



St. Bernard Parish Council

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

#22

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 1, 2018 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #2058-05-18

Summary No. 3585

Introduced by: Administration on 4/17/18

Public Hearing held on 5/1/18

AN ORDINANCE TO AMEND CHAPTER 19, STREETS AND OTHER PUBLIC WAYS; SECTION 19.6 PLACEMENT OF TEMPORARY CONSTRUCTION (ROLL-OFF) DUMPSTERS ON STREETS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amend Chapter 19, Streets and Other Public Ways; Section 19.6, Placement of temporary construction (roll-off) dumpsters on streets 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.

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



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Extract #22 continued
May 1, 2018

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


YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 1st day of May, 2018.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President

5/4/2018 9:40am
Date and Time


Received by

maegen Camp

Approved 

Vetoed

Parish President


Guy McInnis

Returned to Clerk of the Council

5/4/18 4:30pm
Date and Time

Received by

Jennifer Lemoine

Summary No. 3585
Ordinance SBPC #2058-05-18
Exhibit "A"

Chapter 19 Streets and Other Public Ways

Sec. 19-6. Placement of temporary construction (roll-off) dumpsters on streets

- (1) All temporary construction roll-off dumpsters shall be placed entirely on private property when possible.
- (2) All temporary construction (roll-off) dumpsters shall be permitted with an active building or renovation permit. When a building or renovation permit is closed or expired, then all temporary construction (roll-off) dumpster(s) shall be removed within thirty (30) days of the previously permitted location.
- (3) If no building or renovation permit is required, then a temporary construction (roll-off) dumpsters shall be allowed for not more than thirty (30) days at any one (1) location.
- (4) All construction roll-off dumpsters placed within any public rights-of-way (street or other public way), shall be subject to the following:
 - (a) Public sidewalks shall not be blocked at any time.
 - (b) All temporary construction (roll-off) dumpsters shall be affixed with visible reflective material on all sides facing any public rights-of-way (street or other public way). Construction dumpsters shall not block the travel lane and vehicular traffic.
 - (c) No temporary construction (roll-off) dumpsters shall be permitted within any public rights-of-way (street or other public way) where on-street parking is prohibited.
- (5) Rights-of-way; penalty for non-compliance (dumpster vendor)
 - (a) Any temporary construction (roll-off) dumpster that is not in compliance shall be stickered, the vendor shall be given a non-compliance notice, and the vendor shall be punished by a fine up to one hundred dollars (\$100.00). The vendor shall have not more than 24 hours from the date of notice to correct cited deficiency.
 - (b) Upon conviction of second offence of this section, the penalty shall punished by a fine up to one hundred dollars (\$100.00) per day as well as towing and storage costs of dumpster removal by Parish Government, as required.
 - (c) The Bureau of Administrative Adjudication under chapter 2.5 shall have concurrent civil jurisdiction for all fines and penalties for any violation under this section.