



St. Bernard Parish Council

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

#15

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 #2180-07-19

Summary No. 3730

Introduced by: Councilmember Luna on 7/2/19
Public Hearing held on 7/16/19

AN ORDINANCE TO **AMEND** CHAPTER 5, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-4, PRESERVATION OF HISTORIC LANDMARKS, ETC – PERMIT APPLICATION; WAITING PERIOD; SECTION 5-5, SAME – DETERMINATION OF HISTORIC SIGNIFICANCE; AND SECTION 5-6, SAME - OAK TREES CONSTITUTING HISTORIC LANDMARKS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 5, Buildings; Construction and Related Activities; Article I, In General; Section 5-4, Preservation of historic landmarks, etc – Permit Application; waiting period; Section 5-5, Same – Determination of historic significance; and Section 5-6, Same - Oak trees constituting historic landmarks 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 #15 continued
July 16, 2019

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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

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 Campi

Approved ✓

Vetoed _____

Parish President

Guy McInnis

Returned to Clerk of the Council

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

Received by Euphemia

Exhibit A
Summary No. 3730
Ordinance SBPC #2180-07-19

Ch. 5 – Buildings; Construction and Related Activities

Article I – In General

Section 5-4 – Preservation of historic buildings, structures, sites and trees– Permit application; waiting period

(a) Before any historic buildings, structures, sites or historic trees defined in Chapter 19 Section 19-33(5) 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 therefore and provide said application describing said building, structure, site, trees, 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.

(b) This section shall provide that any trimming of trees designated as historic trees as defined in Chapter 19 Section 19-33(5), shall be done in accordance with Dr. Alex L. Shigo's guidelines for pruning trees near electric utility lines or under the supervision of a licensed arborist.

(c) Utility companies or the department of public works shall be exempt from subsections (a) and (b) during major storms or situations which cause interruptions of service or immediate threat to public safety.

Section 5-5. - Same—Determination of historic significance.

An historic building, structure, site, is one of such character that it is inseparably connected with exceptionally important historic events in this parish or state, or, in case of a structure, which was built before the turn of the century.

(renumber accordingly)