. – Generally

Section 11-25. – Garbage containers – Multifamily dwellings of four-plex and larger and commercial establishments.

Sec. 11-25. - Garbage containers—Multifamily dwellings of four-plex and larger and commercial establishments.

- (a) All multi-family dwellings of four-plex or larger and commercial retail outlets are required to have bulk containers normally utilized with mechanical collection equipment. These containers shall have a capacity sufficient to meet the disposal needs of the particular structure so that a clean and sanitary condition is maintained. Containers are to be constructed of durable, rust and corrosion-resistant material, be equipped with tight fitting lids or doors to prevent entrance of insects or rodents; be waterproof, leakproof and weatherproof except for drainage holes. Containers shall be kept covered at all times except during placing and removing of containers. The containers and the area surrounding the containers are to be cleaned on a regular basis.
- (b) No bulk waste container may be placed on location unless the owner of the property or lease holder has obtained a permit from the department of community development.
- (c) Bulk waste container companies shall not provide or locate any containers within the parish unless the customer has obtained or can show evidence that such person has applied for the permit required in subsection (b) above.
- (d) The permit application shall designate the number and location for storage of bulk waste containers.
- (e) Required bulk containers of refuse by multi-family dwellings, four-plex or larger and commercial retail outlets will be exempted [for the following:]
 - (1) Multifamily dwellings, four-plex or larger, constructed prior to 1980 which have not been required to have a bulk waste containers as of March 1, 1998;

- (2) Commercial retail outlets that require no more than one-half (.5) cubic yard of waste collection two (2) times per week as determined by the director of the department of community development.
- (3) Any multifamily or commercial retail outlet that does not fall within exemptions (1) and (2) above, whereby the director of the department of community development certifies in writing to the parish president and parish council that the public interest is best served by alternate means of collection and the reasons therefore.

(f) Revocation of exemption set forth in subpart (e):

- (1) Any multi-family dwelling unit of four-plex or larger and any commercial retail outlet which are found to violate any provisions of Section 11-20 or Section 11-34, by any court of proper jurisdiction, shall be subject to revocation of the exemptions outlined in subpart (e) of this Section.
- (2) Pursuant to the provisions of this subpart, the Director of Community Development or the Director of Public Works shall have the authority to mandate that bulk containers shall be required for any such offending properties.