



St. Bernard Parish Council

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

#17

Fred Everhardt, Jr.
*Councilmember
at Large*

Gillis McCloskey
*Councilmember
at Large*

Patrice Cusimano
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Cindi Meyer
*Councilmember
District C*

Ryan Randall
*Councilmember
District D*

Amanda Mones
*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 TUESDAY, AUGUST 6, 2024 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #2593-08-24

Summary No. 4193

Introduced by: Councilmember Randall on 7/16/24
Public Hearing held on 8/6/24

AN ORDINANCE TO **AMEND** APPENDIX A- SUBDIVISION REGULATIONS; SECTION 2, SUBDIVISION OF LAND PROCEDURE; TO CREATE AND ADD SUBSECTION 2.8, PARISH COUNCIL AUTHORITY ON APPEAL OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby **amend** Appendix A- Subdivision Regulations; Section 2, Subdivision of Land Procedure; to create and add Subsection 2.8, Parish Council Authority on Appeal 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 approval of the State of Louisiana. 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 and then approved by the State of Louisiana 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 expressing and declaring that it would have adopted the remaining portion of this ordinance with the invalid portions omitted.



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Page -2-
Extract #17, continued
August 6, 2024

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


YEAS: Cusimano, Moran, Meyer, Randall, Mones, McCloskey

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 6th day of August, 2024.


ROXANNE ADAMS
CLERK OF COUNCIL


FRED EVERHARDT JR.
COUNCIL CHAIR

Delivered to the Parish President 8/8/2024 9:15am
Date and Time

Received by Margen Kelley

Approved ✓

Vetoed _____

Parish President


Louis Pomes

Returned to Clerk of the Council

8/8/2024 3:30pm
Date and Time

Received by

Youna Talouy

Summary No. 4193
Ordinance SBPC #2593-08-24
Exhibit "A"

Appendix A – Special Regulations
Section 2 – Subdivision of Land Procedure

2.8. – Parish Council Authority on Appeal

- a. Any person claiming to be aggrieved by a decision of the Planning Commission, except an approval in final subdivision review, may appeal to the Parish Council, through the Department of Community Development, in written form within ten days following the Planning Commission's hearing. The appeal may be heard by the Parish Council at its next regularly scheduled meeting following the ten-day appeal period. The Parish Council shall have the exclusive right to overturn any Planning Commission decision by a majority vote of the membership of the Parish Council, with the exception of overturning a Planning Commission denial in subdivision review which shall require a two-thirds vote of the membership of the Parish Council.
- b. Any person or persons jointly or severally aggrieved by any decision of the Parish Council relative to a Planning Commission appeal may file a petition to the 34th Judicial District Court in and for the parish for the issuance of a writ of certiorari or for other appropriate legal proceedings. The petition shall be filed within 30 days after the decision of the Council becomes final, which shall commence on the day following the effective date of the Council's resolution or when the adoption of an ordinance is required, the day following the effective date of ordinance. The actions of the Parish Council shall be subject to review on the grounds of abuse of discretion, unreasonable exercise of police powers, an excessive use of powers granted to the Council, or the denial of the right to due process. However, the right to petition for Judicial review shall not be limited to the foregoing grounds.