



# *St. Bernard Parish Council*

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

**#23**

**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*

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 21, 2018 AT THREE O'CLOCK P.M.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to adopt the following ordinance:

## **ORDINANCE SBPC #2087-08-18**

### **Summary No. 3621**

Planning Commission recommended **APPROVAL** on 7/24/18  
Introduced by: Administration on 8/7/18  
Public Hearing held on 8/21/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-3; NON-CONFORMING USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Parish Council hereby amends Chapter 22; Zoning, Section 22-3; Non-Conforming Uses 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.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Lewis

**NAYS:** None

**ABSENT:** Luna, Montelongo

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



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Extract #23 continued  
August 21, 2018

**Richard "Richie" Lewis**  
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at Large

**Gillis McCloskey**  
Councilmember  
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And the motion was declared **adopted** on the 21<sup>st</sup> day of August, 2018.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR


Delivered to the Parish President 8/24/18 11:15am  
Date and Time

Received by Margen Campo

Approved 

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

8/24/18 4:30pm  
Date and Time

Received by Elizabeth Melano

**Summary No. 3621**  
**Ordinance SBPC #2087-08-18**  
**Exhibit "A"**

**CHAPTER 22 – ZONING**  
**SECTION 22-3 – NONCONFORMING USES**

**Sec. 22-3. - Nonconforming uses.**

22-3-9. *Discontinuance* of a legally nonconforming building or land use. Whenever a building or land used in whole or in part for a nonconforming purpose becomes and remains vacant for a continuous period of six (6) months, or when the operations normally carried on in such a building or on such land have been discontinued for a period of six (6) months, such nonconforming use shall not thereafter be re-established and any future use shall be in conformity with the provisions of this chapter.

22-3-12. *Exempt nonconforming uses.* The provisions of this section 22-3-9 and 22-3-11 shall not apply to any use defined in subsection 22-6-7, or to any building or land used for such purposes, that became nonconforming prior to April 24, 2012.

22-3-13. *Discontinuance of legally nonconforming site development standards.* Whenever an existing development does not adhere to the site development standards in the Code of Ordinances and has lost its legal nonconforming status per 22-3-9, the proposed development plan shall conform to the provisions, as reasonably achievable as determined by the director of community development, in 22-7 Site Development Standards and approved by Planning Commission. The applicant can appeal the director's decision to the BZA.