



St. Bernard Parish Council

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

#14

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, JULY 16, 2019 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #2179-07-19

Summary No. 3729

Introduced by: Councilmember Luna on 7/2/19

Public Hearing held on 7/16/19

AN ORDINANCE TO **AMEND** CHAPTER 19, STREETS AND OTHER PUBLIC WAYS; ARTICLE II, PLANTING, MAINTENANCE, AND REMOVAL OF TREES ON PUBLIC LAND; SECTION 19-33, DUTIES; SUBSECTION 19-33(5), HISTORIC TREES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 19, Streets and Other Public Ways; Article II, Planting, Maintenance, and Removal of Trees on Public Land; Section 19-33, Duties; Subsection 19-33(5), Historic Trees 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 #14 continued
July 16, 2019

Kerri Callais
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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

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

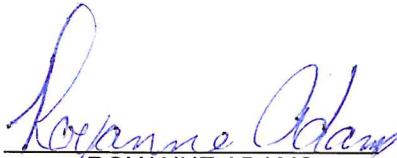
YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Callais

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

And the motion was declared **adopted** on the 16th day of July, 2019.


ROXANNE ADAMS
CLERK OF COUNCIL


RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President 7/19/19 2:55pm
Date and Time

Received by Margen Campo

Approved ✓ Vetoed _____

Parish President


Guy McInnis

Returned to Clerk of the Council

7/19/19 4:30pm
Date and Time

Received by

Elyiah Melan

Exhibit A
Summary No. 3729
Ordinance SBPC #2179-07-19

Ch. 19 – Streets and Other Public Ways

Article II – Planting, Maintenance, and Removal of Tress on Public Land

Section 19-33 – Duties

Subsection 19-33(5) – Historic Trees

Section 19-33(5) – Historic Trees

a. *Preservation of historic trees.*

1. Before any trees that are historic trees may be altered or demolished, in whole or in part, the owner, the parish (department of public works), or the utility company shall apply to the department of community development for a permit therefor and provide said application describing said tree(s); their locations, type of work to be performed and approximate date on which work will begin. Said application shall be published in the parish's official journal for two (2) publications, and such application shall be enacted upon only after a delay of sixty (60) days after the first publication of such application.
2. This section shall provide that any trimming of trees designated as historic trees, shall be done in accordance with Dr. Alex L. Shigo's guidelines for pruning trees near electric lines or under the supervision of a licensed arborist.
3. Utility companies or the department of public works shall be exempt from subsections 1. and 2. during major storms or situations which cause interruptions of service or immediate threat to public safety.

b. *Historic trees connected to historic events.* Any tree that is inseparably connected with exceptionally important historic events in this parish or state are deemed historic trees.

c. *Same—Other trees constituting historic trees.* The oak trees located on Jackson Boulevard, Packenham Drive, De La Ronde Oaks, along Paris Road and in Docville and any tree of any kind, no matter where it's located in St. Bernard Parish, with a trunk diameter of twenty-four (24) inches or more at a standard height of four and one-half (4½) feet from the base of the tree shall be deemed historic trees.