



# *St. Bernard Parish Council*

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

**#12**

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, SEPTEMBER 5, 2023 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #2515-09-23**

### **Summary No. 4095**

Introduced by: Councilmember Everhardt on 6/6/23

Public Hearing held on 7/5/23

Tabled on 7/5/23 until 8/1/23

Tabled on 8/1/23 until 8/15/23

Tabled on 8/15/23 until 9/5/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, CRAB MEAT AND CRAWFISH; TO CREATE AND ADD SECTION 11-314 ENFORCEMENT 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 amend Chapter 11 Health and Sanitation; Article IX, Prohibiting the Sale and Distribution of Imported Shrimp, Crab Meat and Crawfish, to create and add Section 11-314 Enforcement of the St. Bernard Parish Code of Ordinances as per attached in Exhibit "A".

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon the 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.

**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



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Extract #12, continued  
September 5, 2023

**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

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

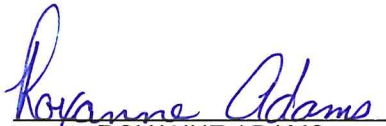
**YEAS:** McCloskey, Moran, Luna, Alcon, Everhardt, Callais

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of September, 2023.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
RICHARD "RICHIE" LEWIS  
COUNCIL CHAIR

Delivered to the Parish President

9/6/23 1:35pm  
Date and Time

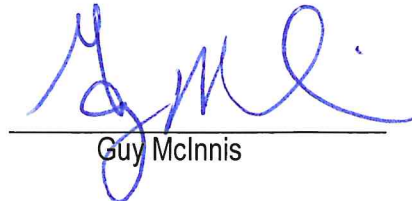
Received by

Maegen Kelley

Approved 

Vetoed

Parish President

  
Guy McInnis

Returned to Clerk of the Council

9/7/23 11:40am  
Date and Time

Received by

Louisa Lalouze

**Exhibit "A"**  
**Summary No. 4095**  
**Ordinance SBPC #2515-09-23**

## **Chapter 11 – Health and Sanitation**

### **Article IX – Prohibiting the Sale and Distribution of Imported Shrimp, Crab Meat and Crawfish**

#### **Section 11-311- Sale and Distribution Prohibited.**

- a. It shall be illegal for any person, vendor, seller, or retailer licensed to do business in St. Bernard Parish to sell or distribute imported shrimp, crab meat and crawfish in the Parish of St. Bernard.

#### **Section 11-312 – Definitions**

For the purpose of this article, the following terms, phrases and words shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended.

*Imported – brought into a country from overseas*

#### **Section 11- 313- Penalties**

- a. Whoever violates the provisions of this section shall be fined not more than five hundred (\$500.00) or imprisoned for not more than six (6) months, or both.
- b. Whoever violates the provisions of this section for a second offense shall be fine one thousand dollars (\$1,000.00) or imprisoned for not more than six months, or both.
- c. Whoever violates the provisions of this section for a third or subsequent offense shall be fine one thousand five hundred dollars (\$1,500.00) or imprisoned for not more than six (6) months, or both. However, if the offender is a vendor, seller or retailer licensed to do business in St. Bernard Parish it shall forfeit and/or have all business licensed revoked by the Parish in addition to the above-stated penalties.

#### **Section 11- 314 - Enforcement**

- a. It shall be the responsibility of the chief compliance officer or his designee to inspect and issue a citation to any person, vendor, seller, or retailer that is found to be in violation of these requirements. If a violation is identified, notice of the violation shall be sent to the owner. Notice to one (1) owner shall be deemed notice to any co-owner.
- b. Such notice of violation shall be by United States certified mail.
- c. If the notice should be returned by the post office department because of its inability to make delivery thereof or if the owner has refused to accept the notification, notice may be accomplished by publication of the notification in the official journal at least once.

**Exhibit "A"**  
**Summary No. 4095**  
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- d. The notice shall contain the following:
1. The date that the violation occurred.
  2. It should state if this is the first, second or a third or subsequent offense.
  3. An additional charge of three hundred dollars (\$300.00) shall be assessed for the cost of the inspection and administrative costs. Included in this charge will be the cost of mailings, filing and publication of notification in the official journal.