



St. Bernard Parish Council

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

#18

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, NOVEMBER 4, 2025 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #2694-11-25

Summary No. 4310

Introduced by: Councilmember Randall on 10/21/25
Public Hearing held on 11/4/25

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE II, SOLID WASTE DISPOSAL; JUNK; DIVISION 1, GENERALLY; SECTION 11-20, LITTERING GENERALLY; SECTION 11-34, EVICTIONS AND RENTAL PROPERTY VACANCIES; PLACEMENT OF ABANDONED PROPERTY; AND ARTICLE VII, PROPERTY MAINTENANCE CODE; DIVISION 2, ADMINISTRATION AND ENFORCEMENT; SECTION 11-162, DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION 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 **AMEND** Chapter 11, Health and Sanitation; Article II, Solid Waste Disposal; Junk; Division 1, Generally; Section 11-20, Littering Generally; Section 11-34, Evictions and Rental Property Vacancies; Placement of Abandoned Property; and Article VII, Property Maintenance Code; Division 2, Administration and Enforcement; Section 11-162, Department of Property Maintenance Inspection 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.



St. Bernard Parish Council

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

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

Page -2-
Extract #18, continued
November 4, 2025

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.

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

YEAS: Cusimano, Meyer, Randall, Mones, Everhardt

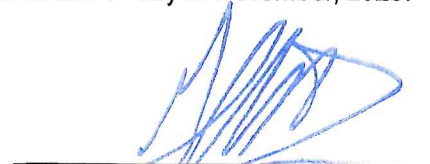
NAYS: Moran

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of November, 2025.


ROXANNE BURAS
CLERK OF COUNCIL


GILLIS MCCLOSKEY
COUNCIL CHAIR


Delivered to the Parish President 11/5/25 3:45pm
Date and Time

Received by Margen Kelley

Approved ✓

Vetoed _____

Parish President


Louis Pomes



St. Bernard Parish Council

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

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

Page -3-
Extract #18, continued
November 4, 2025

Returned to Clerk of the Council

11-12-25 10:00am
Date and Time

Received by

Roxanne Adams

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

Chapter 11 – Health and Sanitation
Article II – Solid Waste Disposal; Junk
Division 1 - Generally
Section 11-20 – Littering Generally

(h) Gross littering.

(1) No person shall intentionally dispose or permit the disposal of any household or office furniture or appliances, automotive parts, including but not limited to tires and engines, trailers, boats, and boating accessories, tools and equipment, building materials, and bags or boxes of household or office garbage or refuse upon any public place in the parish, upon private property in this parish not owned by him, upon property located in rural areas in this parish not owned by him, or in or on the waters of this state or parish, whether from a vehicle or otherwise, including but not limited to any public roadway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

a. If the litter listed in this section is disposed from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be an inference that the possessor committed the act of disposing.

b. When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be an inference that such person has violated this section.

(2) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

a. Whoever violates the provisions of this section shall, upon first conviction, be fined not less than five hundred dollars (\$500.00) and sentenced to serve eight (8) hours of community service in a litter abatement work program as approved by the court.

b. Upon second conviction, an offender shall be fined not less than one thousand dollars (\$1,000.00) and sentenced to serve twenty-four (24) hours of community service in a litter abatement work program as approved by the court.

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

c. Upon third or subsequent conviction, an offender shall be fined not less than one thousand five hundred dollars (\$1,500.00) and have his motor vehicle driver's license suspended for one year, be imprisoned for not more than thirty (30) days, or sentenced to serve not less than forty-eight (48) and not more than one hundred hours (100) in a litter abatement work program as approved by the court, or all or any combination of the aforementioned penalties.

d. The judge may require an individual convicted of a violation of this section to remove litter from state highways, public right-of-way, public playgrounds, public parks, or other appropriate locations for any prescribed period of time in lieu of the penalties prescribed in this section.

(3) Each governing authority on whose behalf citations are issued for alleged violations of the provisions of R.S. 30:2531 through 2531.3 shall establish a procedure by which alleged offenders may plead guilty to the alleged offense and pay the fine by mail; however, if the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, *the court may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation.* Further, the court may suspend the driver's license of the offender until such fines are paid. In addition, each governing authority shall establish a procedure allowing for payment of the fine by credit card as it may designate. However, the procedure shall not limit such payments to payment by credit card.

****** OMIT FOR BREVITY******

(i) Commercial littering.

(1) No person shall dispose or permit the disposal of litter resulting from industrial, commercial, mining, or agricultural operations in which the person has a financial interest upon any public place in the parish, upon private property in this parish not owned by him, upon property located in rural areas in this parish not owned by him, or in or on the waters of this state or parish, whether from a vehicle or otherwise, including but not limited to any public roadway, public right-of-way, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley, except when such property is designated by the state or by any of its agencies or political subdivisions for the disposal of such items and such person is authorized to use such property for such purpose.

(2) No person shall operate any commercial truck or other commercial vehicle on any public roadway in such a manner or condition that litter resulting from industrial, commercial, mining, or agricultural operations in which the person is involved can blow or fall out of such vehicle or that mud from its tires can fall upon the roadway.

(3) a. If the litter is disposed of from a motor vehicle, boat, or conveyance, except a bus or large passenger vehicle or a school bus, all as defined by R.S. 32:1, there shall be an inference that the driver of the conveyance disposed of the litter. If such litter was possessed by a specific person immediately before the act of disposing, there shall be a permissive rebuttable presumption that the possessor committed the act of disposing.

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

b. When litter disposed in violation of this section is discovered to contain any article or articles, including but not limited to letters, bills, publications, or other writings, which display the name of a person or in any other manner indicate that the article belongs or belonged to such person, there shall be a permissive rebuttable presumption that such person has violated this section.

(4) A person shall be jointly and severally liable for the actions of its agents, officers, and directors for any violation of this section by any agent, officer, or director in the course and scope of his employment or duties.

(5) The person shall be cited for the offense by means of a citation, summons, or other means provided by law.

(6) Any person found liable under the provisions of this section shall:

a. Pay a civil penalty from two hundred dollars (\$200.00) up to one thousand five hundred dollars (\$1500.00).

b. Repair or restore property damaged by or pay damages for any damage arising out of the violation of this section.

c. Pay all reasonable investigative expenses and costs to the investigative agency or agencies not to exceed five hundred dollars (\$500.00).

d. Pay for the cleanup of the litter unlawfully discarded by the defendant.

(7) Each governing authority on whose behalf citations are issued for alleged violations of the provisions of R.S. 30:2531 through 2531.3 shall establish a procedure by which alleged offenders may plead guilty to the alleged offense and pay the fine by mail; however, if the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, *the court may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation.* Further, the court may suspend the driver's license of the offender until such fines are paid. In addition, each governing authority shall establish a procedure allowing for payment of the fine by credit card as it may designate. However, the procedure shall not limit such payments to payment by credit card.

****** OMIT FOR BREVITY******

(j) Excessive commercial litter.

(1) Generally. It shall be unlawful for any person, firm, or corporation to dump excessive litter, or permit the dumping of excessive litter, on or adjacent to commercially designated private property owned or leased by the offending party.

(2) Enforcement. Upon receipt of a complaint by the department of community development, a notice of violation shall be posted upon the offending property and mailed to the property owner via certified mail. Notification may include any of the following as an alternative to certified mail: posting in the

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

official journal, the official website, or public notice. Said notice shall contain the following: (i) identification of the cost to be assessed should a parish crew or designated contractor be assigned to clean up the property in question and (ii) identification of the additional fines and penalties which may be assessed should a parish crew or designated contractor be assigned to clean up the property in question. If the property owner fails to correct the noticed violation within forty-eight (48) hours of notification, the property will be scheduled for clean-up by an appropriate parish crew or designated contractor at the property owner's expense. In addition, the offending party shall be subject to the fines outlined hereinbelow.

(3) Fines. In addition to the cost of clean-up, the offending party shall be fined five hundred (\$500.00) dollars, and a one hundred fifty (\$150.00) dollar administrative fee. For repeated offenses, the fine shall increase incrementally by five hundred (\$500.00) dollars per offense, with a maximum fine of one thousand five hundred dollars (\$1500.00) dollars that shall apply to ever additional offense thereafter.

(4) Each governing authority on whose behalf citations are issued for alleged violations of the provisions of R.S. 30:2531 through 2531.3 shall establish a procedure by which alleged offenders may plead guilty to the alleged offense and pay the fine by mail; however, if the offender fails to pay the fine by mail in advance of adjudication and fails to appear at the time and date indicated on the citation, the court may impose an additional fine or penalty in an amount not to exceed the amount of the fine or penalty for the original violation. Further, the court may suspend the driver's license of the offender until such fines are paid. In addition, each governing authority shall establish a procedure allowing for payment of the fine by credit card as it may designate. However, the procedure shall not limit such payments to payment by credit card.

Chapter 11 - Health & Sanitation

Article II - Solid Waste Disposal; Junk

Division 1 – Generally

Sec. 11-34 - Evictions and rental property vacancies; placement of abandoned property.

(1) *Generally.* After a judgment of eviction (writ of possession) is executed, the landlord shall dispose of the property of the tenant in compliance with state law. In no event, whether the result of an eviction or a vacancy absent an eviction, may any of the tenant's property be placed on the public right-of-way or on any public property. Any property removed from the premises whether as a result of an eviction or a vacancy absent an eviction shall be deemed abandoned.

(a) If the tenant or the tenant's agent is present at the time the judgment of eviction (writ of possession) is executed, the tenant shall be permitted to salvage and transport the tenant's property removed from the leased premises for a reasonable period of time, not to exceed twenty-four (24) hours.

(2) *Enforcement.* Upon receipt of a complaint by the department of community development, a notice of violation shall be posted upon the offending property and mailed to the property owner via certified mail.

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

Notification may include any of the following as an alternative to certified mail: posting in the official journal, the official website, or public notice. Said notice shall contain the following: (i) identification of the cost to be assessed should a parish crew or designated contractor be assigned to clean up the property in question and (ii) identification of the additional fines and penalties which may be assessed should a parish crew or designated contractor be assigned to clean up the property in question. If the property owner fails to correct the noticed violation within forty-eight (48) hours of notification, the property will be scheduled for clean-up by an appropriate parish crew or designated contractor at the property owner's expense. In addition, the offending party shall be subject to the fines outlined hereinbelow.

(3) *Fines.* In addition to the cost of clean-up, the offending party shall be fined five hundred (\$500.00) dollars, and a one hundred fifty (\$150.00) dollar administrative fee. For repeated offenses, the fine shall increase incrementally by five hundred (\$500.00) dollars per offense, with a maximum fine of one thousand five hundred dollars(\$1,500.00) dollars that shall apply to ever additional offense thereafter.

(4) *Additional remedies.* Upon failure of the offending party to pay any of the charges or fines provided for herein, the parish shall to have the enumerated charges and/or fines added to the annual ad valorem tax bill of the property involved. In addition, the parish shall record the notice in the mortgage records of St. Bernard Parish, which filing shall act as a lien upon the referenced property in the amount of the charges and fines enumerated in the notice.

(5) *Right to appeal.* A party who asserts that the charges and/or liens provided for herein have been wrongfully assessed may appeal such action to the 34th Judicial District Court for the Parish of St. Bernard, State of Louisiana. Any such appeal shall be filed no later than sixty (60) days following the assessment of said charge or creation of said lien.

Chapter 11 – Health and Sanitation
Article VII – Property Maintenance Code
Division 2 – Administration and Enforcement
Sec. 11-162. - Department of Property Maintenance Inspection

11-162.5. Fees and Fines. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

(1) On the first conviction, the offender shall be punished by a fine not to exceed five hundred dollars (\$500.00). Imposition of a fine may be suspended and in lieu thereof, the court may require the offender to correct all existing housing violations on a blighted property.

(2) On a second conviction, the offender shall be punished by a fine not to exceed one thousand dollars (\$1000.00) and ordered to perform not more than forty (40.00) hours of community service. Additionally, the court shall require that the offender correct all existing housing violations on blighted property.

(3) On any third or subsequent conviction, the offender shall be punished by a fine not to exceed one thousand five hundred dollars (\$1500.00), and ordered to perform not more than eighty (80)

Summary No. 4310
Exhibit "A"
Ordinance SBPC #2693-11-25

hours of community service, or both. Additionally, the court shall require that the offender correct all existing housing violations on the blighted property.

(4) On any conviction under paragraph (3) of this section, the court may order the offender to occupy the blighted property for a designated period of time not to exceed sixty (60) days.

(5) Any offense committed more than five (5) years prior to the commission of the crime for which the defendant is being tried shall not be considered in the assessment of penalties hereunder.