

## ORDINANCES ADOPTED BY THE ST. BERNARD PARISH COUNCIL 2013

(Click on each link to see the full Ordinance)

1368-01-13	2893	AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO DIRECT LOUISIANA LAND TRUST TO SELL THE FOLLOWING LOUISIANA LAND TRUST PROPERTY IN ACCORDANCE WITH THE LOUISIANA LAND TRUST GUIDELINES THAT ARE CURRENTLY IN PLACE. (2902 Stacie Drive, Violet, La 70092)	1-22-13
1369-01-13	2894	AN ORDINANCE TO ACCEPT THE DONATION OF PARCEL G-1 AND SITUATED IN SECTION 35, T128, R12E, ST. HELENA MERIDIAN, ORIGINALLY PART OF BERTUCCI SUBDIVISION.	1-22-13
1370-01-13	2896	AN ORDINANCE TO AMEND CHAPTER 22 (ZONING), SECTION 22-2-4 (DEFINITIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	1-22-13
1371-01-13	2899	AN ORDINANCE AUTHORIZING LOUISIANA LAND TRUST TO SELL THE FOLLOWING PROPERTY TO THE GETHSEMANE LUTHERAN CHURCH OF CHALMETTE.	1-22-13
1372-01-13	2900	AN ORDINANCE TO AUTHORIZE THE LOUISIANA LAND TRUST PROPERTIES TO SELL OR AUCTION THE FOLLOWING PROPERTY TO PRIVATE PARTY AS PART OF THE HOUSING OPPORTUNITY PROGRAM.	1-22-13
1373-02-13	2902	AN ORDINANCE TO AMEND CHAPTER 5 (COASTAL ZONE MANAGEMENT); SECTION 5-34 (COASTAL USE PERMIT APPLICATIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	2-5-13
1374-02-13	2905	AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES	2-5-13
1375-02-13	2903	AN ORDINANCE TO AMEND ST. BERNARD PARISH CODE OF ORDINANCES CHAPTER 11 HEALTH AND SANITATION, ARTICLE I, SECTION 11-1 AND SECTION 11-2.1.1; SUBSECTION (g).	2-19-13
1376-03-13	2897	AN ORDINANCE TO AMEND CHAPTER 22 (ZONING), SECTION 22-6-4 (PERMITTED USES IN BUSINESS & INDUSTRIAL DISTRICTS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	3-5-13

1377-03-13	2901	AN ORDINANCE TO <b>AMEND ORDINANCE SBPC #1355-12-12</b> , AN ORDINANCE TO ADOPT THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.	3-5-13
1378-03-13	2918	AN ORDINANCE TO CREATE THE ST. BERNARD PARISH ADJUDICATED SURPLUS PROPERTIES PROGRAM.	3-19-13
1379-03-13	2919	AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE I, SECTION 14-1 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	3-19-13
1380-03-13	2920	AN ORDINANCE TO APPROVE THE HIRING OF ATTORNEYS, LEONARD LEVENSON & DONNA BARRIOS OF THE LAW ASSOCIATION OF WEIGAND AND LEVENSON, TO REPRESENT DAVID E. PERALTA IN THE LAWSUIT ENTITLED "CRAIG P. TAFFARO, JR. VERSUS DAVID E. PERALTA, WILLIAM M. MCGOEY, JARROD GOURGUES, CLAY DILLON, CRAIG DEHARDE, DONALD BOURGEOIS, AND <a href="mailto:POLICEOFFICER123@YMAIL.COM">POLICEOFFICER123@YMAIL.COM</a> ", U.S. EASTERN DISTRICT DOCKET NO. 12-2720 AND IN ANY MATTERS RELATED THERETO.	3-19-13
1381-03-13	2921	AN ORDINANCE TO RETAIN WILLIAMS & ROME, L.L.C. AS LEGAL COUNSEL TO REPRESENT ANTHONY CLAY DILLON, CRAIG DEHARDE DONALD BOURGEOIS, WILLIAM M. MCGOEY AND ST. BERNARD PARISH GOVERNMENT IN THE LAWSUIT ENTITLED "CRAIG P. TAFFARO, JR. VERSUS DAVID E. PERALTA, WILLIAM M. MCGOEY, JARROD GOURGUES, CLAY DILLON, CRAIG DEHARDE, DONALD BOURGEOIS, and <a href="mailto:POLICEOFFICER123@YMAIL.COM">POLICEOFFICER123@YMAIL.COM</a> ", U.S. EASTERN DISTRICT DOCKET NO. 12-2720, AND IN ANY MATTERS RELATED THERETO.	3-19-13
1382-04-13	2924	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-002</b> , PETITION OF RONALD BRITSCH, JR. 1301 E. JUDGE PEREZ DRIVE, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL) PROPERTY IS DESIGNATED AS LOT 2, SQUARE 13, RIVERLAND PARK SUBDIVISION. SITE ADDRESS: 2605 RIVERLAND DRIVE, CHALMETTE, LA 70043.	4-2-13
1383-04-13	2925	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-003</b> , PETITION OF DAVID JARRELL, 9101 W. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY IS DESIGNATED AS LOTS 20 AND 21, SQUARE 443, ARABI FIRST WARD. SITE ADDRESS: 1209/1211	

ANGELA STREET, ARABI, LA 70032.

4-2-13

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| <b>1384-04-13</b> | <b>2928</b> | AN ORDINANCE TO AMEND CHAPTER 11, HEALTH AND SANITATION; ARTICLE VII, SECTION 11-160 – 11-204.4, PROPERTY MAINTENANCE CODE; OF THE ST. BERNARD PARISH CODE OF ORDINANCES  | 4-16-13 |
| <b>1385-04-13</b> | <b>2931</b> | AN ORDINANCE TO AUTHORIZE THE LOUISIANA LAND TRUST PROPERTIES TO SELL OR AUCTION THE FOLLOWING LIST OF PROPOERTIES TO PRIVATE PARTIES AS PART OF THE HOUSING OPPORTUNITY PROGRAM III (HOP III).   | 4-16-13 |
| <b>1386-05-13</b> | <b>2935</b> | AN ORDINANCE TO AMEND CHAPTER 20; SECTION 20-146 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.  | 5-7-13  |
| <b>1387-05-13</b> | <b>2937</b> | AN ORDINANCE TO AMEND CHAPTER 5; SECTION 5-1; SUBSECTION 103.1 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.  | 5-7-13  |
| <b>1388-05-13</b> | <b>2939</b> | AN ORDINANCE TO PROVIDE FOR RE-ESTABLISHMENT OF A REGIONAL PLANNING COMMISSION TO INCLUDE THE PARISH OF TANGIPAHOA JOINTLY WITH THE PARISHES OF JEFFERSON, ORLEANS, PLAQUEMINES, ST. BERNARD AND ST. TAMMANY.   | 5-21-13 |
| <b>1389-05-13</b> | <b>2940</b> | AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-004</b> , PETITION OF RANDALL J. SEIBERT, SR., 2719 HIGHWAY 39, BRAITHWAITE, LA 70040 AND RANDALL J. SEIBERT, JR. 2520 LAWRENCE DRIVE, MERAUX, LA 70075, FOR A REZONING OF THREE PARCELS FROM R-1 AND C-1 (SINGLE-FAMILY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL) TO A-1 (RURAL) PROPERTY IS DESIGNATED AS LOTS D-1, D-2. AND D-3, POYDRAS PLANTATION. | 5-21-13 |
| <b>1390-05-13</b> | <b>2941</b> | AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-005</b> , PETITION OF DAWN DEOGRACIAS NUNEZ, 2001 DEOGRACIAS LANE, BRAITHWAITE, LA 70040, FOR A REZONING OF ONE PARCEL FROM A-1 (RURAL) TO C-3 (HIGHWAY COMMERCIAL) TO ACCOMMODATE THE RE-OPENING OF A BAR. PROPERTY IS DESIGNATED AS LOT A-1, SITE ADDRESSES: 2601-2603 HOPEDALE HIGHWAY, ST. BERNARD, LA 70085                                       | 5-21-13 |
| <b>1391-05-13</b> | <b>2942</b> | AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE A 1 <sup>st</sup> AMENDMENT TO A COOPERATIVE ENDEAVOR AGREEMENT AMONG ST. BERNARD PARISH, LOUISIANA LAND TRUST, AND THE STATE OF LOUISIANA THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT  |         |

RELATED TO LOUISIANA LAND TRUST PROPERTIES, AND TO CONFIRM  
THE DELEGATION OF AUTHORITY TO ENFORCE POST CLOSING  
OBLIGATION WITH RESPECT TO SUCH PROPERTIES. 5-21-13

**1392-05-13**     **2943**     AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO  
DIRECT LOUISIANA LAND TRUST TO DONATE THE FOLLOWING LOUISIANA  
LAND TRUST PROPERTY IN ACCORDANCE WITH THE LOUISIANA LAND  
TRUST GUIDELINES THAT ARE CURRENTLY IN PLACE. 5-21-13

**1393-05-13**     **2944**     AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO  
ACCEPT OWNERSHIP OF A DONATION OF THE FOLLOWING PROPERTIES,  
EXCEPT ANY THAT MAY OTHERWISE BE TRANSFERRED TO A THIRD  
PARTY PRIOR TO THE ENACTMENT OF THIS ORDINANCE, FROM THE  
LOUISIANA LAND TRUST 5-21-13

**1394-05-13**     **2945**     AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS; CONSTRUCTION AND  
RELATED ACTIVITIES, ARTICLE I, SEC. 5-23, APPEARANCE AND OTHER  
REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN  
RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION  
LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES. 5-21-13

**1395-06-13**     **2938**     AN ORDINANCE TO NAME THE WALKING PATH LOCATED AT THE VAL  
RIESS COMPLEX "THE CHARLIE REPEL WAY". 6-4-13

**1396-06-13**     **2929**     AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL  
OPERATING AND CAPITAL BUDGET. 6-4-13

**1397-06-13**     **2946**     AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY FIRE  
PROTECTION DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF  
LOUISIANA, OF NOT EXCEEDING ONE MILLION TWO HUNDRED EIGHTY  
NINE THOUSAND DOLLARS (\$1,289,000) OF LIMITED TAX CERTIFICATES OF  
INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN  
CONNECTION THEREWITH. 6-4-13

**1398-06-13**     **2947**     AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY FIRE  
PROTECTION DISTRICT NO. 2 OF THE PARISH OF ST. BERNARD, STATE OF  
LOUISIANA, OF NOT EXCEEDING THREE HUNDRED NINETY ONE  
THOUSAND DOLLARS (\$391,000) OF LIMITED TAX CERTIFICATES OF  
INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN  
CONNECTION THEREWITH. 6-4-13

**1399-06-13**     **2948**     AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH  
OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING THREE



MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) OF CERTIFICATES OF INDEBTEDNESS, SERIES 2013; PROVIDING FOR THE PAYMENT THEREOF; ESTABLISHING THE RATE OF INTEREST THEREON; PROVIDING FOR A PLEDGE OF REVENUES OF SAID PARISH FOR THE SECURITY AND PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

6-4-13

**1400-06-13**     **2949**     AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION FIVE HUNDRED TWENTY SIX THOUSAND DOLLARS (\$4,526,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

6-4-13

**1401-06-13**     **2956**     AN EMERGENCY ORDINANCE TO ENTER INTO A SERVICE AGREEMENT WITH THE OFFICE OF THE CLERK OF COURT TO COLLECT FEMA FUNDS IN EXCHANGE FOR AN ADVANCE OF SAID FEMA FUNDS, AND OTHER STIPULATIONS IN CONNECTION THEREWITH.

6-24-13

**1402-07-13**     **2933**     AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2013 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1 FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

7-2-13

**1403-07-13**     **2934**     AN ORDINANCE PROVIDING FOR MILLAGE RATE ADJUSTMENTS, AS ALLOWED BY ARTICLE VII, SECTION 23 (B) AND (C) OF THE LOUISIANA CONSTITUTION OF 1974 AND LA. RS. 47:1705 (B), LEVYING AND IMPOSING TAXES AND ASSESSMENTS FOR 2013 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1, AND FIRE PROTECTION DISTRICT NO. 2, OF SAID PARISH.

7-2-13

**1404-07-13**     **2936**     AN ORDINANCE TO AMEND CHAPTER 22; SECTION 7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

7-2-13

**1405-07-13**     **2951**     AN ORDINANCE TO RENAME LIVAUDAIS STREET TO MR. NORMAN STREET.

7-2-13

**1406-07-13**     **2953**     AN ORDINANCE TO DECLARE AS SURPLUS 3700 GALLO DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE

OF SAID PROPERTY TO MICHAEL DOMINGUE.

7-2-13

**1407-07-13**     **2954**     AN ORDINANCE AMENDING CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; BY CREATING AND ADDING ARTICLE VIII, HOISTING AND PORTABLE LICENSES; SECTIONS 5-170 THROUGH 5-190 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

7-2-13

**1408-07-13**     **2955**     AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL, ARTICLE VII, SECTION 17-281, ESSENTIAL PERSONNEL POLICY FOR DECLARED EMERGENCIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

7-2-13

**1409-08-13**     **2963**     AN ORDINANCE TO DECLARE AS SURPLUS 1916 MICHELLE DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ROSE LEA LEPINE.

8-6-13

**1410-08-13**     **2962**     AN ORDINANCE TO DECLARE AS SURPLUS 3725 VOLPE DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO KENNY AND DANA FARMER.

8-6-13

**1411-08-13**     **2952**     AN ORDINANCE TO DECLARE AS SURPLUS 3513 DEBOUCHEL BLVD, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

8-6-13

**1412-08-13**     **2958**     AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF CERTAIN PORTIONS OF BUFFON STREET, ST. BERNARD PARISH, LA.

8-6-13

**1413-08-13**     **2967**     AN ORDINANCE REQUIRING THE PARISH PRESIDENT TO MAKE AVAILABLE ALL PUBLIC RECORDS REQUESTS SUBMITTED TO ST. BERNARD PARISH GOVERNMENT.

8-6-13

**1414-08-13**     **2968**     AN ORDINANCE TO AMEND CHAPTER 5, BUILDING, CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-1, BUILDING CODE ADOPTED AND AMENDED; CHAPTER 1 ADMINISTRATION; TO ADD PART 3 TO SUBSECTION 103.2.3

8-20-13

**1415-08-13**     **2969**     AN ORDINANCE TO DECLARE AS SURPLUS 554 LEBEAU AVENUE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO DELTA INVESTMENTS #3, LLC.

8-20-13

- 1416-08-13 2970** AN ORDINANCE TO AMEND APPENDIX A, SECTIONS 2.3 AND 2.4 OF THE ST. BERNARD PARISH CODE OF ORDINANCES (CODE REVISION; SUBDIVISION REGULATIONS; SUBDIVISION OF LAND PROCEDURE; MINOR SUBDIVISION AND AGRICULTURAL/RURAL SUBDIVISION).  
8-20-13
- 1417-08-13 2971** AN ORDINANCE TO APPROVE **DOCKET Z-2013-008**, PETITION OF EDWARD ROHDE, 403 OLD KILN DRIVE, PICAYUNE, MS 39466, REPRESENTED BY, LEONARD KURTZ, 3846 CORNINE AVENUE, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL) SITE ADDRESSES: 7633 W. JUDGE PEREZ DRIVE, ARABI, LA 70032.  
8-20-13
- 1418-08-13 2973** AN ORDINANCE TO DECLARE LOTS 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 AND 22, OF SQUARE 542, SAID SQUARE 542 BEING BOUNDED BY MONTESQUIE, PARIS ROAD, DEFOY AND BOLIVAR STREETS AS SURPLUS, TO DONATE THE PROPERTY TO THE ST. BERNARD PARISH SHERIFF'S OFFICE AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS.  
8-20-13
- 1419-09-13 2959** AN ORDINANCE TO AMEND CHAPTER 22 ZONING; SECTION 22-2-4 INTERPRETATION; DEFINITIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.  
9-3-13
- 1420-09-13 2960** AN ORDINANCE TO CREATE AND INSERT INTO CHAPTER 22 ZONING; SECTION 22-7-10 (SITE DEVELOPMENT STANDARDS; RESIDENTIAL INFILL DEVELOPMENT) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.  
9-3-13
- 1421-09-13 2961** AN ORDINANCE TO AMEND CHAPTER 22 ZONING; SECTION 22-5-3 (RESIDENTIAL ZONING DISTRICTS; BULK AND AREA REQUIREMENTS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.  
9-3-13
- 1422-09-13 2966** AN ORDINANCE TO DECLARE AS SURPLUS 2508 MARGARET LANE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO BRANDON MAXWELL.  
9-3-13
- 1423-09-13 2972** AN ORDINANCE TO APPROVE **DOCKET Z-2013-009**, PETITION OF EUGENE C. MOLINARY, P.O. BOX 2423, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO A-1 (RURAL)

DESCRIBED AS A PORTION OF LOT 7-B-X, OAK RIDGE SUBDIVISION. SITE ADDRESS: SITE BEARS NO MUNICIPAL ADDRESS.

9-3-13

**1424-09-13    2974**    AN ORDINANCE TO AMEND **ORDINANCE SBPC #1404-07-13**, AMENDING CHAPTER 22, ZONING; SECTION 7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9-3-13

**1425-09-13    2975**    AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-71. ELECTRICIAN'S AND OWNER'S RESPONSIBILITIES; SUB-SECTION 15, FEES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9-3-13

**1426-09-13    2976**    AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-50, STANDARD MECHANICAL CODE ADOPTED OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9-3-13

**1427-09-13    2977**    AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-121, AMENDMENTS TO THE LOUISIANA STATE PLUMBING CODE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9-3-13

**1428-09-13    2979**    AN ORDINANCE TO AMEND CHAPTER 13, OCCUPATIONAL LICENSE, TAXES AND REGULATIONS; ARTICLE V, EARNINGS TAX, SECTION 13-70, VIOLATION; PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

9-17-13

**1429-09-13    2982**    AN ORDINANCE TO **AMEND ORDINANCE SBPC #1355-12-12**, AN ORDINANCE TO ADOPT THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

9-17-13

**1430-10-13    2983**    AN ORDINANCE TO APPROVE **DOCKET Z-2013-006**, PETITION OF CAR CRAFT, INC., A LOUISIANA BUSINESS CORPORATION, 15416 OLD FARMS ROAD, FOLSOM, LA 70437, FOR A REZONING OF C-1 (NEIGHBORHOOD COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL). SITE ADDRESS: 2012 VERONICA DRIVE, CHALMETTE, LA 70043.

10-1-13

1431-10-13	2984	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-007</b> , PETITION OF CAR CRAFT, INC., A LOUISIANA BUSINESS CORPORATION, 15416 OLD FARMS ROAD, FOLSOM, LA 70437, FOR A REZONING OF C-1 (NEIGHBORHOOD COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL). SITE ADDRESS: 1101 E. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043.	10/1/13
1432-10-13	2985	AN ORDINANCE TO AMEND CHAPTER 21, VEHICLES FOR HIRE, ARTICLE II TAXICABS AND OTHER FOR-HIRE VEHICLES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	10/1/13
1433-10-13	2989	AN ORDINANCE TO DECLARE AS SURPLUS 1948 SEBASTOPOL, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO MIMIA JOHNSON.	10/1/13
1434-10-13	2990	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-011</b> , PETITION OF JTP ENTERPRISES, LLC, AS REPRESENTED BY JEFFREY K. POHLMANN, SR., FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2521 VENTURA DRIVE, CHALMETTE, LA 70043.	10/15/13
1435-10-13	2994	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-015</b> , PETITION OF JTP ENTERPRISES, LLC, AS REPRESENTED BY JEFFREY K. POHLMANN, SR., FOR A REZONING OF ONE PARCEL FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2100 E. JUDGE PEREZ DRIVE, CHALMETTE, LA 70043.	10/15/13
1436-10-13	2992	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-013</b> , PETITION OF R & M REAL ESTATE INVESTMENT, LLC, OWNER, REPRESENTED BY DAVID MCGEHEE, FOR A CONDITIONAL USE FOR ONE PARCEL, CURRENTLY ZONED C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2010 BUFFON STREET, CHALMETTE, LA 70043.	10/15/13
1437-10-13	2999	AN ORDINANCE TO AMEND THE 2013 ANNUAL OPERATING AND CAPITAL BUDGET TO REFUND THE FIRE FEE FROM THE FUND BALANCE IN THE AMOUNT OF \$942,560.	10/15/13
1438-11-13	2986	AN ORDINANCE TO DECLARE AS SURPLUS 2701 DEER CREEK DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ROBERT DUCOTE JR.	11/5/13

1439-11-13	2987	AN ORDINANCE TO DECLARE AS SURPLUS 648 ESTEBAN STREET, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO NICHOLAS DERBES, JR.	11/5/13
1440-11-13	2988	AN ORDINANCE TO DECLARE AS SURPLUS 1416 GREEN AVENUE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO RODNEY AND KATHY LEMOINE.	11/5/13
1441-11-13	2991	AN ORDINANCE TO APPROVE <b>DOCKET Z-2013-012</b> , PETITION OF ERIC P. KELTY, REPRESENTED BY JUDITH SCAGLIONE, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL). SITE ADDRESS: 2204 PAKENHAM DRIVE, CHALMETTE, LA 70043.	11/5/13
1442-11-13	2995	AN ORDINANCE TO CREATE AND INSERT INTO CHAPTER 22 (ZONING) SECTION 22-10-1.7 (ADMINISTRATION ENFORCEMENT; PLANNING COMMISSION; FEES) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/5/13
1443-11-13	2996	AN ORDINANCE TO AMEND CHAPTER 22 (ZONING) SECTION 22-10-4.3(E) (ADMINISTRATION ENFORCEMENT; POWERS AND DUTIES; FEES) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/5/13
1444-11-13	3000	AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL; ARTICLE IV PERSONNEL SYSTEM RULES; DIVISION 9 HOURS OF WORK, LEAVE OF ABSENCE AND ABSENCE WITHOUT LEAVE; SECTION 17-140 HOURS OF WORK OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/5/13
1445-11-13	3001	AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL; ARTICLE IV PERSONNEL SYSTEM RULES; DIVISION 9 HOURS OF WORK, LEAVES OF ABSENCE AND ABSENCE WITHOUT LEAVE; BY CREATING SECTION 17-153 STANDARD FOR FMLA LEAVE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/5/13
1446-11-13	3002	AN ORDINANCE ESTABLISHING A BUILDER BUNDLE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, AND FURTHER TO AMEND APPENDIX C, SPECIAL DISTRICTS, OF THE ST. BERNARD PARISH CODE OF ORDINANCES TO INCLUDE SAID DISTRICT.	11/5/13

<b>1447-11-13</b>	<b>3004</b>	AN ORDINANCE TO AMEND CHAPTER 11, HEALTH AND SANITATION; ARTICLE VII, SECTION 11-166.5, PENALTIES; OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/5/13
<b>1448-11-13</b>	<b>2980</b>	AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF CERTAIN PORTIONS OF CATON STREET, TOURNEFORT STREET, LAPLACE STREET, SALON STREET, DELAMBERT STREET, PELOPIDAS STREET, LAVOISIER STREET IN ST. BERNARD PARISH, LA.	11/19/13
<b>1449-11-13</b>	<b>3003</b>	AN ORDINANCE TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 10.5, FLOOD DAMAGE PREVENTION OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/19/13
<b>1450-11-13</b>	<b>3007</b>	AN ORDINANCE TO DECLARE AS SURPLUS 2325 RIVERBEND DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO SYLVIA LEWIS.	11/19/13
<b>1451-11-13</b>	<b>3008</b>	AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ACCEPT OWNERSHIP OF A DONATION OF THE FOLLOWING PROPERTIES, EXCEPT ANY THAT MAY OTHERWISE BE TRANSFERRED TO A THIRD PARTY PRIOR TO THE ENACTMENT OF THIS ORDINANCE, FROM THE LOUISIANA LAND TRUST.	11/19/13
<b>1452-11-13</b>	<b>3009</b>	AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF STARLING STREET, AS STATED IN ORDINANCE P3-72, PASSED FEBRUARY 1972.	11/19/13
<b>1453-11-13</b>	<b>3010</b>	AN ORDINANCE APPROVING AND AUTHORIZING THE ACCEPTANCE OF WEST WOODLANDS COURT, EAST WOODLANDS COURT, AND WAX MYRTLE DRIVE TO PUBLIC USE AND THE ACCEPTANCE OF SAME FOR PERPETUAL MAINTENANCE LOCATED IN THE WOODLANDS SUBDIVISION.	11/19/13
<b>1454-11-13</b>	<b>3011</b>	AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.	11/19/13

<b>1455-11-13</b>	<b>3012</b>	AN ORDINANCE TO ORDER THE DEMOLITION OF STRUCTURES THAT ARE UNSAFE, DILAPIDATED, DANGEROUS AND ENDANGER THE PUBLIC WELFARE AND ARE IN VIOLATION OF THE ST. BERNARD PARISH CODE OF ORDINANCES.	11/19/13
<b>1456-11-13</b>	<b>3013</b>	AN ORDINANCE TO DECLARE AS SURPLUS 3008 PLAZA DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO DAVID PERNICIARO.	11/19/13
<b>1457-12-13</b>	<b>2997</b>	AN ORDINANCE TO ADOPT THE 2014 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.	12/3/13
<b>1458-12-13</b>	<b>3014</b>	AN ORDINANCE TO DECLARE THE PROPERTIES ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID PROPERTIES.	12/3/13
<b>1459-12-13</b>	<b>3015</b>	AN ORDINANCE TO DECLARE AS SURPLUS 7236 HATTIE STREET, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ANTHONY CALABRESI, SR.	12/3/13
<b>1460-12-13</b>	<b>3016</b>	AN ORDINANCE TO DECLARE AS SURPLUS 1005 COUGAR DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO NICHOLE CASTELLO.	12/3/13
<b>1461-12-13</b>	<b>3018</b>	AN ORDINANCE TO DECLARE AS SURPLUS 3121 JUDY DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO JULIE MURRAY.	12/3/13
<b>1462-12-13</b>	<b>3020</b>	AN ORDINANCE TO APPROVE THE HIRING OF ATTORNEYS, PATRICK FANNING, ATTORNEY AT LAW, AND EDWARD F. KOHNKE, IV AND RACHAL D. CHANCE, OF PREIS & ROY, A PROFESSIONAL LAW CORPORATION TO REPRESENT ST. BERNARD PARISH GOVERNMENT IN THE MATTER OF ST. BERNARD PARISH WATERWORKS, AKA ST. BERNARD PARISH WATERWORKS, Docket #2013-15317-HH AND IN ANY MATTERS RELATED THERETO, AS WELL AS IN ANY LITIGATION OR CLAIMS FOR DAMAGES ALLEGEDLY CAUSED BY NAEGLERIA FOWLERI AMOEBA AND IN ANY MATTERS RELATED THERETO.	12/3/13



- 1463-12-13 3021** AN ORDINANCE TO ACCEPT THE DONATION OF LOTS A & B, ORIGINALLY PART OF LOT 24 IN CORINNE AND MYRTLE GROVE PLANTATION.  
12/3/13
- 1464-12-13 3022** AN ORDINANCE REQUESTING ADMINISTRATION TO PROVIDE THE ST. BERNARD PARISH COUNCIL WITH ANY AND ALL PERSONNEL EDITS AS THEY ARE FILED WITH THE HUMAN RESOURCES DEPARTMENT.  
12/3/13
- 1465-12-13 3023** AN ORDINANCE AUTHORIZING DAVID E. PERALTA, PRESIDENT, ST. BERNARD PARISH, LOUISIANA, TO HIRE LEGAL REPRESENTATION TO PROVIDE LEGAL SERVICES RELATED TO THE INVESTIGATION, PREPARATION, FILING AND HANDLING OF SUCH INJUNCTIVE, DECLARATORY, OR OTHER ACTIONS AS ARE NECESSARY TO ENSURE COMPLIANCE WITH COASTAL ZONE LAWS, STATUTES AND REGULATIONS FOR ST. BERNARD PARISH, THE ST. BARNARD PARISH COUNCIL AND THE ST. BERNARD PARISH COASTAL ZONE MANAGEMENT PROGRAM.  
12/3/13
- 1466-12-13 3026** AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.  
12/17/13
- 1467-12-13 3028** AN ORDINANCE TO APPROVE **DOCKET Z-2013-016**, PETITION OF THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF NEW ORLEANS, PRESENTED BY CLIFF DOESCHER ON BEHALF OF ARC OF GREATER NEW ORLEANS, FOR A CONDITIONAL USE FOR ONE PARCEL, CURRENTLY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL) OPERATION OF A COMMUNITY CENTER AND "URBAN FARM" (SMALL-SCALE COMMUNITY-BASED GARDEN) SITE ADDRESS: 3700 JEAN LAFITTE PARKWAY, CHALMETTE, LA 70043.  
12/17/13



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1368-01-13**

### **Summary No. 2893**

Introduced by: Administration on 12/28/12  
Public Hearing held on 1/22/13

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO DIRECT LOUISIANA LAND TRUST TO SELL THE FOLLOWING LOUISIANA LAND TRUST PROPERTY IN ACCORDANCE WITH THE LOUISIANA LAND TRUST GUIDELINES THAT ARE CURRENTLY IN PLACE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize St. Bernard Parish Government to direct Louisiana Land Trust to sell the following Louisiana Land Trust Property to the Family Resource Center of New Orleans in accordance with the Louisiana Land Trust guidelines that are currently in place.

- 2902 Stacie Drive, Violet, LA 70092

SECTION 1.1 and to authorize the Parish President or the Chief Administrative Officer to execute all documents necessary to effectuate the transfers authorized by the ordinance.

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



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

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Extract #14 continued  
January 22, 2013

**George Cavignac**  
Councilman  
at Large

hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**Richard "Richie" Lewis**  
Councilman  
District C

**NAYS:** None


**ABSENT:** Cavignac

**Casey W. Hunnicutt**  
Councilman  
District D

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GUY MCINNIS  
COUNCIL VICE CHAIR

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 1-24-13 2:15 pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

1/24/13 4:05 pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1369-01-13**

### **Summary No. 2894**

Introduced by: Administration on 12/28/12  
Public hearing held on 1/22/13

AN ORDINANCE TO ACCEPT THE DONATION OF PARCEL G-1 AND SITUATED IN SECTION 35, T128, R12E, ST. HELENA MERIDIAN, ORIGINALLY PART OF BERTUCCI SUBDIVISION.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, The Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to accept the donation of Parcel G-1 situated in section 35, T128, R12E, St. Helena Meridian, more clearly described in Exhibit A from the present owner, Sheila Loga Mendoza and Anthony A. Mendoza said immovable property is more particularly described in Exhibit A, which is attached to and is a part of this Ordinance, as the property may be needed for water treatment plant expansion in the future and/or for other purposes that will benefit the Parish;

**SECTION 1.** The Parish Council hereby authorizes the Parish President to accept the donation of Parcel G-1 situated in section 35, T128, R12E, St. Helena Meridian, originally part of Bertucci Subdivision, to St. Bernard Parish Government, from the present owner Sheila Loga Mendoza and Anthony A. Mendoza said immovable property is more particularly described in Exhibit A, which is attached to and is a part of this Ordinance, and authorizes the Parish President to execute any and all documents necessary to effectuate the donation.

**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.



# St. Bernard Parish Council

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Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #15 continued  
January 22, 2013

**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:

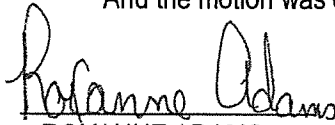
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

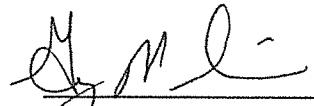
**NAYS:** None

**ABSENT:** Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President 1-24-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

1/24/13 4:05pm  
Date and Time

Received by



Exhibit "A" for Summary No. 2894

**ORDINANCE SBPC #1369-01-13**

THAT CERTAIN PIECE OR PORTION OF GROUND, together with all the buildings and improvements thereon, and all of the rights, ways, privileges, servitudes, appurtenance and advantages battue and battue rights, thereunto belonging or in anywise appertaining, including all immovable by nature or destination, nor or hereafter forming a part of and attached to or connected with the property or used in connection therewith, situated in the Parish of ST. BERNARD, State of Louisiana, in that part designated as BERTUCCI SUBDIVISION, and identified as 0-1 on a plan of resubdivision prepared by J.J. Xrubs & Sons, Inc. dated October 23, 1979, approved by the St. Bernard Police Jury on February 5, 1980, pursuant to Resolution No. 11-80, records in COB 181, folio 223, and further in accordance with a plan of survey made by Estopinal Surveying and Engineering, Inc. date June 5, 1996, a copy of which is annexed hereto and made a part hereof, made portion of ground is designated as PARCEL 0-1, and situated in SECTION 35, TIZ5, RIZ5, ST. HELENE, MERIDIAN, and described as follows, to-wit:

Commencing at the intersection of the northernmost right-of-way line to Patricia Street and the easternmost right-of-way line of Chalmette Vista Canal, thence, in a northerly direction along said easternmost right-of-way line of the Chalmette Vista Canal, North 24 degrees 23 minutes 31 seconds East, a distance of 1, 750.00 ft. to the projected northernmost right-of-way line of Benjamin Street and the Point-of-Beginning; thence, continuing in northerly direction along said easternmost right-of-way line of the Chalmette Vista Cana, North 24 degrees 23 minutes 11 seconds , distance of 426.98 ft to an iron rod set on the northernmost bound any Parcel c-1, thence, in an easterly direction along said northernmost boundary line of Parcel c-1, North 88 degrees 49 minutes 08 seconds East, distance of 803.87 ft to the westernmost line of section 47, Township 1South Range 17 east, thence, in a southerly direction along said westernmost line of section 47, south 24 degrees 23 minutes 31 seconds West a distance of 773.90 ft to the projected northernmost right-of-way line of Benjamin Street; thence in an easterly direction along said projects northernmost right-of-way line of Benjamin Street, North 65 degrees 3 minutes 29 second west, a distance of 775.12 ft to the point-of-beginning.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#16**

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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1370-01-13**

### **Summary No. 2896**

Introduced by: Administration on 12/28/12  
Planning Commission recommended **Approval**  
Public Hearing held on 1/22/13

AN ORDINANCE TO AMEND CHAPTER 22 (ZONING), SECTION 22-2-4 (DEFINITIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby create and insert the attached (Exhibit A) to Chapter 22; Section 22-2-4 (definitions).

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #16 continued  
January 22, 2013

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

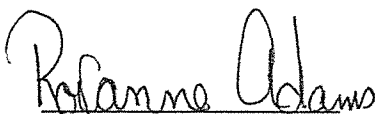
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo


**NAYS:** None

**ABSENT:** Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President 1-24-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

1/24/13 4:05pm  
Date and Time

Received by

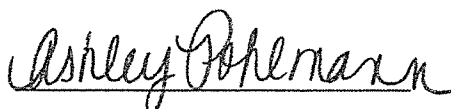




Exhibit "A" for Summary No. 2896

ORDINANCE SBPC #1370-01-13

TC-22-2-4[4] 2012

(Revised definition of "Home Occupation")

→REASON: to conform with new home occupation regs contained in TC-22-5-7[1] 2012"

22-2-4      **DEFINITIONS**

**Home Occupation:** A home/home-based occupation is any allowed activity requiring a business license that is conducted within a residential dwelling by one or more residents thereof for the purpose of generating income. It is an accessory, secondary use that is strictly incidental to the residential use of the dwelling.



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**#17**

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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1371-01-13**

### **Summary No. 2899**

Introduced by: Administration on 12/28/12  
Planning Commission recommend **Approval**  
Public Hearing held on 1/22/13

AN ORDINANCE AUTHORIZING LOUISIANA LAND TRUST TO SELL THE FOLLOWING PROPERTY TO THE GETHSEMANE LUTHERAN CHURCH OF CHALMETTE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize Louisiana Land Trust to sell the following Property to the Gethsemane Lutheran Church of Chalmette.

- 121 E. Girod St., Chalmette, LA

SECTION 1.1 and to authorize the Parish President or the Chief Administrative Officer to execute all documents necessary to effectuate the transfers authorized by the ordinance.

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 of

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #17 continued  
January 22, 2013

**George Cavignac**  
Councilman  
at Large

this Ordinance with the invalid portions omitted.

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**Richard "Richie" Lewis**  
Councilman  
District C

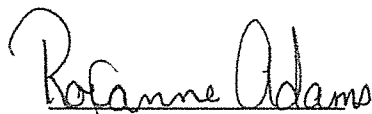
**ABSENT:** Cavignac


The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

**Casey W. Hunnicutt**  
Councilman  
District D

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

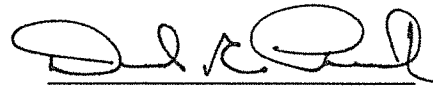
**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 1-24-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

1/24/13 4:05pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#18**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, JANUARY 22, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1372-01-13**

### **Summary No. 2900**

Introduced by: Councilman McInnis on 1/8/13  
Public Hearing held on 1/22/13

AN ORDINANCE TO AUTHORIZE THE LOUISIANA LAND TRUST PROPERTIES TO SELL OR AUCTION THE FOLLOWING PROPERTY TO PRIVATE PARTY AS PART OF THE HOUSING OPPORTUNITY PROGRAM.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorizes the Louisiana Land Trust to sell or auction the following Louisiana Land Trust property to the private party as part of the Housing Opportunity Program:

- #2 Carol Drive, Chalmette, LA

SECTION 1.1 and to authorize the Parish President or the Chief Administrative Officer to execute all documents necessary to effectuate the transfers authorized by the ordinance.

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



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

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Extract #18 continued  
January 22, 2013

**George Cavnag**  
Councilman  
at Large

hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**Richard "Richie" Lewis**  
Councilman  
District C

**ABSENT:** Cavnag

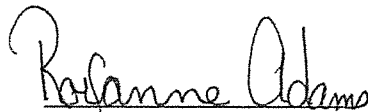
**Casey W. Hunnicutt**  
Councilman  
District D

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared **adopted** on the 22<sup>nd</sup> day of January, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President 1-24-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

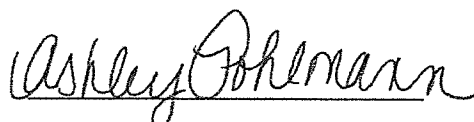
Parish President

  
David E. Peralta

Returned to Clerk of the Council

1/24/13 4:05pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, FEBRUARY 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1373-02-13**

### **Summary No. 2902**

Introduced by: Administration on 1/22/13

Public hearing held on 2/5/13

AN ORDINANCE TO AMEND CHAPTER 5 (COASTAL ZONE MANAGEMENT); SECTION 5-34 (COASTAL USE PERMIT APPLICATIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

SECTION 1. That St. Bernard Parish Council does hereby approve the following amendments to Chapter 5 (Coastal Zone Management); Section 5-34 (Coastal use permit applications); subsection (i).

(i) Application fees may be assessed according to a schedule prepared and posted by the local administrator.

The following procedure shall be followed in applying for a coastal use permit:

- (1) All applications shall be made on a form designated by the department of safety and permits.
- (2) All applications shall be submitted to the parish department of safety and permits.
- (3) All applications shall be accompanied by the following:
  - a. The application fee shall be based on the project cost and/or project type and impact (expressed in wetland acres affected by the proposed activity) and shall be no less than one hundred fifty dollars (\$150.00) and no more than ten thousand dollars (\$10,000.00). The schedule of fees shall be based on five (5) classes of projects:
    1. *Class I—(\$150.00)*. Coastal projects which cost less than one hundred thousand dollars (\$100,000) and impact less than one (1) acre of wetlands. Any



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Extract #14 continued  
February 5, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

coastal project that cannot otherwise be classified  
will be considered Class I.

2. *Class II—(\$500.00)*. Coastal projects which cost  
between one hundred thousand dollars  
(\$100,000.00) and two hundred thousand dollars  
(\$200,000.00) and impact less than one (1) acre of  
wetlands.

3. *Class III—(\$2,000.00)*. Coastal projects which  
cost over two hundred thousand dollars  
(\$200,000.00) or impact from one (1) to three (3)  
acres of wetlands.

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 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:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #14 continued  
February 5, 2013


**George Cavignac**  
*Councilman  
at Large*

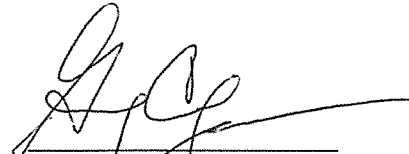
The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 5<sup>th</sup> day of February, 2013.

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

Delivered to the Parish President

2-7-13 3:35 pm  
Date and Time


**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

Approved 

Vetoed \_\_\_\_\_

**Roxanne Adams**  
*Clerk of Council*

Parish President

  
David E. Peralta

Returned to Clerk of the Council

2/8/13 10:28 am  
Date and Time

Received by

Lasheey Oshemarn





# *St. Bernard Parish Council*

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**#17**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, FEBRUARY 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1374-02-13**

### **Summary No. 2905**

Introduced by: Councilman Lauga on 1/22/13  
Public hearing held on 2/5/13

AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

SECTION 1. That the Old Arabi Neighborhood Commission is hereby established to address preservation and redevelopment issues: The Old Arabi Neighborhood Commission shall only review issues of aesthetic concerns pertaining to the exterior and visible from any street frontage. No permit shall be issued by St. Bernard Parish for any structure, within the district boundaries, without a **certificate of appropriateness** issued from the Old Arabi Neighborhood Commission.

The Commission shall consist of the following:

- 1 appointee from council
- 3 appointees from neighborhood association (staggered 2 year terms)
- 1 appointee from Chamber
- 1 appointee from Planning Commission
- 1 appointee from Jackson Barracks commandant

**Voting:** A quorum shall consist of 3 members and a simple majority shall determine voting results. Any voting tie shall be decided by the Council member of District A. Council member of District A serves as advisor to the commission and shall vote in the event of a tie vote.

### **District Boundaries:**

**North boundary-** Shall start at St. Claude Ave. and Jackson Barracks and continue East following St Claude Ave. then St. Bernard Hwy. (LA46) and terminate at the Norfolk Southern Railroad rail tracks and shall include both sides (North & South) of LA Hwy 46.

**East boundary-** Shall start at St. Bernard Hwy. (LA46) and the Norfolk



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Extract #17 continued  
February 5, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Southern Railroad rail tracks and continue South along the Eickes canal extension to the Eastern termination of North Peters St.

**South boundary-** Shall start at the Eastern termination of North Peters St. and continue West following North Peters St. and shall end at the North Peters St. and Jackson Barracks and continue East following North Peters St. and end at the St. Bernard Parish/Orleans Parish boundary (Jackson Barracks) and the continuation of North Peters St. and shall include both sides of North Peters St.  
**West Boundary-** Shall start at the St. Bernard Parish/Orleans Parish boundary at the levee of the Mississippi River and continue North following the St. Bernard Parish/Orleans Parish boundary and terminate at the St. Bernard Parish/Orleans Parish boundary and St. Claude Ave. (LA46).

**Meeting Dates:** The Old Arabi Neighborhood Commission shall meet on the 1<sup>st</sup> and the 15<sup>th</sup> of each month, or the first available business day after, at 5:30pm in the Council Chambers. If the Old Arabi Neighborhood Commission does not meet on the above dates, the Councilman of District A can issue a certificate of appropriateness for the Old Arabi Neighborhood Commission.

**Applications:** Applications for a letter of appropriateness from the Old Arabi Neighborhood Commission shall be submitted to the office of Community Development, with all submission requirements, five business days before the scheduled meeting to be reviewed.

**Submissions:** Submitted documents shall contain the following:

- Old Arabi Neighborhood Commission application.
- Survey of property defining property boundaries, servitudes, and utility tie-in points.
- Proposed Site Plan to scale, defining property lines, setbacks, proposed fencing, driveways, sidewalks, secondary structures, and utilities.
- Proposed Elevations, to scale, of the front and sides of the structure defining the height, width, and the proposed materials.

## **Criteria for the Issuance of Certificates of Appropriateness.**

The Commission shall adhere to and seek compatibility of structures in the district in terms of size, texture, scale, and site plan and in so doing, the following guidelines shall be considered by the Commission in passing upon applications for a Certificate of Appropriateness:



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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #17 continued  
February 5, 2013

**A. For new construction.** (1) All new construction shall be visually compatible with the buildings and environment with which they are related. (2) The general design, scale, gross volume, arrangement of site plan, texture, material and exterior architectural features of new construction shall be in harmony with its surroundings and shall not impair the "tout ensemble" of the neighborhood. (3) No one architectural style shall be imposed. (4) Quality and excellence in design should be major determinants.

**B. For exterior alterations.** (1) All exterior alterations to a building shall be compatible with the building itself and other buildings with which it is related, as provided in A(2) above and in applying these standards, the original design of the buildings may be considered. (2) Exterior alterations shall not affect the architectural character or historical quality of the building.

**C. For signs.** (1) The scale and design of any sign should be compatible with the buildings and environment with which it is related. (2) The materials, style, and patterns used in any sign should be compatible with the buildings and environment with which it is related.

**D. Demolition.** In considering an application for the demolition of a landmark or a building in an historic district, the following shall be considered: (1) The historic or architectural significance of the building. (2) The importance of the building to the "tout ensemble" of the district. (3) The special character and aesthetic interest that the building adds to the district. (4) The difficulty or impossibility of reproducing such a building because of its design, texture, material or detail. (5) The future utilization of the site.

**E. Destruction of non-conforming use.** The reconstruction of buildings legally non-conforming as to use and destroyed by fire, storms, or other acts of God shall be governed by the provisions of the zoning ordinance except that the Commission shall regulate the exterior design of such buildings.

## **Appeals**

**A.** Any person or persons aggrieved by any decision, act, or proceeding of the Commission shall have a right to apply in writing to the Parish Council for reversal or modification thereof; and the Chair of the Parish Council shall have the right to stay all further action until the Parish Council may affirm a decision of the Commission by majority vote of all its members. Any such appeal shall be taken within twenty (20) days from the date of decision; and the Parish Council has the



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #17 continued  
February 5, 2013

right to reverse, change, or modify any decision of the Commission only by a majority vote of all its members.

## **Archives**

**New Orleans Houses** written and illustrated by Lloyd Vogt. Pelican Publishing Company, 1985. Written and illustrated by an architect, this book provides the reader with an easy to understand introduction to a rich subject. The handsome sketches of the various houses are very appealing, and the text is presented in language that is aimed at the layman, not the trained architect. The commission shall add to the archives to aid in the promotion of historic preservation.

**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 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:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 5<sup>th</sup> day of February, 2013.



# St. Bernard Parish Council

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

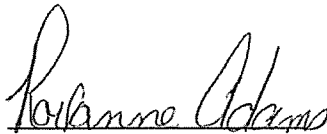
**Richard "Richie" Lewis**  
*Councilman  
District C*

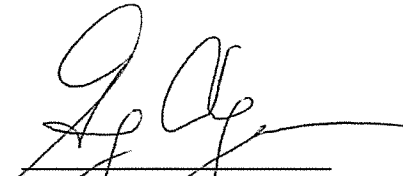
**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -5-  
Extract #17 continued  
February 5, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 2-7-13 3:35pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

2/8/13 10:28am  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#9**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, FEBRUARY 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC# 1375-02-13**

### **Summary No. 2903**

Introduced by: Councilman Lewis on 1/22/13  
Public hearing held on 2/5/13

AN ORDINANCE TO AMEND ST. BERNARD PARISH CODE OF ORDINANCES CHAPTER 11 HEALTH AND SANITATION, ARTICLE I, SECTION 11-1 AND SECTION 11-2.1.1; SUBSECTION (g).

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1: That Chapter 11, Article 1, Section 11-1 of The St. Bernard Parish Code of Ordinances is hereby amended to read as follows:

It shall be unlawful for any person or proprietary party to maintain, permit, or allow on any premises, within one hundred fifty (150) feet of an existing building or within one hundred fifty (150) feet of a public right-of-way the growth of grass or weeds to exceed a height of eight (8) inches or more, or to permit or allow on the premises the growth of any other deleterious or unhealthful vegetation on residential, commercial and industrial zones only.

SECTION 2: That Chapter 11, Article 1, Section 11-2.1.1, Sub Section (g) Failure of property owner to maintain grass heights on property; of The St. Bernard Parish Code of Ordinances is hereby amended to read as follows:

(g) Applicability. This section shall be applicable to all residential, commercially developed and industrial zoned properties.

SECTION 3. 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



# St. Bernard Parish Council

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

Page -2-  
Extract #9 continued  
February 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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 4. 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 of this ordinance with the invalid portions omitted.

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

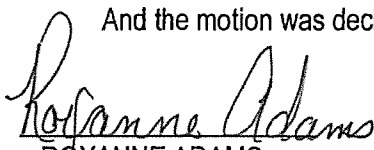
**YEAS:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

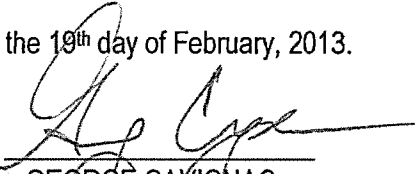
**NAYS:** None

**ABSENT:** Lewis

The Council Chair, Mr. Cavnagac, cast his vote as YEA.

And the motion was declared adopted on the 19<sup>th</sup> day of February, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

2/22/13 2:35pm  
Date and Time

Approved ☒

Vetoed ☐

Parish President

  
David E. Peralta

Returned to Clerk of the Council

2/26/13 8:42am  
Date and Time

Received by





# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
[www.sbp.net](http://www.sbp.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC# 1376-03-13**

### **Summary No. 2897**

Tabled by Council prior to introduction on 12/28/12

Introduced by: Administration on 2/19/12

Planning Commission recommended **Approval** as amended

AN ORDINANCE TO AMEND CHAPTER 22 (ZONING), SECTION 22-6-4 (PERMITTED USES IN BUSINESS & INDUSTRIAL DISTRICTS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby create and insert the attached (Exhibit A) to Chapter 22; Section 22-6-4 (permitted uses in business & industrial districts).

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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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Page -2-  
Extract #14 (continued)  
March 5, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

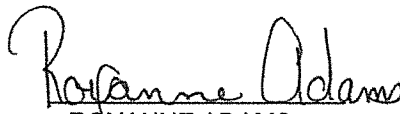
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 3-7-13 3:00pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

3/11/13 9:11am  
Date and Time

Received by



**Exhibit "A"**  
**For Summary No. 2897**

Automotive Uses	R0	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
Care and service		P	<u>CU</u> <sup>1</sup>	P	P	<u>P</u>	<u>P</u>		
Sales (new or used)		P		P	P				
Wrecking/salvage yard							CU		
Filling station		P	P	P	P	<u>P</u>	<u>P</u>	P	P
Vehicle or parts storage						CU	CU		

P = Permitted Use –CU = Conditional Use

**<sup>1</sup> Gasoline service stations, lubricating and oil change services, convenience markets, services centers or functions**

**1) Shall not include the following:**

- Any outdoor service operations (other than the dispensing or installation of gasoline, oil, antifreeze, headlights, wiper blades and other similar products and the performance of minor services for customers as related to such dispensing or installation)
- The sale, rental, display or storage of vehicles, trailers, tractors, machinery or other similar equipment;
- Commercial parking of vehicles;
- Major servicing or motor or body repair such as, but not limited to, body or fender work, motor overhaul, major transmission repair, auto glass work, tire recapping, muffler repair or installation, auto body painting or trim shops; or
- Dismantling or wrecking of any vehicles, or the storage of inoperable, damaged or wrecked vehicles, other than those awaiting immediate repair.

**2) Shall have a maximum of three (3) indoor service bays.**

**3) The exterior display, sale or storage of antifreeze, batteries, tires, oil, and other merchandise or products is permitted, provided such display or storage is:**

- Accessory to the primary use; and
- Located immediately adjacent to the primary structure, but not within any required yard or required transitional yard; and
- Not more than two hundred (200) square feet in total area; and
- Maintained in an orderly manner; and
- Not illuminated.

4) A maximum of 200 Square Feet of inoperable vehicles that can be stored on site. All vehicles to be left overnight must be in a fenced in perimeter.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, MARCH 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC# 1377-03-13**

### **Summary No. 2901**

Introduced by: Administration on 2/5/13

Referred to EFC prior to introduction on 1/8/13

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1355-12-12**, AN ORDINANCE TO ADOPT THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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[www.sbpq.net](http://www.sbpq.net)

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Extract #15 (continued)  
March 5, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

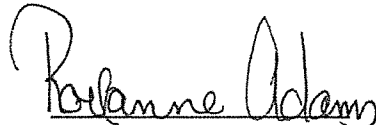
**YEAS:** Gorbaty, Lewis, Hunnicutt, McInnis

**NAYS:** Lauga, Montelongo

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 5<sup>th</sup> day of March, 2013.


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 3-7-13 3:00 pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

3/11/13 9:11am  
Date and Time

Received by

Ashley Bohemann

## Explanation of changes to budget before and after EFC meeting

Increase in Recovery Revenue	\$ 111,400.00
Increase in (expenses) Council personnel and related benefits	(69,700.00)
Increase in (expenses) Cell phone due to rounding	<u>(10.00)</u>
Net change to fund balance	<u>\$ (41,690)</u>

061- Recreation

6200 Tourism

0000-Non Project Related

From 1/1/2013 through 4/28/13

		2013 Budget	2013 Amended Budget	Budget Revisions
Revenue				
	430378	58,100.00	58,100.00	-
Expenditures				
Personnel				
	505444	15,600.00	7,125.00	(8,475.00)
	505456	92,900.00	42,435.00	(50,465.00)
	505466	2,100.00	900.00	(1,200.00)
	520434	7,700.00	3,360.00	(4,340.00)
	520435	4,100.00	1,230.00	(2,870.00)
		122,400.00	55,050.00	(67,350.00)
Operating				
	510427	1,000.00	300.00	(700.00)
	510460	1,350.00	405.00	(945.00)
	520428	20,050.00	6,015.00	(14,035.00)
	520431	14,700.00	4,410.00	(10,290.00)
	525430	56,150.00	16,845.00	(39,305.00)
	525469	4,500.00	1,350.00	(3,150.00)
	525471	850.00	255.00	(595.00)
	530403	250.00	75.00	(175.00)
	535448	1,600.00	480.00	(1,120.00)
	535459	1,650.00	495.00	(1,155.00)
	538100	2,500.00	750.00	(1,750.00)
	545472	5,000.00	1,500.00	(3,500.00)
		109,600.00	32,880.00	(76,720.00)
Financing				
Transfer from sales tax	499050	173,900.00	66,082.00	(107,818.00)

## Councilman Cavnignac's Amendment

Increase salaries for the Ducros Museum by \$50,465





# *St. Bernard Parish Council*

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[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbatt**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#18**

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC# 1378-03-13**

### **Summary No. 2918**

Introduced by: Administration on 3/5/13

Public hearing held on 3/19/13

AN ORDINANCE TO CREATE THE ST. BERNARD PARISH ADJUDICATED SURPLUS PROPERTIES PROGRAM.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish adjudicated properties surplus program is hereby created as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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Page -2-  
Extract #18 (continued)  
March 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

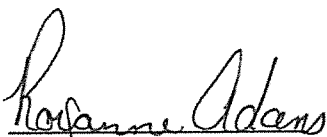
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

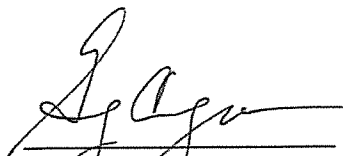
**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Cavnac, cast his vote as YEA.

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 3/20/13 12:10 pm  
Date and Time

Approved ☒

Vetoed ☐

Parish President

  
David E. Peralta

Returned to Clerk of the Council

3/20/13 1:42 pm  
Date and Time

Received by



**“Exhibit A”**  
**Summary No. 2918**  
**Ordinance SBPC #1378-03-13**

**ST. BERNARD PARISH ADJUDICATED**  
**SURPLUS PROPERTIES PROGRAM**

In response to your request for information regarding the purchase of surplus property adjudicated to the Parish for the non-payment of property taxes, the Parish has adopted the following procedure.

It is strongly recommended that you consult with your private attorney before proceeding with this acquisition process. This memorandum is intended to set out the procedures to be followed for the Surplus Adjudicated Property Program but is not intended as a complete review of the tax sales and surplus adjudicated property acquisitions. There are many legal issues that may affect the title to property you are attempting to acquire and consultation with your attorney is recommended.

**To participate in this program, the Parish asks that you acknowledge that you have received this informational memorandum. Your signature below confirms that you have read and understand the procedures and requirements for participation in the sale of adjudicated surplus property.**

**1. IDENTIFYING QUALIFYING PROPERTY**

You must first determine that the property in which you are interested in acquiring has been adjudicated to the Parish of St. Bernard for past due property taxes and has not been redeemed by the tax debtor. The St. Bernard Parish Assessor, Sheriff's Office and the Clerk of Court maintain records of the adjudicated properties. The indices maintained by these offices can aid you in locating properties by subdivision, by annual tax adjudications and by street addresses. Those indices shall also allow you to verify that the property has not been redeemed. A listing of some of the adjudicated properties can be found on the website for the Parish of St. Bernard which can be found at [www.sbpj.net](http://www.sbpj.net).

A tax debtor has an absolute right to redeem his property for a period of three (3) years from the date of the tax sale, and in the case of adjudications to the Parish, the tax debtor is customarily allowed to redeem his property at any time up to the point when the Parish executes that act of sale of the property. You should consider this in your decision to pursue the purchase of surplus adjudicated property. Except as hereafter provided, all fees paid in connections with your application to purchase abandoned and surplus property are non-refundable in the event of a redemption of the tax adjudication. It is strongly recommended that all prospective purchasers

consult their PRIVATE ATTORNEY regarding the laws and procedures for tax sales, adjudications and redemptions.

YOU ARE HEREBY NOTIFIED THAT THE SALE OF ANY PROPERTY UNDER THIS PROGRAM IS AT YOUR OWN LEGAL AND FINANCIAL RISK. THE PARISH OF ST. BERNARD SHALL BE SELLING THE PROPERTY BY A NON-WARRANTY DEED. THERE IS NO GUARANTEE OF TITLE TO THE PROPERTY. THERE IS NO GUARANTEE THAT YOU WILL BE THE SUCCESSFUL BIDDER.

*PLEASE CONSULT WITH YOUR OWN ATTORNEY. THIS OFFICE CANNOT AND SHALL NOT PROVIDE LEGAL ADVICE. PLEASE DO NOT ASK.*

Please Note: St. Bernard Parish reserves the exclusive and unilateral right to remove any property from the adjudicated surplus property program in the event the Parish determines that the property shall remain available for public use of any kind.

## **2. INITIAL REQUEST TO THE PARISH**

Once you have located property eligible for sale under this program, you can make a written request of the Office of the Parish President. Your request should contain all of the following information:

A)

- 1) The legal description of the property you wish to purchase (usually the lot, square, and subdivision name). You may attach the legal description from the Clerk of Court, St. Bernard.
- 2) The municipal address of the property, if applicable.
- 3) The name of the owner in whose name the property was sold (adjudicated) and the year of the tax sale. A copy of the tax sale must be attached.
- 4) Tax Assessment Number.
- 5) Directions for locating the actual, physical location of the property including a map or drawing if available. A survey of the property, if available, shall aid this office in processing your request.

B)

Applicant shall attach a copy of the document from the assessor's office evidencing the adjudication of the property to St. Bernard Parish.

A certified check or money order in the amount of \$750.00, payable to St. Bernard Parish

Government must be included with each request for each piece of property. In the event that several parcels or lots are included in one adjudication, additional fees may be required. The fee is to cover the costs of processing your request. In the event the cost exceeds the \$750.00 deposit, the applicant shall be responsible for the excess cost and/or fees.

**The Parish of St. Bernard shall not make any determination as to whether the property is “vacant or not lawfully occupied” and the Parish President’s Office shall not advise you as to this status. It shall be your responsibility to confirm this status.**

Once your application has been received and it is determined that the property has been adjudicated and not redeemed for a period of 3 (three) years from the date the property was adjudicated, the Parish shall perform a preliminary investigation through its various departments to determine if the property is surplus, that is, not needed for public purposes. Please note that only the Parish Council can make a final determination and actually declare the property surplus by Ordinance.

In the event that the preliminary investigation reveals that the property is not deemed to be surplus then you shall be notified that the Parish shall deny your request to purchase. **Please note that if the property is determined not to be surplus at this preliminary stage you shall be entitled to a refund of the paid \$550, (an administrative fee of \$200.00 is non-refundable). This fee is used for the investigation, verification and substantiation of the adjudication to the Parish.**

**Even though this Administration may make a preliminary determination that the property is surplus, we again remind you that the Parish Council is vested with the final exclusive authority to declare property as “surplus”.**

### **3. OFFER TO PURCHASE**

You may make an offer to purchase, in writing, which shall be at least the total amount of statutory impositions, governmental liens, and cost of sale, which shall be computed by the Parish Council in accordance with LA-R.S. 47:2202(A) except for adjoining landowners who meet the criteria set forth in LA-R.S. 47:2202(B). **All offers must meet the minimum bid requirement.**

If an Offer to Purchase is received that involves multiple lots within a subdivision, the Parish reserves the right to sell the lots either as one parcel or as individual lots.

### **4. ORDINANCE REQUESTING SURPLUS DETERMINATION AND AUCTION**

Once a qualifying offer and required deposits are received, an Ordinance shall be introduced to the Parish Council requesting that the property be determined as surplus and sold in accordance with the law. Ordinances become effective with the final introduction of such Ordinance which normally occurs at the next regularly scheduled meeting of the Parish Council following the initial introduction. In other words, an

ordinance for surplus determination shall be introduced at one meeting but shall not be considered for adoption until the next monthly meeting. It shall be at this second meeting, if the Parish Council makes a final surplus determination, when the highest offer/bid shall be considered. During this period between initial introduction and final approval, a notice of the request to have the property declared surplus and the minimum bid requirement shall be published in the official Parish newspaper and include in the notice that anyone having an objection to the sale or desires to make a bid on the property at issue shall make an offer to purchase the property to the President's office within the time constraints outline herein.

**THERE SHALL BE NO NOTICES GIVEN TO YOU BY THE PARISH AS TO THE DATE OF ANY PARISH COUNCIL MEETINGS WHEREIN ANY ORDINANCE OR PROPOSED SALE OF THE PROPERTY IN QUESTION SHALL BE CONSIDERED. ALL NOTICES CONCERNING THE SALE OF ADJUDICATED PROPERTY SHALL BE PUBLISHED IN THE OFFICIAL JOURNAL OR NEWSPAPER OF THE PARISH AND AS ESTABLISHED ON THE AGENDA OF THE PARISH COUNCIL. IT MUST BE SPECIFICALLY UNDERSTOOD AND AGREED THAT YOU ARE RESPONSIBLE TO MONITOR THIS PROCESS.**

PARISH COUNCIL MEETINGS ARE GENERALLY HELD ON THE FIRST TUESDAY OF EACH MONTH. Anyone wishing to oppose the sale or make an offer, on any of the property being offered, is required to file a written offer or opposition with the Office of the Parish President no later than 4:30 p.m., 3 (three) business days prior to the scheduled Parish Council hearing on the final adoption of the introduced Ordinance. In the event that a Parish Council meeting is held on any other day than the first Tuesday, then all oppositions and/or offers must be submitted to this Office at least 72 hours before the scheduled Parish Council meeting. Failure to timely submit any opposition and/or offer shall be grounds to exclude such submission.

Once it is determined there is more than one offer on the property at issue, an auction shall be required.

If there is no opposition to the ordinance and no other offer by a third party timely filed, then there shall be no need for an auction and your offer shall be submitted to the full Parish Council for final consideration.

In the event that the Parish Council accepts the final bid, an ordinance shall be introduced at that time authorizing the Parish President to enter into an Act of Sale to sell the property for the submitted bid. This ordinance must then lay-over until the next scheduled Parish Council meeting wherein it shall become final.

**IF YOU SUBMIT AN OFFER ON ANY PROPERTY, YOU ARE RESPONSIBLE TO DETERMINE THE DATE AND TIME OF THE PARISH COUNCIL HEARING. IT IS YOUR RESPONSIBILITY TO ATTEND THE PUBLIC HEARING. IN THE EVENT THAT ADDITIONAL OFFERS ARE RECEIVED SO AS TO REQUIRE AN AUCTION, YOU SHALL NEED TO BE PRESENT IN ORDER TO PARTICIPATE. IN THE**

**EVENT THAT OPPOSITION TO THE SALE IS RECEIVED, THEN YOU SHALL NEED TO BE PRESENT TO RESPOND TO ANY QUESTIONS ASKED BY THE PARISH COUNCIL.**

**5. REQUIREMENTS FOR ACT OF SALE**

Once the final Ordinance authorizing the sale of the property by the Parish President is adopted, it shall be necessary for you, with the help of your own attorney or closing notary, to meet the following requirements prior to going to an act of sale:

- A.) You must certify, in writing, to this Office within thirty (30) days of the effective date of the Ordinance, that you, your attorney, notary or agent has examined the mortgage records, conveyance records, probate and civil suit records of St. Bernard Parish to ascertain the names of all parties with an interest, vested or contingent, in the subject property. Attached to this certificate shall be a written list of names and last known addresses of all owners, mortgagees, judgment creditors and any other persons or entities who may have a vested or contingent interest in the subject property. **Said written certification shall include a statement by the purchaser in favor of the Parish of St. Bernard, its agents, attorneys, consultants and employees, agreeing that in the event the purchaser failed to request notification to an interested party or incorrectly identified or located any interested party, the purchaser shall hold the Parish harmless and indemnify the Parish for any loss, including attorney's fees, that the Parish may sustain as a result of this lack of proper notification.**
- B.) You must then make a written request to the President's Office to notify those parties of interest identified by you. This Office shall then notify the identified parties of the pending sale. Where an address is available, the notice shall be given by certified mail, return receipt requested. Where no address is available, notice shall be given by advertisement in the official Parish journal. In order to cover the noticing cost, **additional funds shall be due by you.** Specifically, you owe and shall deposit the sum of \$5.00 (five dollars) per notice by certified mail return receipt requested and shall deposit the sum of \$85.00 (eighty-five dollars) per notice by publication. These sums shall accompany the written request to defray the cost for providing the notice. Any additional cost shall be the responsibility of the applicant.
- C.) Once notice is given, a Proof of Notice shall be recorded in the conveyance records of St. Bernard Parish. The Clerk of Court shall charge to record the Proof of Notice and this fee is included in your initial deposit. Also, a copy of Ordinance shall be filed with the recorder of mortgages and this fee is at applicant's expense.
- D.) At the time of closing, you shall be required to certify, in writing, to this Office that delays have elapsed and that the property has not been redeemed by the taxes owed.

- E.) Once this certification of notice and required time delay is supplied, the Parish President is then authorized to execute an act of sale of the property.
- F.) The Act of Sale must be on a form approved by this Office. The sales price shall be paid by certified funds, payable to St. Bernard Parish, at the time of the sale.
- G.) The sale by the Parish shall be subject to all servitudes, rights of way, easements and other encroachment or rights of public record.
- H.) The sale by the Parish shall include a reservation of all mineral rights to the Parish, but shall convey all surface rights.
- I.) The sale shall be without any warranty whatsoever, even as to the return of the purchase price.
- J.) All fees related to the preparation, execution and recordation of the Act of Sale shall be at the purchaser's expense.

It shall be your responsibility to fulfill the requirements as outlined in Items A through J above within the time specified.

Once a bid has been accepted by the Parish Council and the sale is not completed, no new bid of a lesser amount shall be accepted from the same individual.

6. **COSTS AND FEES**

**THE INITIAL DEPOSIT FEE OF \$750.00 AND THE COST OF THE APPRAISAL, IF REQUIRED, AND ALL OTHER COSTS PAID UNDER THIS PROGRAM SHALL NOT BE REFUNDABLE EXCEPT AS STATED IN SECTION 2.**

**SPECIFICALLY, THE FEES AND COSTS PAID ARE NOT REFUNDABLE:**

**A.) IF THE PROPERTY IS NOT DEEMED SURPLUS BY THE PARISH COUNCIL AT FINAL HEARING, OR**

**B.) IF THE PARISH COUNCIL REJECTS THE OFFER TO PURCHASE, OR**

**C.) IF YOU ELECT NOT TO COMPLETE THE SALE FOR WHATEVER REASON, OR**



D.) IF THE TAX DEBTOR REDEEMS THE PROPERTY BEFORE THE ACT OF SALE FROM THE PARISH. (The Office of the Parish President is not responsible for nor does it guarantee the collection and reimbursement by the Parish Sheriff's Office of fees and costs in the event of redemption.)

THIS MEMORANDUM IS PRESENTED AND IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY. *THE PARISH OF ST. BERNARD, ITS EMPLOYEES, ATTORNEYS AND CONSULTANTS ARE NOT EXTENDING ANY LEGAL ADVICE AND IT IS STRONGLY RECOMMENDED THAT ALL PROSPECTIVE PARTICIPANTS CONSULT A PRIVATE ATTORNEY REGARDING THE METHOD AND PROCEDURES OUTLINED HEREIN AND THE RELEVANT STATUTES.*

PLEASE REMEMBER THAT ADDITIONAL TITLE CURATIVE WORK MAY BE REQUIRED.

**NOTE:** Pursuant to LA-R.S. 47:2202(B) an adjoining landowner may purchase an adjudicated property without public bidding at a public meeting of the governing authority, provided that the adjoining landowner has maintained the adjudicated property for a period of 1 (one) year prior to sale.

Applicant shall have the burden of proving to the Parish Council that applicant has maintained the property as required by LA R.S. 47:2202(B) and the minimal criteria listed below.

The minimal criteria for an adjoining landowner to qualify to purchase the adjudicated property that he or she has maintained for the one year period prior to the sale is indicated below:

1. With regard to the adjoining property, applicant must have cut the grass and kept the grass lower than 8 inches in height for at least one year prior to the sale;
2. The adjoining property shall be free of Parish grass fees and/or liens or Parish debris removal fees and/or liens for the past year prior to this application;
3. With regard to the adjoining property, applicant must have kept the adjudicated property he or she seeks to purchase free of debris for at least one year prior to the sale;
4. Applicant's property shall be in full compliance with all applicable parish ordinances and parish regulations; and
5. Applicant's property shall be free of Parish grass fees and/or liens or Parish debris removal fees/liens.

I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THIS ST. BERNARD PARISH ADJUDICATED SURPLUS PROPERTIES FORM (8 pages). I HAVE READ AND UNDERSTAND THE PROCEDURES AND REQUIREMENTS FOR PARTICIPATION IN THE ADJUDICATED SURPLUS PROPERTIES PROGRAM.

I AGREE TO ABIDE TO THE TERMS AND CONDITIONS OF THIS PROGRAM.

Signature: \_\_\_\_\_

Print: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpj.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#19**

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, MARCH 19, 2013 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# 1379-03-13**

### **Summary No. 2919**

Introduced by: Councilman Montelongo on 3/5/13

Public hearing held on 3/19/13

AN ORDINANCE TO AMEND CHAPTER 14, ARTICLE I, SECTION 14-1 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council, the Governing Authority, does hereby create and insert the attached (Exhibit A) to Chapter 14; Article I; Section 14-1.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #19 (continued)  
March 19, 2013

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

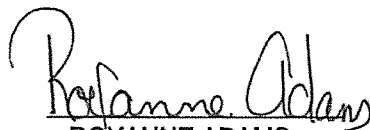
**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** Gorbaty

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

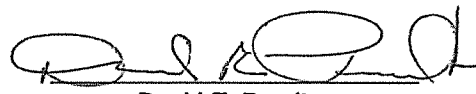
Delivered to the Parish President

3/20/13 12:10pm  
Date and Time

Approved ☒

Vetoed ☐

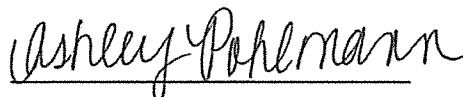
Parish President

  
David E. Peralta

Returned to Clerk of the Council

3/20/13 1:42pm  
Date and Time

Received by



**Exhibit A**  
**Summary No. 2919**  
**Ordinance SBPC #1379-03-13**

**Chapter 14 – Offenses and Miscellaneous Provisions**

\*\*\*\*\*

**Section 14-1 Lewd Conduct**

- (a) It shall be unlawful for any person to perform or engage in any lewd conduct.
  - (1) A person is guilty of lewd conduct if he intentionally performs any lewd act in a public place when such act is likely to be observed by a person.
  - (2) As used in this section, a lewd act is:
    - a. An exposure of one's genitals; or
    - b. Sexual intercourse; or
    - c. Masturbation; or
    - d. Urination or defecation; or
    - e. Appearing in public wearing pants, skirts, and/or shorts below the waist which expose the skin or undergarments.
- (b) Any person violating the provisions of this section shall be guilty of a misdemeanor, and subject to a fine of one hundred dollars (\$100.00), and/or imprisonment for a term not exceeding thirty (30) days, and/or community service not to exceed thirty-two (32) hours.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#20**

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

On motion of the Chair, without objection and by unanimous consent, it was moved to **adopt** the following ordinance:

## **ORDINANCE SBPC# 1380-03-13**

### **Summary No. 2920**

Introduced by: Administration on 3/5/13

Public hearing held on 3/19/13

AN ORDINANCE TO APPROVE THE HIRING OF ATTORNEYS, LEONARD LEVENSON & DONNA BARRIOS OF THE LAW ASSOCIATION OF WEIGAND AND LEVENSON, TO REPRESENT DAVID E. PERALTA IN THE LAWSUIT ENTITLED "CRAIG P. TAFFARO, JR. VERSUS DAVID E. PERALTA, WILLIAM M. MCGOEY, JARROD GOURGUES, CLAY DILLON, CRAIG DEHARDE, DONALD BOURGEOIS, and POLICEOFFICER123@YMAIL.COM", US. EASTERN DISTRICT DOCKET NO. 12-2720, AND IN ANY MATTERS RELATED THERETO.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION I. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the employment of Leonard Levenson & Donna Barrios of the Law Association of Weigand and Levenson to represent David E. Peralta in the lawsuit entitled "Craig P. Taffaro, Jr. versus David E. Peralta, William McGoe, Jarrod Gourgues, Clay Dillion, Craig Deharde, Donald Bougeois, and policeofficer123@ymail.com" Us. Eastern District Docket No. 12-2720, and in any matters related thereto.

SECTION 2. Salary. The compensation shall be at rates not to exceed the fee schedule from the Louisiana Attorney General, nor the allowable rates from St. Bernard Parish Government's insurer.

SECTION 3. 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.



# St. Bernard Parish Council

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Extract #20 (continued)  
March 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 4. 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 of this Ordinance with the invalid portions omitted.

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

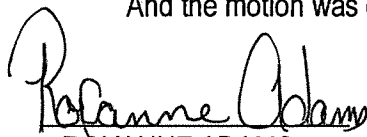
**YEAS:** Lewis, Montelongo, McInnis

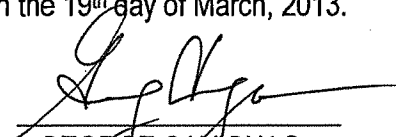
**NAYS:** Lauga, Gorbaty, Hunnicutt

**ABSENT:** None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 3/22/13 1:35pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

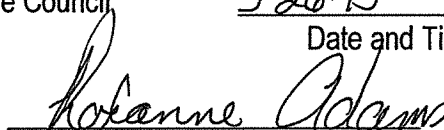
Parish President

  
David E. Peralta

Returned to Clerk of the Council

3-26-13 8:45am  
Date and Time

Received by





# *St. Bernard Parish Council*

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(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

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, MARCH 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC# 1381-03-13**

### **Summary No. 2921**

Introduced by: Administration on 3/5/13

Public hearing held on 3/5/13

AN ORDINANCE TO RETAIN WILLIAMS & ROME, L.L.C. AS LEGAL COUNSEL TO REPRESENT ANTHONY CLAY DILLON, CRAIG DEHARDE DONALD BOURGEOIS, WILLIAM M. MCGOEY AND ST. BERNARD PARISH GOVERNMENT IN THE LAWSUIT ENTITLED "CRAIG P. TAFFARO, JR. VERSUS DAVID E. PERALTA, WILLIAM M. MCGOEY, JARROD GOURGUES, CLAY DILLON, CRAIG DEHARDE, DONALD BOURGEOIS, and POLICEOFFICER123@YMAIL.COM", U.S. EASTERN DISTRICT DOCKET NO. 12-2720, AND IN ANY MATTERS RELATED THERETO

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION I. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the employment of Williams & Rome, L.L.C. to represent Anthony Clay Dillon, Craig DeHarde, Donald Bourgeois, William M. McGoey and St. Bernard Parish Government in the lawsuit entitled "Craig P. Taffaro, Jr. versus David E. Peralta, William M. McGoey, Jarrod Gourgues, Clay Dillon, Craig Deharde, Donald Bourgeois, and policeofficer123@ymail.com", U.S. Eastern District Docket No. 12-2720, and in any matters related thereto.

SECTION 2. Salary. The compensation shall be at rates not to exceed the fee schedule from the Louisiana Attorney General, nor the allowable rates from St. Bernard Parish Government's insurer.

SECTION 3. 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.





# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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Extract #21 (continued)

March 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 4. 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 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:** Lauga, Gorbaty, Hunnicutt, Montelongo, McInnis

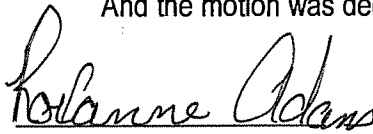
**NAYS:** None

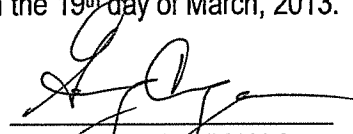
**ABSENT:** None

**DID NOT VOTE:** Lewis

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of March, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

3/22/13 1:35pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

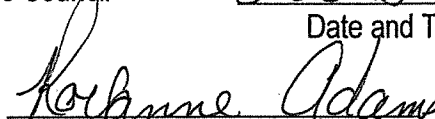
Parish President

  
David E. Peralta

Returned to Clerk of the Council

3-26-13 8:45 am  
Date and Time

Received by





# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
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**#13**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, APRIL 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1382-04-13**

### **Summary No. 2924**

Introduced by: Administration

Planning Commission recommended **APPROVAL** with conditions on 2/26/2013

Public hearing held on 4/2/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-002**, PETITION OF RONALD BRITSCH, JR. 1301 E. JUDGE PEREZ DRIVE, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL) PROPERTY IS DESIGNATED AS LOT 2, SQUARE 13, RIVERLAND PARK SUBDIVISION. SITE ADDRESS: 2605 RIVERLAND DRIVE, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-002**, petition of Ronald Britsch, Jr. for a rezoning of one parcel from R-1 "single-family residential" to C-1 "neighborhood commercial" is hereby granted with the condition that the proposed parking lot be developed in accordance with the standards contained in 22-7-3.4 for the following described property:

Lot 2, Square 13, Riverland Park Subdivision. Site Address: 2605 Riverland Drive, Chalmette, La 70043.

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,



# St. Bernard Parish Council

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Extract #13 (continued)

April 2, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares 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:

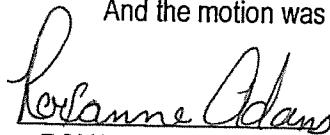
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

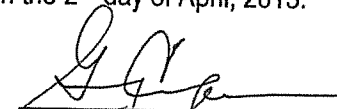
**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

4-4-13 2:25pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

4/5/13 11:28 am  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#14**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, APRIL 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1383-04-13**

### **Summary No. 2925**

Introduced by: Administration

Planning Commission recommended **APPROVAL** on 2/26/13

Public hearing held on 4/2/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-003**, PETITION OF DAVID JARRELL, 9101 W. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL). PROPERTY IS DESIGNATED AS LOTS 20 AND 21, SQUARE 443, ARABI FIRST WARD. SITE ADDRESS: 1209/1211 ANGELA STREET, ARABI, LA 70032.

SECTION 1. That **DOCKET Z-2013-003**, petition of David Jarrel, for a rezoning of one parcel from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) is hereby granted for the following described property:

Lots 20 and 21, Square 443, Arabi First Ward. Site address: 1209/1211 Angela Street, Arabi, LA 70032.

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



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Extract #14 (continued)

April 2, 2013

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Councilman  
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Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

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Councilman  
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Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Council hereby expresses and declares 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:

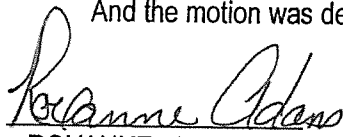
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

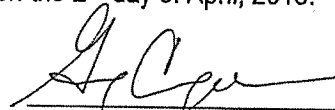
**NAYS:** None

**ABSENT:** McInnis

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

And the motion was declared adopted on the 2<sup>nd</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

4-4-13 2:25pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

4/5/13 11:28 am  
Date and Time

Received by





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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC#1384-04-13**

### **Summary No. 2928**

Introduced by: Councilman Lewis  
Public hearing held on 4/16/12

AN ORDINANCE TO AMEND CHAPTER 11, HEALTH AND SANITATION; ARTICLE VII, SECTION 11-160 – 11-204.4, PROPERTY MAINTENANCE CODE; OF THE ST. BERNARD PARISH CODE OF ORDINANCES

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That a certain document, one (1) copy of which is on file in the office of the Clerk of Council of St. Bernard Parish, being marked and designated as the *Property Maintenance Code*, be and is hereby adopted as the Property Maintenance Code of the Parish of St. Bernard, in the State of Louisiana for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, adequately maintained, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fines and fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the St. Bernard Parish Government are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance.

## **Chapter 11 SCOPE AND ADMINISTRATION**

### **Part 1- SCOPE AND APPLICATION**

#### **SECTION 160 GENERAL**



# *St. Bernard Parish Council*

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Extract #15 continued

April 16, 2013

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Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**11-160.1 Title.** These regulations shall be known as the *International Property Maintenance Code* of St. Bernard Parish, hereinafter referred to as "this code."

**11-160.2 Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment, and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety from fire and other hazards, and for sale and sanitary maintenance; the responsibility of *owners, operators* and *occupants*; the *occupancy* of existing structures and premises, and for administration, enforcement, and penalties.

**11-160.3 Intent.** This code shall be constructed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

## **SECTION 161 APPLICABILITY**

**11-161.1 General** Where this is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

**11-161.2 Maintenance.** Equipment, systems, devices and safeguard required by this code or previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for an occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, and premises.

**11-161.3 Application of the other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Fuel Gas Code, International Mechanical Code* and NFPA 70. Nothing in this code shall be



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Extract #15 continued  
April 16, 2013

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constructed to cancel, modify or set aside any provision of the *International Zoning Code*.

**11-161.4 Existing remedies.** The provisions in this code shall not be constructed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

**11-161.5 Workmanship.** Repairs, maintenance, work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacture's installation instructions.

**11-161.6 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

**11-161.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in the reference standards appendix (see page 44) and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the condition of the listing shall apply.

**11-161.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or the public safety, health and general welfare, not specially covered by this code shall be determined by the *code official*.

**11-161.9 Application of references.** References to chapter or section numbers, or to provisions not specially identified by number, shall be construed to refer to such chapter, section or provision of this code.

**11-161.10 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

## Part 2- ADMINISTRATION AND ENFORCEMENT

### SECTION 162 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION





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Extract #15 continued  
April 16, 2013

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*Councilman  
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**Roxanne Adams**  
*Clerk of Council*

**11-162.1. General.** The department of Resident Services and Compliance is hereby designated and the Chief Compliance Inspector thereof shall be known as the *code official*.

**11-162.2. Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

**103.3. Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint deputy(s). Such employees shall have the powers as delegated by the *code official*.

**11-162.4. Liability.** The *code official*, his designees, member of the Housing Redevelopment Quality of Life Committee or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs or judgment in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

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

## **SECTION 163 DUTIES AND POWERS OF THE CODE OFFICIAL**

**11-163.1. General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waving requirements specifically provided for in this code.

**11-163.2. Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The *code official* is



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Extract #15 continued  
April 16, 2013

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**Roxanne Adams**  
*Clerk of Council*

authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**11-163.3. Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, provided that if such structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied by the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry. In instance where property of structures are vacant and unsecured from entry, the code official or his/her designee may make immediate entry and inspection of the premises.

**11-163.4. Identification.** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**11-163.5. Notices and orders.** The code official shall issue all necessary notices or orders to ensure compliance with this code.

**11-163.6. Department records.** The code official shall keep official records of all business and activities of the department specified in the provisions of this code.

Such records shall be retained in the official records for the period required for retention of public records.

## **SECTION 164 APPROVAL**

**11-164.1. Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for the individual cases upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modifications is in compliance with the intent and purpose of this code and that such modifications does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

**11-164.2. Alternative materials, methods and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any



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*Councilman  
District E*

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*Clerk of Council*

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Extract #15 continued  
April 16, 2013

such alternate has been approved. An alternative material or method of construction shall be approved where the code official finds that proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or word offered is, for the purpose intended, at least the equivalent of that prescribed in this code of quality, strength, effectiveness, fire resistance, durability, and safety.

**11-164.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

**11-164.3.1. Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approval agency.

**11-164.3.2. Test reports.** Reports of tests shall be retained by the code official for the period required for retention of public records.

**11-164.4 Used materials and equipment.** The use of used materials which meets the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be refused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the code official.

**11-164.5 Approved materials and equipment.** Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

**11-164.6 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the code, shall consist of valid research reports from approved sources.

## **SECTION 165 VIOLATIONS**

**11-165.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict or in violation of any of the provisions of this code.

**11-165.2 Notice of Violation.** The code official shall serve a notice of violation or order in accordance with Section 166.

**11-165.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 166 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the



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*Clerk of Council*

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violation shall be determined by a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceedings at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**11-165.4 Violation penalties.** Any person who shall violate provisions of this code, or fail to comply therewith, or with any of this requirement thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(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 five hundred dollars (\$500.00) and subject up to not more than thirty (30) days imprisonment and to perform not more than forty (40) 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 dollars (\$1,000.00), and ordered to perform not more than eighty (80) 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.

**11-165.5 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building,



# *St. Bernard Parish Council*

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structure, or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

## **SECTION 166 NOTICES AND ORDERS**

**11-166.1. Notice to person responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 166.2 and 166.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 167.3.

**11-166.2 Form.** Such notice prescribed in Section 166.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
5. Inform the property owner of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 165.3

**11-166.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first-class mail addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

**11-166.4 Unauthorized tampering.** Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

**11-166.5 Penalties.** Penalties for noncompliance with orders and notices be as set forth in Section 165.4.

**11-166.6 Transfer of ownership.** It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of



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violation has been served to seal, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice if violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the reasonability without condition for making the corrections or repairs required by such order or notice of violation.

## **SECTION 167 UNSAFE STRUCTURES AND EQUIPMENT**

**11-167.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.

**11-167.1.1 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

**11-167.1.2 Unsafe equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

**11-167.1.3 Structure unfit for human occupancy.** A structure is unfit for human occupancy whenever the code official finds that each structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

**11-167.1.4 Unlawful structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.



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**11-167.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, desertion, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, of for any reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give away.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.
7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure that has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be



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unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-related construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of a building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

**11-167.2 Temporary closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a place card of condemnation on the premises and order the structure closed up as not be an attractive nuisance. Upon failure of the owner to close up premises within the time specified in order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be lien upon such real estate and may be collected by any other legal resource. Temporary boarding shall not exceed the period of six (6) months unless otherwise authorized by the code official.

**11-167.2.1 Authority to disconnect service utilities.** The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 161.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such an action/ If not notified prior to disconnection the owner or occupant of the building structure or services system shall be notified in writing as soon as practical thereafter.

**11-167.3. Notice.** Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 166.3. If the notice pertains to the equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 166.2.





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**11-167.4 Placarding.** Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defected equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises operating the equipment or removing the placard.

**11-167.4.1 Placard removal.** The code official shall remove the condemnation placard whenever the defect or defects upon which the condemnation and the placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the code official shall be subjected to the penalties provided by this code.

**11-167.5 Prohibited occupancy.** Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

**11-167.6 Abatement methods.** The owner, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

**11-167.7 Record.** The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

## **SECTION 168 EMERGENCY MEASURES**

**11-168.1 Imminent danger.** When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at the entrance to such structure a notice reading as follows: "This Structure is Unsafe and Its Occupancy Has Been Prohibited By the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.



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**11-168.2 Temporary safeguard.** Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instated; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

**11-168.3 Closing streets.** When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

**11-168.4 Emergency repairs.** For the purpose of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

**11-168.5 Costs of emergency repairs.** Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

**11-168.6 Hearing.** Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the Housing Redevelopment Quality of Life Committee, be afforded a hearing as described in the code.

## **SECTION 169 DEMOLITION**

**11-169.1 General.** The code official shall order the owner of any premises upon which is located any structure, which in the code official judgment after review is so deteriorated or dilapidated or is become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe up repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

**11-169.2 Notices and orders.** All notices and orders shall comply with Section 166.

**11-169.3 Failure to comply.** If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the



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structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be lien upon such real estate.

**11-169.4 Salvage materials.** When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled hereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

## **SECTION 170 MEANS OF APPEAL**

**11-170.1 Application for appeals.** Any person directly affected by a decision of the code official or notice or order issued under this code shall have the right to appeal to the Housing Redevelopment Quality of Life Committee, provided that a written application for appeal is filed within 20 days after the day decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interrupted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

**11-170.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of a majority of the totally number of appointed board members.

**11-170.6.1 Records and copies.** The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

**11-170.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**11-170.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.



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**11-170.8 Stays of reinforcement.** Appeals of notice and orders (other than Imminent Danger notices) shall stay and enforcement of the notice and order until appeal is heard by the Housing Redevelopment Quality of Life Committee.

## **SECTION 17 STOP WORK ORDER**

**11-171.1 Authority.** Whenever the code official finds any work regulated by this code being performed in a manner contrary to the provisions of the code or in a dangerous or unsafe manner, the code official is authorized to issue a stop work order.

**11-171.2 Issuance.** A stop work order shall be in writing and shall be given to the owner of the property, to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

**11-171.3 Emergencies.** Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

**11-171.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than five hundred dollars (\$500.00) or more than one thousand (\$1,000.00) or incarceration not to exceed thirty (30) days.

## **DEFINITIONS**

### **SECTION 172 GENERAL**

**11-172.1 Scope.** Unless otherwise expressly state, the follow terms shall, for the purposes of this code, have the meanings shown in this chapter.

**11-172.2 Interchangeability.** Words sated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular member includes the plural and the plural, the singular.

**11-172.3 Terms defined in other codes.** When terms are not defined in this code and are defined in the International Building Code, International Fire Code, International Zoning Code, International Plumbing code, International Mechanical Code, or CFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.



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**11-172.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have the ordinarily accepted meanings such as the context implies.

**11-172.5 Part.** Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit," or "story" are stated in this code, they shall be constructed as though they were followed by the words "or any part thereof."

### **SECTION 173 GENERAL DEFINITIONS**

**ANCHORED.** Secured in a manner that provides positive connection.

**APPROVED.** Approved by the code official.

**BASEMENT.** The portion of a building which is partly or completely below grade.

**BATHROOM.** A room containing plumbing fixtures including a bathtub or shower.

**CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

**CONDEMN.** To adjudge unit for occupancy.

**DETACHED.** When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

**DETERIORATION.** To weaken, disintegrate, corrode, rust or decay a positive connection.

**[B] DWELLING UNIT.** A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

**EASEMENT.** That portion of land or property reserved for present or future use by a person or agency other than the legal fee wonder(s) of the property. The easement shall be permitted to be for use under, or above a said lot or lots.

**EQUIPMENT SUPPORT.** Those structural members, or assembles of members or manufactured elements, including braces, frames, snugger, hangers, or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

**EXTERIOR PROPERTY.** The open space on the premises and on adjoining property under the control of owners or operators of such premises.

**GARBAGE.** The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

**GUARD.** A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.



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**HABITABLE SPACE.** Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable space.

**HOUSEKEEPING UNIT.** A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking, and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

**IMMINENT DANGER.** A condition which could cause serious or life-threatening injury or death at any time.

**INFESTATION.** The presence within or contiguous to, a structure or premises of insects, rats, vermin or other pets.

**INOPERABLE MOTOR VEHICLE.** A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

**LABELED.** Equipment, materials or products to which have been affixed to a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with the product evaluation that maintains periodic inspection of the production of the above labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

**LET FOR OCCUPANCY OR LET.** To permit, provide or offer possession of occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

**NEGLECT.** The lack of proper maintenance for a building or structure.

**OCCUPANCY.** The purpose for which a building or portion thereof is utilized or occupied.

**OCCUPANT.** Any individual living or sleeping in a building, or having possession of a space within a building.

**OPENABLE AREA.** That part of a window, skylight or door which is available for unobserved ventilation and which opens directly to the outdoors.

**OPERATOR.** Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

**OWNER.** Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the parish, state, country or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of such person, and the executor or administrator of the estate of such person.



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(504) 278-4228    Fax (504) 278-4209  
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**PERSON.** An individual, corporation, partnership or any other group acting as a unit.  
**PEST ELIMINATION.** The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.  
**PREMISES.** A lot, plot or parcel of land, easement or public way, including any structures thereon.

**PUBLIC WAY.** Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

**ROOMING HOUSE.** A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

**ROOMING UNIT.** Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

**SLEEPING UNIT.** A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*. [B]

**STRICT LIABILITY OFFENSE.** An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

**STRUCTURE.** That which is built or constructed or a portion thereof.

**TENANT.** A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit also known as a lessee.

**TOILET ROOM.** A room containing a water closet or urinal but not a bathtub or shower.

**ULTIMATE DEFORMATION.** The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

**VENTILATION.** The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

**WORKMANLIKE.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

**YARD.** An open space on the same lot with a structure.



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## GENERAL REQUIREMENTS

### SECTION 174 GENERAL

**11-174.1 Scope.** The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

**11-174.2 Responsibility.** The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

**11-174.3 Vacant structures and land.** All vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

### SECTION 175 EXTERIOR PROPERTY AREAS

**11-175.1 Sanitation.** All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition.

**11-175.2 Grading and drainage.** All *premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

**Exception:** *Approved* retention areas and reservoirs.

**11-175.3 Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

**11-175.4 Weeds.** All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual





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plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 165.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

**11-175.5 Rodent harborage.** All structures and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes which will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to eliminate rodent harborage and prevent infestation.

**11-175.6 Exhaust vents.** Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another *tenant*.

**11-175.7 Accessory structures.** All accessory structures, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

**11-175.8 Motor vehicles.** Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any *premises*, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an *approved* spray booth.

**Exception:** A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and *approved* for such purposes.

**11-175.9 Defacement of property.** No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

### SECTION 176 SWIMMING, POOLS, SPAS AND HOT TUBS



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**11-176.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

**11-176.2 Enclosures.** Private swimming pools, hot tubs and spas, containing water more than 24 inches in depth shall be completely surrounded by a fence or barrier at least 72 inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.

## **SECTION 177 EXTERIOR STRUCTURE**

**11-177.1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

**11-177.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;



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7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

### **Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**11-177.2 Protective treatment.** All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting



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or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

**[F] 11-177.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**11-177.4 Structural members.** All structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

**11-177.5 Foundation walls.** All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

**11-177.6 Exterior walls.** All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

**11-177.7 Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

**11-177.8 Decorative features.** All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

**11-177.9 Overhang extensions.** All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**11-177.10 Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be



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maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

**11-177.11 Chimneys and towers.** All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

**11-177.12 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**11-177.13 Window, skylight and door frames.** Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

**11-177.13.1 Glazing.** All glazing materials shall be maintained free from cracks and holes.

**11-177.13.2 Openable windows.** Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

**11-177.14 Insect screens.** Food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

**11-177.15 Doors.** All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 202.3.

**11-177.16 Basement hatchways.** Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

**11-177.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.

**11-177.18 Building security.** Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

**11-177.18.1 Doors.** Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made



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without the need for keys, special knowledge or effort and shall have a lock throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

**11-177.18.2 Windows.** Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit, rooming unit or housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

**11-177.18.3 Basement hatchways.** *Basement hatchways* that provide access to a *dwelling unit, rooming unit or housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

## SECTION 178 INTERIOR STRUCTURE

**11-178.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies*, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

**11-178.1.1 Unsafe conditions.** The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Structural members are incapable of supporting nominal loads and load effects;
5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;



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6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

#### **Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

**11-178.2 Structural members.** All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

**11-178.3 Interior surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

**11-178.4 Stairs and walking surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

**11-178.5 Handrails and guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

**11-178.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

## **SECTION 179 COMPONENT SERIVEABILITY**

**11-179.1 General.** The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

**11-179.1.1 Unsafe conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* as required for existing buildings:

#### **1. Soils that have been subjected to any of the following conditions:**

- 1.1. Collapse of footing or foundation system;
- 1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;



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- 1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
- 1.4. Inadequate soil as determined by a geotechnical investigation;
- 1.5. Where the allowable bearing capacity of the soil is in doubt; or
- 1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

**2. Concrete that has been subjected to any of the following conditions:**

- 2.1. *Deterioration;*
- 2.2. *Ultimate deformation;*
- 2.3. Fractures;
- 2.4. Fissures;
- 2.5. Spalling;
- 2.6. Exposed reinforcement; or
- 2.7. *Detached*, dislodged or failing connections.

**3. Aluminum that has been subjected to any of the following conditions:**

- 3.1. *Deterioration;*
- 3.2. Corrosion;
- 3.3. Elastic deformation;
- 3.4. *Ultimate deformation;*
- 3.5. Stress or strain cracks;
- 3.6. Joint fatigue; or
- 3.7. *Detached*, dislodged or failing connections.

**4. Masonry that has been subjected to any of the following conditions:**

- 4.1. *Deterioration;*
- 4.2. *Ultimate deformation;*
- 4.3. Fractures in masonry or mortar joints;
- 4.4. Fissures in masonry or mortar joints;
- 4.5. Spalling;
- 4.6. Exposed reinforcement; or
- 4.7. *Detached*, dislodged or failing connections.

**5. Steel that has been subjected to any of the following conditions:**

- 5.1. *Deterioration;*
- 5.2. Elastic deformation;
- 5.3. *Ultimate deformation;*
- 5.4. Metal fatigue; or
- 5.5. *Detached*, dislodged or failing connections.





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## **6. Wood that has been subjected to any of the following conditions:**

- 6.1. *Ultimate deformation;*
- 6.2. *Deterioration;*
- 6.3. Damage from insects, rodents and other vermin;
- 6.4. Fire damage beyond charring;
- 6.5. Significant splits and checks;
- 6.6. Horizontal shear cracks;
- 6.7. Vertical shear cracks;
- 6.8. Inadequate support;
- 6.9. *Detached*, dislodged or failing connections; or
- 6.10. Excessive cutting and notching.
- 6.11. Water Damage

### **Exceptions:**

1. When substantiated otherwise by an *approved* method.
2. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

## **SECTION 180 HANDRAILS AND GUARDRAILS**

**11-180.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

**Exception:** *Guards* shall not be required where exempted by the adopted building code.

## **SECTION 181 RUBBISH AND GARBAGE**

**11-181.1 Accumulation of rubbish or garbage.** All *exterior property and premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage.



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**11-181.2 Disposal of rubbish.** Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

**11-181.2.1 Rubbish storage facilities.** The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

**11-181.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

**11-181.3 Disposal of garbage.** Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

**11-181.3.1 Garbage facilities.** The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the structure available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside garbage container.

**11-181.3.2 Containers.** The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

## SECTION 182 PEST ELIMINATION

**11-182.1 Infestation.** All structures shall be kept free from insect and rodent *infestation*. All structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to prevent infestation.

**11-182.2 Owner.** The *owner* of any structure shall be responsible for *pest elimination* within the structure prior to renting or leasing the structure.

**11-182.3 Single occupant.** The *occupant* of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for *pest elimination* on the *premises*.

**11-182.4 Multiple occupancy.** The *owner* of a structure containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential structure shall be responsible for *pest elimination* in the public or shared areas of the structure and *exterior property*. If *infestation* is caused by failure of an *occupant* to



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prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for *pest elimination*.

**11-182.5 Occupant.** The *occupant* of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

**Exception:** Where the *infestations* are caused by defects in the structure, the *owner* shall be responsible for *pest elimination*.

## LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

### SECTION 183 GENERAL

**11-183.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

**11-183.2 Responsibility.** The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

**11-183.3 Alternative devices.** In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

### SECTION 184 LIGHT

**11-184.1 Habitable spaces.** Every *habitable space* shall have at least one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

**Exception:** Where natural light for rooms or spaces without exterior glazing areas is provided through

an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The exterior glazing area shall be based on the total floor area being served.



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**11-184.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m<sup>2</sup>) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 foot candle (11 lux) at floors, landings and treads.

**11-184.3 Other spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

## **SECTION 185 VENTILATION**

**11-185.1 Habitable spaces.** Every *habitable space* shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required, Section 184.1 in Section 184.1.

**Exception:** Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m<sup>2</sup>). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

**11-185.2 Bathrooms and toilet rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 185.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

**11-185.1.3 Cooking facilities.** Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

### **Exceptions:**

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.



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**11-185.4 Process ventilation.** Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

**11-185.5 Clothes dryer exhaust.** Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

**Exception:** Listed and *labeled* condensing (ductless) clothes dryers.

## **SECTION 186 OCCUPANCY LIMITATIONS**

**11-186.1 Privacy.** *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

**11-186.2 Minimum room widths.** A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

**11-186.3 Minimum ceiling heights.** *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

### **Exceptions:**

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

**11-186.4 Bedroom and living room requirements.** Every *bedroom* and living room shall comply with the requirements of Sections 186.4.1 through 186.4.5.



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**11-186.4.1 Room area.** Every living room shall contain at least 120 square feet (11.2 m<sup>2</sup>) and every *bedroom* shall contain at least 70 square feet (6.5 m<sup>2</sup>).

**11-186.4.2 Access from bedrooms.** *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

**Exception:** Units that contain fewer than two *bedrooms*.

**11-186.4.3 Water closet accessibility.** Every *bedroom* shall have access to at least one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to at least one water closet and lavatory located in the same story as the *bedroom* or an adjacent story. This section shall not apply to shotgun houses.

**11-186.4.4 Prohibited occupancy.** Kitchens and uninhabitable spaces shall not be used for sleeping purposes.

**11-186.4.5 Other requirements.** *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

**11-186.5 Overcrowding.** The number of persons occupying a *dwelling unit* shall not create conditions that, in the opinion of the *code official*, endanger the life, health, safety or welfare of the *occupants*.

**11-186.6 Efficiency unit.** Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two *occupants* shall have a clear floor area of not less than 220 square feet (20.4 m<sup>2</sup>). A unit occupied by three *occupants* shall have a clear floor area of not less than 320 square feet (29.7 m<sup>2</sup>). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

**11-186.7 Food preparation.** All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve



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foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

## **PLUMBING FACILITIES AND FIXTURE REQUIREMENTS**

### **SECTION 187 GENERAL**

**11-187.1 Scope.** The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

**11-187.2 Responsibility.** The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* which does not comply with the requirements of this chapter.

### **[P] SECTION 188 REQUIRED FACILITIES**

**11-188.1 Dwelling units.** Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

**11-188.2 Rooming houses.** At least one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

**11-188.3 Hotels.** Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten *occupants*.

**11-188.4 Employees' facilities.** A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

**11-188.4.1 Drinking facilities.** Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

**11-188.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe sanitary and working condition in accordance with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.



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## **[P] SECTION 189 TOILET ROOMS**

**11-189.1 Privacy.** *Toilet rooms and bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

**11-189.2 Location.** *Toilet rooms and bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

**11-189.3 Location of employee toilet facilities.** Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

**Exception:** Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

**11-189.4 Floor surface.** In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

## **[P] SECTION 190 PLUMBING SYSTEMS AND FIXTURES**

**11-190.1 General.** All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

**11-190.2 Fixture clearances.** Plumbing fixtures shall have adequate clearances for usage and cleaning.

**11-190.3 Plumbing system hazards.** Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.





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**George Cavignac**  
*Councilman  
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## **SECTION 191 WATER SYSTEM**

**Ray Lauga, Jr.**  
*Councilman  
District A*

**11-191.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.

**Nathan Gorbaty**  
*Councilman  
District B*

**[P] 11-191.2 Contamination.** The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

**Richard "Richie" Lewis**  
*Councilman  
District C*

**11-191.3 Supply.** The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**11-191.4 Water heating facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## **[P] SECTION 192 SANITARY DRAINAGE SYSTEM**

**11-192.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

**11-192.2 Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

**11-192.3 Grease interceptors.** Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer's instructions, an *approved* interceptor monitoring system shall be provided or a maintenance program shall be established with documentation submitted to the *code official*.



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## **[P] SECTION 193 STORM DRAINAGE**

**11-193.1 General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

## **MECHANICAL AND ELECTRICAL REQUIRMENTS**

### **SECTION 194 GENERAL**

**11-194.1 Scope.** The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

**11-194.2 Responsibility.** The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* which does not comply with the requirements of this chapter.

### **SECTION 195 HEATING FACILITES**

**11-195.1 Facilities required.** Heating facilities shall be provided in structures as required by this section.

**11-195.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**Exception:** In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

**11-195.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from September 1<sup>st</sup> to April 30<sup>th</sup> to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.



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**Nathan Gorbaty**  
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## **Exceptions:**

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.
2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

**11-195.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from September 1<sup>st</sup> to April 30<sup>th</sup> to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

## **Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**11-195.5 Room temperature measurement.** The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

## **SECTION 196 MECHANICAL EQUIPMENT**

**11-196.1 Mechanical appliances.** All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

**11-196.2 Removal of combustion products.** All fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

**Exception:** Fuel-burning equipment and appliances which are *labeled* for unvented operation.

**11-196.3 Clearances.** All required clearances to combustible materials shall be maintained.

**11-196.4 Safety controls.** All safety controls for fuel-burning equipment shall be maintained in effective operation.

**11-196.5 Combustion air.** A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.



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**11-196.6 Energy conservation devices.** Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

## **SECTION 197 ELECTRICAL FACILITIES**

**11-197.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 198.

**11-197.2 Service.** The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

**11-197.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

**11-197.3.1 Abatement of electrical hazards associated with water exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

**11-197.3.1.1 Electrical equipment.** Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;



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6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors;
18. Electronic control, signaling and communication equipment.

**11-197.3.2 Abatement of electrical hazards associated with fire exposure.** The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

**11-197.3.2.1 Electrical equipment.** Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

**Exception:** Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

## **SECTION 198 ELECTRICAL EQUIPMENT**

**11-198.1 Installation.** All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

**11-198.2 Receptacles.** Every *habitable space* in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain at least one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection.



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**11-198.3 Luminaires.** Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain at least one electric luminaire.

## **SECTION 199 ELEVATORS, ESCALATORS AND DUMBWAITERS**

**11-199.1 General.** Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

**11-199.2 Elevators.** In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

**Exception:** Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

## **SECTION 200 DUCT SYSTEMS**

**11-200.1 General.** Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

## **FIRE SAFETY REQUIREMENTS**

### **SECTION 201**

#### **GENERAL**

**11-201.1 Scope.** The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior *premises*, including fire safety facilities and equipment to be provided

**11-201.2 Responsibility.** The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.



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## **[F] SECTION 202 MEANS OF EGRESS**

**11-202.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *International Fire Code*.

**11-202.2 Aisles.** The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

**11-202.3 Locked doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

**11-202.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

## **[F] SECTION 203 FIRE-RESISTANCE RATINGS**

**11-203.1 Fire-resistance-rated assemblies.** The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

**11-203.2 Opening protectives.** Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

## **[F] SECTION 204 FIRE PROTECTION SYSTEMS**

**11-204.1 General.** All systems, devices and equipment to detect a fire, actuate an



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alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

**11-204.1.1 Automatic sprinkler systems.** Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

**11-204.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of *occupant* load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

**11-204.3 Power source.** In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

**Exception:** Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for building wiring without the removal of interior finishes.

**11-204.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual *dwelling unit* in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in





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such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all *bedrooms* over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available which could provide access for interconnection without the removal of interior finishes.

## REFERENCED STANDARDS

This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 161.7.

American Society of Mechanical Engineers Three Park Avenue New York, NY 10016-5990		
<b>ASME</b>		
Standard reference number	Title	Referenced in code section number
A17.1/CSA B44-2007	Safety Code for Elevators and Escalators	199.1
ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2959		
<b>ASTM</b>		
F1346-91 (2003)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	176.2



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International Code Council  
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 6th Floor  
 Washington, DC 20001

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## ICC

**Nathan Gorbaty**  
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Standard reference number	Title	Referenced in code section number
IBC-09	International Building Code®	161.3, 172.3, 183.3, 202.3
IFC-09	International Fire Code®	172.3, 197.3.1.1, 197.3.2.1, 202.1, 202.2, 204.1, 204.2
IEBC-09	International Existing Building Code®	178.1.1, 179.1.1
IFGC-09	International Fuel Gas Code®	172.3
IMC-09	International Mechanical Code®	172.3, 183.3
IPC-09	International Plumbing Code®	172.3, 191.1, 195.2, 195.3
IZC-09	International Zoning Code®	172.3, 183.3
IPMC-09	International Property Maintenance Code®	

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National Fire Protection Association  
 1 Batterymarch Park  
 Quincy, MA 02269

## NFPA

Standard reference number	Title	Referenced in code section number
25-08	Inspection, Testing and Maintenance of Water based Fire Protection Systems	204.1.1
70-08	National Electrical Code	172.4, 183.3, 197.2



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## **Appendix A Boarding Standard**

### **A101 GENERAL**

**A101.1 General.** All windows and doors shall be boarded in an *approved* manner to prevent entry by unauthorized persons and shall be painted to correspond to the color of the existing structure.

### **A102 MATERIALS**

**A102.1 Boarding sheet material.** Boarding sheet material shall be minimum 1/2-inch (12.7 mm) thick wood structural panels complying with the *International Building Code*.

**A102.2 Boarding framing material.** Boarding framing material shall be minimum nominal 2-inch by 4-inch (51 mm by 102 mm) solid sawn lumber complying with the *International Building Code*.

**A102.3 Boarding fasteners.** Boarding fasteners shall be minimum 3/8-inch (9.5 mm) diameter carriage bolts of such a length as required to penetrate the assembly and as required to adequately attach the washers and nuts. Washers and nuts shall comply with the *International Building Code*.

### **A103 INSTALLATION**

**A103.1 Boarding installation.** The boarding installation shall be in accordance with Figures A103.1(1) and A103.1(2) and Sections A103.2 through A103.5.

**A103.2 Boarding sheet material.** The boarding sheet material shall be cut to fit the door or window opening neatly or shall be cut to provide an equal overlap at the perimeter of the door or window.

**A103.3 Windows.** The window shall be opened to allow the carriage bolt to pass through or the window sash shall be removed and stored. The 2-inch by 4-inch (51 mm by 102 mm) strong back framing material shall be cut minimum 2 inches (51 mm) wider than the window opening and shall be placed on the inside of the window opening 6 inches minimum above the bottom and below the top of the window opening. The framing and boarding shall be predrilled. The assembly shall be aligned and the bolts, washers and nuts shall be installed and secured.



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**A103.4 Door walls.** The door opening shall be framed with minimum 2-inch by 4-inch (51 mm by 102 mm) framing material secured at the entire perimeter and vertical members at not more than 24 inches (610 mm) on center. Blocking shall also be secured at not more than 48 inches (1219 mm) on center vertically. Boarding sheet material shall be secured with screws and nails alternating every 6 inches (152 mm) on center.

**A103.5 Doors.** Doors shall be secured by the same method as for windows or door openings. One door to the structure shall be available for authorized entry and shall be secured and locked in an approved manner.

SECTION 2. If this ordinance conflicts with other Parish ordinances the stricter of the two (2) shall govern.

SECTION 3. 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 4. 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 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:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty



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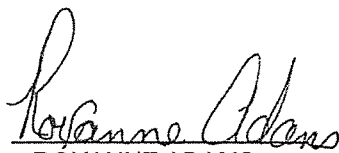
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The Council Chair, Mr. Cavnac, cast his vote as YEA.

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 4/18/2013 1:00 PM  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_


Parish President

  
David E. Peralta

Returned to Clerk of the Council

4/18/13 3:59pm  
Date and Time

Received by





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Clerk of Council

**#17**

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, APRIL 16, 2013 AT THREE O'CLOCK P.M.

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

## ORDINANCE SBPC#1385-04-13

### Summary No. 2931

Introduced by: Administration  
Public hearing held on 4/16/13

AN ORDINANCE TO AUTHORIZE THE LOUISIANA LAND TRUST PROPERTIES TO SELL OR AUCTION THE FOLLOWING LIST OF PROPOERTIES TO PRIVATE PARTIES AS PART OF THE HOUSING OPPORTUNITY PROGRAM III (HOP III).

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorizes the Louisiana Land Trust to sell or auction the following Louisiana Land Trust properties to private parties as part of the Housing Opportunity Program III:

6409	1st St	Violet
4512	Anais St	Meraux
2324	Aycock St	Arabi
3009	Bradbury Dr	Meraux
2913	Bradbury Dr	Meraux
12	Carolyn Ct	Arabi
10	Carolyn Ct	Arabi
23	Carolyn Ct	Arabi
2821	Charles Dr	Chalmette
2909	Charles Dr	Chalmette
405	Chinchilla Dr	Arabi
2100	Colonial Blvd	Violet
109	Cougar Dr	Arabi
1000	Cougar Dr	Arabi
3312	Dauterive Dr	Chalmette
1625	Delacroix	St. Bernard
3518	Delambert St	Chalmette
3516	Despauz Dr	Chalmette

95	E. Claiborne Sq	Chalmette
66	E. Claiborne Sq	Chalmette
91	E. Claiborne Sq	Chalmette
300	E St Jean Baptist St	Chalmette
4509	Ehrhard Dr	Meraux
2113	Esteban St	Arabi
2325	Esteban St	Arabi
3912	Evangeline Dr	Chalmette
2316	Fenelon St	Chalmette
818	Florissant Hwy	St. Bernard
2213	Gallant Dr	Chalmette
406	Genet Dr	Arabi
313	Genet Dr	Arabi
204	Genet Dr	Arabi
2201	Highland Dr	Violet
3816	Imperial Dr	Chalmette
2508	Jackson Blvd	Chalmette



# St. Bernard Parish Council

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Extract #17 continued  
April 16, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

2212	Jean Lafitte Pkwy	Chalmette
2313	Jean Lafitte Pkwy	Chalmette
3600	Jean Lafitte Pkwy	Chalmette
1926	Karl Dr	Arabi
1922	Karl St	Arabi
1813	Kingfisher Dr	Poydras
65	Lacoste Dr	Chalmette
4524	Lamarque Dr	Meraux
4508	Lamarque Dr	Meraux
1913	Licciardi Ln	Violet
1924	Linda Lou Dr	St. Bernard
2208	Livaccari Dr	Violet
2024	Livaccari Dr	Violet
424	Llama Dr	Arabi
2709	Lloyds Ave	Chalmette
6501	Louis Elam St	Violet
3400	Lyndel Dr	Chalmette
3900	Lyndell Dr	Chalmette
3920	Lyndell Dr	Chalmette
3600	Lyndell Dr	Chalmette
3604	Lyndell Dr	Chalmette
3812	Lyndell Dr	Chalmette
3820	Lyndell Dr	Chalmette
2400	Maple St	St. Bernard
3220	Marietta St	Chalmette
2800	Marietta St	Chalmette
3312	Marietta St	Chalmette
2412	Maureen Ln	Meraux
445	Mehle St	Arabi
3605	Mumphrey Rd	Chalmette
3808	Mumphrey Rd	Chalmette
3108	Mumphrey Rd	Chalmette
3632	Mumphrey Rd	Chalmette
2409	Munster Blvd	Meraux
2704	Munster Blvd	Meraux
2712	Munster Blvd	Meraux

2014	N River Park Dr	Violet
4001	Najolia Dr	Meraux
3708	Norwood Dr	Chalmette
3313	Oak	Violet
3317	Oak Dr	Violet
23	Packenham Ave	Chalmette
3017	Palmetto St	Chalmette
3109	Palmetto St	Chalmette
2301	Paul Dr	Meraux
3700	Pecan Dr	Chalmette
3405	Pecan Dr	Chalmette
3701	Pecan Dr	Chalmette
908	Perrin Dr	Arabi
1000	Perrin Dr	Arabi
1008	Perrin Dr	Arabi
2013	Plaza Dr	Chalmette
3625	Plaza Dr	Chalmette
2112	Redbird	St. Bernard
2108	Redbird Dr	Poydras
2313	Riverbend Dr	Violet
3216	Riverland Dr	Chalmette
1529	Schnell Dr	Arabi
1820	Suzi Dr	St. Bernard
1808	Suzi Dr	Poydras
1940	Tino Ln	Violet
3624	Ventura Dr	Chalmette
3724	Ventura Dr	Chalmette
3809	Ventura Dr	Chalmette
3805	Ventura Dr	Chalmette
3804	Ventura Dr	Chalmette
3808	Ventura Dr	Chalmette
3009	Veronica Dr	Chalmette
302	W. Celestine St	Chalmette
430	W. Josephine St	Chalmette
2304	Walker Ln	Meraux
70	W. Chalmette Cir	Chalmette



# *St. Bernard Parish Council*

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Extract #17 continued  
April 16, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

8512	W. Livingston	Chalmette
212	W. St Jean Baptist	Chalmette
2033	Yscloskey Hwy	St. Bernard
3832	Norwood	Arabi

3828	Norwood	Arabi
3820	Norwood	Arabi
1905	Yscloskey Hwy	St. Bernard

SECTION 2. That the Parish Council finds that certain Louisiana Land Trust properties transferred to the parish under the authority of Ordinance No. 1362-12-12 adopted on December 28, 2012 were mistakenly included on the transfer list. Subsequent to the adoption of Ordinance 1362-12-12, LLT and the parish learned that six properties on the transfer list had interested buyers through the Lot Next Door Program or the Housing Opportunity Program. Had this information been known at the time the ordinance was adopted, those properties would not have been transferred to the parish. Accordingly, such transfers should be rescinded and the properties restored to LLT's inventory for subsequent conveyance to interested buyers. The Parish President is hereby authorized to execute all necessary documents to rescind the transfers to the parish of the following properties, and the Louisiana Land Trust is authorized to sell or auction the following properties as part of the Lot Next Door Program or the Housing Opportunity Program, as applicable:

401	Center St.	Arabi	BER-400100
1721	Center St.	Arabi	BER-070036
813	Cougar Dr.	Arabi	BER-018475
2829	Creely Dr.	Chalmette	BER-007255
3121	Delambert St.	Chalmette	BER-062764
2904	Gallo Dr.	Chalmette	BER-010295

SECTION 3. 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 4. 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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

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Page -4-  
Extract #17 continued  
April 16, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

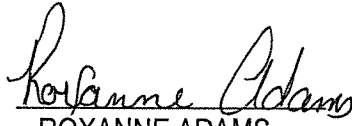
**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis


**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 16<sup>th</sup> day of April, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 4/18/2013 1:00PM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

4/18/13 3:59pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

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 7, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1386-05-13**

### **Summary No. 2935**

Introduced by: Administration  
Public hearing held on 5/7/13

AN ORDINANCE TO AMEND CHAPTER 20; SECTION 20-146 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby create and insert the attached (Exhibit A) to Chapter 20, Section 20-146 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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Extract #21 continued  
May 7, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

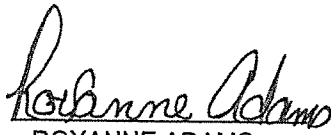
**Roxanne Adams**  
Clerk of Council

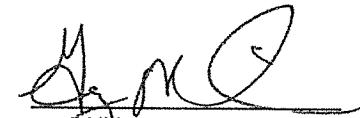
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS:	Lauga, Gorbaty, Lewis, Montelongo
NAYS:	None
ABSENT:	Cavnac
DID NOT VOTE:	Hunnicutt

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared adopted on the 7<sup>th</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President 05/09/13 2:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

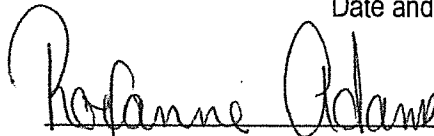
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5-10-13 9:33am  
Date and Time

Received by



**Exhibit A**  
**Summary No. 2935 – Ordinance SBPC #1386-05-13**  
**Chapter 20, Section 20-146**

**Section 20-146. - Mobility impaired parking zones.**

(a)

The parish council as to public property and owners or their agents as to private property must designate, by proper signs, ramps and/or markings (markings are defined as lines painted on ground designating mobility impaired parking space with the mobility impaired symbol) in accordance with the Americans with Disabilities Act (ADA) regulations; van accessible parking spaces with the necessary loading/unloading stripes; and certain areas to be reserved for the exclusive use of vehicles bearing special state-approved mobility impaired license plates or state-approved parking cards properly displayed.

(b)

No vehicle shall be parked in a mobility impaired parking space, either public or private, unless the vehicle bears a special state-approved mobility impaired parking license plate or a state approved mobility impaired parking card. If a mobility impaired parking card is used, the card shall be visibly displayed on the rearview mirror or on the dashboard of the driver's side of the vehicle with the expiration date and permit number visible. The individual to whom the mobility impaired license plate or parking card was issued must be present at the time the vehicle is parked.

(c)

No vehicle shall be used to block access to a mobility impaired parking space or mobility impaired accessibility area unless the vehicle bears a state-approved mobility impaired parking card appropriately displayed.

(d)

The sheriff of the parish shall enforce the provisions of this section whether the violation occurs on public or private property.

(e)

Any vehicle parked in violation of the provisions of this section shall be towed to a storage area designated by the sheriff's office and the owner of the vehicle shall be required to pay the cost of towing and storage to the sheriff's office.

(f)

The registered owner and/or operator of a vehicle parked in violation of this section shall, upon conviction, be guilty of a misdemeanor or shall be ordered to pay a fine of not less than one hundred dollars (\$100.00) and up to five hundred dollars (\$500.00) or to serve a jail sentence of up to thirty (30) days in the parish jail, or both, at the discretion of the court. For each conviction, \$25.00 shall be remitted to St. Bernard Parish Government and dedicated to a fund that is to be used exclusively for ADA activities as specified by the ADA Advisory Committee.



# *St. Bernard Parish Council*

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**#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 7, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1387-05-13**

### **Summary No. 2937**

Introduced by: Councilman Lewis  
Public Hearing held on 5/7/13

AN ORDINANCE TO AMEND CHAPTER 5; SECTION 5-1; SUBSECTION 103.1 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend the attached (Exhibit A) to Chapter 5; Section 5-1; Subsection 103.1 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# St. Bernard Parish Council

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Page -2-  
Extract #22 continued  
May 7, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

**YEAS:** Lauga, Gorbaty, Lewis, Montelongo

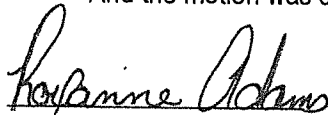
**NAYS:** None

**ABSENT:** Cavignac

**DID NOT VOTE:** Hunnicutt

The Council Vice-Chair, Mr. McInnis, cast his vote as YEA.

And the motion was declared **adopted** on the 7<sup>th</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President 05/09/13 2:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

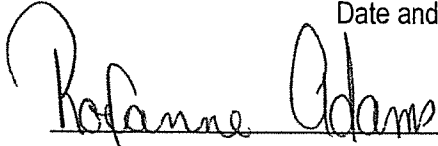
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5-10-13 9:33am  
Date and Time

Received by



**Exhibit A**  
**Summary No. 2937 – Ordinance SBPC #1387-05-13**

Sec. 5-1. - Building code adopted and amended.

103.1 Permit Application.

103.1.1 When Required. Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the Department of Community Development and obtain the required permit for the work.

A. EXCEPTION: Permits shall not be required for the following:

1. any portable heating appliance;
2. portable ventilation equipment;
3. any portable cooling unit;
4. any steam, hot or chilled water piping within any heating or cooling equipment regulated by this Code;
5. replacement of any part which does not alter its approval or make it unsafe;
6. any portable evaporative cooler;
7. any self-contained refrigeration system containing 10 lb (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. removal and replacement of deteriorated weatherboards;
9. removal and replacement of deteriorated floor boards;
10. removal and replacement of deteriorated porch floor boards;
11. removal and replacement of deteriorated steps-front and rear-and sides when not in conflict with Zoning Law;
12. interior decorating;
13. interior painting;
14. wall papering;
15. outside painting when not hazardous or when not requiring protective scaffolding;
16. repair and installation of window screens, sash, cords and other window repairs;
17. repairs to existing doors;
18. sanding floors;
19. paving of yard;
20. repairs to interior plastering;
21. any other similar ordinary repairs as listed above except:
  - (a) the cutting away of any wall, partition or portion thereof;
  - (b) the removal or cutting of any structural beam of bearing support;
  - (c) the removal or change of any required means of ingress or egress;
  - (d) the rearrangement of parts of a structure affecting the exit or entrance

**Exhibit A**  
**Summary No. 2937 – Ordinance SBPC #1387-05-13**

requirements;

- (e) the addition to, alterations of, replacement or relocation of any standing pipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

**103.1.2 Fences—Permit required.**

(a) Any person, authorized agent, or contractor who desires to construct, alter, repair, move or remove any fence shall make application to the Department of Community Development and shall obtain the required permit for the work. Fence permit applications shall be accompanied by a current property boundary survey showing all existing improvements. Applications for fences over seven (7) feet in height shall provide two (2) complete sets of plans bearing the "live" stamp or seal of the design professional.

Exception: Stamped or sealed plans for fences of an open design may be waived by the Code Official.

(b) The charge for a fence permit shall be twenty dollars (\$20.00).

**103.1.3 Fence required for certain construction.**

(a) All persons obtaining building permits for construction on commercial or industrial zoned property which abuts residential-zoned property are required to erect a solid, wood or masonry fence, not less than seven (7) feet in height, along the common lot line or lines separating the commercial or industrial-zoned property from the residential-zoned property, in a manner that adequately screens the area from public view.

(b) All persons obtaining building permits for construction on residential-zoned property other than single-family residential-zoned property, which property abuts single-family residential-developed property, are required to erect a solid, wood or masonry fence, but less than seven (7) feet in height, along the common lot line separating the non-single-family residential-zoned property from the single-family residential-zoned property, in a manner that adequately screens the area from public view.





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**#22**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1388-05-13**

### **Summary No. 2939**

Introduced by: Administration  
Public hearing held on 5/21/13

AN ORDINANCE TO PROVIDE FOR RE-ESTABLISHMENT OF A REGIONAL PLANNING COMMISSION TO INCLUDE THE PARISH OF TANGIPAHOA JOINTLY WITH THE PARISHES OF JEFFERSON, ORLEANS, PLAQUEMINES, ST. BERNARD AND ST. TAMMANY.

WHEREAS, this governing authority desires that the Parish of Tangipahoa be included in the joint efforts of the Regional Planning Commission.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. Regional Planning Area. The regional planning area hereby established shall be comprised of the total area of Jefferson Parish, Orleans Parish, Plaquemines Parish, St. Bernard Parish, St. Tammany Parish and Tangipahoa Parish.

There is hereby established a Regional Planning Commission in accordance with the provisions of Act 239 of the Louisiana Legislature of 1956, as now amended by Acts No. 114 of the Louisiana Legislature of 1966, Nos. 267 §1 and 288 §2 of the Louisiana Legislature of 1968, No. 329 §1 of the Louisiana Legislature of 1970, No. 607 §1 of the Louisiana Legislature of 1972, No. 112 §1 of the Louisiana Legislature of 1973, No. 249 §1 of the Louisiana Legislature of 1974, No. 132 §1 of the Louisiana Legislature of 1978, No. 569 §1 of the Louisiana Legislature of 1979, No. 377 §2 of the Louisiana Legislature of 1984 and No. 553 §1 of the Louisiana Legislature of 1985, for the purposes set out in LRS 33 § 130, et seq.:



# *St. Bernard Parish Council*

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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## SECTION 2.

A. In order to carry out the purposes contained in Section 1 of this Ordinance, there is hereby established a Regional Planning Commission which shall consist of thirty-one (31) members, five each being legal residents of Jefferson Parish, Orleans Parish, Plaquemines Parish, St Bernard Parish, St Tammany Parish and Tangipahoa Parish and the director of the Louisiana Department of Transportation and Development.

B. The members of such Commission shall serve without compensation.

C. The membership of such Commission shall be composed of a simple majority of appointed or elected public officials holding office in the following municipalities and/or parishes, namely Jefferson Parish, Orleans Parish, Plaquemines Parish, St. Bernard Parish, St Tammany Parish, and Tangipahoa Parish.

D. The five members from the Parish of Jefferson shall include the Parish President, the Council Chairman, and a third member selected by the Parish Council and approved by the Parish President from among the mayors of the municipalities located within the Parish of Jefferson, which member shall represent the municipalities therein located, and two (2) members who must not otherwise hold elected or appointed office in Jefferson Parish, to be appointed by the Council and approved by the Parish President.

E. The five members from Orleans Parish shall include the Mayor, the two (2) Councilmen elected from the Parish at large, and the remaining two (2) members must not otherwise hold elected or appointed office, and shall be appointed by the Mayor, with approval by the Council.

F. The five members from the Parish of Plaquemines shall include the following;

- 1) The Parish President of the Parish Government;
- 2) The Chairman of the Plaquemines Parish Council
- 3) One (1) member who otherwise holds elected or appointed office in the Parish of Plaquemines, provided same is not otherwise prohibited by law, to be appointed by the Parish Council.



## *St. Bernard Parish Council*

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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

- 4) Two (2) members who must not otherwise hold elected or appointed office in the Parish of Plaquemines, to be appointed by the Parish Council and approved by the Parish President.

G. The five members from the Parish of St. Bernard shall include the following;

- 1) The Parish President;
- 2) Two (2) Council members in the Parish of St. Bernard, provided same is not otherwise prohibited by law, to be appointed by the Parish Council;
- 3) Two (2) members who must not otherwise hold elected or appointed office in the Parish of St. Bernard to be appointed by the Parish Council.

H. The Five Members from the Parish of St. Tammany shall include the following;

- 1) The Parish President;
- 2) Two (2) members who must otherwise hold elected or appointive office in the Parish of St. Tammany, provided same is not otherwise prohibited by law, to be appointed by the Parish Council;
- 3) Two (2) members who must not otherwise hold elected or appointed office in the Parish of St. Tammany, provided same is not otherwise prohibited by law, to be appointed by the Parish Council and approved by the Parish President.

I. The five members from the Parish of Tangipahoa shall include the following:

- 1) The Parish President;
- 2) The Chairman of the Tangipahoa Parish Council;



# *St. Bernard Parish Council*

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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

3) The Mayors of the Cities of Hammond and Ponchatoula shall serve on an annual rotating basis;

4) Two (2) members who must not otherwise hold elected or appointed office in the Parish of Tangipahoa, provided same is not otherwise prohibited by law, to be appointed annually by the Parish President.

J. The governing bodies of Jefferson Parish, Plaquemines Parish, St. Bernard Parish, St. Tammany Parish or Tangipahoa Parish may remove their respectively appointed members of the Commission, after public hearing, for inefficiency, neglect of duty or malfeasance in office. The chief executive of Orleans Parish may remove any of the members of the Commission appointed by him, after public hearing, for inefficiency, neglect of duty or malfeasants in office.

K. The Secretary of Louisiana Department of Transportation and development shall serve as a member of the Regional Planning Commission.

L. Of the members hereof first appointed, those not holding any other elected or appointed public offices shall hold office as follows: one shall hold office for one year, one for a term of two years, one for a term of three years, one for a term of four years, one for a term of five years and the sixth member shall hold office for a term of six years.

M. Members of the Regional Planning Commission who may hold other public offices, appointed or elected, including the Secretary of the Louisiana Department of Transportation and Development shall serve terms co-existent with their terms of their other public office.

N. The successors of the Regional Planning Commission members first appointed who do not hold any other appointed or elected public office shall be appointed for a term of five years from and after the expiration of the terms of their predecessors in office.

O. If a vacancy occurs other than for expiration of term, the same shall be filled by appointment for the unexpired term. Such appointment shall be made by the original appointing authority.



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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 3. The Regional Planning Commission so established shall elect a chairman from its membership and create and fill such other of its offices as it may determine, the term of chairman shall be one year, with eligibility for re-election. The Commission shall hold at least one regular meeting in each month. It shall adopt rules for transaction of business and shall keep records of its resolutions, transactions, findings, and determinations, which records shall be public.

SECTION 4. In order to carry out its functions and responsibilities, the Regional Planning Commission may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion and removal shall be subject to the same general provisions as govern other corresponding civil employees of the parishes and municipality cooperating to engage in regional planning. The Commission may also contract with planning experts, engineers, architects and other consultants for such services as it may require. The expenditures of a Commission, exclusive of those made from funds received by gift, grants of federal, state and other such agencies, shall be within the amounts appropriated for the purpose by the cooperating local legislative bodies, which shall provide the funds, equipment, and accommodations necessary for the Commission's work.

SECTION 5. Upon the preparation of the regional development plan, or of any phase or functional part thereof, or upon the preparation of an amendment or revision of the plan or any part thereof, or upon the preparation of any extension of or addition to the plan, the Regional Planning Commission shall file such a plan, part of a plan, amendment, revision, extension or addition in the office of the state director of Public Works, and shall transmit copies of the same to the chief administrative officers, the legislative bodies and to the planning agencies of the parishes, municipalities or other local governments within its area, as well as to regional planning commissions established for adjoining areas. The Regional Planning Commission shall make copies of the regional development plan or part of a plan available for general distribution or sale.

### SECTION 6.

A. The Regional Planning Commission shall not be authorized to exercise the functions of any municipal planning commission or parish planning commission, where such are established within a regional planning area, except as hereinafter provided.



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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

B. In any municipality or parish located in the regional planning area as hereinabove defined, the legislative body of the municipality or parish may designate the Regional Planning Commission as the municipal planning commission, or the parish planning commission, provided all requirements, if any, of the local home rule charters are met. Upon such designation the Regional Planning Commission shall have all the powers and functions relating to making, adopting, amending, and adding to the master plan of the municipality or parish or part thereof, or relating to the planning of the municipality or parish as provided or granted by Louisiana Revised Statutes 33§101 through §119 inclusive or by other laws to the planning commission of the municipality or parish; and the master plan, its parts, amendments, and additions made and adopted by the designated commission for the municipality or parish shall have the same force and effect in the municipality or parish as though made and adopted by a municipal planning commission appointed by the municipality or a parish planning commission appointed by the parish. In acting as the planning commission of the municipality or the parish, the designated Regional Planning Commission shall follow the procedure specified by the provisions of Louisiana Revised Statutes 33§101 through §119 inclusive, and other laws relating to municipal or parish planning commissions. Any municipality or parish so designating a regional planning commission as its planning commission shall pay to the designated commission that portion of the expenses of the designated commission which is properly chargeable to the planning service rendered to the municipality or parish plan.

C. In cases where a municipality or a parish has a municipal or a parish planning commission functioning within a regional planning area, then the Regional Planning Commission shall recommend measures for the coordination of all plans, and if appropriate, recommend plans for adoption by the said municipal or parish planning commission.

SECTION 7. To facilitate effective and harmonious planning of the region or metropolitan area, all parish and municipal legislative bodies, and all parish, municipal or other local planning agencies shall file with the Regional Planning Commission, for its information, all parish or municipal plans, zoning ordinances, official maps, building codes, subdivision regulations, or amendments or revisions or any of them, as well as copies of their regular and special reports dealing in whole or in part with planning matters.



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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Parish or municipal legislative bodies, or parish, municipal or other local planning agencies may also submit proposals for such plans, ordinances, maps, codes, regulations, amendments, or revisions, prior to their adoption, in order to afford an opportunity to the Regional Planning Commission or its staff to study such proposals and to render advice thereon.

SECTION 8. The Regional Planning Commission may request and accept grants of funds or services from the federal government or any of its agencies, from the state government or any of its agencies, or from parish, municipal or other local governments within their planning area, or from private sources. The parishes and municipalities are hereby authorized to appropriate funds for the purposes of the Regional Planning Commission established for all or parts of their area. The books and accounts of the Regional Planning Commission shall be public records open for public inspection, and shall show the amounts and sources of all receipts and the amounts of all disbursements.

SECTION 9. Members of the Commission, when duly authorized by the Commission, may attend planning conferences or meetings or planning institutes or hearings upon pending planning legislation, and the Commission may, by resolution, pay the reasonable traveling expenses incident to such attendance. When so directed and authorized by the Regional Planning Commission, members thereof who hold no other elected or appointed office may be paid a per diem of fifty dollars each for attendance at regular or specially called meetings of the full Commission or the executive committee thereof in no event to exceed two such meetings per month, i.e. in no event is payment of a total per diem per such member to exceed one hundred dollars per month, payable out of the funds of the Regional Planning Commission.

All public officials shall, upon request, furnish to the Commission, within a reasonable time, such available information as it may require for its work. The Commission, its members, officers, and employees, in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the Commission shall have such powers as may be necessary to enable it to fulfill its functions, promote planning, and in all respects carry out the purposes of this ordinance.

SECTION 10. The boundaries of the regional planning area hereby established are to be comprised of the total area of Jefferson Parish, Orleans Parish, Plaquemines Parish, St. Bernard Parish, St. Tammany Parish, and Tangipahoa Parish.



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Extract #22 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 11. REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 12. SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 13. DATE OF ENACTMENT: The effect of this Ordinance shall be suspended until such time as the Parishes of Jefferson, Orleans, St. Bernard and Plaquemines, St. Tammany and Tangipahoa adopt identical ordinances.

Otherwise, this Ordinance shall become effective and be deemed enacted upon adoption.

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


**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

5/24/13 11:55AM  
Date and Time





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #22 continued  
May 21, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

Approved ✓

Vetoed \_\_\_\_\_

**Nathan Gorbaty**  
*Councilman  
District B*

Parish President

David E. Peralta

**Richard "Richie" Lewis**  
*Councilman  
District C*

Returned to Clerk of the Council

5/29/13 8:51AM

Date and Time

**Casey W. Hunnicutt**  
*Councilman  
District D*

Received by

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

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**#23**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1389-05-13**

### **Summary No. 2940**

Introduced by: Administration

Planning Commission recommended APPROVAL on 4/23/13

Public hearing held on 5/21/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-004**, PETITION OF RANDALL J. SEIBERT, SR., 2719 HIGHWAY 39, BRAITHWAITE, LA 70040 AND RANDALL J. SEIBERT, JR. 2520 LAWRENCE DRIVE, MERAUX, LA 70075, FOR A REZONING OF THREE PARCELS FROM R-1 AND C-1 (SINGLE-FAMILY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL) TO A-1 (RURAL) PROPERTY IS DESIGNATED AS LOTS D-1, D-2. AND D-3, POYDRAS PLANTATION.

SECTION 1. That **DOCKET Z-2013-004**, petition of Randall J. Seibert and Randall J. Seibert, Jr., for a rezoning of THREE PARCELS FROM R-1 AND C-1 (Single-Family Residential and Neighborhood Commercial) to A-1 (Rural) is hereby granted for the following described property:

Lots D-1, D-2. and D-3, Poydras Plantation.

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.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #23 continued  
May 21, 2013

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 of this Ordinance with the invalid portions omitted.

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

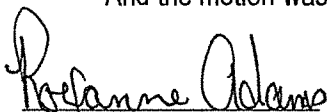
YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

NAYS: None

ABSENT: None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

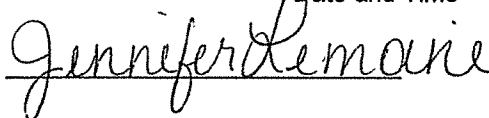
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:50AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#24**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1390-05-13**

### **Summary No. 2941**

Introduced by: Administration

Planning Commission recommended **APPROVAL** on 4/23/13

Public hearing held on 5/21/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-005**, PETITION OF DAWN DEOGRACIAS NUNEZ, 2001 DEOGRACIAS LANE, BRAITHWAITE, LA 70040, FOR A REZONING OF ONE PARCEL FROM A-1 (RURAL) TO C-3 (HIGHWAY COMMERCIAL) TO ACCOMMODATE THE RE-OPENING OF A BAR. PROPERTY IS DESIGNATED AS LOT A-1, SITE ADDRESSES: 2601-2603 HOPEDALE HIGHWAY, ST. BERNARD, LA 70085.

SECTION 1. That **DOCKET Z-2013-005**, Petition of Dawn Deogracias Nunez, for a rezoning of one parcel from A-1 (Rural) To C-3 (Highway Commercial) is hereby granted for the following described property:

2601-2603 Hopedale Highway, St. Bernard, La 70085.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #24 continued  
May 21, 2013

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

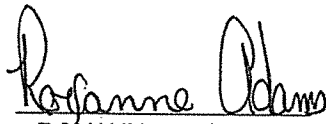
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Cavnac, cast his vote as YEA.

And the motion was declared adopted on the 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:50AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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

**#25**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, MAY 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1391-05-13**

### **Summary No. 2942**

Introduced by: Administration  
Public hearing held on 5/21/13

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE A 1<sup>st</sup> AMENDMENT TO A COOPERATIVE ENDEAVOR AGREEMENT AMONG ST. BERNARD PARISH, LOUISIANA LAND TRUST, AND THE STATE OF LOUISIANA THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT RELATED TO LOUISIANA LAND TRUST PROPERTIES, AND TO CONFIRM THE DELEGATION OF AUTHORITY TO ENFORCE POST CLOSING OBLIGATION WITH RESPECT TO SUCH PROPERTIES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize the Parish President to execute on behalf of St. Bernard Parish an amendment substantially in the form attached hereto as Exhibit A, entitled "1<sup>st</sup> Amendment to: Cooperative Endeavor Agreement Implementing Grant under Community Development Block Grant Disaster Recovery Program by and Between State of Louisiana, Division of Administration Office of Community Development Disaster Recovery Unit and St. Bernard Parish (and Road Home Corporation d/b/a Louisiana Land Trust) Effective July 1, 2012."

SECTION 2. That the Parish Council hereby confirms the approval authority of the Chief Administrative Officer (or his written designee) provided for in Section I(D)(1)(a) of the cooperative endeavor agreement to which the foregoing amendment applies, and the Parish Council hereby further confirms that such approval authority extends to exercising post-closing enforcement in accordance



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Page -2-  
Extract #25 continued  
May 21, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

with conveyance instruments executed in connection with the transfer of Louisiana Land Trust properties, including the enforcement of covenants and the reacquisition or "claw back" of such properties upon a transferee's failure to comply with the terms of any conveyance instrument.

SECTION 3. 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 4. 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 of this Ordinance with the invalid portions omitted

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

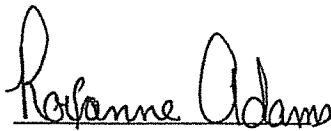
YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

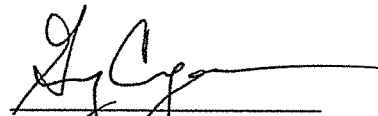
NAYS: None

ABSENT: None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time



# *St. Bernard Parish Council*

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Page -3-  
Extract #25 continued  
May 21, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Approved ✓

Vetoed \_\_\_\_\_

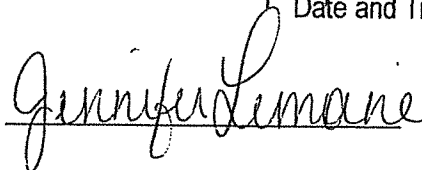
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:50AM  
Date and Time

Received by





**Exhibit A to Ordinance Authorizing 1st Amendment to  
Cooperative Endeavor Agreement regarding  
Louisiana Land Trust Properties**

1st AMENDMENT TO:

OCR # 107-301757  
CFMS # 719071  
AMENDMENT # 1  
CFDA # 14.228  
Grant # B-06-DG-22-0002  
Year 2007

COOPERATIVE ENDEAVOR AGREEMENT  
IMPLEMENTING GRANT UNDER  
COMMUNITY DEVELOPMENT BLOCK GRANT  
DISASTER RECOVERY PROGRAM

BY AND BETWEEN  
STATE OF LOUISIANA, DIVISION OF ADMINISTRATION  
OFFICE OF COMMUNITY DEVELOPMENT  
DISASTER RECOVERY UNIT

AND

ST. BERNARD PARISH (and Road Home Corporation d/b/a Louisiana Land Trust)

EFFECTIVE JULY 1, 2012

AMENDMENT PROVISIONS:

CHANGE AGREEMENT FROM:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**1. The Project**

The Project shall include the transfer of the Property, payment of Direct Management Costs of the Property, disposition of the Property, and use of funds for eligible CDBG activities. The Project shall be conducted in accordance with the regulations and limitations of the Road Home Program, as defined by all current, pending, and future applicable Action Plan Amendments(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>).

#### **a. Transfer of the Property**

##### **Sales Programs**

After consultation with Grantee, the LLT shall develop and implement sales programs in accordance with the Action Plan for the sale of parcels of the Property (the "First and Second Sales Program"). No later than August 1, 2012, Grantee shall provide to the LLT notice of the parcels of the Property to be included in the First Sales Program ("First Sales Program Notice"). No later than December 28, 2012, Grantee shall provide to the LLT notice of the parcels of the Property to be included in the Second Sales Program ("Second Sales Program Notice")

No Later than January 15, 2013, all contracts in the First Sales Program shall be closed. If the transfer agreement for a parcel of the Property in the First Sales Program is not fully executed and closed by January 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("First Sales Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives First Sales Program Closing Failure Notice, Grantee shall accept title to the parcel no later than January 31, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

No later than April 15, 2013 all contracts in the Second Sales Program shall be closed. If the transfer agreement for a parcel of the Property in the Second Sales Program is not fully executed and closed by April 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("Second Sales Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives Second Sales Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 31, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

##### **First Public Use Program**

No later than November 16, 2012, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "First Public Use Program") through a notice to LLT ("First Public Use Program Notice"). The First Public Use Program Notice shall include a closing memorandum identifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than December 31, 2012, all contracts in the Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Public Use Program is not fully executed and closed by December 31, 2012, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("First Public Use Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives a First Public Program Closing Failure Notice, Grantee shall accept title to the parcel no later than January 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

### **Second Public Use Program**

No later than February 15, 2013, Grantee shall designate parcels of the Property for transfer to other public entities for use as green space, drainage, or other public uses in accordance with the Action Plan (the "Second Public Use Program") through a notice to LLT ("Second Public Use Program Notice"). Second Public Use Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than March 28, 2013, all contracts in the Second Public Use Program shall be closed. If the transfer agreement for a parcel of the Property in the Second Public Use Program is not fully executed and closed by March 28, 2013 the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the closing failure ("Second Public Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives Second Public Use Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 10, 2013, pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

### **Lot Next Door**

No later than February 1, 2013, Grantee shall designate parcels of the Property for transfer to Lot Next Door Program in accordance with the Action Plan (the "Lot Next Door Program") through a notice to LLT ("Lot Next Door Notice"). Lot Next Door Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

No Later than April 15, 2013, all contracts in the Lot Next Door Program shall be closed. If the transfer agreement for a parcel of the Property in the Lot Next Door Program is not fully executed and closed by April 15, 2013, the LLT shall provide Grantee with written notice of such closing failure within three (3) days after the

closing failure ("Lot Next Door Program Closing Failure Notice"). For each parcel of the Property for which Grantee receives a Lot Next Door Program Closing Failure Notice, Grantee shall accept title to the parcel no later than May 10, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Transfers to Grantee**

All parcels of the Property not included in the First or Second Public Use Program or the First or Second Sales Program or the Lot Next Door Program as of March 15, 2013, or not otherwise committed for disposition, as determined by the OCD, by March 15, 2013, shall be transferred to Grantee no later than May 10, 2013. Transfers directly to Grantee shall occur pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property.

#### **Remaining Inventory Transfers to Grantee**

Notwithstanding the foregoing, any parcel of the Property remaining in LLT's inventory as of May 13, 2013 shall be transferred to Grantee no later than May 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels.

#### **Other Provisions**

If Grantee fails to provide timely First or Second Sales Program Notice, timely First or Second Public Use Program Notice, Lot Next Door Program Notice, or fails to accept title to any parcel of the Property as provided in this Agreement, the LLT may dispose of all of the remaining parcels of the Property in compliance with the provisions of this Agreement and the Action Plan.

Grantee's obligations under this Section (Section I(D)(1)(a)) shall be deemed complete when each parcel of the Property is transferred from LLT's inventory, whether such transfer is to Grantee directly or to a third party. Nevertheless, Grantee's obligations under this Section (Section I(D)(1)(a)) may be deemed complete, at the sole discretion of the OCD, if Grantee has substantially completed its obligations in this Section but, by no fault of Grantee, parcels of the Property still remain in LLT's inventory.

Property actually transferred to Grantee shall hereinafter be referred to as the "Transferred Property."

Notice to LLT under this section, as well as any other notice, decision or approval required of Grantee under this Agreement or otherwise pertaining to the Property,

shall be through Grantee's Chief Administrative Officer or any other person he designates in writing.

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CHANGE AGREEMENT TO:

Page 4:

**I. SCOPE OF AGREEMENT**

**D. Statement of Work**

**1. The Project**

The Project shall include the transfer of the Property, payment of Direct Management Costs of the Property, disposition of the Property, and use of funds for eligible CDBG activities. The Project shall be conducted in accordance with the regulations and limitations of the Road Home Program, as defined by all current, pending, and future applicable Action Plan Amendments(s) (available at <http://www.doa.louisiana.gov/cdbg/DRactionplans.htm>).

**a. Transfer of the Property**

**Lot Next Door**

No later than February 1, 2013, Grantee shall designate parcels of the Property for transfer to Lot Next Door Program in accordance with the Action Plan (the "Lot Next Door Program") through a notice to LLT ("Lot Next Door Notice"). Lot Next Door Program Notice shall include a closing memorandum indentifying the parcels of the Property to be transferred and information regarding the recipient entities and the terms pertinent to each transfer.

**Transfers to Grantee**

All parcels of the Property shall be transferred to Grantee or disposed of to a third party by LLT at the direction of St. Bernard Parish Government on or before July 31, 2013. Transfers directly to Grantee shall occur pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels of the Property. OCD may provide extensions to this date in writing to Grantee if deemed necessary by OCD. LLT will report monthly to OCD on the status of all parcels of the Property until authorized by OCD to end this reporting.

### **Remaining Inventory Transfers to Grantee**

Notwithstanding the foregoing, any parcel of the Property remaining in LLT's inventory as of July 31, 2013 shall be transferred to Grantee no later than July 31, 2013 pursuant to an instrument substantially similar to the instrument attached as Appendix C, and Grantee hereby agrees to accept title to such parcels. OCD may provide extensions to this date in writing to Grantee if deemed necessary by OCD.

### **Other Provisions**

If Grantee fails to accept title to any parcel of the Property as provided in this Agreement, the LLT may dispose of all of the remaining parcels of the Property in compliance with the provisions of this Agreement and the Action Plan.

Grantee's obligations under this Section (Section I (D)(1)(a)) shall be deemed complete when each parcel of the Property is transferred from LLT's inventory, whether such transfer is to Grantee directly or to a third party. Nevertheless, Grantee's obligations under this Section (Section I(D)(1)(a)) may be deemed complete, at the sole discretion of the OCD, if Grantee has substantially completed its obligations in this Section but, by no fault of Grantee, parcels of the Property still remain in LLT's inventory.

Property actually transferred to Grantee shall hereinafter be referred to as the "Transferred Property."

Notice to LLT under this section, as well as any other notice, decision or approval required of Grantee under this Agreement or otherwise pertaining to the Property, shall be through Grantee's Chief Administrative Officer or any other person he designates in writing.

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(Balance of this page left blank intentionally.)

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

The Parties have caused this Amendment to be executed by their respective duly authorized representatives on the dates below but effective as of the date first set forth above.

_____	_____
Name: _____	Date
Title: _____	
Office of Community Development 150 Third Street, Suite 500 Baton Rouge, Louisiana 70801	

_____	_____
Name: _____	Date
Title: _____	
St. Bernard Parish	

_____	_____
Name: _____	Date
Title: _____	
Road Home Corporation d/b/a Louisiana Land Trust	



# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

1 **#26**

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 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1392-05-13**

### **Summary No. 2943**

Introduced by: Councilman Hunnicutt  
Public hearing held on 5/21/13

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO DIRECT LOUISIANA LAND TRUST TO DONATE THE FOLLOWING LOUISIANA LAND TRUST PROPERTY IN ACCORDANCE WITH THE LOUISIANA LAND TRUST GUIDELINES THAT ARE CURRENTLY IN PLACE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize St. Bernard Parish Government to direct Louisiana Land Trust to donate the following Louisiana Land Trust Properties to the Garden of Prayer Family Worship Center in accordance with the Louisiana Land Trust guidelines that are currently in place.

- 2704 Munster Blvd. Meraux, LA (Ber #610573)
- 2712 Munster Blvd. Meraux, LA (Ber #620573)

SECTION 1.1 and to authorize the Parish President or the Chief Administrative Officer to execute all documents necessary to effectuate the transfers authorized by the ordinance.

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.





# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #26 continued  
May 21, 2013

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 of this Ordinance with the invalid portions omitted.

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

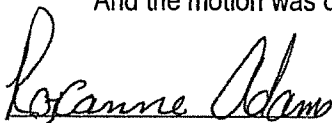
YEAS: Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

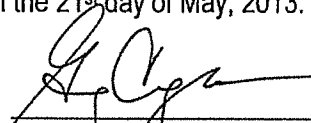
NAYS: None

ABSENT: None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

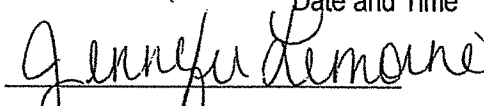
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:51AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1393-05-13**

### **Summary No. 2944**

Introduced by: Administration  
Public hearing held on 5/21/13

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ACCEPT OWNERSHIP OF A DONATION OF THE FOLLOWING PROPERTIES, EXCEPT ANY THAT MAY OTHERWISE BE TRANSFERRED TO A THIRD PARTY PRIOR TO THE ENACTMENT OF THIS ORDINANCE, FROM THE LOUISIANA LAND TRUST.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize the acceptance of ownership by St. Bernard Parish Government of the attached list (Exhibit A) of Louisiana Land Trust properties from the Louisiana Land Trust.

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



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #27 continued  
May 21, 2013

**George Cavnac**  
*Councilman  
at Large*

hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbay**  
*Councilman  
District B*

**YEAS:** Lauga, Gorbay, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Richard "Richie" Lewis**  
*Councilman  
District C*

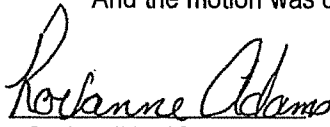
**ABSENT:** None

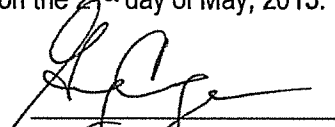
**Casey W. Hunnicutt**  
*Councilman  
District D*

The Council Chair, Mr. Cavnac, cast his vote as YEA.

And the motion was declared adopted on the 21<sup>st</sup> day of May, 2013.

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

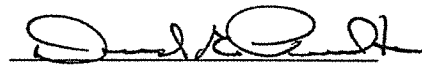
**Roxanne Adams**  
*Clerk of Council*

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

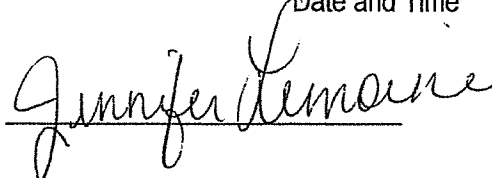
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:51AM  
Date and Time

Received by



# Exhibit A

## Summary No. 2944

134137	2324	Aycock St	Arabi
031754	1336	B Bayou Rd	St. Bernard
610351	917	Badger Dr	Arabi
620351	925	Badger Dr	Arabi
121044	2513	Bartolo Dr	Meraux
400589	3109	Bartolo Dr	Meraux
057515	2107	Bartolo Dr	Meraux
020351	2200	Bartolo Dr	Meraux
126863	2301	Bartolo Dr	Meraux
125488	2308	Bartolo Dr	Meraux
175647	2405	Bartolo Dr	Meraux
400572	2416	Bartolo Dr	Meraux
062082	2516	Bartolo Dr	Meraux
097246	2521	Bartolo Dr	Meraux
610574	2616	Bartolo Dr	Meraux
620574	2704	Bartolo Dr	Meraux
610577	2705	Bartolo Dr	Meraux
620577	2713	Bartolo Dr	Meraux
400575	2800	Bartolo Dr	Meraux
400576	2804	Bartolo Dr	Meraux
009107	2805	Bartolo Dr	Meraux
075215	2905	Bartolo Dr	Meraux
610579	3001	Bartolo Dr	Meraux
620579	3009	Bartolo Dr	Meraux
400587	3013	Bartolo Dr	Meraux
037817	3016	Bartolo Dr	Meraux
400592	3100	Bartolo Dr	Meraux
400588	3105	Bartolo Dr	Meraux
400590	3112	Bartolo Dr	Meraux
011294	3205	Bartolo Dr	Meraux
610593	3212	Bartolo Dr	Meraux
400594	3217	Bartolo Dr	Meraux
620593	3220	Bartolo Dr	Meraux
036517	3300	Bartolo Dr	Meraux
039105	3301	Bartolo Dr	Meraux
174652	3306	Bartolo Dr	Meraux
004749	3307	Bartolo Dr	Meraux
015124	3312	Bartolo Dr	Meraux
008652	3313	Bartolo Dr	Meraux
143220	3318	Bartolo Dr	Meraux

003577	3319	Bartolo Dr	Meraux
137463	3324	Bartolo Dr	Meraux
078467	3325	Bartolo Dr	Meraux
025401	3400	Bartolo Dr	Meraux
089685	3401	Bartolo Dr	Meraux
013756	3406	Bartolo Dr	Meraux
204519	3407	Bartolo Dr	Meraux
052510	3412	Bartolo Dr	Meraux
058996	3413	Bartolo Dr	Meraux
007034	3418	Bartolo Dr	Meraux
095605	3419	Bartolo Dr	Meraux
109817	3500	Bartolo Dr	Meraux
033664	3501	Bartolo Dr	Meraux
011985	3512	Bartolo Dr	Meraux
032094	3525	Bartolo Dr	Meraux
073442	3600	Bartolo Dr	Meraux
015485	3613	Bartolo Dr	Meraux
092141	2908	Bartolo St	Meraux
400591	3204	Bartolo St	Meraux
085132	3518	Bartolo St	Meraux
039761	245	Bayou Rd	St. Bernard
049637	2321	Bayou Rd	St. Bernard
057092	3427	Bayou Rd	St. Bernard
021099	4265	Bayou Rd	St. Bernard
087422	4313	Bayou Rd	St. Bernard
049238	1920	Beachhead Ln	Violet
400314	107	Bear Dr	Arabi
101585	121	Bear Dr	Arabi
106625	200	Bear Dr	Arabi
211266	213	Bear Dr	Arabi
400329	400	Bear Dr	Arabi
051969	412	Bear Dr	Arabi
400327	424	Bear Dr	Arabi
017471	117	Beaver Dr	Arabi
400191	1810	Benjamin St	Arabi
012241	1811	Benjamin St	Arabi
610196	1815	Benjamin St	Arabi
620196	1819	Benjamin St	Arabi
610201	1821	Benjamin St	Arabi
031248	1822	Benjamin St	Arabi

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## Summary No. 2944

094545	2401	Campagna Dr	Chalmette
400519	2504	Campagna Dr	Chalmette
065510	2812	Campagna Dr	Chalmette
052163	2813	Campagna Dr	Chalmette
026111	3004	Campagna Dr	Chalmette
089317	3300	Campagna Dr	Chalmette
028091	3308	Campagna Dr	Chalmette
087071	3309	Campagna Dr	Chalmette
610094	3401	Campagna Dr	Chalmette
620094	3409	Campagna Dr	Chalmette
010385	3513	Campagna Dr	Chalmette
610690	3601	Campagna Dr	Chalmette
620690	3609	Campagna Dr	Chalmette
400551	3613	Campagna Dr	Chalmette
106580	3621	Campagna Dr	Chalmette
015701	3704	Campagna Dr	Chalmette
077653	3708	Campagna Dr	Chalmette
118861	3712	Campagna Dr	Chalmette
400548	3816	Campagna Dr	Chalmette
400533	3916	Campagna Dr	Chalmette
400520	2708	Campagna Dr	Chalmette
080124	2	Caroll Dr	Chalmette
183722	10	Carolyn Ct	Arabi
074574	12	Carolyn Ct	Arabi
400354	23	Carolyn Ct	Arabi
400041	14	Carroll Dr	Chalmette
074608	28	Carroll Dr	Chalmette
010382	351	Bayou Rd	St. Bernard
091822	503	Center St	Arabi
007490	507	Center St	Arabi
113442	519	Center St	Arabi
006598	1021	Center St	Arabi
117444	1405	Center St	Arabi
064593	1517	Center St	Arabi
063346	1600	Center St	Arabi
035477	1706	Center St	Arabi
400217	1832	Center St	Arabi
025604	1910	Center St	Arabi
400259	1920	Center St	Arabi
039360	1924	Center St	Arabi
009558	2001	Center St	Arabi

400236	2010	Center St	Arabi
185257	606	Chalmette Ave	Chalmette
400512	2716	Chalona Dr	Chalmette
400511	2800	Chalona Dr	Chalmette
040025	2904	Chalona Dr	Chalmette
126744	3204	Chalona Dr	Chalmette
400523	3308	Chalona Dr	Chalmette
075246	3320	Chalona Dr	Chalmette
013295	3416	Chalona Dr	Chalmette
400088	3424	Chalona Dr	Chalmette
120492	3504	Chalona Dr	Chalmette
009471	3604	Chalona Dr	Chalmette
023104	3620	Chalona Dr	Chalmette
013459	3628	Chalona Dr	Chalmette
005016	3636	Chalona Dr	Chalmette
610527	3704	Chalona Dr	Chalmette
620527	3712	Chalona Dr	Chalmette
118080	3720	Chalona Dr	Chalmette
128440	3804	Chalona Dr	Chalmette
087732	3824	Chalona Dr	Chalmette
056887	3900	Chalona Dr	Chalmette
014233	3220	Charles Ct	Chalmette
100100	3301	Charles Ct	Chalmette
139186	3312	Charles Ct	Chalmette
088790	3321	Charles Ct	Chalmette
060028	2804	Charles Dr	Chalmette
400521	2821	Charles Dr	Chalmette
400522	2909	Charles Dr	Chalmette
055448	3004	Charles Dr	Chalmette
098096	3016	Charles Dr	Chalmette
610525	3512	Charles Dr	Chalmette
620525	3520	Charles Dr	Chalmette
400526	3524	Charles Dr	Chalmette
057914	3601	Charles Dr	Chalmette
610567	3632	Charles Dr	Chalmette
620567	3640	Charles Dr	Chalmette
028617	3704	Charles Dr	Chalmette
063576	3709	Charles Dr	Chalmette
048432	3713	Charles Dr	Chalmette
149435	3717	Charles Dr	Chalmette
033749	3748	Charles Dr	Chalmette

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## Summary No. 2944

084832	212	D'amour St	Chalmette
082689	600	Daryl Dr	Chalmette
400072	605	Daryl Dr	Chalmette
400071	700	Daryl Dr	Chalmette
400070	712	Daryl Dr	Chalmette
400502	2704	Dauterive Dr	Chalmette
400501	2816	Dauterive Dr	Chalmette
071682	2904	Dauterive Dr	Chalmette
400500	2909	Dauterive Dr	Chalmette
086975	2916	Dauterive Dr	Chalmette
200855	3209	Dauterive Dr	Chalmette
035441	3217	Dauterive Dr	Chalmette
067198	3312	Dauterive Dr	Chalmette
610491	3321	Dauterive Dr	Chalmette
620491	3329	Dauterive Dr	Chalmette
138788	3405	Dauterive Dr	Chalmette
023017	3408	Dauterive Dr	Chalmette
400490	3601	Dauterive Dr	Chalmette
610060	3604	Dauterive Dr	Chalmette
620060	3612	Dauterive Dr	Chalmette
400061	3620	Dauterive Dr	Chalmette
610063	3704	Dauterive Dr	Chalmette
620063	3712	Dauterive Dr	Chalmette
050280	1603	Deborah Dr	St. Bernard
119201	1817	Deborah Dr	St. Bernard
098559	3512	Debouchel Blvd	Meraux
610503	2704	Decomine Dr	Chalmette
620503	2712	Decomine Dr	Chalmette
225062	2713	Decomine Dr	Chalmette
019002	2813	Decomine Dr	Chalmette
165606	3216	Decomine Dr	Chalmette
016149	3308	Decomine Dr	Chalmette
055291	3405	Decomine Dr	Chalmette
400489	3425	Decomine Dr	Chalmette
049584	3700	Decomine Dr	Chalmette
400677	3713	Decomine Dr	Chalmette
620065	3805	Decomine Dr	Chalmette
028717	3809	Decomine Dr	Chalmette
081308	2717	Decomine Dr	Chalmette
142750	3016	Decomine St	Chalmette
042694	2708	Deer Creek Dr	Violet

053996	8538	Deerfield Dr	Chalmette
074907	1625	Delacroix	St. Bernard
197777	1121	Delacroix Hwy	St. Bernard
046712	1421	Delacroix Hwy	St. Bernard
049974	1505	Delacroix Hwy	St. Bernard
011638	3304	Delambert St	Chalmette
400053	3518	Delambert St	Chalmette
012059	3523	Delambert St	Chalmette
191448	3513	Despaux Dr	Chalmette
043247	3516	Despaux Dr	Chalmette
180104	3804	Despaux Dr	Chalmette
217230	3817	Despaux Dr	Chalmette
400105	105	Doerr Dr	Arabi
400106	217	Doerr Dr	Arabi
180774	316	Doerr Dr	Arabi
620109	321	Doerr Dr	Arabi
048430	405	Doerr Dr	Arabi
610109	313	Doerr Rd	Arabi
400390	3800	Dominique Dr	Chalmette
400403	3812	Dominique Dr	Chalmette
610402	3820	Dominique Dr	Chalmette
620402	3828	Dominique Dr	Chalmette
400398	3836	Dominique Dr	Chalmette
610404	3845	Dominique Dr	Chalmette
620404	3905	Dominique Dr	Chalmette
400396	3908	Dominique Dr	Chalmette
400397	3912	Dominique Dr	Chalmette
064904	3913	Dominique Dr	Chalmette
007102	3921	Dominique Dr	Chalmette
116647	3929	Dominique Dr	Chalmette
610412	3937	Dominique Dr	Chalmette
620412	3945	Dominique Dr	Chalmette
015918	515	Dubarry Pl	Chalmette
175908	2204	E Christie Dr	St. Bernard
040029	1005	E Genie St	Chalmette
610065	1001	Eagle Dr	Chalmette
010637	1900	Eagle St	St. Bernard
041700	1908	Eagle St	St. Bernard
003497	9	East Chalmette Cir	Chalmette
083693	25	East Chalmette Cir	Chalmette
125919	53	East Chalmette Cir	Chalmette

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## Summary No. 2944

190612	8324	Fairfax Dr	Chalmette
620383	8329	Fairfax Dr	Chalmette
083406	8340	Fairfax Dr	Chalmette
068337	8413	Fairfax Dr	Chalmette
069899	8421	Fairfax Dr	Chalmette
610479	8428	Fairfax Dr	Chalmette
018504	8433	Fairfax Dr	Chalmette
620479	8436	Fairfax Dr	Chalmette
400475	8517	Fairfax Dr	Chalmette
400474	8533	Fairfax Dr	Chalmette
610481	8536	Fairfax Dr	Chalmette
610473	8537	Fairfax Dr	Chalmette
620481	8544	Fairfax Dr	Chalmette
620473	8545	Fairfax Dr	Chalmette
027975	2713	Farmsite Rd	Violet
197559	2817	Farmsite Rd	Violet
400352	304	Fawn Dr	Arabi
185660	2201	Fazzio Rd	Chalmette
153907	2316	Fenelon St	Chalmette
043150	3501	Fenelon St	Chalmette
036144	3511	Fenelon St	Chalmette
077184	211	First St	Chalmette
620616	6417	First St	Violet
077303	2004	Flamingo Dr	Poydras
103315	2320	Flamingo Dr	St. Bernard
137644	2412	Flamingo Dr	Poydras
018244	2420	Flamingo Dr	St. Bernard
103657	2505	Flamingo Dr	St. Bernard
610073	704	Florida Ave	Chalmette
620073	708	Florida Ave	Chalmette
019069	804	Florida Ave	Chalmette
055940	945 B	Florissant Hwy	St. Bernard
019724	109	Florissant Hwy	St. Bernard
196852	505	Florissant Hwy	St. Bernard
081323	818	Florissant Hwy	St. Bernard
083105	920	Florissant Hwy	St. Bernard
123430	924	Florissant Hwy	St. Bernard
022692	935	Florissant Hwy	St. Bernard
086881	940	Florissant Hwy	St. Bernard
124462	941	Florissant Hwy	St. Bernard
076821	949	Florissant Hwy	St. Bernard

102990	969	Florissant Hwy	St. Bernard
172097	1105	Florissant Hwy	St. Bernard
132940	2220	Florissant Hwy	St. Bernard
022587	204	Florissant Rd	St. Bernard
400622	5704	Fourth St	Violet
092769	5741	Fourth St	Violet
040903	6312	Fourth St	Violet
012466	309	Fox Dr	Arabi
400649	2512	Francis St	Violet
026510	2213	Gallant Dr	Chalmette
066033	2304	Gallant Dr	Chalmette
115566	2505	Gallant Dr	Chalmette
124397	2717	Gallo Dr	Chalmette
091623	3001	Gallo Dr	Chalmette
066764	3017	Gallo Dr	Chalmette
023365	3021	Gallo Dr	Chalmette
017156	3205	Gallo Dr	Chalmette
007547	3309	Gallo Dr	Chalmette
184284	3501	Gallo Dr	Chalmette
020716	3513	Gallo Dr	Chalmette
206065	3729	Gallo Dr	Chalmette
140272	3905	Gallo Dr	Chalmette
057929	3917	Gallo Dr	Chalmette
052388	2413	Garden Dr	Meraux
087755	2204	General Pershing St	Violet
050344	2213	General Pershing St	Violet
129372	2317	General Pershing St	Violet
114499	100	Genet Dr	Arabi
400355	204	Genet Dr	Arabi
078534	213	Genet Dr	Arabi
132977	313	Genet Dr	Arabi
146386	405	Genet Dr	Arabi
055622	406	Genet Dr	Arabi
006201	4316	Genie St	Meraux
074513	4416	Genie St	Meraux
048787	4512	Genie St	Meraux
053190	4517	Genie St	Meraux
013576	4520	Genie St	Meraux
047902	4525	Genie St	Meraux
077541	2612	Gina St	St. Bernard
058408	2100	Guerra Dr	Violet

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## Summary No. 2944

400608	1905	Joseph Dr	St. Bernard
069693	1912	Joseph Dr	St. Bernard
034149	1917	Joseph Dr	St. Bernard
010968	2225	Judy Dr	Meraux
097738	2900	Judy Dr	Meraux
105257	3408	Judy Dr	Meraux
610672	3421	Judy Dr	Meraux
620672	3429	Judy Dr	Meraux
400606	3500	Judy Dr	Meraux
400605	3504	Judy Dr	Meraux
610604	3512	Judy Dr	Meraux
092345	3607	Juno Dr	Chalmette
028152	4002	Juno Dr	Chalmette
069482	53	Jupiter Cir	Violet
016381	1906	Karl Dr	Arabi
610252	1926	Karl Dr	Arabi
620252	1930	Karl Dr	Arabi
065673	1820	Karl St	Arabi
400212	1824	Karl St	Arabi
400213	1832	Karl St	Arabi
400216	1833	Karl St	Arabi
099533	1904	Karl St	Arabi
084606	1909	Karl St	Arabi
091886	1912	Karl St	Arabi
400250	1916	Karl St	Arabi
071837	1917	Karl St	Arabi
400253	1922	Karl St	Arabi
400258	1923	Karl St	Arabi
142768	34	Keane Dr	Chalmette
055539	36	Keane Dr	Chalmette
058694	2212	Kenilworth Dr	St. Bernard
024144	2313	Kenilworth Dr	St. Bernard
013718	2112	Kenneth Dr	Violet
086398	2120	Kenneth Dr	Violet
089380	2200	Kenneth Dr	Violet
069538	2208	Kenneth Dr	Violet
166652	2213	Kenneth Dr	Violet
009560	2216	Kenneth Dr	Violet
110309	2305	Kenneth Dr	Violet
046738	2412	Kenneth Dr	Violet
066899	2413	Kingbird Dr	St. Bernard

022092	1813	Kingfisher Dr	Poydras
017278	3700	Kings Dr	Chalmette
009776	3928	Kings Dr	Chalmette
012474	4000	Kings Dr	Chalmette
610439	4008	Kings Dr	Chalmette
620439	4016	Kings Dr	Chalmette
400035	65	Lacoste Dr	Chalmette
098162	3613	Lafontaine St	Chalmette
107135	2916	Lakewood Dr	Violet
019967	4500	Lamarque Dr	Meraux
400658	4508	Lamarque Dr	Meraux
400657	4524	Lamarque Dr	Meraux
084955	3521	Laplace St	Chalmette
	3237	Laplace St	Chalmette
083927	2505	Lawrence Dr	Meraux
127925	2409	Lawrence Ln	Meraux
190888	2512	Lawrence Ln	Meraux
072423	1207	Lebeau St	Arabi
089557	2401	Legend Dr	Meraux
400640	2808	Legend Dr	Meraux
098452	2913	Legend Dr	Meraux
019305	2205	Lena Dr	Chalmette
620097	3508	Lena Dr	Chalmette
400099	3509	Lena Dr	Chalmette
400560	3525	Lena Dr	Chalmette
400557	3528	Lena Dr	Chalmette
610554	3601	Lena Dr	Chalmette
108025	3604	Lena Dr	Chalmette
620554	3609	Lena Dr	Chalmette
095384	3717	Lena Dr	Chalmette
136223	3816	Lena Dr	Chalmette
015231	3821	Lena Dr	Chalmette
400539	3900	Lena Dr	Chalmette
400538	3909	Lena Dr	Chalmette
400537	3912	Lena Dr	Chalmette
018792	2401	Licciardi Dr	Violet
114700	1913	Licciardi Ln	Violet
067818	2028	Licciardi Ln	Violet
031917	2100	Licciardi Ln	Violet
044945	2225	Licciardi Ln	Violet
137058	2317	Licciardi Ln	Violet



## Exhibit A

### Summary No. 2944

108585	2808	Marquez Dr	Meraux
077500	2049	Maureen Ln	Meraux
135524	2200	Maureen Ln	Meraux
400647	2201	Maureen Ln	Meraux
400646	2225	Maureen Ln	Meraux
198615	2324	Maureen Ln	Meraux
400643	2412	Maureen Ln	Meraux
400644	2413	Maureen Ln	Meraux
400638	3104	Maureen Ln	Meraux
400637	3116	Maureen Ln	Meraux
098403	3121	Maureen Ln	Meraux
400636	3129	Maureen Ln	Meraux
197246	3132	Maureen Ln	Meraux
076716	3204	Maureen Ln	Meraux
077630	3300	Maureen Ln	Meraux
066801	3309	Maureen Ln	Meraux
051845	3316	Maureen Ln	Meraux
118505	3401	Maureen Ln	Meraux
085566	3409	Maureen Ln	Meraux
006700	1928	Mehle	Arabi
006472	826	Mehle Ave	Arabi
088690	1721	Mehle Ave	Arabi
060694	1729	Mehle Ave	Arabi
098808	1904	Mehle Ave	Arabi
043116	1916	Mehle Ave	Arabi
173458	1920	Mehle Ave	Arabi
068471	1929	Mehle Ave	Arabi
125520	2105	Mehle Ave	Arabi
610171	2126	Mehle Ave	Arabi
141856	2210	Mehle Ave	Arabi
017849	2217	Mehle Ave	Arabi
064291	2317	Mehle Ave	Arabi
620171	2134	Mehle Ave	Arabi
012223	445	Mehle St	Arabi
400157	2005	Mehle St	Arabi
400165	2113	Mehle St	Arabi
186297	2205	Mehle St	Arabi
132965	2901	Meraux Ln	Violet
040230	3112	Meraux Ln	Violet
400634	3204	Meraux Ln	Violet
011116	3400	Meraux Ln	Violet

088746	3409	Meraux Ln	Violet
400633	3504	Meraux Ln	Violet
026222	7501	Mercury	Violet
117972	113	Mink Dr	Arabi
400313	120	Mink Dr	Arabi
610311	305	Mink Dr	Arabi
007581	312	Mink Dr	Arabi
620311	313	Mink Dr	Arabi
233555	405	Mink Dr	Arabi
018865	408	Mink Dr	Arabi
106688	3404	Montesquieu St	Chalmette
007344	2908	Moss Ln	Violet
108967	2921	Moss Ln	Violet
088838	3420	Moss St	Violet
088488	2005	Mumphrey	Chalmette
040632	2501	Mumphrey Rd	Chalmette
015755	3012	Mumphrey Rd	Chalmette
400090	3108	Mumphrey Rd	Chalmette
400091	3213	Mumphrey Rd	Chalmette
400092	3305	Mumphrey Rd	Chalmette
104159	3505	Mumphrey Rd	Chalmette
009472	3512	Mumphrey Rd	Chalmette
059629	3605	Mumphrey Rd	Chalmette
006623	3608	Mumphrey Rd	Chalmette
400569	3632	Mumphrey Rd	Chalmette
400568	3633	Mumphrey Rd	Chalmette
007643	3721	Mumphrey Rd	Chalmette
129094	3724	Mumphrey Rd	Chalmette
090786	3728	Mumphrey Rd	Chalmette
048031	3801	Mumphrey Rd	Chalmette
070614	3808	Mumphrey Rd	Chalmette
400529	3817	Mumphrey Rd	Chalmette
209215	3909	Mumphrey Rd	Chalmette
610532	3912	Mumphrey Rd	Chalmette
620532	3920	Mumphrey Rd	Chalmette
038400	2309	Munster Blvd	Meraux
042002	2312	Munster Blvd	Meraux
065830	2320	Munster Blvd	Meraux
056518	2404	Munster Blvd	Meraux
400570	2409	Munster Blvd	Meraux
610573	2704	Munster Blvd	Meraux

# Exhibit A

## Summary No. 2944

004643	3413	Oak Dr	Violet
198099	324	Oak Pl	Chalmette
008414	113	Ocelot	Arabi
060574	325	Ocelot	Arabi
610339	116	Ocelot Dr	Arabi
620339	124	Ocelot Dr	Arabi
400331	304	Ocelot Dr	Arabi
400330	312	Ocelot Dr	Arabi
063024	400	Ocelot Dr	Arabi
125753	408	Ocelot Dr	Arabi
145140	413	Ocelot Dr	Arabi
400040	24	Old Hickory Ave	Chalmette
093083	19	Old Hickory St	Chalmette
121271	72	Old Hickory St	Chalmette
111129	78	Old Hickory St	Chalmette
400010	23	Packenham Ave	Chalmette
080570	25	Packenham Ave	Chalmette
054676	53	Packenham Ave	Chalmette
149443	69	Packenham Ave	Chalmette
121099	73	Packenham Ave	Chalmette
610038	77	Packenham Ave	Chalmette
620038	81	Packenham Ave	Chalmette
048558	84	Packenham Ave	Chalmette
049236	3213	Packenham Dr	Chalmette
040706	3225	Pakenham Dr	Chalmette
006833	3413	Pakenham Dr	Chalmette
050022	3100	Palmetto St	Chalmette
400487	2720	Palmetto St	Chalmette
087985	2816	Palmetto St	Chalmette
400043	2929	Palmetto St	Chalmette
053181	3009	Palmetto St	Chalmette
134416	3017	Palmetto St	Chalmette
003552	3020	Palmetto St	Chalmette
400045	3033	Palmetto St	Chalmette
400676	3113	Palmetto St	Chalmette
217696	3124	Palmetto St	Chalmette
049441	321	Parish Dr	Arabi
400369	3412	Park Blvd	Chalmette
004399	3611	Park Blvd	Chalmette
081626	6601	Patricia St	Arabi
005483	7162	Patricia St	Arabi

400137	7219	Patricia St	Arabi
400133	7224	Patricia St	Arabi
400136	7227	Patricia St	Arabi
186431	7305	Patricia St	Arabi
185614	7401	Patricia St	Arabi
012809	7505	Patricia St	Arabi
400319	7541	Patricia St	Arabi
400342	7600	Patricia St	Arabi
400343	7608	Patricia St	Arabi
140241	7620	Patricia St	Arabi
071488	7628	Patricia St	Arabi
035571	7636	Patricia St	Arabi
006334	8312	Patricia St	Chalmette
092646	8416	Patricia St	Chalmette
023325	8420	Patricia St	Chalmette
400373	8517	Patricia St	Chalmette
400374	8524	Patricia St	Chalmette
068109	62	Patterson Dr	Chalmette
116357	65	Patterson Dr	Chalmette
169400	69	Patterson Dr	Chalmette
400486	70	Patterson Dr	Chalmette
067136	74	Patterson Dr	Chalmette
610674	2301	Paul Dr	Meraux
620674	2309	Paul Dr	Meraux
400673	2500	Paul Dr	Meraux
013031	2520	Paul Dr	Meraux
088860	2521	Paul Dr	Meraux
400675	2101	Paul St	Meraux
069469	2416	Paul St	Meraux
075590	2413	Pecan Dr	Chalmette
086722	2416	Pecan Dr	Chalmette
095282	2424	Pecan Dr	Chalmette
074369	2504	Pecan Dr	Chalmette
010794	2505	Pecan Dr	Chalmette
087683	2512	Pecan Dr	Chalmette
118396	2705	Pecan Dr	Chalmette
400513	2716	Pecan Dr	Chalmette
078130	3405	Pecan Dr	Chalmette
048693	3416	Pecan Dr	Chalmette
028340	3509	Pecan Dr	Chalmette
182495	3609	Pecan Dr	Chalmette

# Exhibit A

## Summary No. 2944

061403	15	Queens Ct	Chalmette
013102	24	Queens Ct	Chalmette
029471	35	Queens Ct	Chalmette
029088	38	Queens Ct	Chalmette
033530	39	Queens Ct	Chalmette
038630	50	Queens Ct	Chalmette
009015	17	Queen's Ct	Chalmette
047526	54	Queen's Ct	Chalmette
114023	16	Queens Ct East	Chalmette
007244	18	Queens Ct East	Chalmette
088277	62	Queens Ct West	Chalmette
400610	2112	Redbird	Poydras
400609	2108	Redbird Dr	Poydras
046500	8516	Regiment Dr	Chalmette
	8518	Regiment Drive	Chalmette
084315	2304	Repose St	Violet
044120	2400	Repose St	Violet
610618	2408	Repose St	Violet
620618	2416	Repose St	Violet
050571	2417	Repose St	Violet
093036	2501	Repose St	Violet
078001	2201	Reunion Dr	Violet
165324	2208	Reunion Dr	Violet
052664	2217	Reunion Dr	Violet
084359	2508	Reunion Dr	Violet
400613	2604	Reunion Dr	Violet
148150	2605	Reunion Dr	Violet
400614	2620	Reunion Dr	Violet
026375	2817	Reunion Dr	Violet
062811	2733	Reunion St	Violet
068270	2737	Reunion St	Violet
202382	2816	Reunion St	Violet
114197	208	Riess Pl	Chalmette
107989	2216	Riverbend Dr	Violet
011145	2217	Riverbend Dr	Violet
074897	2300	Riverbend Dr	Violet
026346	2308	Riverbend Dr	Violet
400611	2313	Riverbend Dr	Violet
117747	2613	Riverbend Dr	Violet
061516	2801	Riverbend Dr	Violet
030862	2912	Riverbend Dr	Violet

217998	2816	Riverland Dr	Chalmette
610508	2905	Riverland Dr	Chalmette
620508	2913	Riverland Dr	Chalmette
065894	3001	Riverland Dr	Chalmette
148858	3009	Riverland Dr	Chalmette
144881	3216	Riverland Dr	Chalmette
083748	3308	Riverland Dr	Chalmette
050594	3508	Riverland Dr	Chalmette
054515	3509	Riverland Dr	Chalmette
061105	3516	Riverland Dr	Chalmette
400077	3616	Riverland Dr	Chalmette
027029	3617	Riverland Dr	Chalmette
062071	3716	Riverland Dr	Chalmette
047277	1825	Robert Dr	Poydras
069634	1833	Robert Dr	Poydras
156013	2100	Robin St	St. Bernard
078602	3317	Rose Ave	Chalmette
028920	3608	Rose Ave	Chalmette
610209	1805	Rose St	Arabi
620209	1809	Rose St	Arabi
400210	1815	Rose St	Arabi
400206	1818	Rose St	Arabi
031225	1823	Rose St	Arabi
400204	1824	Rose St	Arabi
067696	1903	Rose St	Arabi
030764	1905	Rose St	Arabi
036630	1906	Rose St	Arabi
101143	1917	Rose St	Arabi
400232	1918	Rose St	Arabi
117899	1923	Rose St	Arabi
400234	1924	Rose St	Arabi
610257	1931	Rose St	Arabi
620257	1935	Rose St	Arabi
088934	1944	Rose St	Arabi
078097	2612	Rosetta Dr	Chalmette
047703	2621	Rosetta Dr	Chalmette
049566	2813	Rosetta Dr	Chalmette
143583	2908	Rosetta Dr	Chalmette
025818	3000	Rosetta Dr	Chalmette
040477	3316	Rosetta Dr	Chalmette
034909	3321	Rosetta Dr	Chalmette

# Exhibit A

## Summary No. 2944

068697	5621	Third St	Violet
131358	5633	Third St	Violet
060224	5721	Third St	Violet
006545	6116	Third St	Violet
400031	76	Thornton Dr	Chalmette
400029	79	Thornton Dr	Chalmette
400030	80	Thornton Dr	Chalmette
038391	1940	Tino Ln	Violet
055171	1932	Tino St	Violet
023407	9110	Titans Dr	Chalmette
124649	2116	Torres Dr	St. Bernard
076801	2612	Torres Dr	Poydras
006828	3615	Tournefort St	Chalmette
085313	4505	Tracy St	Meraux
214676	2301	Trio St	Chalmette
400650	2524	Uranus Dr	Violet
003803	2045	Valmar Dr	Meraux
012965	3416	Van Cleave Dr	Meraux
070110	3505	Van Cleave Dr	Meraux
033850	3504	Ventura Dr	Chalmette
400563	3505	Ventura Dr	Chalmette
610561	3512	Ventura Dr	Chalmette
610562	3513	Ventura Dr	Chalmette
620561	3520	Ventura Dr	Chalmette
620562	3521	Ventura Dr	Chalmette
194373	3600	Ventura Dr	Chalmette
211206	3612	Ventura Dr	Chalmette
053522	3617	Ventura Dr	Chalmette
153808	3624	Ventura Dr	Chalmette
215820	3625	Ventura Dr	Chalmette
013381	3712	Ventura Dr	Chalmette
051490	3713	Ventura Dr	Chalmette
012978	3716	Ventura Dr	Chalmette
178176	3724	Ventura Dr	Chalmette
610546	3804	Ventura Dr	Chalmette
400545	3805	Ventura Dr	Chalmette
620546	3808	Ventura Dr	Chalmette
400544	3809	Ventura Dr	Chalmette
400543	3816	Ventura Dr	Chalmette
400540	3908	Ventura Dr	Chalmette
610542	3912	Ventura Dr	Chalmette

620542	3920	Ventura Dr	Chalmette
400653	2009	Venus Pl	Violet
058512	2201	Venus St	Violet
112813	2701	Veronica	Chalmette
075566	3708	Veronica	Chalmette
095369	2224	Veronica Dr	Chalmette
026807	2413	Veronica Dr	Chalmette
017863	2508	Veronica Dr	Chalmette
135611	2612	Veronica Dr	Chalmette
154174	2705	Veronica Dr	Chalmette
029829	2713	Veronica Dr	Chalmette
400505	2921	Veronica Dr	Chalmette
400506	3009	Veronica Dr	Chalmette
048956	3017	Veronica Dr	Chalmette
041709	3233	Veronica Dr	Chalmette
118144	3300	Veronica Dr	Chalmette
048468	3408	Veronica Dr	Chalmette
090748	3417	Veronica Dr	Chalmette
024925	3420	Veronica Dr	Chalmette
087066	3508	Veronica Dr	Chalmette
009808	3808	Veronica Dr	Chalmette
210602	18	Victorian Ct	Violet
610449	8521	Victory Dr	Chalmette
620449	8529	Victory Dr	Chalmette
400448	8533	Victory Dr	Chalmette
101225	8545	Victory Dr	Chalmette
040937	613	Villere St	Chalmette
059673	9103	Virtue St	Chalmette
	9101	Virtue Street	Chalmette
052303	3809	Volpe Dr	Chalmette
056565	2101	Volpe Dr	Chalmette
094454	2220	Volpe Dr	Chalmette
125365	2308	Volpe Dr	Chalmette
005118	2801	Volpe Dr	Chalmette
610507	2921	Volpe Dr	Chalmette
114486	3004	Volpe Dr	Chalmette
620507	3005	Volpe Dr	Chalmette
130982	3012	Volpe Dr	Chalmette
620089	3209	Volpe Dr	Chalmette
080575	3413	Volpe Dr	Chalmette
144984	3421	Volpe Dr	Chalmette



# *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)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#28**

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 21, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1394-05-13**

### **Summary No. 2945**

Introduced by: Councilman Gorbaty

Public hearing held on 5/21/13

AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I, SEC. 5-23, APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Chapter 5, Section 5-23 as attached (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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #28 continued  
May 21, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

**ABSENT:** None

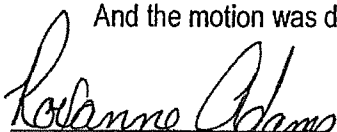
**Richard "Richie" Lewis**  
Councilman  
District C

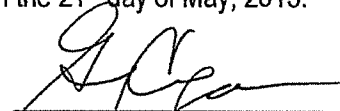
The Council Chair, Mr. Cavignac, cast his vote as YEA.

**Casey W. Hunnicutt**  
Councilman  
District D

And the motion was declared **adopted** on the 21<sup>st</sup> day of May, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 5/24/13 11:55AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

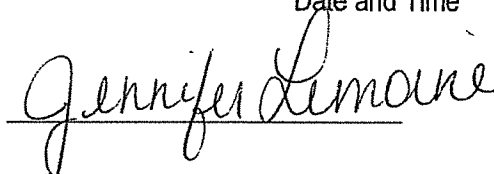
Parish President

  
David E. Peralta

Returned to Clerk of the Council

5/29/13 8:50AM  
Date and Time

Received by



**Exhibit "A"**  
**Summary No. 2945**

Sec. 5-23. - Appearance and other requirements for raised or elevated structures (in residentially zoned areas) inside the hurricane protection levee.

In addition to any other requirement that may be in any other sections of the St. Bernard Code of Ordinances, the following requirements shall apply to any raised or elevated structure:

(1) Exterior perimeter columns or pilings that support a raised structure and which have more than five (5) feet of exposed height from the ground contact point to the bottom edge of the exterior perimeter of the main structure support beams or support members shall be covered on all sides, or their entire circumference, using one or more of the follow finishing treatment(s):

- a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
- b. A finished brick or masonry veneer surface.
- c. A finished and stained, painted or colored stucco or patterned masonry surface.
- d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface..
- e. A finished and stained or painted solid wood siding.
- f. The design and construction of all support columns and/or pilings shall meet the acceptable ASCE standards for load bearing supports, all applicable International Building Code requirements and all applicable fire code regulations for elevated structures.

(2) Additionally, the exterior space between columns shall be enclosed with non-support bearing walls as follows:

- a. A commercially available siding material ordinarily applied as the final finished exterior surface, but excluding corrugated or extruded metal products.
- b. A finished brick or masonry veneer surface.
- c. A finished and stained, painted or colored stucco or patterned masonry surface.
- d. A finished and painted, stained, or colored masonry block or a finished and painted, stained or colored concrete surface.
- e. A finished and stained or painted wood siding or other commercially available siding material.
- f. All doors or windows in the forgoing wall construction must be in conformance with the building codes of St. Bernard Parish.
- g. The design and construction of such exterior walls shall meet the acceptable ASCE standards and all applicable International Building Code requirements, including standards for break away walls and appropriate venting of solid walls.

(3) If the finished surface is painted or otherwise finished with a coating or colored in any manner, the color of said coating or coloring agent shall be the same as the predominant color of the exterior painted portions of the elevated structure.

(4) All covered wood support columns shall have removable inspection access areas sufficient in size to allow for visual inspection for infestation of termite or other wood destroying pests. The top edge of the

**Exhibit "A"**  
**Summary No. 2945**

inspection access area(s) shall not be more than eighteen inches above the support column ground contact point.

(5) For structures elevated five (5) feet or below, the following requirement shall be followed:

- a. Structures shall be skirted to enclose the open air area below the floor of the elevated structure
- b. Finishing treatments of structures elevated five (5) feet or below shall be consistent with the guidelines enumerated in subsection (1) of this section.
- c. Venting shall be in place in the surrounding exterior materials to meet at least a one (1) square inch vented space for every one (1) square foot of enclosed material or meet the established building code requirements of the International Building Code, whichever requires greater venting capacity at the time of the construction.

(6) Slab built homes which are not elevated, and which are rebuilt or repaired after experiencing exterior damage due to fire, flood, or other natural disaster shall be repaired to a level that is consistent with the design, quality, and structure of the predominant existing and compliant homes in the immediate neighborhood as defined as being within five hundred (500) feet of the structure in question.

(7) Any relief of this section shall require a petition to the St. Bernard Parish Council sitting as a review board.





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**#21**

**George Cavignac**  
*Councilman  
at Large*

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

On motion a Joint Motion of the Council, without objection and by unanimous consent, it was moved to **adopt** the following ordinance:

**Nathan Gorbaty**  
*Councilman  
District B*

## **ORDINANCE SBPC #1395-06-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

### **Summary No. 2938**

Introduced by: Councilman McInnis

**Casey W. Hunnicutt**  
*Councilman  
District D*

AN ORDINANCE TO NAME THE WALKING PATH LOCATED AT THE VAL RIESS COMPLEX "THE CHARLIE REPPPEL WAY".

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

WHEREAS, the St. Bernard Parish Council is desirous of naming the walking path located at the Val Riess Complex "The Charlie Reppel Way"; and;

**Roxanne Adams**  
*Clerk of Council*

WHEREAS, this walking path is incorporated within the Val Riess Complex and this complex is considered local and would have to be named by the Parish, i.e. the local Governing Authority.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council, the Governing Authority, does hereby approve the official naming of the walking path located at the Val Riess Complex "The Charlie Reppel Way".

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #21 continued  
June 4, 2013

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

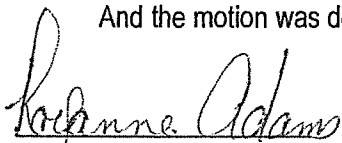
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

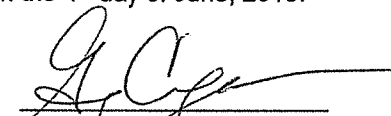
**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

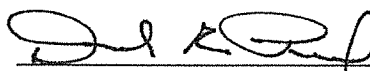
  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 6/7/2013 11:15AM  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

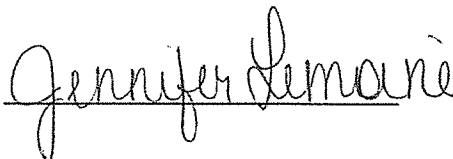
Parish President

  
David E. Peralta

Returned to Clerk of the Council

6/7/2013 11:20AM  
Date and Time

Received by





# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#19**

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1396-06-13**

### **Summary No. 2929**

Introduced by: Councilman Hunnicutt  
Referred to EFC on 4/2/13 prior to introduction  
EFC recommended **APPROVAL** on 4/16/13  
Public Hearing held on 5/7/13  
Tabled by Council on 5/7/13

AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #19 continued  
June 4, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

**ABSENT:** None

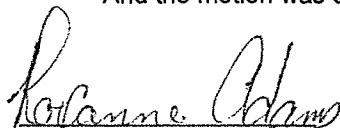
**Richard "Richie" Lewis**  
Councilman  
District C

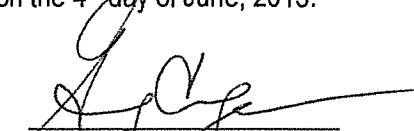
The Chairman, Mr. Cavignac, cast his vote as **YEA**.

**Casey W. Hunnicutt**  
Councilman  
District D

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

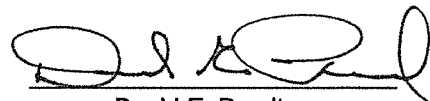
**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 6/7/2013 11:15AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

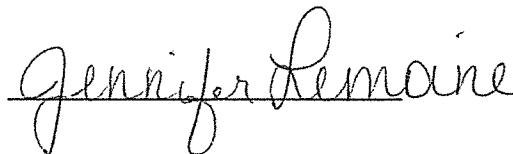
Parish President

  
David E. Peralta

Returned to Clerk of the Council

6/7/2013 11:20AM  
Date and Time

Received by



		2013 Adopted Budget	2013 Proposed Ammended Budget	Budget Revisions
REVENUES				
OPERATING REVENUES				
State Enterprise Fund	430378	58,100.00	58,100.00	-
Total OPERATING REVENUES		58,100.00	58,100.00	-
Total REVENUES		58,100.00	58,100.00	-
EXPENDITURES				
PERSONNEL EXPENDITURES				
Pension Costs	505444	7,125.00	23,750.00	16,625.00
Salaries	505456	92,835.00	141,450.00	48,615.00
Taxes - Payroll	505466	900.00	3,000.00	2,100.00
Insurance-Hospital & Life	520434	3,360.00	11,200.00	7,840.00
Insurance-Work.Comp.	520435	1,230.00	4,100.00	2,870.00
Total PERSONNEL EXPENDITURES		105,450.00	183,500.00	78,050.00
OPERATING EXPENDITURES				
Dues & Subscriptions	510427	300.00	1,000.00	700.00
Stationary & Office Supplies	510460	405.00	1,350.00	945.00
Insurance-Property	520428	6,015.00	20,050.00	14,035.00
Insurance-Flood	520431	4,410.00	14,700.00	10,290.00
Heat, Light & Water	525430	16,845.00	56,150.00	39,305.00
Telephone Svcs	525469	1,350.00	4,500.00	3,150.00
Cell Phone	525471	255.00	850.00	595.00
Gasoline	530403	75.00	250.00	175.00
Professional Service	535448	480.00	1,600.00	1,120.00
Fire Alarm Monitoring	535459	495.00	1,650.00	1,155.00
Contract Labor	538100	750.00	2,500.00	1,750.00
Travel, Training & Etc.	545472	1,500.00	5,000.00	3,500.00
Total OPERATING EXPENDITURES		32,880.00	109,600.00	76,720.00
Total EXPENDITURES		138,330.00	293,100.00	154,770.00
OTHER FINANCING SOURCES				
Transfer from Sales Tax Fund	499050	80,230.00	235,000.00	154,770.00
Total OTHER FINANCING SOURCES		80,230.00	235,000.00	154,770.00
NET EFFECT ON FUND BALANCE		-	-	-



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**#22**

**George Cavignac**  
*Councilman  
at Large*

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

## **ORDINANCE SBPC #1397-06-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

### **Summary No. 2946**

Introduced by: Administration on 5/21/13  
Public hearing held on 6/4/13

**Casey W. Hunnicutt**  
*Councilman  
District D*

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY FIRE PROTECTION DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING ONE MILLION TWO HUNDRED EIGHTY NINE THOUSAND DOLLARS (\$1,289,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

WHEREAS, pursuant to a proposition approved by the voters of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), a special ad valorem tax of (i) 2.77 mills tax authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax authorized to be levied each year through the year 2018, were authorized at an election held on November 7, 2006 (such rate being subject to adjustment from time to time due to reassessment), for the purpose of acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Issuer (collectively, the "Tax"); and

WHEREAS, Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, authorizes the Issuer to borrow money in anticipation of revenues to be realized from special taxes to be used only for the purposes for which the tax was voted; and

WHEREAS, pursuant to and in accordance with the foregoing statutory authority, the Issuer now desires to incur debt and issue its Limited Tax Certificates of Indebtedness, Series 2013, in the principal amount of One Million Two Hundred Eighty Nine Thousand Dollars (\$1,289,000) (the "Certificates") for the purpose of



## *St. Bernard Parish Council*

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Extract #22 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof; and

WHEREAS, other than the Certificates herein authorized, the Issuer has no outstanding obligations as of the date of delivery of the Certificates of any kind or nature payable from or enjoying a lien on the Tax herein pledged; and

WHEREAS, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Certificates and to provide for the authorization and issuance thereof; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Certificates to the Purchaser (hereinafter defined) at the price and in the manner hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding One Million Two Hundred Eighty Nine Thousand Dollars (\$1,289,000) of Limited Tax Certificates of Indebtedness, Series 2013 of the Issuer (the "Certificate"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Propositions approved by the voters on November 7, 2006, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the corporate boundaries of the Issuer. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2014 at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #22 continued  
June 4, 2013

SECTION 2. The Issuer hereby accepts the offer of JPMorgan Chase Bank, N.A. (the "Purchaser") to purchase the Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The Certificates shall be delivered to the Purchaser upon the payment of the purchase price thereof.

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the corporate boundaries of the Issuer.

SECTION 4. The Parish President and the Clerk of Council of the Issuer are each hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser, upon the payment of the purchase price thereof, to be used for the purpose of the borrowing and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be issued in the form of a single, fully registered certificate, dated the date of delivery thereof and shall be in substantially the following form:





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**Guy McInnis**  
*Councilman  
at Large*

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Extract #22 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

(FORM OF FACE OF CERTIFICATE)

UNITED STATES OF AMERICA  
STATE OF LOUISIANA

LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013 OF FIRE  
PROTECTION DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF  
LOUISIANA

Number	Principal Amount	Issue Date	Maturity Date
R-1	\$_____	_____, 2013	March 1, 2014

Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to JPMorgan Chase Bank, N.A., in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, together with interest thereon from the Issue Date set forth above at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.



## *St. Bernard Parish Council*

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Extract #22 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Sections 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, and this Certificate was specially authorized by an ordinance adopted on June 4, 2013 (the "Ordinance").

This Certificate is secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the corporate boundaries of the Issuer as set out in the Propositions approved by the voters on November 7, 2006. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Certificate, including provisions for the issuance of additional certificates of indebtedness payable from the proceeds of the Tax on a parity with this Certificate, for the terms of which reference is made to the Ordinance.

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, Parish of St. Bernard, State of Louisiana has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.



# St. Bernard Parish Council

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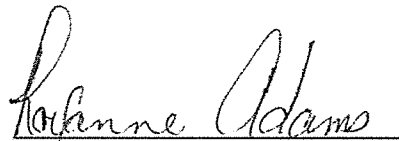
**Guy McInnis**  
*Councilman  
at Large*


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Extract #22 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

PARISH OF ST. BERNARD,  
STATE OF LOUISIANA

**Ray Lauga, Jr.**  
*Councilman  
District A*

  
Clerk of Council

  
Parish President

**Nathan Gorbaty**  
*Councilman  
District B*

(SEAL)

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

\* \* \* \* \*

## PROVISIONS FOR REGISTRATION

**Roxanne Adams**  
*Clerk of Council*

<u>Registered Owner</u>	<u>Registration Date</u>	<u>Signature of Clerk of Council</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*



# *St. Bernard Parish Council*

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Extract #22 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION 6. The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.

SECTION 7. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Certificate under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Certificate or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Certificate to be "arbitrage bonds" or would result in the inclusion of the interest on the Certificate in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Certificate proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Certificate in a manner which would cause the Certificate to be "private activity bonds".

The Certificate is designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the District finds and determines that:

- (a) the Certificate is not "private activity bonds" within the meaning of the Code; and
- (b) the reasonably anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2013 does not



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Extract #22 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

exceed \$10,000,000.

The Parish President and Clerk of Council of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Ordinance.

SECTION 8. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 9. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because:

- (a) the Certificate is not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and
- (b) the Certificate is being sold to only one financial institution (i.e., no more than thirty-five persons), which (i) have such knowledge and experience in financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Certificate and (ii) are not purchasing the Certificate for more than one account or with a view to distributing the Certificate.

SECTION 10. The foregoing ordinance shall take effect immediately upon its adoption.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None



# *St. Bernard Parish Council*

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Extract #22 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

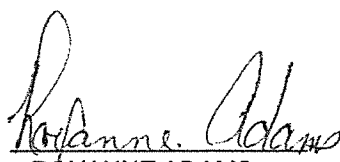
**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR


Delivered to the Parish President

6/7/2013 11:15AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

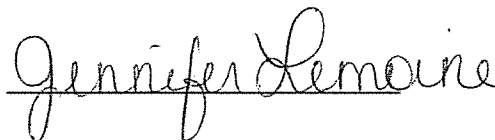
Parish President

  
David E. Peralta

Returned to Clerk of the Council

6/7/2013 11:20AM  
Date and Time

Received by





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

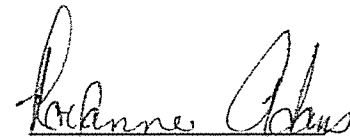
**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of **Ordinance SBPC #1397-06-13** adopted by said Parish Council on June 4, 2013, authorizing the issuance and sale by Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana, of not exceeding One Million Two Hundred Eighty Nine Thousand Dollars (\$1,289,000) of Limited Tax Certificates of Indebtedness, Series 2013; providing for the payment thereof; establishing the rate of interest thereon; providing for a pledge of revenues of said Parish for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 4<sup>th</sup> day of June, 2013.

  
Clerk of Council

## EXHIBIT A

May 21, 2013

Honorable Parish Council  
Parish of St. Bernard, State of Louisiana  
Chalmette, Louisiana

Re: Offer to Purchase: Not exceeding \$1,289,000 of Limited Tax  
Certificates of Indebtedness, Series 2013 of Fire Protection  
District No. 1 of the Parish of St. Bernard, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following Limited Tax Certificates of Indebtedness upon the terms and conditions outlined below:

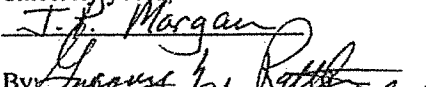
1. Issuer and Amount - Not exceeding \$1,289,000 of Limited Tax Certificates of Indebtedness, Series 2013 (the "Certificate") of Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana (the "District" or the "Issuer"). The principal amount of the Certificates may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificates which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.
2. Authority for Issue - Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.
3. Purpose of Issue - Maintaining and operating fire protection facilities, as set out in propositions approved by the voters on November 7, 2006, and paying the costs of issuance thereof.
4. Dated Date of Certificate - Date of delivery.
5. Form of Certificate - Single typewritten certificate in fully registered form.
6. Interest Rate - 1.03% per annum, BQTE, assuming borrowed funds are fully drawn up to the stipulated amount and no subsequent draws; and 1.31%, BQTE at close if multiple draws are anticipated up to the stipulated amount of each debt issuance.
7. Interest Payment - March 1, 2014.
8. Principal Payment - March 1, 2014. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2014.
9. Prepayment Provisions - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.
10. Security - The Certificates will be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a (i) 2.77 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2016 and (ii) 4.66 mills tax (such rate being subject to adjustment from time to time due to



reassessment) authorized to be levied each year through the year 2018 (collectively, the "Tax") within the boundaries of the Issuer.

11. Legal Opinion - Legal opinion of Foley & Judell, L.L.P., as to the due authorization, validity and federal tax exemption of interest on the Certificate.
12. Bank Eligibility - The Certificate will be designated as a "qualified tax-exempt obligation" under Section 265(b) of the Internal Revenue Code of 1986, as amended.
13. Investment Letter - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the District, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.
14. Paying Agent - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.
15. Parity Certificates: The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.
16. Annual Financial Statements - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.
17. Comprehensive Budget - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.
18. Continuing Disclosure - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).
19. Delivery - On or about June 28th, 2013, following State Bond Commission approval.

Sincerely yours,

  
By: Gregory L. Ralston  
Title: Deputy Vice President



# *St. Bernard Parish Council*

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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1398-06-13**

### **Summary No. 2947**

Introduced by: Administration on 5/21/13

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY FIRE PROTECTION DISTRICT NO. 2 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING THREE HUNDRED NINETY ONE THOUSAND DOLLARS (\$391,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, authorizes the Issuer to borrow money in anticipation of revenues to be realized from special taxes to be used only for the purposes for which the tax was voted; and

WHEREAS, pursuant to and in accordance with the foregoing statutory authority, the Issuer now desires to incur debt and issue its Limited Tax Certificates of Indebtedness, Series 2013, in the principal amount of Three Hundred Ninety One Thousand Dollars (\$391,000) (the "Certificates") for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof; and

WHEREAS, other than the Certificates herein authorized, the Issuer has no outstanding obligations as of the date of delivery of the Certificates of any kind or nature payable from or enjoying a lien on the Tax herein pledged; and

WHEREAS, pursuant to a proposition approved by the voters of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), a special ad valorem tax of 8.35 mills was authorized at an election held on November 7, 2006 (such rate being subject to adjustment from time to time due to reassessment) through the year 2018, for the purpose of acquiring, constructing,



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Page -2-  
Extract #23 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Issuer (the "Tax"); and

WHEREAS, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Certificates and to provide for the authorization and issuance thereof; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Certificates to the Purchaser (hereinafter defined) at the price and in the manner hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), that:

SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Three Hundred Ninety One Thousand Dollars (\$391,000) of Limited Tax Certificates of Indebtedness, Series 2013 of the Issuer (the "Certificate"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on November 7, 2006, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2014 at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof.

SECTION 2. The Issuer hereby accepts the offer of JPMorgan Chase Bank, N.A. (the "Purchaser") to purchase the Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The Certificates shall be delivered to the Purchaser upon the payment of the purchase price thereof.



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Extract #23 continued  
June 4, 2013

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at Large*

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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer.

SECTION 4. The Parish President and the Clerk of Council of the Issuer are each hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser, upon the payment of the purchase price thereof, to be used for the purpose of the borrowing and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be issued in the form of a single, fully registered certificate, dated the date of delivery thereof and shall be in substantially the following form:

(FORM OF FACE OF CERTIFICATE)

## UNITED STATES OF AMERICA STATE OF LOUISIANA

### LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013 OF FIRE PROTECTION DISTRICT NO. 2 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA

<u>Number</u>	<u>Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Date</u>
R-1	\$ _____	_____, 2013	March 1, 2014

Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to JPMorgan Chase Bank, N.A., in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, together with interest thereon from the Issue Date set forth above at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of



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Page -4-  
Extract #23 continued  
June 4, 2013

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**Manuel "Monty"  
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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

twelve 30 day months). Interest will be payable on the Maturity Date set forth above. It is understood that the purchase price of this Certificate shall be paid to the Issuer in installments, and interest on this Certificate shall accrue only on the amounts of the purchase price installments which shall have been paid to the Issuer from the respective dates of such payments.

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Sections 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, and this Certificate was specially authorized by an ordinance adopted on June 4, 2013 (the "Ordinance").

This Certificate is secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer as set out in the Proposition approved by the voters on November 7, 2006. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Certificate, including provisions for the issuance of additional certificates of indebtedness payable from the proceeds of the Tax on a parity with this Certificate, for the terms of which reference is made to the Ordinance.

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed,



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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -5-  
Extract #23 continued  
June 4, 2013

have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, Parish of St. Bernard, State of Louisiana has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.

PARISH OF ST. BERNARD,  
STATE OF LOUISIANA

  
Clerk of Council

  
Parish President

(SEAL)



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #23 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

\* \* \* \* \*

**Ray Lauga, Jr.**  
*Councilman  
District A*

## PROVISIONS FOR REGISTRATION

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

<u>Registered Owner</u>	<u>Registration Date</u>	<u>Signature of Clerk of Council</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

**Roxanne Adams**  
*Clerk of Council*

SECTION 6. The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.

SECTION 7. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Certificate under the Code. The Issuer further covenants and agrees that it will not take any action,



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*Clerk of Council*

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Extract #23 continued  
June 4, 2013

fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Certificate or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Certificate to be "arbitrage bonds" or would result in the inclusion of the interest on the Certificate in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Certificate proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Certificate in a manner which would cause the Certificate to be "private activity bonds".

The Certificate is designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the District finds and determines that:

- (a) the Certificate is not "private activity bonds" within the meaning of the Code; and
- (b) the reasonably anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2013 does not exceed \$10,000,000.

The Parish President and Clerk of Council of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Ordinance.

SECTION 8. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 9. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because:

- (a) the Certificate is not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and
- (b) the Certificate is being sold to only one financial institution (i.e., no more than thirty-five persons), which (i) have such knowledge and experience in





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Extract #23 continued  
June 4, 2013

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Clerk of Council

financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Certificate and (ii) are not purchasing the Certificate for more than one account or with a view to distributing the Certificate.

SECTION 10. The foregoing ordinance shall take effect immediately upon its adoption.

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

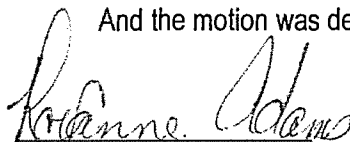
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

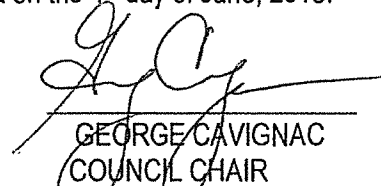
**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

6/7/2013 11:15AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

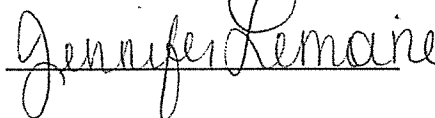
Parish President

  
David E. Peralta

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6/7/2013 11:20AM  
Date and Time

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*Councilman  
District E*

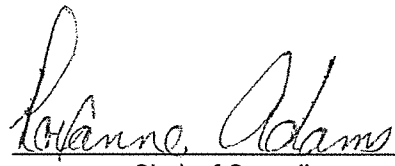
**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of **Ordinance SBPC #1398-06-13** adopted by said Parish Council on June 4, 2013, authorizing the issuance and sale by Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana, of not exceeding Three Hundred Ninety One Thousand Dollars (\$391,000) of Limited Tax Certificates of Indebtedness, Series 2013; providing for the payment thereof; establishing the rate of interest thereon; providing for a pledge of revenues of said Parish for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 4<sup>th</sup> day of June, 2013.

  
Clerk of Council

## EXHIBIT A

May 21, 2013

Honorable Parish Council  
Parish of St. Bernard, State of Louisiana  
Chalmette, Louisiana


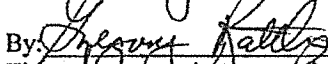
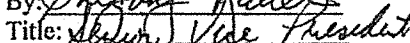
Re: Offer to Purchase: Not exceeding \$391,000 of Limited Tax  
Certificates of Indebtedness, Series 2013 of Fire Protection  
District No. 2 of the Parish of St. Bernard, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following  
Limited Tax Certificates of Indebtedness upon the terms and conditions outlined below:

1. Issuer and Amount - Not exceeding \$391,000 of Limited Tax Certificates of Indebtedness, Series 2013 (the "Certificate") of Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana (the "District" or the "Issuer"). The principal amount of the Certificates may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificates which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.
2. Authority for Issue - Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.
3. Purpose of Issue - purpose of maintaining and operating fire protection facilities, as set out in the Proposition approved by the voters on November 7, 2006, and paying the costs incurred in connection with the issuance thereof.
4. Dated Date of Certificate - Date of delivery.
5. Form of Certificate - Single typewritten certificate in fully registered form.
6. Interest Rate - 1.03% per annum, BQTE, assuming borrowed funds are fully drawn up to the stipulated amount and no subsequent draws; and 1.31%, BQTE at close if multiple draws are anticipated up to the stipulated amount of each debt issuance
7. Interest Payment - March 1, 2014.
8. Principal Payment - March 1, 2014. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2014.
9. Prepayment Provisions - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.
10. Security - The Certificates will be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 8.35 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2018 (the "Tax") within the corporate boundaries of the Issuer.

11. Legal Opinion - Legal opinion of Foley & Judell, L.L.P., as to the due authorization, validity and federal tax exemption of interest on the Certificate.
12. Bank Eligibility - The Certificate will be designated as a "qualified tax-exempt obligation" under Section 265(b) of the Internal Revenue Code of 1986, as amended.
13. Investment Letter - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the District, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.
14. Paying Agent - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.
15. Parity Certificates: The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.
16. Annual Financial Statements - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.
17. Comprehensive Budget - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.
18. Continuing Disclosure - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).
19. Delivery - On or about June 28th, 2013, following State Bond Commission approval.

Sincerely yours,

  
By:   
Title:  Vice President

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel



# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#24**

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1399-06-13**

### **Summary No. 2948**

Introduced by: Administration on 5/21/13

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) OF CERTIFICATES OF INDEBTEDNESS, SERIES 2013; PROVIDING FOR THE PAYMENT THEREOF; ESTABLISHING THE RATE OF INTEREST THEREON; PROVIDING FOR A PLEDGE OF REVENUES OF SAID PARISH FOR THE SECURITY AND PAYMENT THEREOF IN PRINCIPAL AND INTEREST; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Sections 745 through 748, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority, authorize entities to pay their current expenses by anticipating their revenues for the year and to borrow money to pay these current expenses in anticipation of such revenues; and

WHEREAS, the Parish of St. Bernard, State of Louisiana (the "Issuer") desires to borrow moneys to pay said current operation costs and to dedicate and set aside revenues for the payment of Certificates of Indebtedness issued under the provisions of the Act and this ordinance (the "Certificate"), which Certificate will fall due and be payable not later than March 1, 2014, together with interest thereon as provided herein; and

WHEREAS, the Issuer has found and determined that the estimated revenues of the Issuer for the current fiscal year will be in excess of the amount borrowed;

NOW, THEREFORE, BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the



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Page -2-  
Extract #24 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), that:

SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) of Certificates of Indebtedness, Series 2013 (the "Certificate"), of the Issuer to pay the costs of current operations of the Issuer in anticipation of the revenues of the Issuer for the current year. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2014 at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof.

SECTION 2. The Issuer hereby accepts the offer of JPMorgan Chase Bank, N.A. (the "Purchaser") to purchase the Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The - Certificates shall be delivered to the Purchaser upon the payment of the purchase price thereof.

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2013.

SECTION 4. The Parish President and the Clerk of Council of the Issuer are each hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser, upon the payment of the purchase price thereof, to be used for the purpose of the borrowing and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be issued in the form of a single, fully registered certificate, dated the date of delivery thereof and shall be in substantially the following form:



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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #24 continued  
June 4, 2013

**George Cavignac**  
*Councilman  
at Large*

(FORM OF FACE OF CERTIFICATE)

**Ray Lauga, Jr.**  
*Councilman  
District A*

UNITED STATES OF AMERICA STATE OF LOUISIANA

**LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013 OF FIRE  
PROTECTION DISTRICT NO. 2  
OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA**

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

<u>Number</u>	<u>Principal Amount</u>	<u>Issue Date</u>	<u>Maturity Date</u>
---------------	-----------------------------	-----------------------	--------------------------

**Casey W. Hunnicutt**  
*Councilman  
District D*

R-1	\$_____	_____, 2013	March 1, 2014
-----	---------	-------------	---------------

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

The Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to JPMorgan Chase Bank, N.A., in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, together with interest thereon from the Issue Date set forth above at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

**Roxanne Adams**  
*Clerk of Council*

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Sections 745 through 748 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of paying the costs of current operations for the fiscal year ending



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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -4-  
Extract #24 continued  
June 4, 2013

December 31, 2013, and this Certificate was specially authorized by an ordinance adopted on June 4, 2013 (the "Ordinance").

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.

IN WITNESS WHEREOF, Parish of St. Bernard, State of Louisiana has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.

PARISH OF ST. BERNARD,  
STATE OF LOUISIANA

  
Clerk of Council

  
Parish President

(SEAL)





# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -5-  
Extract #24 continued  
June 4, 2013

**George Cavignac**  
Councilman  
at Large

\* \* \* \* \*

## PROVISIONS FOR REGISTRATION

**Ray Lauga, Jr.**  
Councilman  
District A

<u>Registered Owner</u>	<u>Registration Date</u>	<u>Signature of Clerk of Council</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

\* \* \* \* \*

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION 6. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Certificate under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Certificate or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Certificate to be "arbitrage bonds" or would result in the inclusion of the interest on the Certificate in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Certificate proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Certificate in a manner which would cause the Certificate to be "private activity bonds".

The Certificate is designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the District finds and determines that:

- (a) the Certificate is not "private activity bonds" within the meaning of the Code; and
- (b) the reasonably anticipated amount of qualified tax-exempt obligations which will



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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -6-  
Extract #24 continued  
June 4, 2013

be issued by the Issuer and all subordinate entities in calendar year 2013 does not exceed \$10,000,000.

The Parish President and Clerk of Council of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Ordinance.

SECTION 7. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 8. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because:

- (a) the Certificate is not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and
- (b) the Certificate is being sold to only one financial institution (i.e., no more than thirty-five persons), which (i) have such knowledge and experience in financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Certificate and (ii) are not purchasing the Certificate for more than one account or with a view to distributing the Certificate.

SECTION 9. The foregoing ordinance shall take effect immediately upon its adoption.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None



# St. Bernard Parish Council

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Councilman  
at Large

**George Cavignac**  
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at Large

**Ray Lauga, Jr.**  
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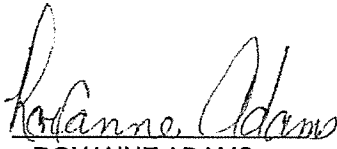
**Roxanne Adams**  
Clerk of Council

Page -7-  
Extract #24 continued  
June 4, 2013

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 6/7/2013 11:15AM  
Date and Time

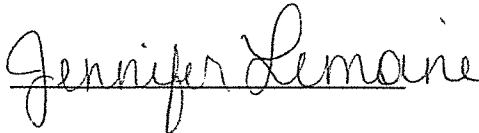
Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council 6/7/2013 11:20AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of **Ordinance SBPC #1399-06-13** adopted by said Parish Council on June 4, 2013, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding Three Million Five Hundred Thousand Dollars (\$3,500,000) of Certificates of Indebtedness, Series 2013; providing for the payment thereof; establishing the rate of interest thereon; providing for a pledge of revenues of said Parish for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 4<sup>th</sup> day of June, 2013.

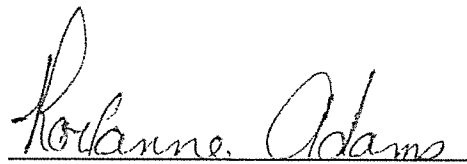
  
Clerk of Council

EXHIBIT A

May 21, 2013

Honorable Parish Council  
Parish of St. Bernard, State of Louisiana  
Chalmette, Louisiana

Re: Offer to Purchase: Not exceeding \$3,500,000 of  
Certificates of Indebtedness, Series 2013 of the Parish of St.  
Bernard, State of Louisiana

Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following  
Certificates of Indebtedness upon the terms and conditions outlined below:

1. Issuer and Amount - Not exceeding \$3,500,000 of Certificates of Indebtedness, Series 2013 (the "Certificate") of the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"). The principal amount of the Certificates may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificates which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.
2. Authority for Issue - Sections 745 through 748, inclusive, of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.
3. Purpose of Certificate - paying the costs of current operations.
4. Dated Date of Certificate - Date of delivery.
5. Form of Certificate - Single typewritten certificate in fully registered form.
6. Interest Rate - 1.03% per annum, BQTE assuming borrowed funds are fully drawn up to the stipulated amount and no subsequent draws; and 1.31%, BQTE at close if multiple draws are anticipated up to the stipulated amount of each debt issuance.
7. Interest Payment - March 1, 2014.
8. Principal Payment - March 1, 2014. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2014.
9. Prepayment Provisions - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.

10. Security - Pledge of all revenues accruing to the Parish for the fiscal year ending December 31, 2013.
11. Legal Opinion - Legal opinion of Foley & Judell, L.L.P., as to the due authorization, validity and federal tax exemption of interest on the Certificate.
12. Bank Eligibility - The Certificate will be designated as a "qualified tax-exempt obligation" under Section 265(b) of the Internal Revenue Code of 1986, as amended.
13. Investment Letter - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the Parish, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.
14. Paying Agent - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.
15. Annual Financial Statements - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.
16. Comprehensive Budget - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.
17. Continuing Disclosure - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).
18. Delivery - On or about June 28, 2013, following State Bond Commission approval.

Sincerely yours,

J.P. Morgan

By: [Signature]  
Title: Senior Vice President

cc: Mr. C. Grant Schlueter, Foley & Judell, L.L.P., Bond Counsel



# *St. Bernard Parish Council*

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**#25**

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, JUNE 4, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1400-06-13**

### **Summary No. 2949**

Introduced by: Administration on 5/21/13

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION FIVE HUNDRED TWENTY SIX THOUSAND DOLLARS (\$4,526,000) OF LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, pursuant to a proposition approved by the voters of the Parish of St. Bernard, State of Louisiana (the "Issuer"), a special ad valorem tax of 20 mills was authorized at an election held on December 8, 2012 (such rate being subject to adjustment from time to time due to reassessment) through the year 2022, for the purpose of acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in the Issuer (the "Tax"); and

WHEREAS, Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, authorizes the Issuer to borrow money in anticipation of revenues to be realized from special taxes to be used only for the purposes for which the tax was voted; and

WHEREAS, pursuant to and in accordance with the foregoing statutory authority, the Issuer now desires to incur debt and issue its Limited Tax Certificates of Indebtedness, Series 2013, in the principal amount of Four Million Five Hundred Twenty Six Thousand Dollars (\$4,526,000) (the "Certificates") for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof; and

WHEREAS, other than the Certificates herein authorized, the Issuer has no outstanding obligations as of the date of delivery of the Certificates of any kind or nature payable from or enjoying a lien on the Tax herein pledged; and

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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Extract #25 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
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*Councilman  
District D*

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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

WHEREAS, it is the desire of the Issuer to fix the details necessary with respect to the issuance of the Certificates and to provide for the authorization and issuance thereof; and

WHEREAS, it is the further desire of the Issuer to provide for the sale of the Certificates to the Purchaser (hereinafter defined) at the price and in the manner hereinafter provided;

NOW, THEREFORE, BE IT ORDAINED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), that:

SECTION 1. Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Four Million Five Hundred Twenty Six Thousand Dollars (\$4,526,000) of Limited Tax Certificates of Indebtedness, Series 2013 of the Issuer (the "Certificate"), pursuant to Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012, said Certificates to be payable from the irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer. The Certificate shall bear interest from the date thereof and shall mature on or before March 1, 2014 at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months), all in accordance with the provisions of the Act. Interest on the Certificate is payable on the maturity date of said Certificate and shall be issued in the form of a single fully registered certificate to be dated the date of delivery thereof.

SECTION 2. The Issuer hereby accepts the offer of JPMorgan Chase Bank, N.A. (the "Purchaser") to purchase the Certificate, attached as Exhibit "A" hereto (all the terms and provisions of which are incorporated herein by reference). The Certificates shall be delivered to the Purchaser upon the payment of the purchase price thereof.

SECTION 3. The principal of and interest on the Certificate shall be secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer.





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June 4, 2013

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at Large

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Councilman  
at Large

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Councilman  
District D

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Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 4. The Parish President and the Clerk of Council of the Issuer are each hereby authorized, empowered and directed to execute the Certificate to represent said indebtedness. Said officers are further authorized and empowered to deliver the Certificate to the Purchaser, upon the payment of the purchase price thereof, to be used for the purpose of the borrowing and to take any other action or execute and deliver any other documents which may be required to accomplish the purpose of this ordinance. The Certificate shall be issued in the form of a single, fully registered certificate, dated the date of delivery thereof and shall be in substantially the following form:

(FORM OF FACE OF CERTIFICATE)

## UNITED STATES OF AMERICA STATE OF LOUISIANA

### LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2013 OF FIRE PROTECTION DISTRICT NO. 2 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA

Number	Principal Amount	Issue Date	Maturity Date
R-1	\$4,526,000	_____, 2013	March 1, 2014

St. Bernard Parish, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to JPMorgan Chase Bank, N.A., in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, together with interest thereon from the Issue Date set forth above at the rate of 1.03% per annum (calculated on the basis of a 360 day year, consisting of twelve 30 day months). Interest will be payable on the Maturity Date set forth above.

The principal of this Certificate may be prepaid at any time by the Issuer prior to the Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.



## *St. Bernard Parish Council*

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Extract #25 continued  
June 4, 2013

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at Large*

**George Cavignac**  
*Councilman  
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**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate has been issued by the Issuer to represent a debt created under the provisions of Sections 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, for the purpose of maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, and this Certificate was specially authorized by an ordinance adopted on June 4, 2013 (the "Ordinance").

Maturity Date set forth above at a price of par plus accrued interest to the date of prepayment.

Both the principal of and the interest on this Certificate are payable at maturity in lawful money of the United States of America to the registered owner of this Certificate upon presentment hereof to the Issuer.

This Certificate is secured by and payable from an irrevocable pledge and dedication of the funds to be derived from the levy and collection of a special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer as set out in the Proposition approved by the voters on December 8, 2012. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of this Certificate, including provisions for the issuance of additional certificates of indebtedness payable from the proceeds of the Tax on a parity with this Certificate, for the terms of which reference is made to the Ordinance.

It is certified that this Certificate is authorized by and issued in conformity with the requirements of the Constitution and Statutes of the State of Louisiana. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Certificate to constitute the same a legal, binding and valid obligation of the Issuer have existed, have happened and have been performed in due time, form and manner as required by law, and that this Certificate does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana.



# St. Bernard Parish Council

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Extract #25 continued  
June 4, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

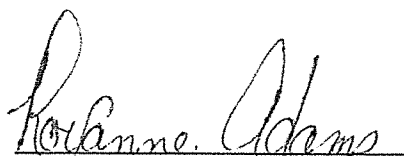
**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

IN WITNESS WHEREOF, St. Bernard Parish, State of Louisiana has caused this Certificate to be signed by the facsimile and/or manual signatures of its Parish President and Clerk of Council, and the corporate seal of the Issuer to be hereon impressed, and this Certificate to be dated the Issue Date set forth above.

PARISH OF ST. BERNARD,  
STATE OF LOUISIANA

  
Clerk of Council

  
Parish President

(SEAL)

\* \* \* \* \*

## PROVISIONS FOR REGISTRATION

<u>Registered Owner</u>	<u>Registration Date</u>	<u>Signature of Clerk of Council</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*



# *St. Bernard Parish Council*

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Extract #25 continued  
June 4, 2013

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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District A*

**Nathan Gorbaty**  
*Councilman  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 5. The principal of the Certificate may be prepaid at any time by the Issuer prior to stated maturity at a price of par plus accrued interest to the date of prepayment.

SECTION 6. The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.

SECTION 7. The Issuer covenants and agrees that, to the extent permitted by the laws of the State of Louisiana, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code") in order to establish, maintain and preserve the exclusion from "gross income" of interest on the Certificate under the Code. The Issuer further covenants and agrees that it will not take any action, fail to take any action, or permit any action within its control to be taken, or permit at any time or times any of the proceeds of the Certificate or any other funds of the Issuer to be used directly or indirectly in any manner, the effect of which would be to cause the Certificate to be "arbitrage bonds" or would result in the inclusion of the interest on the Certificate in gross income under the Code, including, without limitation, (i) the failure to comply with the limitation on investment of Certificate proceeds or (ii) the failure to pay any required rebate of arbitrage earnings to the United States of America or (iii) the use of the proceeds of the Certificate in a manner which would cause the Certificate to be "private activity bonds".

The Certificate is designated as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code. In making this designation, the District finds and determines that:

(a) the Certificate is not "private activity bonds" within the meaning of the Code; and

(b) the reasonably anticipated amount of qualified tax-exempt obligations which will be issued by the Issuer and all subordinate entities in calendar year 2013 does not exceed \$10,000,000.



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Extract #25 continued  
June 4, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

The Parish President and Clerk of Council of the Issuer are hereby empowered, authorized and directed to take any and all action and to execute and deliver any instrument, document or certificate necessary to effectuate the purposes of this Ordinance.

SECTION 8. If any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items, or applications of this ordinance which can be given effect without the invalid provisions, items, or applications, and to this end the provisions of this ordinance are hereby declared severable.

SECTION 9. It is recognized that the Issuer will not be required to comply with the continuing disclosure requirements described in the Rule 15c-2-12(b) of the Securities and Exchange Commission [17 CFR §240.15c2-12(b)], because:

(a) the Certificate is not being purchased by a broker, dealer or municipal securities dealer acting as an underwriter in a primary offering of municipal securities, and

(b) the Certificate is being sold to only one financial institution (i.e., no more than thirty-five persons), which (i) have such knowledge and experience in financial and business matters that they are capable of evaluating the merits and risks of the prospective investment in the Certificate and (ii) are not purchasing the Certificate for more than one account or with a view to distributing the Certificate.

SECTION 10. The foregoing ordinance shall take effect immediately upon its adoption.

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

**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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Extract #25 continued  
June 4, 2013

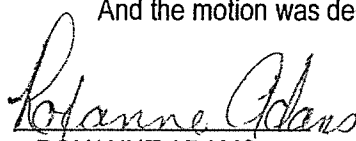
**George Cavignac**  
*Councilman  
at Large*

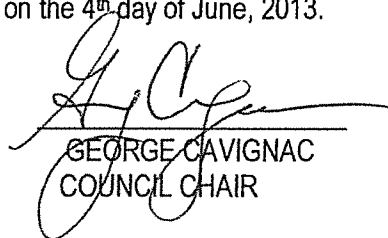
The Council Chair, Mr. Cavignac, cast his vote as **YEA**.

**Ray Lauga, Jr.**  
*Councilman  
District A*

And the motion was declared **adopted** on the 4<sup>th</sup> day of June, 2013.

**Nathan Gorbaty**  
*Councilman  
District B*

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Richard "Richie" Lewis**  
*Councilman  
District C*

Delivered to the Parish President

6/7/2013 11:15AM  
Date and Time


**Casey W. Hunnicutt**  
*Councilman  
District D*

Approved ✓

Vetoed \_\_\_\_\_

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

Parish President

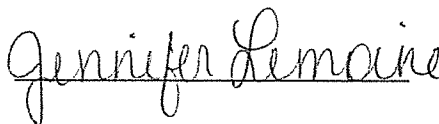
  
David E. Peralta

**Roxanne Adams**  
*Clerk of Council*

Returned to Clerk of the Council

6/7/2013 11:20AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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at Large*

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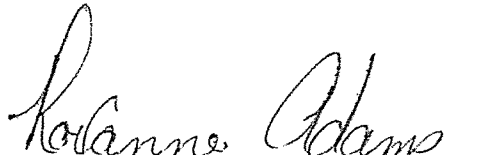
**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish of St. Bernard, State of Louisiana do hereby certify that the foregoing pages constitute a true and correct copy of **Ordinance SBPC #1400-06-13** adopted by said Parish Council on June 4, 2013, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding Four Million Five Hundred Twenty Six Thousand Dollars (\$4,526,000) of Limited Tax Certificates of Indebtedness, Series 2013; providing for the payment thereof; establishing the rate of interest thereon; providing for a pledge of revenues of said Parish for the security and payment thereof in principal and interest; and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature on this the 4<sup>th</sup> day of June, 2013.

  
Clerk of Council

## EXHIBIT A

May 21, 2013

Honorable Parish Council  
Parish of St. Bernard, State of Louisiana  
Chalmette, Louisiana

Re: Offer to Purchase: Not exceeding \$4,526,000 of Limited Tax  
Certificates of Indebtedness, Series 2013 of the Parish of St.  
Bernard, State of Louisiana

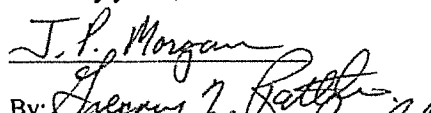
Please accept this letter as the commitment of the undersigned (the "Bank") to purchase the following  
Limited Tax Certificates of Indebtedness upon the terms and conditions outlined below:

1. Issuer and Amount - Not exceeding \$4,526,000 of Limited Tax Certificates of Indebtedness, Series 2013 (the "Certificate") of the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"). The principal amount of the Certificates may be advanced (at par on the date of each advance) by the purchaser thereof to the Issuer on a reasonably "as needed" basis, and interest will only be payable on the principal amount of the Certificates which shall have been advanced to the Issuer and shall accrue on a particular amount of principal advanced to the Issuer only from the date of its advancement.
2. Authority for Issue - Section 742.2 of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority.
3. Purpose of Issue - Maintaining and operating fire protection facilities and paying the costs incurred in connection with the issuance thereof, as set out in the Proposition approved by the voters on December 8, 2012.
4. Dated Date of Certificate - Date of delivery.
5. Form of Certificate - Single typewritten certificate in fully registered form.
6. Interest Rate - 1.03% per annum BQTE, assuming borrowed funds are fully drawn up to the stipulated amount and no subsequent draws; and 1.31%, BQTE at close if multiple draws are anticipated up to the stipulated amount of each debt issuance.
7. Interest Payment - March 1, 2014.
8. Principal Payment - March 1, 2014. To the extent not previously prepaid, all principal and interest shall become immediately due and payable by Issuer to the Bank on March 1, 2014.
9. Prepayment Provisions - Principal may be prepaid at any time prior to maturity at a price of par plus accrued interest to the date of prepayment.
10. Security - The Certificates will be secured by a pledge of the proceeds of the Issuer's special 20 mills tax (such rate being subject to adjustment from time to time due to reassessment) authorized to be levied each year through the year 2022 (the "Tax") within the corporate boundaries of the Issuer.



11. Legal Opinion - Legal opinion of Foley & Judell, L.L.P., as to the due authorization, validity and federal tax exemption of interest on the Certificate.
12. Bank Eligibility - The Certificate will be designated as a "qualified tax-exempt obligation" under Section 265(b) of the Internal Revenue Code of 1986, as amended.
13. Investment Letter - The Bank will sign an investment letter indicating that it has made a full investigation of the security for the issue and has not relied upon or requested that any disclosure document be prepared by or on behalf of the Parish, and that it is purchasing the Certificate without any intention to sell any portion thereof to any person other than another financial institution.
14. Paying Agent - The purchaser of the Certificate shall serve as the initial Paying Agent for the Certificate. There will be no charge for said service. The Bank may resign as Paying Agent at anytime.
15. Parity Certificates: The Issuer may issue additional certificates of indebtedness (or other obligations) payable from the pledge and dedication of the funds to be derived from the levy and collection of the Tax on a complete parity with the Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates and the said additional certificates of indebtedness may not exceed 75% of the revenues estimated to be realized from the levy of the Tax in the year in which such additional certificates of indebtedness are issued; it being provided, however, that the proceeds of said additional certificates of indebtedness are to be expended only for the purposes for which the Tax is levied.
16. Annual Financial Statements - Until principal and interest of the Certificate are paid in full, audited financial statements of the Issuer certified as true and correct by the Finance Director of the Issuer shall be furnished to the undersigned no later than 120 days after the applicable fiscal year-end of the Issuer.
17. Comprehensive Budget - The Issuer shall prepare and adopt a budget at the beginning of each fiscal year certified as true and correct by the Finance Director of the Issuer and furnish the undersigned a copy of such budget (and any amendments) in a form reasonably acceptable to the Bank within 30 days after its adoption.
18. Continuing Disclosure - It is understood that, with respect to the Certificate, the Issuer will not be required to comply with the continuing disclosure requirements of SEC Rule 15c2-12(b).
19. Delivery - On or about June 28th, 2013, following State Bond Commission approval.

Sincerely yours,

  
By: Gregory N. Rott  
Title: Deputy Vice President



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at Large*

**George Cavignac**  
*Councilman  
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*Councilman  
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*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#1**

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON MONDAY, JUNE 24, 2013 AT ELEVEN O'CLOCK A.M.

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

## **EMERGENCY ORDINANCE SBPC #1401-06-13**

### **Summary No. 2956**

Introduced by: Administration

AN EMERGENCY ORDINANCE TO ENTER INTO A SERVICE AGREEMENT WITH THE OFFICE OF THE CLERK OF COURT TO COLLECT FEMA FUNDS IN EXCHANGE FOR AN ADVANCE OF SAID FEMA FUNDS, AND OTHER STIPULATIONS IN CONNECTION THEREWITH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, In accordance with Louisiana Revised Statute 13:786, St. Bernard Parish Government seeks to assist the Office of the Clerk of Court in a financial shortage due to the Office of the Clerk of Court awaiting FEMA reimbursement funds.

SECTION 1. The Parish adopts an ordinance to enter into a service agreement with the Office of the Clerk of Court to collect FEMA Funds in exchange for an advance of said FEMA funds. The Office of the Clerk of Court shall collect said funds and provide same immediately to St. Bernard Parish Government.

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.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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Extract #1 continued

June 24, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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 of this Ordinance with the invalid portions omitted.

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

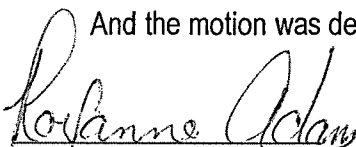
**YEAS:** Lewis, Hunnicutt, McInnis

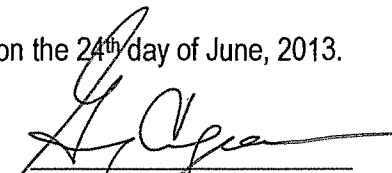
**NAYS:** None

**ABSENT:** Lauga, Gorbaty, Montelongo

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 24<sup>th</sup> day of June, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

6/24/13 11:12am  
Date and Time

Approved ☒

Vetoed ☐

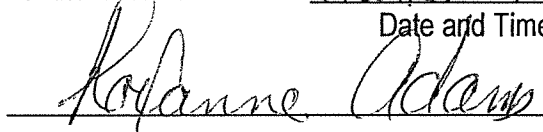
Parish President

  
David E. Peralta

Returned to Clerk of the Council

6/24/13 11:13am  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC#1402-07-13**

### **Summary No. 2933**

Introduced by: Council on 4/2/13

Public hearing held on 7/2/13

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2013 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1 FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

WHEREAS, this ordinance is part of a pair of ordinances that are required in order to complete the intention of rolling forward to further levy the millages should the Governing Authority of St. Bernard Parish choose to do so, and;

WHEREAS, it is necessary for the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of said Parish and the hereinafter described districts, to levy all the maintenance and operating taxes for the year 2013; and

WHEREAS, it is also necessary for the said Parish Council, acting as the Governing Authority of said Parish, to levy taxes for the year 2013 for the payment of general obligation bonds thereof;

NOW, THEREFORE, BE IT ORDAINED by the St. Bernard Parish Council, acting as the Governing Authority of the following political subdivisions,

1. Parish of St. Bernard, State of Louisiana
2. Road Lighting District No. 1 of the Parish of St. Bernard, State of Louisiana
3. Road District No. 1 of the Parish of St. Bernard, State of Louisiana
4. Garbage District No. 1 of the Parish of St. Bernard, State of Louisiana
5. Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #15 continued  
July 2, 2013

## 6. Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana

SECTION 1. Parish Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2013, for the respective purposes described below:

<u>2013 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
2.74	N/A	N/A	Parish Constitutional Tax
1.22	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public libraries in the Parish.
2.46	Nov. 7, 2006	2010-2019	Constructing, maintaining, improving and operating public libraries in the Parish and purchasing books and other library materials.
2.16	Nov. 7, 2006	2007-2016	Acquiring or improving lands, buildings and equipment for recreation purposes, title to which shall be in the public, and maintaining and operating such recreation facilities in the Parish.
0.62	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public health units in the Parish.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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<u>2013 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
0.94	Nov. 7, 2006	2007-2016	Providing funding for Senior Citizens programs, activities and services operated by the St. Bernard Parish Council on Aging.
20.00	Dec. 8, 2012	2012-2022	Acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other firefighting equipment.

SECTION 2. Parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in said Parish for the year 2013, for the respective parishwide districts and purposes described below:

<u>2013 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Parishwide District and Purpose</u>
3.04	Nov. 7, 2006	2007-2016	<u>Garbage District No. 1</u> - providing and maintaining garbage collection and disposal services in Garbage District No. 1.
3.04	Nov. 7, 2006	2007-2016	<u>Road District No. 1</u> - constructing, improving and maintaining public roads and highways in Road District No. 1



# St. Bernard Parish Council

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July 2, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

1.21	Nov. 7, 2006	2007-2016	<u>Road Lighting District No. 1</u> - providing and maintaining electric lights on the streets, roads, highways, alleys and public places in Road Lighting District No. 1.
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SECTION 3. Non-parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, the following special taxes are hereby levied, assessed and imposed on all the property in the respective non-parishwide districts described below for the year 2013, for the respective districts and purposes described below:

<u>2013 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Non-parishwide District and Purpose</u>
2.71	Nov. 7, 2006	2007-2016	<u>Fire Protection District No. 1</u> 1 - maintaining and operating said Fire Protection District's fire protection facilities and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and services in Fire Protection District No. 1
4.56	Nov. 7, 2006	2009-2018	<u>Fire Protection District No. 1</u> - acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in Fire District No. 1.
8.05	Nov. 7, 2006	2009-2018	<u>Fire Protection District No. 2</u> - acquiring, constructing, maintaining, improving and operating fire protection



# *St. Bernard Parish Council*

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Extract #15 continued  
July 2, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

facilities and purchasing fire trucks and other fire fighting equipment in Fire District No. 2.

**SECTION 4. Collection of Taxes.** The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2013, and to make the collection of the taxes imposed for and on behalf of said Parish and said respective districts, according to law, and the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and ex officio tax collector of the Parish of St. Bernard shall collect said taxes.

Certified copies of this ordinance shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and ex officio tax collector as complete authority to levy and collect the taxes herein provided.

**SECTION 5. Publication.** This ordinance shall be published one time in the official journal of this Parish Council in the manner provided by law.

**SECTION 6. 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 7. 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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

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Extract #15 continued  
July 2, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis


**NAYS:** None


**ABSENT:** None

**ABSTAINED:** None

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7/3/2013 3:00pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

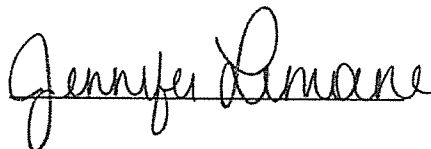
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 9:01 AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#16**

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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1403-07-13**

### **Summary No. 2934**

Introduced by: Council on 4/2/13

Public hearing held on 7/2/13

AN ORDINANCE PROVIDING FOR MILLAGE RATE ADJUSTMENTS, AS ALLOWED BY ARTICLE VII, SECTION 23 (B) AND (C) OF THE LOUISIANA CONSTITUTION OF 1974 AND LA. RS. 47:1705 (B), LEVYING AND IMPOSING TAXES AND ASSESSMENTS FOR 2013 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1, AND FIRE PROTECTION DISTRICT NO. 2, OF SAID PARISH.

WHEREAS, it is necessary for the Parish Council of the Parish of St. Bernard, State of Louisiana, acting as the governing authority of said Parish and the hereinafter described districts, to levy all the maintenance and operating taxes for the year 2013; and

WHEREAS, as a result of the quadrennial reappraisal and valuation of the property subject to taxation within the Parish of St. Bernard, State of Louisiana (the "Parish"), the millages levied by the Parish and the various taxing districts have been adjusted downwards from the 2012 levy in proportion to the increase in the taxable assessed valuation of the Parish and the respective Districts; and

WHEREAS, pursuant to Article VII, Section 23(C) of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), it is the desire of this Parish Council to increase the taxes levied by the Parish and the respective Districts for the year 2013 back to the prior year's maximum authorized millage rate; and

WHEREAS, a public hearing has been held by this Parish Council on the subject of the proposed millage adjustment in accordance with La. R.S. 47:1705(B); and



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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July 2, 2013

**George Cavignac**  
*Councilman  
at Large*

NOW, THEREFORE, BE IT ORDAINED by the St. Bernard Parish Council, acting as the governing authority of the following political subdivisions,

**Ray Lauga, Jr.**  
*Councilman  
District A*

1. Parish of St. Bernard, State of Louisiana
2. Road Lighting District No. 1 of the Parish of St. Bernard, State of Louisiana
3. Road District No. 1 of the Parish of St. Bernard, State of Louisiana
4. Garbage District No. 1 of the Parish of St. Bernard, State of Louisiana
5. Fire Protection District No. 1 of the Parish of St. Bernard, State of Louisiana; and
6. Fire Protection District No. 2 of the Parish of St. Bernard, State of Louisiana that:

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

SECTION 1. Parish Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, particularly Article VII, Section 23(B), of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), and pursuant to the authority of special elections held on the dates shown below, the following special taxes are hereby levied, assessed and imposed on all the property in the Parish of St. Bernard, State of Louisiana (the "Parish"), for the year 2013, for the respective purposes described below:

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Adjusted Rate Per Reassessment (Millage Rate)	2013 Levy (Millage Rate)	Election Date	Years Authorized	Purpose
2.74	2.75	N/A	N/A	Parish constitutional tax
1.22	1.23	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public libraries in the Parish.
2.46	2.47	Nov. 7, 2006	2010-2019	Constructing, maintaining, improving and operating public libraries in the Parish and purchasing books and other library materials.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

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July 2, 2013

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Adjusted Rate Per Reassessment (Millage Rate)	2013 Levy (Millage Rate)	Election Date	Years Authorized	Purpose
2.16	2.17	Nov. 7, 2006	2007-2016	Acquiring or improving lands, buildings and equipment for recreation purposes, title to which shall be in the public, and maintaining and operating such recreation facilities in the parish.
0.62	0.62	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public health units in the Parish.
0.94	0.94	Nov. 7, 2006	2007-2016	Providing funding for Senior Citizens programs, activities and services operated by the St. Bernard Parish Council on Aging.
	20.00	Dec. 8, 2012	2012-2022	Acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other firefighting equipment.

SECTION 2. Parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, particularly Article VII, Section 23(B), of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), and pursuant to the authority of special elections



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**Guy McInnis**  
Councilman  
at Large

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Extract #16 continued  
July 2, 2013

**George Cavnagnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

held on the dates shown below, the following special taxes are hereby levied, assessed and imposed on all the property in the respective districts listed below (the "District"), for the year 2013, for the respective purposes described below:

Adjusted Rate Per Reassessment (Millage Rate)	2013 Levy (Millage Rate)	Election Date	Years Authorized	Parishwide District and Purpose
3.04	3.05	Nov. 7, 2006	2007-2016	<u>Garbage District No. 1</u> providing and maintaining garbage collection and disposal services in Garbage District No. 1
3.04	3.05	Nov. 7, 2006	2007-2016	<u>Road District No. 1</u> constructing, improving and maintaining public roads and highways in Road District No. 1
1.21	1.22	Nov. 7, 2006	2007-2016	<u>Road Lighting District No. 1</u> providing and maintaining electric lights on the streets roads, highways, alleys and public places in Road Lighting District No. 1.

SECTION 3. Non-parishwide District Taxes. Under the authority of the Constitution and Laws of the State of Louisiana, particularly Article VII, Section 23(B), of the Louisiana Constitution of 1974 and La. R.S. 47:1705(B), and pursuant to the authority of special elections held on the dates shown below, the following special taxes are hereby levied, assessed and imposed on all the property in the respective districts listed below (the "District"), for the year 2013, for the respective purposes described below:



# St. Bernard Parish Council

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**Guy McInnis**  
*Councilman  
 at Large*

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 Extract #16 continued  
 July 2, 2013

**George Cavignac**  
*Councilman  
 at Large*

**Ray Lauga, Jr.**  
*Councilman  
 District A*

**Nathan Gorbaty**  
*Councilman  
 District B*

**Richard "Richie" Lewis**  
*Councilman  
 District C*

**Casey W. Hunnicutt**  
*Councilman  
 District D*

**Manuel "Monty"  
 Montelongo III**  
*Councilman  
 District E*

**Roxanne Adams**  
*Clerk of Council*

Adjusted Rate Per Reassessment (Millage Rate)	2013 Levy (Millage Rate)	Election Date	Years Authorized	Non-parishwide District and Purpose
2.71	2.73	Nov. 7, 2006	2007-2016	<u>Fire Protection District No. 1</u> – Protection District's fire protection facilities and paying the cost of obtaining water for fire protection purposes, including charges for fire hydrant rentals and services in Fire Protection District No. 1
4.56	4.60	Nov. 7, 2006	2009-2018	<u>Fire Protection District No. 1</u> - acquiring, constructing, maintaining, improving and operating fire protection facilities and purchasing fire trucks and other fire fighting equipment in Fire District No. 1.
8.05	8.14	Nov. 7, 2006	2009-2018	<u>Fire Protection District No. 2</u> - acquiring, constructing, maintaining, improving and operating fire protection facilities purchasing fire trucks and other fire fighting equipment in Fire District No. 2.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

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**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 4. Collection of Taxes. The proper administrative officials of the Parish of St. Bernard, State of Louisiana, are hereby empowered, authorized and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said Parish for the year 2013, and to make the collection of the taxes imposed for and on behalf of said Parish and said respective districts, according to law, and the taxes herein levied shall become a permanent lien and privilege on all the property subject to taxation as herein set forth, and the collection thereof shall be enforceable in the manner provided by law.

Specifically, the Assessor of the Parish of St. Bernard shall extend said taxes and assessment on said assessment roll as required by law, and the Sheriff and *ex officio* tax collector of the Parish of St. Bernard shall collect said taxes.

Certified copies of this ordinance shall be forwarded to the St. Bernard Parish Assessor and to the St. Bernard Parish Sheriff and *ex officio* tax collector as complete authority to levy and collect the taxes herein provided.

SECTION 5. Publication. This ordinance shall be published two times in the official journal of this Parish Council in the manner provided by law.

SECTION 6. 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 7. 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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

Page -7-  
Extract #16 continued  
July 2, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

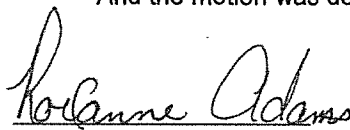
**NAYS:** None

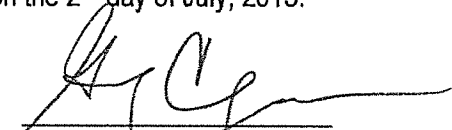
**ABSENT:** None

**ABSTAINED:** None

The Council Chair, Mr. Cavnac, cast his vote as **NAY**.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

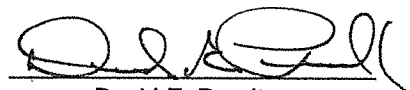
  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 7/3/2013 3:00pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

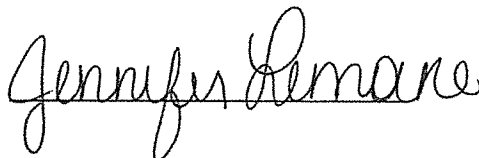
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 9:00AM  
Date and Time

Received by







# *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)

**#17**

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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC#1404-07-13**

### **Summary No. 2936**

Introduced by: Councilman McInnis

Public Hearing held on 6/4/13

Tabled by Council on 6/4/13

Tabled by Council on 6/18/13

Public Hearing on 7/2/13

AN ORDINANCE TO AMEND CHAPTER 22; SECTION 7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend the attached (Exhibit A) to Chapter 22; Section 7-4; Sign Regulations.

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 of this Ordinance with the invalid portions omitted.

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
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Montelongo III**  
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**Roxanne Adams**  
*Clerk of Council*



# St. Bernard Parish Council

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District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #17 continued  
July 2, 2013

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


**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis


**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7/3/2013 3:00pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

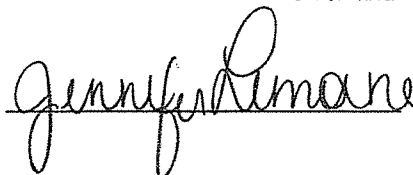
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 9:00AM  
Date and Time

Received by



**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

**22-7-4. SIGN REGULATIONS**

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**22-7-4.1. PURPOSE**

The purpose of this section is to provide comprehensive regulations for signs within St. Bernard Parish, to facilitate the location and choice of signs, to avoid visual clutter that is potentially harmful to vehicular and pedestrian safety, to protect property values, to promote business opportunities, and to provide for a pleasing environmental setting.

**22-7-4.2. DEFINITIONS**

**Abandoned sign:**

- (1) A sign that no longer correctly proclaims any person, business, lesser, owner, entity, or product, on or off premises; thirty (30) days after notice of non-compliance; or
- (2) A sign in disrepair that has not been maintained for a period of thirty (30) days after notice of disrepair or non-compliance; or
- (3) Any sign with no face, for a consecutive thirty (30) days from the date of notice of non-compliance.
- (4) A sign on an vacant lot that exists at the property thirty (30) days after notice of non-compliance.

**Address sign:** A sign which communicates only the numeric address of the premises on which it is located.

**Arrow sign:** Any portable or attached arrow sign, flashing or non flashing, used to advertise or display any message.

**Attached sign:** Any sign which is connected physically to and which derives structural support from a building or building appendage or adornment.

**Audible sign:** A sign which is designed to or which does produce any sound.

**Awning sign:** Any sign placed on an awning that is supported entirely from the exterior wall of a building, and is composed of a cloth, plastic, or nonstructural covering; also, the awning itself, when words or images of advertisement or information are contained thereon.

**Banners, banner signs, flags, seals:** A sign having letters, characters, illustrations, or ornamentations applied to cloth, paper, or other lightweight material which allows for movement caused by the atmosphere, designed to express a message or identify a place, person, idea, or any thing other than duly adopted flags or seals of municipalities, parishes, states, or nations.

**Beacon:** A strong bright light or strobe light focused on or pointed in one (1) or more directions.

**Bench Sign:** A sign painted on or attached to a bench or a shelter, or other non-mobile structure, provided for a person awaiting public transportation.

**Billboard sign:** A freestanding sign used for selling advertising space.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

**Changeable message sign:** A sign on which the message or sign panels may be changed electronically or manually through the removal, replacement, or rearrangement of letters, symbols, blocks, or panels designed for attachment to the sign.

**Construction sign:** Any temporary sign erected and maintained by an architect, contractor, developer, financial institution, materials supplier, or subcontractor on sight for which said person or persons is presently furnishing labor, materials, services, or capital financing.

**Facade sign:** Any sign painted on or mounted against the surface of a front or side wall of a building, or any wall which is an essential part of the landscape design of the site, such as a wall screening for off-street parking.

**Flashing sign:** A light or light source or a reflection of a light source, which is intermittent.

**Freestanding sign:** Any sign that is supported only by a structure secured in the ground, which does not affect traffic safety by obstructing vision, and which is independent of any building, fence, support wires, vehicles, or other such objects for support.

**Identification sign:** A sign that is limited to name, address, person, or entity of a building.

**Laser:** Any device that emits a narrow, intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such a device.

**Marquee sign:** A permanent roof-like structure that projects beyond a building wall at an entrance to a building or extending along and projecting beyond a building's wall and constructed to provide protection against the weather.

**Monument sign:** Any free-standing ground sign (a) which is of monolithic construction; (b) If supports are visible, they must not exceed twenty-four (24) inches in height, measured from the ground surface; (c) the sign shall not exceed (8') feet in total height from the ground; in no instance shall the sign exceed 64 SF; (d) A double-faced monument sign shall be constructed back-to-back, unless visibility of such sign would be impeded, in which case the two (2) sides may form a V-shape, in which the interior angle does not exceed forty-five (45) degrees.

**Neon sign:** Any colored tubular lighting that is bent or formed into lettering or a design of which the primary source of light is gaseous. Anything within the outline of the neon will be considered part of the sign face.

**Non-conforming sign:** A sign which was legally erected and maintained prior to such time as it came within the purview of this Code and any amendments thereto, and which fails to conform to applicable regulations and restrictions of said Code, or a non-conforming sign for which a conditional use permit has been issued.

**Off-premise Sign:** Any sign directing persons to a different location other than that on which sign is located, and which identifies goods, products, or services not available on the premises on which the sign is located.

**On-premise sign:** A sign identifying or advertising a person, business, activity, or product or service located on the premises where the sign is installed.

**Permanent Building:** Permitted structure not supported by steel frame.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

**Pole sign:** A sign erected on one or more pole, and which is wholly independent of any building for support in excess of 8'.

**Political sign:** A temporary sign urging the election or defeat of any political candidate, group, or agent thereof, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial or advertising firm when leased or used as a political sign.

**Portable sign:** A sign not permanently attached to the ground, a building, or other structure; a sign designed to be moved from place to place; a snipe sign is one (1) that is tacked, nailed, posted, taped, pasted, glued, or otherwise attached to trees, walls, trash receptacles, fences, or other like objects. Legal notices required by law are exempt.

**Projecting sign:** Any sign other than a wall sign that is affixed to any wall or building, which has a leading edge extending twelve or more inches beyond such wall or building. There are two (2) types:

(1) *Fixed* --fixed rigidly to building or wall; and

(2) *Swinging* --has only one (1) rigid support.

**Real estate sign:** A temporary sign erected by the owner or owner's agent, pertaining to the sale, lease, or rental of property on which sign is erected.

**Revolving/rotating sign:** A sign whose face is designed to turn on an axis.

**Sign:** Defined as a medium of communication; a display of letters, characters, illustrations, or ornamentations; includes its structure and component parts, but not guy wires or the poles to which they are attached.

**Sign area:** The square footage of the area enclosed within the perimeter of the sign face, with each face contributing to the composite area of any sign. In the case where there is no distinguishable geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the message shall determine the sign area. For back-lighted awnings, the entire area of the awning shall be considered the sign area.

**Sign face:** The part of the sign that can be used to identify, advertise, inform, communicate, or convey a visual representation that attracts attention of the public, for any purpose. It includes any background material, panel, trim, frame, color, and lighting that differentiates the sign from the building, structure, or object upon which it is mounted or against which it is placed.

**Sign height:** Defined as the vertical distance from the finished grade to the highest point of the sign or sign structure.

**Sign structure:** The supporting structure upon which a sign or sign face is attached or displayed, having its primary purpose the support or display of the sign; does not include a building or fence.

**Snipe sign:** One (1) that is tacked, nailed, posted, taped, pasted, glued, or otherwise attached to ~~poles,~~ trees, ~~stakes,~~ walls, trash receptacles, fences, or other like objects. Legal notices required by law are exempt.

**Street banner sign:** Any banner sign that is stretched across and hung over a public right-of-way.

**Subdivision sign:** A sign identifying the subdivision and designating the entrance or exit to such subdivision.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

**Temporary Sign:** A sign pertaining to a specific event or situation that is expected to occur and be completed within a reasonably short time period after the erection of such sign.

**Trailer sign:** A portable sign structure that is attached to or made up of in whole or in part of a trailer, or any parts thereof that were previously a whole or part of a trailer.

**Vacant lot:** a lot on which there are no permanent buildings or foundations.

**Vehicle sign:** A portable sign that is displayed on or from any mode of transportation.

**Window sign:** Any sign that is painted on, applied to, attached to, or projected onto the interior or exterior of a building's glass area, including doors, or that which is located within one foot of the interior of a building's glass area, which can be perceived from any off-premises contiguous property or public right-of-way.

**22-7-4.3. PROHIBITED SIGNS**

- (a) Abandoned signs.
- (b) Arrow Signs.
- (c) Audible Signs
- (d) Beacons.
- (e) Lasers.
- (f) Portable sign not on the property of the business being advertised are strictly prohibited.
- (g) Projected signs.
- (h) Revolving/rotating signs.
- (i) Any sign which consists or comprises of deceptive, immoral, or scandalous matter, or that presents a message, picture, or letter combination which is offensive.
- (j) Any sign placed on a public street median is strictly prohibited. All such existing signs shall be removed.

**22-7-4.4. EXEMPT SIGNS**

- (a) Official notices posted by any court, public agency, or officer.
- (b) Historic plaques.
- (c) Traffic, directional, warning, or informational signs authorized by any public agency.
- (d) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (e) Private directional signs, not to exceed four (4) square feet in sign area, per sign.
- (f) Indoor neon signs, not to exceed six (6) square feet in area are allowed at or near windows, providing said signs do not exceed twenty-five (25) percent of the area of such window.
- (g) A portable sign on the property of the business is only allowable during the business hours of that business.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

**22-7-4.5. DIMENSIONS, CONDITIONS, AND RESTRICTIONS FOR SIGN TYPES**

(a) **Address signs.** Non-illuminated address signs in nonresidential and mixed-use districts are not required to obtain a permit, but are a minimum requirement for all structures. They are not to exceed eight (8) square feet, in sign area. The minimum setback is five (5) feet and the maximum height shall be two (2) feet from the ground. Such signs shall be located on or within ten (10) feet of primary public entrance of the premises.

(b) **Awning/awning sign.** Occupants for a commercial, industrial, institutional building or any use other than residential, is allowed an awning sign, also referred to as an awning. All signs must be installed by a licensed sign company or a licensed awning company.

(c) **Banners, flags, seals.** Banners, flags, and seals will be allowed upon application, approval, and issuance of the permit by the Department of Community Development. Applications must include: the name of the person, firm, corporation, or organization sponsoring said event, location(s) where sign(s) will be installed, and dates sign(s) will be displayed. Signs may not exceed thirty-two (32) square feet, and will be limited to up to two (2) banners, flags, or seals per premise. The total number of signs, location(s), and method of attachment must be approved by the Director of the Department of Community Development.

(d) **Changeable signs.** Movie theater signs are allowed changeable message signs without limitation. All other changeable message signs must be incorporated into a sign face, and the changeable component must occupy less than one-half the total sign face area. Change copy, if used, must be located adjacent to or integrated into the sign face. Lettering of changeable signs shall be of uniform size and color. If internal illumination is used, it must be of negative contrast.

(e) **Construction signs.** Non-illuminated construction signs will be permitted on premises that are being developed or improved, subject to the following requirements:

(1) Building permit for construction work must be obtained prior to issuance of construction sign permit.

(2) Residential districts. Only one (1) sign per contractor shall be permitted and no sign shall exceed six (6) square feet in sign area, nor three (3) feet in height. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign(s) shall not be located within ten (10) feet property line, or placed in such a spot as to obstruct traffic visibility.

(3) Nonresidential or mixed use districts. Only one (1) sign is permitted by site, and said sign shall not exceed thirty-two (32) square feet in sign area. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign shall not be placed in such a spot as to obstruct traffic visibility.

(4) Construction signs are limited to one (1) per premises, except when site has two (2) street frontages. In such case, one construction sign will be permitted for each street frontage, not to exceed two (2) signs.

(5) All construction signs shall be removed prior to issuance of certificate of occupancy.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

(f) **Facade signs for residential offices.** Facade signs shall not occupy more than fifteen (15) square feet in area per side and not to exceed five (5) feet in height. Said signs shall not project more than four (4) inches from the face of the building. No portion of any such sign shall extend over parish property.

(g) **Facade signs:** Facade signs shall not occupy more than one (1) square foot per linear foot of the building frontage. All signs must be installed by a licensed sign company.

(h) **Freestanding signs.**

(1) No additional sign, defined exclusively as a freestanding sign, shall be permitted upon the effective date of this section.

(2) No billboard signs shall be permitted upon the effective date of this section. All signs must be installed by a licensed sign company.

(i) **Identification signs.** For single-family residential districts, identification signs may not exceed three (3) square feet in sign area. In multi-family residential districts, identification signs may not exceed six (6) square feet and must identify only that specific building that is contained in said multi-family dwelling and must be consistent with the permitted use(s) of the residential structure.

(j) **Marquee signs.** An occupant, for a commercial, industrial, or institutional use or for any use other than residential, is allowed one (1) marquee. Overall height of marquee sign shall not exceed six (6) feet. All signs must be installed by a licensed sign company.

(k) **Monument signs.** Mounds/berms shall not be more than three (3) feet from ground level of lot and shall be located within a landscaped bed area. Height of monument signs shall not exceed eight (8) feet. Setback from the property line shall be a minimum of five (5) feet. If no building façade is behind monument sign, it may be set back up to fifty (50) feet from the property line. One monument sign per one thousand (1,000) feet of street frontage or fraction thereof in excess of one thousand (1,000) foot increments shall be permitted. If more than one street frontage, then one additional monument sign will be allowed for each one thousand (1,000) feet or fraction thereof in excess of one thousand (1,000) feet. Single occupancy buildings shall have no monument sign greater than thirty-two (32) square feet; multi-occupancy buildings shall have no monument sign greater than seventy (70) square feet. All signs must be installed by a licensed sign company.

1. Exception: Businesses located on Paris Road north of the 40 arpent levee shall be allowed signs totaling 16' in height measured from the crown of highway, and shall be allowed a sign no greater than seventy (70) square feet whether single or multi-occupancy buildings.

(l) **Neon signs.** Anything within the boundary of the outline of the neon will be considered a part of the sign face. Neon signs shall not be used to illuminate or outline building facades or window or door openings.

(m) **Non-conforming signs.** Any sign which legally existed prior to the date of adoption of this ordinance may be continued, but will lose its legally conforming status if any of the following occur:

1. The sign has been abandoned for more than 30 days from the notice of non-compliance.
2. The building on the premises where the sign is located is no longer allowable according to the St. Bernard Parish Code of Ordinances.



**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

3. The sign is changed in a way, so that it is made less in compliance than with this code than before the change occurred.
4. The sign is relocated.
5. The sign structure has been significantly changed.

(n) **Political signs.** Political signs shall not exceed thirty-two (32) square feet. Said signs shall be allowed for no more than ninety (90) consecutive calendar days and must be removed within ten (10) days following election for which signs were permitted. If signs are for more than one (1) election, the permit will automatically extend to the tenth day following the subsequent election.

(1) Political signs are not permitted in public rights-of-way, and are not allowed to obstruct vehicular lines of vision.

(2) Said signs are not allowed to be stacked one on top of another, like in billboard fashion.

(o) **Real estate signs.** In residential areas, signs must be non-illuminated, and limited to five (5) square feet per side, for a total of ten (10) square feet. Sign height cannot exceed five (5) feet in height, if sign is freestanding in nature. In all other districts, signs must be limited to thirty-two (32) square feet per sign face, with an aggregate square footage of not more than sixty-four (64). If sign is freestanding, height cannot exceed seven (7) feet. All real estate signs must be removed within thirty (30) days of property being sold, rented, or leased.

(p) **Subdivision signs.** Subdivision signs should not be more than forty-eight (48) square feet in area or ninety-six (96) square feet for a two-sided sign. Signs must be located only at entrances to approved subdivisions, and must obtain a permit from the department of community development to construct signs. All signs must be installed by a licensed sign company or contractor.

(q) **Window signs.** Window signs shall be permitted as long as they do not prevent said windows from being used as an emergency exit. Also, window signs shall not cover more than twenty-five (25) percent of the square footage of said window.

(r) **Pole sign.** A sign erected on one or more pole, and which is wholly independent of any building for support advertising space shall not exceed 64 square feet per side and must be installed by a licensed sign company.

#### **22-7-4.6. REGULATION OF SIGNS**

All signs hereafter erected on any lot in any district, except official, traffic and street signs, shall conform to the provisions of this paragraph, unless otherwise provided.

(a) Signs in Residential "R" Districts: In residence districts no sign shall be permitted except the following:

(1) A sign, not exceeding two (2) square feet in area, giving the name and/or address only of the land or building on which displayed, or the owner or lessee thereof.

(2) A sign pertaining to the lease or sale of a building or property, provided such sign shall not exceed twelve (12) square feet in surface area and is unilluminated.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

- (3) Temporary nonilluminated signs, for one (1) year, advertising a new subdivision development of five (5) lots or more, provided such signs do not exceed sixty (60) square feet in surface area, are no more than fifteen (15) feet nor less than two (2) feet above ground, advertise only the development in which they are located, and are erected only at dedicated street entrances.
- (4) One (1) unilluminated sign identifying an engineer, architect or contractor engaged in the construction of a building, provided such sign shall not exceed twelve (12) square feet in surface area, is no more than fifteen (15) feet or less than two (2) feet above ground, and is removed within thirty (30) days following occupancy of the building.
- (5) One (1) identification sign, not to exceed thirty (30) square feet in area, for the following uses: church, school, hospital, library, farm, park, clinic or similar uses. Such sign shall be solely for the purpose of displaying the name of the institution and its activities or services. It may be illuminated but not flashing.
- (6) Directional signs not to exceed two (2) square feet in surface area for the following uses: church, school, hospital, library, sanitarium, clinic or similar use; provided, that each shall be limited to one (1) such sign per major thoroughfare approach. No such sign shall be permitted on minor residential streets.
- (7) One (1) nameplate sign for a dwelling group of four (4) or more units not exceeding five (5) square feet in surface area. Such signs may indicate the names and addresses of the buildings or it may be a directory for the occupants.
- (8) One (1) nameplate sign, no more than four (4) inches in width and eighteen (18) inches in length, indicating the name and occupation or profession of the resident who utilizes the premises for a permitted home occupation.
- (b) Signs in C-1 Neighborhood Commercial Districts: In the C-1 District signs are permitted subject to the following regulations:
- (1) All signs permitted in the "R" districts.
- (2) The total area of all business signs on a building or lot shall not exceed one hundred fifty (150) square feet or the sum of three (3) square feet for each lineal foot of lot frontage, whichever is the greater. No signal business sign surface may exceed three hundred (300) square feet in area, nor shall two (2) or more smaller signs be so arranged and integrated as to create a surface area in excess of three hundred (300) square feet.
- (3) Advertising sign structures shall be limited to not more than one (1) structure for a lot of 100-foot frontage or less, and to one (1) additional structure for each one hundred (100) feet of additional lot frontage. Such structure may contain not more than two (2) signs per facing nor exceed fifty-five (55) feet in length, and no advertising sign may exceed three hundred (300) square feet in area. No advertising sign shall be erected within fifty (50) feet of an adjoining residential district if designed to face into such district.
- (4) Coordinated shopping center. Each coordinated shopping center may have one (1) incidental or freestanding identification sign for each street frontage set back at least twenty (20) feet from the front property line and announcing only the name of the shopping center and the hours of business.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

(c) Signs in C-2 General Commercial or A-1 Rural Districts: In the C-2 or A-1 District signs are permitted with the following regulations:

- (1) All signs permitted in the "R" districts.
- (2) The total surface area of a business sign or signs on a lot shall not exceed six (6) feet for each lineal foot of lot frontage.
- (3) Advertising sign structures shall be limited to not more than one (1) structure for a lot of fifty-foot frontage or less, and to one (1) additional structure for each fifty (50) feet of additional lot frontage. Such structure may contain not more than two (2) signs per facing nor exceed fifty-five (55) feet length. No advertising sign may be erected within fifty (50) feet of an adjoining residential district if designed to face into such district.
- (4) Coordinated shopping center. Each coordinated shopping center may have one (1) incidental or freestanding identification sign for each street frontage set back at least twenty (20) feet from the front property line and announcing only the name of the shopping center and the hours of business.

(d) Signs in I-1 and I-2 Industrial Districts: In the I-1 and I-2 Districts signs are permitted subject to the following regulations:

- (1) All signs permitted in the "R" districts.
- (2) The total surface area of a business sign or signs on a building or lot shall not exceed ten (10) square feet for each lineal foot of lot frontage.
- (3) Advertising sign structures shall be permitted subject to subsection (e) below.

(e) General Restrictions: Unless otherwise provided in this chapter, the following regulations shall apply to signs in all districts:

- (1) No sign shall be erected as to prevent free ingress or egress from any door, window or fire escape, and no sign of any kind shall be attached to a standpipe or fire escape.
- (2) No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of position, it may interfere with or obstruct the view of traffic sight lines or traffic-control devices. If located within direct line of vision of a traffic-control device, no flashing or intermittent red, green or amber illumination shall be used.
- (3) Any sign affixed flat against the wall of a building and not more than fifteen (15) inches in thickness shall not be deemed a projecting sign. Projecting signs may extend not more than forty-eight (48) inches beyond the building line, or over public property, in no event closer than two (2) feet to the curbline, and shall be at least ten (10) feet above the finished grade of the sidewalk. Wall signs shall not extend more than fifteen (15) inches over public property; however, lighting devices may extend not more than six (6) feet over public property, provided the lowest part of such device is at least fifteen (15) feet above the finished grade.
- (4) Business and advertising signs are required to observe the same setback, side yard and height limitations as provided for other buildings or structures in the zoned district; provided, that where drive-in service or parking facilities are provided, one (1) business sign, not exceeding forty-five (45) square feet in area, may be erected in any required setback area if it is not located nearer to the street or highway right-of-way line than one-third the required setback distance.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

(5) The illumination of any sign within fifty (50) feet of and facing a residential zone lot line shall be diffused or indirected and designed to prevent direct rays of light from shining into adjoining residential districts; and in no event shall flashing or intermittent illumination be permitted where the sign faces directly into and is nearer than three hundred (300) feet to dwellings in a residential district.

(6) Directional or informational signs of a public or quasipublic nature, not exceeding six (6) square feet in area, may be permitted in any district on approval of the Director of the Department of Community Development. Any illumination shall be nonflashing, uncolored and confined to the face of the sign. No advertising matter whatsoever shall be permitted on signs of this type.

(7) Temporary signs indicating an event of public interest, such as a state or local fair, local or general election, cattle or horse show, etc., may be erected on a thirty-day, nonrenewable permit in any zone on approval of the Director of the Department of Community Development.

(8) Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, Office of Resident Services or its designee shall give written notice to the owner of the sign or the owner of the premises on which the sign is located that such sign be made safe or removed within ten (10) days.

(9) Any business or outdoor advertising sign legally existing prior to the adoption of the ordinance from which this chapter derived and which does not conform to these provisions shall not be altered, or changed in overall dimensions, except to conform to the provisions of this chapter. If damaged to an extent in excess of thirty (30%) percent of its current replacement value, it shall not be rebuilt, provided that nothing contained herein shall be construed to prevent normal maintenance and repairs, repainting or posting of such signs or structures.

(10) Unless otherwise provided in these regulations, all signs shall be constructed and erected in accordance with the building code for the Parish of St. Bernard, Louisiana.

(11) To provide reasonable flexibility in these regulations, Office of Resident Services or its designee may approve an application for a business sign or advertising structure which may not conform with the provisions of the district in which it is to be located, where the location, size or addition would not be inconsistent with the character of the area or neighborhood in which such sign or structure is to be located.

(12) All signs should be in compliance with the LA State Statue.

**22-7-4.7. APPLICATION REQUIREMENTS AND FEE SCHEDULE**

(a) **Application Requirements.** All applications should include the following information, in duplicate:

- (1) Name, address, and telephone number of applicant;
- (2) Permission of premises' owner;
- (3) Legal description of the property where sign(s) is/are to be constructed;
- (4) A site plan, depicting the proposed plan of development;

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

- (5) An illustration of sign(s), including pylons, side views of signs, and any other rendering deemed necessary by the Department of Community Development, to ensure clear understanding of proposed signage;
  - (6) Sizes, materials, and illumination of said signs;
  - (7) Wind loads, IBC requirements.
- (b) **Fees:** When completed application is submitted with required information, a nonrefundable application fee shall be required according to the following schedule:
- 1. Electrical Signs applicants shall pay an additional cost of an electrical inspection by either the St. Bernard Parish Office of Community Development or its licensed designee

**22-7-4.8. ENFORCEMENT, VIOLATIONS AND PENALTIES**

- (a) **Enforcement.** The provisions of this section shall be administered and enforced by the director of the department of community development, a parish planner, or, in the absence of these, the building inspector. All such officers shall have the authority and power to make inspections of any signs, sign structures, murals, or premises necessary to carry out their duties in the enforcement of the provisions of this section.
- (b) **Violation and Notice.**
- (1) If any sign or sign structure is erected, structurally altered, or maintained or used in violation of any of the provisions of this article, any proper Parish official or his or her duly authorized deputies or representatives shall begin any appropriate actions or proceedings to prevent such unlawful or illegal act, conduct, or use in or about or concerning any such sign, sign structure, or premises and completed within ninety (90) days. Each day that any such violation continues shall constitute a separate violation of this section. The director of the department of community development, the parish planner, or the building inspector may call upon the Sheriff of St. Bernard Parish to furnish necessary personnel to carry out his/her orders.
  - (2) Any resident of St. Bernard Parish who believes that a violation of any of these provisions is occurring may file a written complaint with the department of community development. Such complaint shall include as much information as possible, as to the said violation of the provisions of this article. The director of the department of community development, the parish planner, or the building inspector shall properly record such complaint, investigate the allegations of said complaint, and take any action warranted by such complaint and investigation, as provided for by this section.
  - (3) All Notices of Violations will be mailed to the offender by certified mail. Said Notice will inform him/her of the specific offense as well as the penalty for violation of such ordinance. Notice will further contain a copy of the Municipal Ordinance 22-7-4.9 Due Process which sets forth the administrative procedures to possibly remedy said violation.
- (c) **Penalties.** Any person who violates any provision of this section shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment.

**Exhibit A**  
**Summary No. 2936**  
**Ordinance SBPC #1404-07-13**

Each day that any violation of this article occurs shall constitute separate offense.

**22-7-4.9 DUE PROCESS**

(a) Administrative Hearing.

1. A business or property owner may submit a written request for a hearing within 30 calendar days of receipt of the initial notice of violation.
2. All appeals shall be lead by the HRQL in an advisory capacity. HRQL shall give the administration a written recommendation written 5 days of said hearing.
3. Hearing requests shall be adjudged in accordance with the Administrative Procedure Act.
4. Failure to submit a written request for a hearing to the Department within 30 days of receipt of the initial notice of violation(s), or if requesting a hearing, failure to appear on the scheduled hearing date after having been notified of the hearing date and location by certified mail shall constitute default, and the violation(s) shall become finally affirmed.
5. In such cases where violations are affirmed, the Department shall notify the responsible partyby certified mail of the affirmation, the penalty assessed, and the requirement that penalty be paid within 30 days of receipt of the notice.
6. In such case where violation(s) are affirmed the administration shall have 90 days to remove said violation.

(b) Recovery of Administrative Penalties.

1. The Department in an attempt to recover administrative penalties, may, at its discretion:
  - a) Order the removal of the sign in non-compliance.
  - b) Remove the non-conforming sign itself and recover said cost from the party found to be in non-compliance.
  - c) Refrain from allowing any permissible use signs to be installed while any fine remains outstanding.
2. These actions are not punitive and used only as a mechanism to garner payment of monies lawfully owed the department.



# *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)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#18**

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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC#1405-07-13**

### **Summary No. 2951**

Introduced by: Councilman Lauga

Public Hearing held on 7/2/13

AN ORDINANCE TO RENAME LIVAUDAIS STREET TO MR. NORMAN STREET.

WHEREAS, the surrounding neighbors have expressed interest in renaming Livaudais Street to Mr. Norman Street in memory of Mr. Norman; and

WHEREAS, the Council is desirous of honoring this request by renaming Livaudais Street to Mr. Norman Street; and

WHEREAS, the Council is requesting that Administration notify the local U.S. Postal Service and the 911 Communication Center of this change.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council, the Governing Authority, does hereby approve the official renaming of Livaudais Street to Mr. Norman Street.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbay**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #18 continued  
July 2, 2013

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

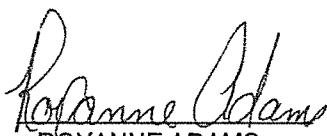
**YEAS:** Lauga, Gorbay, Lewis, Hunnicutt, Montelongo, McInnis

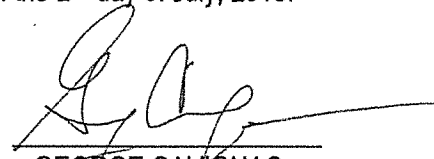
**NAYS:** None

**ABSENT:** None

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


And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President

7/3/2013 3:00pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

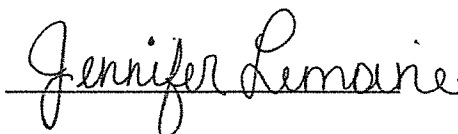
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 8:57am  
Date and Time

Received by







# *St. Bernard Parish Council*

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[www.sbpbg.net](http://www.sbpbg.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#19**

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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1406-07-13**

### **Summary No. 2953**

Introduced by: Administration

Public Hearing held on 7/2/13

AN ORDINANCE TO DECLARE AS SURPLUS 3700 GALLO DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO MICHAEL DOMINGUE.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 3700 Gallo Dr. was adjudicated to the Parish on July 16, 2008.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Michael Domingue has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

3700 Gallo Dr.  
Chalmette, Louisiana 70043  
LOT 173 Gallo Dr. Ext. #2 Meas. 68 X 74 = 5032

This property will be referred to hereinafter in this ordinance as "3700 Gallo Dr."



# *St. Bernard Parish Council*

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www.sbgg.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #19 continued  
July 2, 2013

**SECTION 2.** It is determined that Michael Domingue is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 3700 Gallo to Michael Domingue for the purchase price of \$1,000.00 with Michael Domingue to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Michael Domingue continues to maintain the property up until the date of the sale.

**SECTION 4. 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 5. 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:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

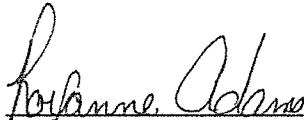
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #19 continued  
July 2, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7/3/2013 3:00pm  
Date and Time

Approved ✓

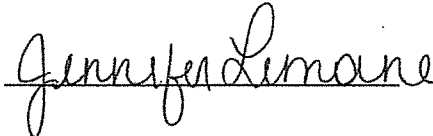
Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council 7/8/2013 8:58AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**#20**

**George Cavignac**  
*Councilman  
at Large*

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 2, 2013 AT SEVEN O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

## **ORDINANCE SBPC #1407-07-13**

### **Summary No. 2954**

Introduced by: Councilman Gorbaty  
Public Hearing held on 7/2/13

**Richard "Richie" Lewis**  
*Councilman  
District C*

AN ORDINANCE AMENDING CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; BY CREATING AND ADDING ARTICLE VIII, HOISTING AND PORTABLE LICENSES; SECTIONS 5-170 THROUGH 5-190 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**Casey W. Hunnicutt**  
*Councilman  
District D*

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

SECTION 1. That St. Bernard Parish Council does hereby create and insert the attached (Exhibit A) to Chapter 5, to create Article VIII, Section 5-170 through 5-190; Hoisting and Portable Licenses.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #20 continued  
July 2, 2013

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

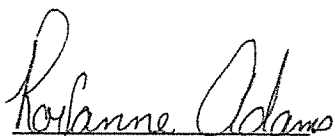
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Cavignac, cast his vote as **NAY**.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

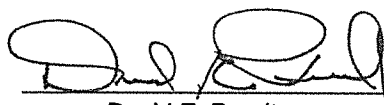
  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 7/3/2013 3:00pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 8:59AM  
Date and Time

Received by



**Summary No. 2954**  
**Exhibit "A"**  
**Ordinance SBPC #1407-07-13**

**Article VIII - Hoisting and Portable Licenses**

**5-170 *Hoisting and Portable Licenses Required.*** Any person that operates any piece of Equipment must secure and maintain from the Office of Community Development a current valid license before operating the following hoisting and portable equipment.

- Backhoes - tractor/loader
- Bulldozers - Equivalent of D-3 or larger
- Tower Cranes
- Crawler Cranes and Motor Cranes - all sizes
- Hydraulic Excavators - 5/8 cu. yd. capacity and larger
- Front End Loaders - ½ cu. yd. capacity and larger
- Hydraulic Truck Cranes
- Motor Graders
- Scrapers
- Rollers and Compactors with seats
- Fork Lifts - 6,000 lbs capacity and over
- Concrete Pumps

All portable or rubber tire equipment that needs to travel on any roadway in St. Bernard Parish is required to have his/her companies' representatives escort said equipment with an escort vehicle in front and in the rear of said equipment. All escort vehicles are to display the companies name, have flashing safety lights and two (2) flags on the escort vehicles.

The Hoisting and Portable Engineer must have the license in his/her possession at all times when operating the equipment and must display it upon demand of the Office of Community Development, or designated representative of St. Bernard Parish Government.

**5-170.1 *Enforcement and Penalties.*** It is unlawful for an unlicensed person to operate or for a contractor to permit an unlicensed person to operate any hoisting and portable equipment. The Office of Community Development may pursue charges against the individual and the contractor. The penalty for a violation of this code is a maximum fine of \$500.00, or 90 days in jail, or both, for each day that the violation occurs.

If an unlicensed person is found to be operating hoisting and portable equipment, the compliance inspector shall direct the operator to cease operation of the equipment immediately and the equipment shall not be operated until a licensed operator is available to operate the equipment. The compliance inspector is to advise the contractor of the violation.

**5-171 Definitions and References.** The air conditioning and refrigeration tonnage referred to in this Code shall be in accordance with the ASHRAE code. The boiler horsepower referred to in this Code shall be in accordance with the ASME code.

**5-172 Equipment and Systems Requiring Stationary Engineers and Classification of Licenses.**

**5-172.1** A First Class License is required for an operator to operate the following:

Boilers - unlimited.

Steam engines - unlimited.

Internal combustion engines - unlimited.

Refrigeration and/or air conditioning systems using Group A1, B2

Refrigerants - unlimited.

A Second Class License shall be required for any operator to oversee or manage any of the above equipment under the direct supervision and guidance of a First Class Engineer.

The First Class Engineer must be continuously available to advise the Second Class Engineer(s) whom he supervises.

**5-171.2** A Second Class License is required for an operator to operate the following:

Boilers up to 150 horsepower.

Steam engines up to 150 horsepower.

Internal combustion engines up to 150 horsepower.

Refrigeration and/or air conditioning systems using Group A1, B2

Refrigerants; up to 200 tons, but not more than 15 systems.

Air Conditioning systems using Group A1 Refrigerants; up to 200 tons but not more than 15 systems, maximum size of any individual unit 60 tons.

A Third Class License shall be required for any operator to oversee or manage any of the above equipment under the direct supervision and guidance of a Second Class Engineer.

The Second Class Engineer must be continuously available to advise the Third Class Engineer(s) whom he supervises.

**5-172.3** A Third Class License is required for an operator to operate the following:

Boilers up to 75 horsepower.

Steam engines up to 75 horsepower.

Internal combustion engines up to 75 horsepower.

Refrigeration and/or air conditioning systems using Group A1, B2

Refrigerants, up to 100 tons.

**5-173 Annual License Registration Fees.**

**5-173.1 Stationary Engineers License.** Every applicant for a license, either upon the original application or for a renewal thereof, shall be required to pay the following registration fees:

*First Class Operating Engineer's License*

Active Status .....\$50.00

Duplicate issue .....\$50.00

Inactive status .....\$25.00

*Second Class Operating Engineer's License*

Active status .....\$35.00

Duplicate issue .....\$35.00

*Third Class Operating Engineer's License*

Active status .....\$30.00

Duplicate issue .....\$30.00

**5-173.2 Hoisting & Portable Licenses.** Applicants applying for a license as provided in this code relative to portable equipment and hoisting machinery.

Hoisting and Portable Engineer's License .....\$25.00

**5-173.3 Examination Registration.** Every examination application for an Operating (Stationary) Engineer or Hoisting and Portable Engineer shall be made on forms furnished by the Office of Community Development of the Parish of St. Bernard at the time of registration.

Examination fees shall be charged for each examination and must be paid in advance of the examination to the Office of Community Development.

The minimum passing grade for a stationary engineer or a hoisting and portable engineer is 70 percent. If an applicant fails to make a passing grade on the examination, he is permitted to apply to be re-examined at the next regularly scheduled examination date. There is no limit to the number of examinations a candidate is allowed to take. Examinations will be given once a month at the Office of Community Development



**5-174 Acceptance of Other Testing Agency Certification.**

**5-174.1** Any Stationary Engineer that has passed the examination of and received certification by The National Institute for the Uniform Licensing of Power Engineers, Inc. (NIULPE), for any of the levels of classifications listed in Article 5-172 will be acknowledged and recognized by the Office of Community Development in lieu of the requirement of an additional examination by the nationally recognized testing agency. The applicant must provide documented evidence of his/her declared education or training for approval. The level of category and classification shall be determined by the Office of Community Development. If approved, the Stationary Engineer License will be issued upon presenting the NIULPE certificate, completion of the necessary application forms of the Office of Community Development and payment of the applicable license registration fee.

**5-174.2** NCCCO or OECF- Testing Agency for Cranes.

**5-175 Acceptance of Other Jurisdictional Certification.**

- a. The Office of Community Development will extend to any mechanical contractor, operating engineer or hoisting and portable engineer, that is licensed by another jurisdictional authority, the recognition and acceptance of his/her certification without the requirement of additional examination provided that the jurisdiction requires passing of an examination given by a nationally recognized testing agency before issuance of license.

If approved by the Office of Community Development, the applicant shall present a copy of his/her license for the Parish of St. Bernard files and complete the necessary applications as set forth by the Office of Community Development. The applicant shall pay the appropriate fee for the classification of license for which he is applying.

This extended license registration offer does not apply to marine or railroad engineers or any type or classification of engineer not specifically approved by the Office of Community Development.

**5-176 Issuance of Multiple Licenses.** The Office of Community Development shall issue a maximum of only one additional, or second, license to any successful applicant upon written request to the Office of Community Development. Payment of an amount equal to the cost of the issuance of the first license shall apply. The issuance of this additional, or second, license shall be available to any First (1st) Class, Second (2nd) Class, or Third (3rd) class stationary engineer (in all classifications) for the purposes of second employment, as long as the second employment is not in conflict with this Code.

A "duplicate" license shall be issued only in the event that the applicant is employed at a second location and the exact location of the second employment shall also be indicated on the face of the license.

The issuance of this additional, or second, license shall be affixed with the identical endorsements as the first (original) issued license and the face of the additional, or second, license shall be prominently identified with the word "DUPLICATE". Each additional, or second, license shall expire on the same day as the first (original) issued license. The Office of Community Development shall not issue any additional or "DUPLICATE" licenses with an inactive status. The "DUPLICATE" license issue is not to be used for split time service by the engineer employed by persons, firms or corporations that own or are in charge of properties at multiple locations. The "DUPLICATE" license does not apply to the Special Operators.

#### **5-177 *Renewal of License.***

**5-177.1** Each license evidencing the necessary satisfactory qualifications of the applicant, according to the classifications stated thereon shall expire one year from the date of issuance, and must be renewed annually in order to permit the holder thereof to engage in the profession, trade or calling of Stationary Engineer or Hoisting and Portable Engineer in the Parish of St. Bernard, according to the classification stated on said license. Each applicant shall furnish, to the Office of Community Development, two photographs (passport type), 1 in. X 1½ inches in size, at the time of registration for the initial license issuance or for license renewal. The photographs shall have been taken within a three (3) month period prior to the date it is affixed to the issued license.

**5-177.2 *Inactive License.*** First class engineers not actively pursuing or involved in the practice of their trade as a Stationary Engineer may request, at their next renewal date, that their license be placed in an inactive status. The inactive license status shall apply only to a first class license holder. The fee for the issuance of the inactive license shall be in accordance with this code. Licenses may be placed on an inactive status only on the date of renewal and only once during any twelve month period. The face of the inactive license shall be affixed with the identical endorsements as the active license and the face of the license shall be prominently identified with the word inactive. The inactive license may be reverted back to the active status at any time; however the full fee for the issuance of an active license will be required, in accordance with this code.

Inactive licenses do not apply to Hoisting and Portable Engineers or Special Operators.

**5-177.2.1** The first class engineers request to make any status change of his/her license shall be made in writing to the Office of Community Development. All license status changes shall be coordinated with and approved by the Office of Community Development, and become a part

of the license holder's history record. The initial issuance of any first class stationary engineer's license shall always be with an active status. The new inactive license shall have the same expiration date as the original active license. No inactive status license shall be approved or issued by the Office of Community Development for any additional, or second, license issue, in accordance with this code. There shall be no limit to the number of years a Stationary Engineers license may remain in the inactive status.

**5-177.2.2** A first class stationary engineer in control of or operating any type of equipment while their current license is inactive will be in violation of this Code.

**5-178 Failure to Renew License.** License renewal is due on the first regular day of business after the one (1) year anniversary of the issue date. Each applicant failing to make a timely application for renewal of his/her license shall pay a delinquent fee of \$5.00 for each month or part thereof that his/her license is delinquent, to a maximum of two (2) years.

If a Stationary Engineer or Hoisting and Portable engineer's license has expired for a period in excess of two (2) years after their issue date or renewal date, a re-examination is required. Any justifying excuse acceptable to the Office of Community Development shall be considered to approve the payment of the delinquent fees in lieu of the re-examination requirement.

If a Special Operator license holder has been expired for a period in excess of two (2) years, re-examination is required.

**5-179 Qualifications of Applicants.** A citizen in the United States, over the age of 18 years, may register for license. The applicant, however, must have served the necessary apprenticeship requirements, and must comply with the following qualifications. All applicants must furnish one (1) letter of reference, and one (1) personal request letter. The letter of reference should be from the applicant's present or former employer, attesting to his/her experience and competence. The personal request letter must be addressed to the Office of Community Development indicating the classification and desired type of equipment for which he wishes to be examined.

**5-180 Experience Requirements.**

**5-180.1** An applicant for a license as a first-class engineer shall be an operating engineer, with four (4) years of practical experience in the management, operation or construction of steam engines, boilers, internal combustion engines, refrigeration or air conditioning equipment except that those who are graduates of a recognized technical college or a graduate of a U.S. Department of Labor recognized apprenticeship training school, are required to have two (2) years of practical experience.

**5-180.2** An applicant for a license as a second-class engineer shall be an operating

engineer, having at least three (3) years of practical experience in the management, operation or construction of steam engines, boilers, internal combustion engines, refrigeration or air conditioning equipment; except that those applicants who are graduates from a recognized technical college, trade school or a graduate of a U.S. Department of Labor recognized apprenticeship training school, are required to have one and one-half (1½) years of practical experience.

**5-180.3** An applicant for a license as a third-class engineer shall have at least 2 years experience as an apprentice or junior engineer or fireman, etc., except that graduates of a recognized technical college, trade school or a graduate of a U.S. Department of Labor recognized apprenticeship training school, are required to have one (1) year of practical experience.

**5-180.4** An applicant for a Special Operator license to operate boilers, steam or internal combustion engines specified in this code, shall be an operating engineer, having at least 2 years practical experience as an apprentice in the operation of steam engines, boilers, or internal combustion engines. Applicants for a Special Operator licenses coming under the classifications of this Code must, to the satisfaction of the Office of Community Development, establish their familiarity with the operation of the equipment in their care.

**5-180.5** An applicant for a license to operate all HOISTING AND PORTABLE equipment as defined in this code, must have at least two (2) years experience. Applicants for licenses coming under the classifications of this Code must, to the satisfaction of the Office of Community Development, establish their familiarity with the type of equipment they are to operate. Hoisting and Portable applicants must furnish one (1) letter of reference, and one (1) personal request letter. The letter of reference should be from the applicant's present supervisor verifying the particular type(s) of equipment to be operated. The personal request letter must be addressed to the Office of Community Development, specifying the particular type(s) of equipment for which the applicant wishes to be examined.

**5-181** **Validity of Licenses.** All licenses as provided for in this code must bear the signature of The Office of Community Development in order to be valid.

**5-182** **License Suspension or Revocation.** Licenses issued under this code may be revoked or suspended for reasons defined in this code. However, the Office of Community Development may find that the public interest will be adequately protected by a warning or a suspension for a definite period of time not to exceed two years. Upon such finding the Office of Community Development shall issue such warning or order such suspension. Upon revocation, the Office of Community Development shall not accept an application for

a new license or a renewal within two (2) years from the date of such revocation, except for medical recovery supported by a physician's report, after Office of Community Development review and approval. A shorter time period may be granted at the discretion of the Office of Community Development based on the circumstances of the revocation or suspension.

If any stationary engineer or hoisting & portable license is suspended or revoked by the Office of Community Development a new license shall be issued to such person only after registration as a new applicant, and passing the required examination.

**5-182.1 - Revocation Reasons.**

- a. Violating on more than one occasion, either willfully or maliciously or by reason of incompetence, any provision of this code.
- b. Fraud or misrepresentation in obtaining a license.
- c. False or deceptive advertising.
- d. Conviction of drunkenness or the use of narcotics.
- e. Adjudication of Insanity.
- f. Any medical reason wherein a physician's medical opinion is provided to the Office of Community Development indicating that the person certified is unable to satisfactorily perform the duties and functions expected of a Stationary Engineer, Hoisting and Portable Engineer or Special Operator license holder, and that any further performance in the trade would be a danger to himself and/or endanger the life and property of others.

**5-183 Notice of Revocation or Suspension Hearing.** Any time the Office of Community Development is shown the existence of one or more violations that are grounds for revocation, or there is filed with the Office of Community Development a complaint of any person alleging the existence of any such violations, and if the Office of Community Development has determined these grounds to be valid, it shall be his/her duty to serve upon the alleged violator a notice of the alleged grounds for revocation. The notice shall be served upon the holder of the license stating the time, date, and place of a violation hearing.

The notice shall be served not less than ten (10) days and no more than thirty (30) days prior to said hearing. The notice shall be sent by the Office of Community Development and shall enumerate the cause or causes for suspending or revoking the license.

The notice shall enumerate the cause or causes for suspending or revoking the license. The notice may be mailed by registered or certified mail to the holder of the license at the address of his/her place of business as given by him on his/her application for the license, or it may be served on him in person by a Police Officer or employee the Office of Community Development or its designated agent of the Parish of St. Bernard.

All petitions shall be prepared and prosecuted by the Law Department. If proper notice has been served upon the defendant, the hearing may proceed without his/her presence if he fails to appear. Certified copies of convictions involving cause for suspension or revocation

in either the Municipal Courts of the Parish of St. Bernard or in the Criminal District Court of the Parish of St. Bernard shall constitute "prima facie" proof of a violation by the license holder.

**5-184 License Verification.** Any investigations, inquiries or questions regarding the proper certification of the Stationary Engineers at any building location or the Hoisting & Portable Engineers at any construction site shall be directed to the Office of Community Development and performed by the duly authorized inspectors of the Department of Community Development.

**5-185 Licenses Displayed.**

**5-185.1** License must be displayed or posted in a conspicuous place in the engine or boiler room or mechanical equipment room, for identification purposes.

This license must continuously remain displayed or posted during the tenure of employment of the stationary engineer to whom the license is issued.

The displayed or posted license shall not be removed after any shift duty or at a time when the stationary engineer to whom the license is issued is not on duty.

The "DUPLICATE" license must be issued for any added license display or posting required in accordance with this Code.

Copies or reproductions of the issued license by any method or procedure shall be a violation of this code.

**5-185.2** Engineers who have qualified for a license for the operation of Hoisting and Portable equipment must carry the license on their person while in charge of and/or operating such hoisting and portable equipment as defined in this Code. The issued license must have the Engineers current bust picture (passport type) 1 inch X 1½ inch in size, as a part of the license, for identification purposes.

**5-186 Exemptions.**

**5-186.1** This code does not apply in any way to engineers:

- a. in charge of railroad locomotives of franchised railroads; or
- b. employed by a person, firm or corporation operating under Certificate of Public Necessity and Convenience (CPNC); or
- c. employed by the United States Government, the State of Louisiana, any of its Boards, Commissions or agencies, or political subdivisions, with the exception of the Parish of St. Bernard or
- d. in charge of steamboats and steamships.

**5-186.2** Air conditioning systems using group A1 Refrigerant may be exempt from the provisions of this code provided such systems are under automated control by devices that will cause the system to be de-energized from electric power and go to a shutdown condition upon experiencing an equipment malfunction or fault condition and further provided that a Building Safety Summary is submitted and approved, on a case by case basis, by the Office of Community Development.

The Building Safety Summary shall be prepared by a Registered Louisiana Professional Engineer and shall include as a minimum:

- a. emergency procedures in effect in the building, and.
- b. a description of the automated HVAC equipment installed in the building, and
- c. a complete description of the operation of the shutdown system under emergency conditions.

This exemption shall not apply to hospitals, nursing homes or schools.

**5-186.3** Self-contained air conditioning units used for residential, commercial, or industrial purposes having an aggregate of not over 49 tons, using Group A1 Refrigerant, shall be exempt from the provisions of this code, provided they are protected with the necessary safety devices. Units under 3 tons shall not be considered in calculating the aggregate tonnage.

**5-186.4** Hot water boilers under 200,000 Btu input and operating at a pressure not exceeding 125 psi and temperatures not exceeding 210 degrees F. shall be exempted from the provisions of this code, provided they are protected with necessary approved safety devices, are listed and are automatically controlled, and are subject to an annual inspection. Said inspections shall be made by Office of Community Development.

**5-186.5** For multiple units in a single location, aggregate Btu input of such water heaters shall not exceed 3,000,000. In calculating the Btu input, water heaters not exceeding any of the following are exempted.

- a. Heat input of 200,000 Btu per hour.
- b. Water temperature of 200 degrees F.
- c. Nominal water containing capacity of 120 gallons and equipped with safety devices in accordance with the ASME Boiler and Pressure Vessel.
- d. ASME stamped and/or AGA listing.

**5-187 *Penalty to Owner: Fines.*** A person, firm or corporation owning or controlling any steam engine, boiler, internal combustion engine, or any other system coming within the provisions of this Code, who authorizes or permits a person not having a proper and valid license as required under this Code, to take charge of or operate any steam engine, boiler, or any portion of a steam or internal combustion engine, refrigeration and/or air conditioning equipment, and hoisting and portable equipment as defined in this Code, shall be in violation of this Code and shall, upon conviction before any court of competent jurisdiction, be penalized within the limits and as provided by the laws of the State of Louisiana.

**5-188 *Penalty to Engineer: Fines.*** A person engaged in the practice, calling, or profession as an operating engineer, or engaged in the operation of any boiler, steam engine, internal

combustion engine, refrigeration and/or air conditioning equipment and hoisting or portable equipment as defined in this code, under the terms of this code, without being at the time the holder of a proper and valid license issued by the Office of Community Development provided herein, shall be in violation of this Code and shall, upon conviction before any court of competent jurisdiction, be penalized within the limits and as provided by the laws of the State of Louisiana.

**5-189 *Alteration, Reproduction, Transfer or Renting of License.*** It is a violation of this code for a license holder to alter, reproduce, transfer, lend or rent his/her license to another individual for their use. It is a violation of this code for any license holder to use any license that is not a part of his/her own record

**5-190 *Simultaneous Charge of More Than One Plant.*** It is unlawful for a licensed operating engineer to be concurrently or simultaneously in charge of more than one plant or location at the same time.

Note: Any property that is zoned A-1 and is located east of the Violet Canal shall be exempted from this ordinance.





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbato**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

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 2, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1408-07-13**

### **Summary No. 2955**

Introduced by: Administration on 6/18/13

Public Hearing held on 7/2/13

AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL, ARTICLE VII, SECTION 17-281, ESSENTIAL PERSONNEL POLICY FOR DECLARED EMERGENCIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council, the Governing Authority, does hereby amend, Chapter 17, Article VII, Section 17-281, of the St. Bernard Parish Code of Ordinances.

Section 17-281 Introduction – Essential personnel policy for declared emergencies

(3) When St. Bernard Parish is threatened by hurricane, storm, flood or other emergencies, it is essential, that persons holding the following positions shall be available for work:

Essential personnel:

a. *Presidential staff*—Parish president, assistant's to the president, and Public Information Officer.

b. *Administration*—CAO, assistant to CAO, Administrative Assistant, legal counsel, paralegal, complex maintenance manager, insurance manager, and IT staff .



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*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #21 continued  
July 2, 2013

- c. *Parish Council*—Council-at-large East; Council-at-large West; Council District A; Council District B; Council District C; Council District D; Council District E; and Clerk of Council. Only four (4) of the Councilmembers are required to stay to secure a quorum.
- d. *Finance*— Finance director, assistant finance director, payroll supervisor, accounts payable supervisor, and purchasing agent.
- e. *Fire*— Fire chief and all firefighters.
- f. *Media*— Cable Access Director.
- g. *OHSEP*— Director, logistics, and assistant to director.
- h. *Public works*—Public works director, director of water & sewer division, road superintendant, and public works employees
- i. *Recovery department*—Planner and CDBG program manager.
- j. *Transit department*—Director and bus operators.
- k. *Recreation* — Director.
- l. *Animal Control* — Manager and assistant manager.
- m. *Housing and Redevelopment* — CSBG manager
- n. *Community Development* — Director
- o. *Human Resources* — Director



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Extract #21 continued  
July 2, 2013

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 of this Ordinance with the invalid portions omitted.

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

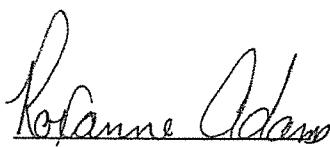
**YEAS:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

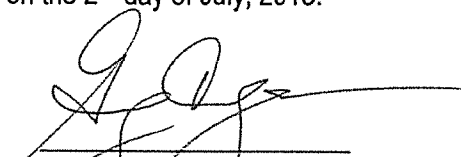
**NAYS:**            None

**ABSENT:**        None

The Council Chair, Mr. Cavnag, cast his vote as YEA.

And the motion was declared **adopted** on the 2<sup>nd</sup> day of July, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAG  
COUNCIL CHAIR

Delivered to the Parish President

7/3/2013 3:00pm  
Date and Time



# *St. Bernard Parish Council*

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**Roxanne Adams**  
*Clerk of Council*

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July 2, 2013

Approved ✓

Vetoed \_\_\_\_\_

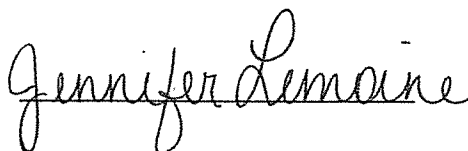
Parish President

  
David E. Peralta

Returned to Clerk of the Council

7/8/2013 8:57AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#30**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1409-08-13**

### **Summary No. 2963**

Introduced by: Administration on 7/16/13

Public hearing held on 8/6/13

AN ORDINANCE TO DECLARE AS SURPLUS 1916 MICHELLE DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ROSE LEA LEPINE.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 1916 Michelle Drive, was adjudicated to the Parish on June 24, 2009.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Rose Lea Lepine has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined she is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

1916 Michelle Drive

St. Bernard, Louisiana 70085

LOT 12, Cedar Lane Sub 64.68 X 1 18.88

This property will be referred to hereinafter in this ordinance as "1916 Michelle Drive".



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #30 continued  
August 6, 2013

**SECTION 2.** It is determined that Rose Lea Lepine is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 1916 Michelle Drive to Rose Lea Lepine for the purchase price of **\$1,000.00**, with Rose Lea Lepine to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Rose Lea Lepine continues to maintain the property up until the date of the sale.

**SECTION 4. 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 5. 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:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

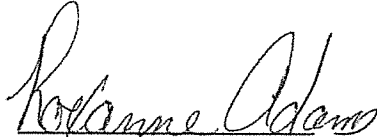
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #30 continued  
August 6, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

8/8/2013 2:15PM  
Date and Time

Approved 

Vetoed \_\_\_\_\_

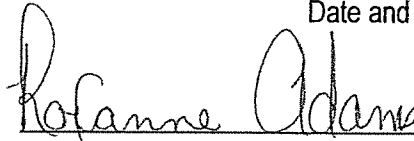
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8-9-13 4:00PM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#29**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1410-08-13**

### **Summary No. 2962**

Introduced by: Administration on 7/16/13

Public hearing held on 8/6/13

AN ORDINANCE TO DECLARE AS SURPLUS 3725 VOLPE DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO KENNY AND DANA FARMER.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 3725 Volpe Drive, was adjudicated to the Parish on June 25, 2008.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Kenny and Dana Farmer has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined they are the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

3725 Volpe Drive

Chalmette, Louisiana 70043

LOT 73, Riverland pk. Addtn., meas. 72 X 94' FRT. X 71.41' Depth

This property will be referred to hereinafter in this ordinance as "3725 Volpe Drive"





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #29 continued  
August 6, 2013

**SECTION 2.** It is determined that Kenny and Dana Farmer is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 3725 Volpe Drive to Kenny and Dana Farmer for the purchase price of \$1,000.00, with Kenny and Dana Farmer to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Kenny and Dana Farmer continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

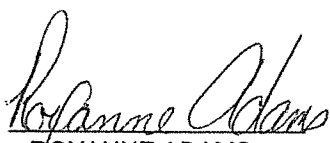
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #29 continued  
August 6, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

8/8/2013    2:15pm  
Date and Time

Approved



Vetoed

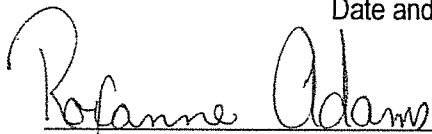
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8-9-13    4:00pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1411-08-13**

### **Summary No. 2952**

Introduced by: Administration on 6/18/13

Public hearing held on 8/6/13

AN ORDINANCE TO DECLARE AS SURPLUS 3513 DEBOUCHEL BLVD, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 3513 Debouchel Blvd. was adjudicated to the Parish on July 16, 2008.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, the Parish has received a qualifying offer to purchase the property.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

3513 Debouchel Blvd.  
Chalmette, Louisiana 70075  
LOT 505 Lexington Pl. #3 MEAS. 60' X 105'

This property will be referred to hereinafter in this ordinance as "3513 Debouchel".



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #23 continued  
August 6, 2013

**SECTION 2.** 3513 DeBouchel shall be sold in accordance with law (La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202A & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13).

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 3513 Debouchel Blvd. to Robert & Jacqueline McNab for the purchase price of \$3,012.42, plus closing costs.

**SECTION 4. 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 5. 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:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*


**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #23 continued  
August 6, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 8/8/2013 2:15PM  
Date and Time

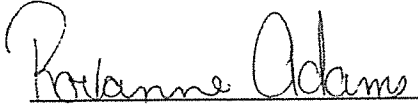
Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council 8-9-13 4:00PM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
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**Ray Lauga, Jr.**  
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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1412-08-13**

### **Summary No. 2958**

Introduced by: Administration on 7/16/13

Public hearing held on 8/6/13

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF CERTAIN PORTIONS OF BUFFON STREET, ST. BERNARD PARISH, LA.

WHEREAS, Robert Berthelot, representing Robert C. Berthelot Family Limited Partnership, is the owner of Lots 2, 3, 4 and 5 in Square 538, and lots 1, 2, 3 4 and Lot 23 in Square 539, and Lots 9, 10, 11, 12 and portions of Lots 13, 14, 15, 16 in Square 421, and Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 in Square 422, all being a part of Versailles Subdivision, St. Bernard Parish as recorded in St. Bernard Parish Clerk of Court's Office, copies of same are on file in the St. Bernard Parish Clerk of Council's Office;

WHEREAS, the owner of the aforementioned properties is requesting this Council to revoke and set aside the dedication of certain portions of Buffon Street as shown on the attached survey; and

WHEREAS, this Council was notified by letter dated July 15, 2013 from the Director of Public Works that Administration would have no objection to the abandonment of certain portions of Buffon Street; and

WHEREAS, that portion of Buffon Street as described herein has never been cut, used, improved and/or formerly dedicated as a public street, and the same is not needed nor required for public purposes.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

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**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #25 continued  
August 6, 2013

**SECTION 1.** That certain portions of Buffon Street as described herein and as further shown on the survey of Dading, Marques & Associates, Inc. dated October 10, 2004 attached hereto and made a part hereof (Exhibit A) and never having been cut, used, improved and/or formerly dedicated as a public street and the same is not now needed nor required for public purposes, be and the same is hereby revoked and declared to be abandoned.

RIGHT OF WAY ABANDONMENT  
BUFFON STREET  
SQUARES 421 AND 422  
VERSAILLES SUBDIVISION, LOUISIANA

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT POART KNOWN VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF BUFFON STREET RIGHT OF WAY, BETWEEN SQUARES 421 AND 422 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF BUFFON STREET (NOT CONSTRUCTED) AND THE NORTH RIGHT OF WAY LINE OF BOLILVAR STREET (NOT CONSTRUCTED) AND MEASUREING N22° 10' 31" E ABOVE THE EAST RIGHT OF WAY LINE OF BUFFON STREET (NOT CONSTRUCTED) A DISTANCE OF 124' TO THE POINT OF BEGINNING, THENCE CONTINUING N21° 10' 31" E ALONG THE EAST RIGHT OF WAY LINE OF BUFFON STREET (NOT CONSTRUCTED), A DISTANCE OF 93.36' TO A POINT, THENCE MEASUING N67° 49' 29" W, A DISTANCE OF 50' TO A POINT, THENCE MEASURING S22° 10' 31" W, ALONG THE WEST RIGHT OF WAY LINE OF BUFFON STREET (NOT CONSTRUCTED), A DISTANCE OF 93.36 TO A POINT, THENCE MEASURING S67° 49' 29"E, A DISTANCE OF 50' TO THE POINT OF BEGINNING AND CONTAINING 4668.00 SQUARE FEET. (Errors, omissions and conflicts in survey excepted).

**SECTION 2.** Effective Date, This ordinance shall become effective thirty (30) calendar days after publication by the Parish Council. 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 Section 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  
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Page -3-  
Extract #25 continued  
August 6, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**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, PARISH COUNCIL Bernard Parish Council hereby expresses and declares 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:

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

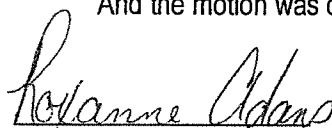
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

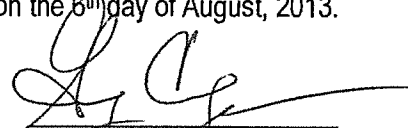
**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

8/8/2013 2:15PM  
Date and Time

Approved ☒

Vetoed ☐

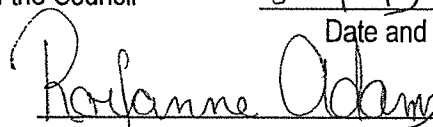
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8-9-13 4:00PM  
Date and Time

Received by







# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#33**

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 6, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1413-08-13**

### **Summary No. 2967**

Introduced by: Councilman McInnis on 7/16/13  
Public hearing held on 8/6/13

AN ORDINANCE REQUIRING ST. BERNARD PARISH GOVERNMENT TO MAKE AVAILABLE ALL PUBLIC RECORDS REQUESTS SUBMITTED TO ST. BERNARD PARISH GOVERNMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

WHEREAS, St. Bernard Parish Government is desirous to inform its citizens of all public records requests made to St. Bernard Parish Government, and;

WHEREAS, all public records request are to be uploaded to the Public Information Portal section of the St. Bernard Parish Government website by the end of the next business day upon the date received, and;

WHEREAS, all Public Records Request responses are to be uploaded to the Public Information Portal section of the St. Bernard Parish Government website by the end of the next business day upon the date the response is prepared, and;

WHEREAS, St. Bernard Parish Government is further desirous to have this information updated on the Public Information Portal section of the St. Bernard Parish Government website beginning with January 2013, and;

WHEREAS, the Council is respectfully requiring the Parish President incorporate this policy in the administrative policies and procedures, and;



# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #33 continued  
August 6, 2013

THEREFORE BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, is requiring that St. Bernard Parish Government make available all Public Records Requests submitted to St. Bernard Parish Government and responses to said request be uploaded to the Public Information Portal section of the St. Bernard Parish Government website.

**SECTION 1. 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 2. 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:

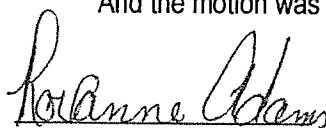
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

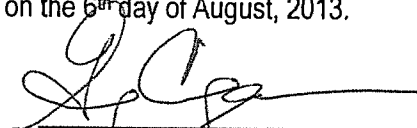
**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President

8/8/2013 2:15 PM  
Date and Time



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #33 continued  
August 6, 2013

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

Approved ✓

Vetoed \_\_\_\_\_

**Nathan Gorbaty**  
*Councilman  
District B*

Parish President

David E. Peralta

**Richard "Richie" Lewis**  
*Councilman  
District C*

Returned to Clerk of the Council

8-12-13 8:46 am

Date and Time

**Casey W. Hunnicutt**  
*Councilman  
District D*

Received by

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*



# *St. Bernard Parish Council*

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[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, AUGUST 20, 2013 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 #1414-08-13**

### **Summary No. 2968**

Introduced by: Administration on 8/6/13

Public hearing held on 8/20/13

AN ORDINANCE TO AMEND CHAPTER 5, BUILDING, CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-1, BUILDING CODE ADOPTED AND AMENDED; CHAPTER 1 ADMINISTRATION; TO ADD PART 3 TO SUBSECTION 103.2.3

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Chapter 5, Article I, Section 5.1, Chapter 1, to add part 3 to subsection 103.2.3 as attached (Exhibit A) of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #22 continued  
August 20, 2013

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

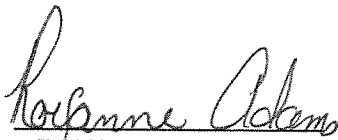
**YEAS:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

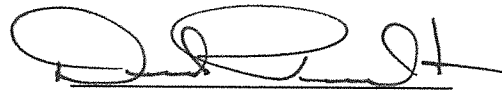
Delivered to the Parish President

8/26/2013 11:15AM  
Date and Time

Approved ☒

Vetoed ☐

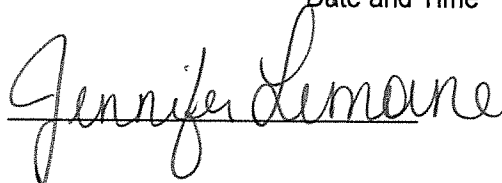
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8/27/2013 8:47AM  
Date and Time

Received by



**Exhibit "A"**  
**Summary No. 2968**  
**Ordinance SBPC #1414-08-13**

Chapter 5, Building, Construction and Related Activities

Article I, In General

Section 5-1, Building Code Adopted and Amended

Chapter 1 Administration

To Add Part 3 to Subsection 103.2.3

**103.2.3 Part 3. Drainage Requirement.** Any work on public property no matter how large or small must be approved by the Director of the Department of Public Works. A project permit may be required as per Article 1, Section 19-1. The parish engineer has the authority to make adjustments as necessary due to existing conditions. Plans must be prepared and stamped by a Louisiana licensed professional engineer and must be submitted electronically and by stamped hard copy. All drainage work shall comply with the St. Bernard Parish Master Drainage Plan

Post construction peak flows using the Modified Rational Method shall be equal to or less than pre-construction peak flows using the Modified Rational Method. Pre-construction conditions refer to original undeveloped land/pervious ground. This requires a runoff coefficient of  $C=0.30$  for pervious land conditions. The requirement for this report is triggered when improvements would increase the pervious area above the  $C=0.30$  coefficient when a building footprint equals or exceeds 5,000 square feet or any combination of improvements (buildings, driveways, etc.) equals or exceeds 7,000 square feet or increments thereof.

A Drainage Permit Application must be submitted to the Department of Public Works. The applicant shall be responsible for the drainage permit fee in the amount of \$25.00 which covers inspections, engineering and administration for the Drainage Permit only.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1415-08-13**

### **Summary No. 2969**

Introduced by: Administration on 8/6/13

Public hearing held on 8/20/13

AN ORDINANCE TO DECLARE AS SURPLUS 554 LEBEAU AVENUE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO DELTA INVESTMENTS #3, LLC.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 554 Lebeau Ave., was adjudicated to the Parish on June 23, 2010.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Delta Investments #3, LLC has submitted an offer to purchase the property for \$2500.00 and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

554 Lebeau Ave.

Arabi, Louisiana 70032

LOT 8, SQ 1-3 Green Acres Sub 50 x 120 = 6000

This property will be referred to hereinafter in this ordinance as "554 Lebeau Ave."



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #23 continued  
August 20, 2013

**SECTION 2.** It is determined that Delta Investments #3, LLC is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 554 Lebeau Ave. to Delta Investments #3, LLC for the purchase price of \$1,000.00, with Delta Investments #3, LLC to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Delta Investments #3, LLC continues to maintain the property up until the date of the sale.

**SECTION 4. 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 5. 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:** Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.





# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

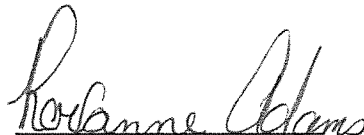
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #23 continued  
August 20, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

8/20/2013 11:15 AM  
Date and Time

Approved ☒

Vetoed ☐

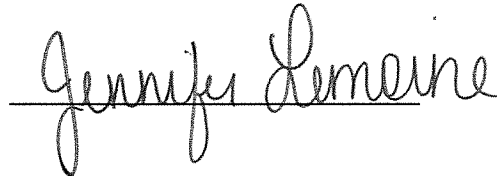
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8/27/2013 8:47 AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#24**

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 20, 2013 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 #1416-08-13**

### **Summary No. 2970**

Introduced by: Administration on 8/6/13

Public Hearing held on 8/20/13

AN ORDINANCE TO AMEND APPENDIX A, SECTIONS 2.3 AND 2.4 OF THE ST. BERNARD PARISH CODE OF ORDINANCES (CODE REVISION; SUBDIVISION REGULATIONS; SUBDIVISION OF LAND PROCEDURE; MINOR SUBDIVISION AND AGRICULTURAL/RURAL SUBDIVISION).

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Appendix A, Sections 2.3 and 2.4 of the St. Bernard Parish Code of Ordinances (Code Revision; Subdivision Regulations; Subdivision of Land Procedure; Minor Subdivision and Agricultural/Rural Subdivision).

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #24 continued  
August 20, 2013

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


**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

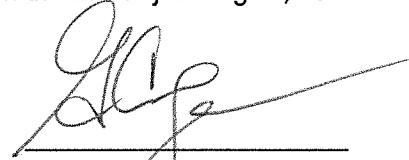
**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

8/20/2013 11:15AM  
Date and Time

Approved ☒

Vetoed ☐

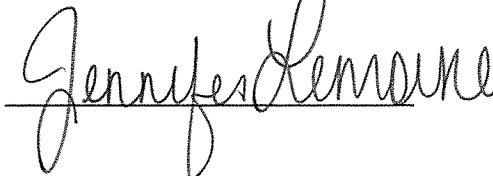
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8/27/2013 8:47AM  
Date and Time

Received by



**Exhibit A**  
**Summary No. 2970**  
**Ordinance SBPC #1416-08-13**

**Appendix A**

\*\*\*\*\*

**2.3. - Minor subdivision.**

A minor subdivision of land is allowed for the creation of five (5) or fewer lots from a previously unsubdivided parcel that is less than two (2) acres in total size, and does not involve the creation of a new street.

By authority of Ord. No. SBPC-981-04-09 the Director of Community Development shall have the authority to approve, as an administrative action, the re-subdivision of Louisiana Land Trust properties that will be split between adjacent property owners as well as the primary property making the acquisition, and attaching the acquired lot to the primary property.

By authority of Ord. No. SBPC-1135-09-09 the Director of Community Development shall have authority to approve, as an administrative action, the re-subdivision of Louisiana Land Trust Properties that will be acquired by the adjacent property owners as well as the primary property making the acquisition, and attaching the acquired lot to the primary property.

By authority of Ord. No. SBPC-1311-06-12 the Director of Community Development shall have authority to approve, as an administrative action, the re-subdivision of Louisiana Land Trust Properties.

**2.4. - Agricultural/rural subdivision.**

Agricultural/rural subdivisions of land may be subdivided into not more than five (5) lots (in total) without the creation of a new street. Any parcel of land considered for an agricultural or rural subdivision must be a minimum of ten (10) acres or more in size. Any individual parcel within an agricultural/rural subdivision must be a minimum of one (1.0) acre in size. A fifty-foot minimum access and utility servitude must be included in the subdivision that provides a dedicated means to access all lots within the subdivision. The process for an agricultural/rural subdivision will follow that of a minor subdivision.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1417-08-13**

### **Summary No. 2971**

Introduced by: Administration on 8/6/13

Planning Commission recommended **APPROVAL** 7/30/13

Public hearing held on 8/20/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-008**, PETITION OF EDWARD ROHDE, 403 OLD KILN DRIVE, PICAYUNE, MS 39466, REPRESENTED BY, LEONARD KURTZ, 3846 CORNINE AVENUE, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO CONDITIONAL USE C-2 (GENERAL COMMERCIAL) SITE ADDRESSES: 7633 W. JUDGE PEREZ DRIVE, ARABI, LA 70032.

SECTION 1. That **DOCKET Z-2013-008**, petition of Edward Rohde Represented by, Leonard Kurtz, for a rezoning of one parcel from C-1 (Neighborhood Commercial) to conditional use C-2 (General Commercial) is hereby granted for the following described property:

Site Address: 7633 W. Judge Perez Drive, Arabi, LA 70032.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbay**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #25 continued  
August 20, 2013

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

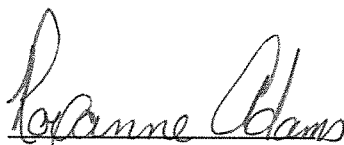
**YEAS:** Lauga, Gorbay, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

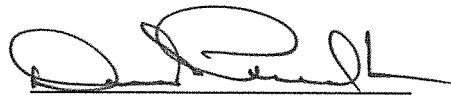
Delivered to the Parish President

8/20/2013 11:15AM  
Date and Time

Approved ☒

Vetoed ☐

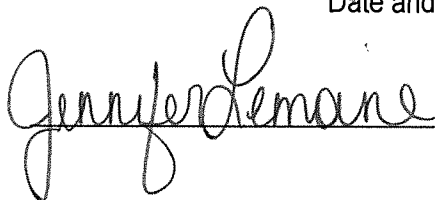
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8/27/2013 8:46AM  
Date and Time

Received by





# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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 20, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1418-08-13**

### **Summary No. 2973**

Introduced by: Administration on 8/6/13

Public hearing held on 8/20/13

AN ORDINANCE TO DECLARE LOTS 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 AND 22, OF SQUARE 542, SAID SQUARE 542 BEING BOUNDED BY MONTESQUIE, PARIS ROAD, DEFOY AND BOLIVAR STREETS AS SURPLUS, TO DONATE THE PROPERTY TO THE ST. BERNARD PARISH SHERIFF'S OFFICE AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the Parish considers this property surplus and it is not needed for a public purpose of the Parish,

**WHEREAS**, the St. Bernard Parish Sheriff's Office intends to build a sheriff's station on this property,

**SECTION 1.** The following property is surplus and is not needed for any public purpose:

THOSE PORTIONS OF GROUND, together with all improvements thereon, and all of the rights, way, privileges, servitudes and advantages thereto belonging or in anywise appertaining, situated in the Parish of St. Bernard, State of Louisiana, in the Town or Subdivision of Versailles as per map by Joseph Pilie, protracted by A. C. Doval, C.E., annexed to an act before Gustof R. Westfeldt, Notary Public, on July 15, 1915, which portions are more particularly described as follows, to-wit:

Lots 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 and 22, of Square 542, said Square 542 being bounded by Montesquieu, Paris Road, DeFoy and Bolivar Streets.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #27 continued  
August 20, 2013

Being the same property acquired by Grantor in the following Quitclaim Deeds and Act of Cash Sale, from Una Gaidry McFarland to St. Bernard Parish:

- (1) Quitclaim Deed, from Una Gaidry McFarland to St. Bernard Parish, dated February 7, 1996 and recorded June 1996 in COB 606 Folio 297, of the official records of St. Bernard Parish, Louisiana.
- (2) Act of Cash Sale, from Una Gaidry McFarland to St. Bernard Parish, dated February 5, 1998 and recorded March 9, 1998 in COB 641 Folio 85, of the official records of St. Bernard Parish, Louisiana.
- (3) Quitclaim Deed, from Una Gaidry McFarland to St. Bernard Parish, dated February 5, 1998 and recorded March 9, 1998 in COB 641 Folio 89, of the official records of St. Bernard Parish, Louisiana.
- (4) Act of Cash Sale, from Una Gaidry McFarland to St. Bernard Parish, dated December 29, 1998 and recorded February 10, 1999 in COB 657 Folio 300, of the official records of St. Bernard Parish, Louisiana.

This property will be referred to hereinafter in this ordinance as "THE PROPERTY".

**SECTION 2.** THE PROPERTY is hereby donated to the St. Bernard Parish Sheriff's Office.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to execute any documents necessary to effectuate the donation of THE PROPERTY to the St. Bernard Parish Sheriff's Office.

**SECTION 4.** 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 5.** 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.





# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -3-  
Extract #27 continued  
August 20, 2013

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

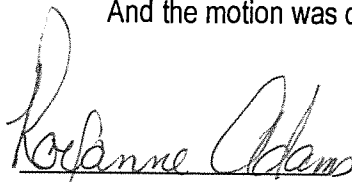
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

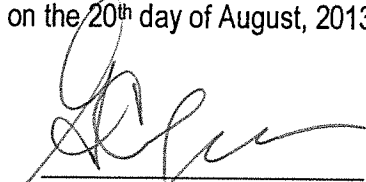
**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20<sup>th</sup> day of August, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

8/20/2013 11:15AM  
Date and Time

Approved ☒

Vetoed ☐

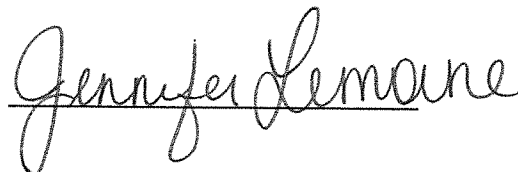
Parish President

  
David E. Peralta

Returned to Clerk of the Council

8/27/2013 8:46AM  
Date and Time

Received by





# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpbg.net

**#16**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1419-09-13**

### **Summary No. 2959**

Introduced by: Administration on 7/16/13

Planning Commission recommended **APPROVAL** on 6/25/13

Public Hearing held on 8/6/13

Tabled on 8/6/13

Tabled on 8/20/13

AN ORDINANCE TO AMEND CHAPTER 22 ZONING; SECTION 22-2-4 INTERPRETATION; DEFINITIONS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Chapter 22, Section 22-2-4 as attached (Exhibit A) interpretation; definitions.

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 of this Ordinance with the invalid portions omitted.



# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page-2-  
Extract #16 continued  
September 3, 2013

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

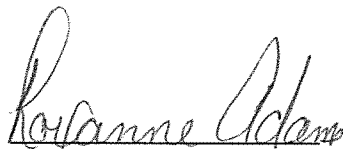
**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

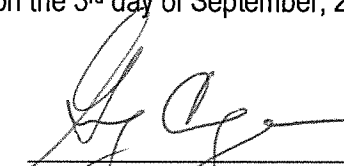
**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/10/2013 9:20AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

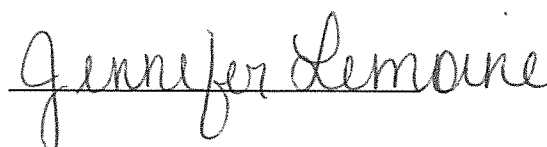
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by



# **ORDINANCE SBPC #1419-09-13**

## **SUMMARY NO. 2959**

### **EXHIBIT "A"**

#### **Chapter 22 Zoning**

#### **Sec. 22-2. - Interpretation.**

##### *22-2-4. Definitions.*

*Dwelling, single-family:* A structure designed for and occupied exclusively by one (1) family. For the purpose of this chapter such dwelling unit shall have a minimum floor area of one thousand six hundred (1,600) square feet with the exception of A-1, SBV and SA Zones. Floor area, for this definition, shall be defined as under roof and climate controlled occupied areas.



# *St. Bernard Parish Council*

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

**#17**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1420-09-13**

### **Summary No. 2960**

Introduced by: Administration on 7/16/13

Planning Commission recommend **APPROVAL** on 6/25/13

Public hearing held on 8/6/13

Tabled on 8/6/13

Tabled on 8/20/13

AN ORDINANCE TO CREATE AND INSERT INTO CHAPTER 22 ZONING; SECTION 22-7-10 (SITE DEVELOPMENT STANDARDS; RESIDENTIAL INFILL DEVELOPMENT) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Chapter 22, Section 22-7-10 as attached (Exhibit A) Site Development Standards; Residential Infill Development.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page-2-  
Extract #17 continued  
September 3, 2013

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

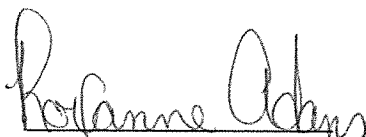
**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis


**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/10/2013 9:20AM  
Date and Time

Approved



Vetoed

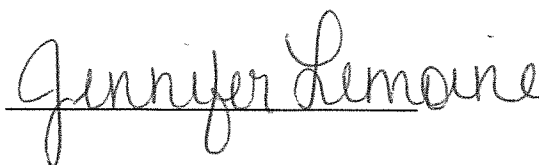
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by



**ORDINANCE SBPC #1420-09-13**

**SUMMARY NO. 2960**

**EXHIBIT "A"**

**Chapter 22 Zoning**

**22-7-10 RESIDENTIAL INFILL DEVELOPMENT**

A. Minimum size of single-family residential dwelling unit in R1 Zone shall be one thousand six hundred (1,600) square feet of living area.



# *St. Bernard Parish Council*

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

**#18**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1421-09-13**

### **Summary No. 2961**

Introduced by: Administration on 7/16/13

Planning Commission recommended **APPROVAL** on 6/25/13

Public Hearing held on 8/6/13

Tabled on 8/6/13

Tabled on 8/20/13

AN ORDINANCE TO AMEND CHAPTER 22 ZONING; SECTION 22-5-3 (RESIDENTIAL ZONING DISTRICTS; BULK AND AREA REQUIREMENTS) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Chapter 22, Section 22-5-3 as attached (Exhibit A) Residential Zoning Districts; Bulk and Area Requirements.

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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page-2-  
Extract #18 continued  
September 3, 2013

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

**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/6/2013 9:20AM  
Date and Time

Approved

Vetoed \_\_\_\_\_

Parish President

David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by

# ORDINANCE SBPC #1421-09-13

## SUMMARY NO. 2961

### EXHIBIT "A"

#### Chapter 22 Zoning

#### Sec. 22-5. - Residential zoning districts.

22-5-3. *Bulk and area requirements.* In residential zones no building hereafter erected, reconstructed, remodeled or altered shall exceed the height, be located on a lot of less width and area, or have smaller yards or ground floor area than the minimum requirements listed below.

*(chart has been omitted)*

Notes to residential bulk and area requirements:

- (1) See exceptions and modifications section 22-4-3.2.
- (2) Three thousand (3,000) square feet minimum per side per family for two-family dwellings.
- (3) Six thousand five hundred (6,500) square feet per family for single-family dwellings with a minimum lot frontage of sixty (60) feet
- (4) A total of ten (10) feet and three (3) feet minimum per side.
- (5) All R-1 zoned primary structures shall have a minimum living area of one thousand six hundred (1,600) square feet. Living area, for this definition, shall be defined as under roof and climate controlled occupied areas.



# *St. Bernard Parish Council*

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**#19**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1422-09-13**

### **Summary No. 2966**

Introduced by: Administration on 7/16/13

Public hearing held on 8/6/13

Tabled on 8/6/13

Tabled on 8/20/13

AN ORDINANCE TO DECLARE AS SURPLUS 2508 MARGARET LANE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO BRANDON MAXWELL.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 2508 Margaret Lane, was adjudicated to the Parish on October 18, 2006.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Brandon Maxwell has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

2508 Margaret Lane

Meraux, Louisiana 70075

LOT 1, SQ G St Bernard Grove 55 X 150 = 8250

This property will be referred to hereinafter in this ordinance as "2508 Margaret Lane"



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at Large

**George Cavignac**  
Councilman  
at Large

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Councilman  
District A

**Nathan Gorbaty**  
Councilman  
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Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page-2-

Extract #19 continued

September 3, 2013

**SECTION 2.** It is determined that Brandon Maxwell is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 2508 Margaret Lane to Brandon Maxwell for the purchase price of **\$1,144.46**, with Brandon Maxwell to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Brandon Maxwell continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

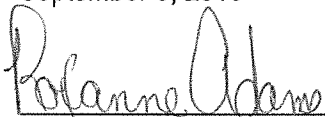
**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page-3-  
Extract #19 continued  
September 3, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

9/10/2013 9:20AM  
Date and Time

Approved ☒

Vetoed ☐

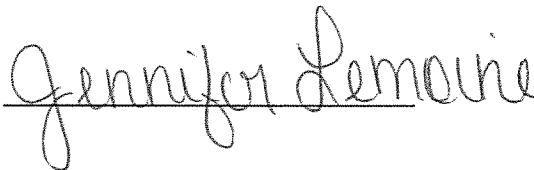
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by





# *St. Bernard Parish Council*

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**#20**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1423-09-13**

### **Summary No. 2972**

Introduced by: Administration on 8/6/13

Planning Commission recommended **APPROVAL** with conditions on 7/30/13

Public hearing held on 8/20/13

Tabled on 8/20/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-009**, PETITION OF EUGENE C. MOLINARY, P.O. BOX 2423, CHALMETTE, LA 70043, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO A-1 (RURAL) DESCRIBED AS A PORTION OF LOT 7-B-X, OAK RIDGE SUBDIVISION. SITE ADDRESS: SITE BEARS NO MUNICIPAL ADDRESS.

SECTION 1. That **DOCKET Z-2013-009**, petition of Eugene C. Molinary for a rezoning of one parcel from R-1 (Single-Family Residential) to A-1 (Rural) is hereby granted with the condition that the proposed lot 7-B-X-5, which is currently zoned I-2 (Heavy Industrial) does not change for the following described property:

A portion of Lot 7-B-X, Oak Ridge Subdivision. SITE ADDRESS: Site bears no municipal address.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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Extract #20 continued  
September 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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


**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/6/2013 9:20AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

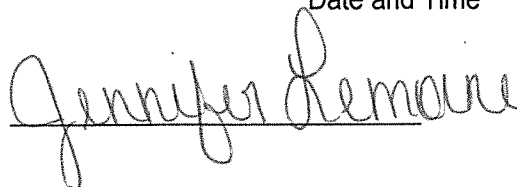
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

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**#21**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1424-09-13**

### **Summary No. 2974**

Introduced by: Councilman Lewis on 8/20/13

Public hearing held on 9/3/13

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1404-07-13**, AMENDING CHAPTER 22, ZONING; SECTION 7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend Ordinance SBPC #1404-07-13, the attached (Exhibit A) to Chapter 22; Section 7-4; Sign Regulations.

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 of this Ordinance with the invalid portions omitted.

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





# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

Page-2-  
Extract #21 continued  
September 3, 2013

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

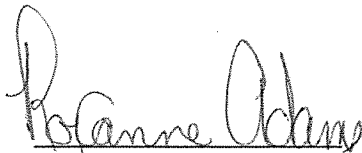
**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

**Richard "Richie" Lewis**  
Councilman  
District C

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

**Casey W. Hunnicutt**  
Councilman  
District D

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council


Delivered to the Parish President

9/6/2013 9:20AM  
Date and Time

Approved ☒

Vetoed ☐

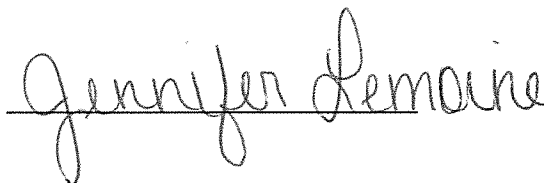
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by



**Ordinance SBPC #1424-09-13**  
**Exhibit A**  
**Summary No. 2974**

**22-7-4. SIGN REGULATIONS**

---

**22-7-4.1. PURPOSE**

The purpose of this section is to provide comprehensive regulations for signs within St. Bernard Parish, to facilitate the location and choice of signs, to avoid visual clutter that is potentially harmful to vehicular and pedestrian safety, to protect property values, to promote business opportunities, and to provide for a pleasing environmental setting.

**22-7-4.2. DEFINITIONS**

**Abandoned sign:**

- (1) A sign that no longer correctly proclaims any person, business, lesser, owner, entity, or product, on or off premises; thirty (30) days after notice of non-compliance; or
- (2) A sign in disrepair that has not been maintained for a period of thirty (30) days after notice of disrepair or non-compliance; or
- (3) Any sign with no face, for a consecutive thirty (30) days from the date of notice of non-compliance.
- (4) A sign on an vacant lot that exists at the property thirty (30) days after notice of non-compliance.

**Address sign:** A sign which communicates only the numeric address of the premises on which it is located.

**Arrow sign:** Any portable or attached arrow sign, flashing or non flashing, used to advertise or display any message.

**Attached sign:** Any sign which is connected physically to and which derives structural support from a building or building appendage or adornment.

**Audible sign:** A sign which is designed to or which does produce any sound.

**Awning sign:** Any sign placed on an awning that is supported entirely from the exterior wall of a building, and is composed of a cloth, plastic, or nonstructural covering; also, the awning itself, when words or images of advertisement or information are contained thereon.

**Banners, banner signs, flags, seals:** A sign having letters, characters, illustrations, or ornamentations applied to cloth, paper, or other lightweight material which allows for movement caused by the atmosphere, designed to express a message or identify a place, person, idea, or any thing other than duly adopted flags or seals of municipalities, parishes, states, or nations.

**Beacon:** A strong bright light or strobe light focused on or pointed in one (1) or more directions.

**Bench Sign:** A sign painted on or attached to a bench or a shelter, or other non-mobile structure, provided for a person awaiting public transportation.

**Billboard sign:** A freestanding sign used for selling advertising space.

**Ordinance SBPC #1424-09-13**  
**Exhibit A**  
**Summary No. 2974**

**Changeable message sign:** A sign on which the message or sign panels may be changed electronically or manually through the removal, replacement, or rearrangement of letters, symbols, blocks, or panels designed for attachment to the sign.

**Construction sign:** Any temporary sign erected and maintained by an architect, contractor, developer, financial institution, materials supplier, or subcontractor on sight for which said person or persons is presently furnishing labor, materials, services, or capital financing.

**Facade sign:** Any sign painted on or mounted against the surface of a front or side wall of a building, or any wall which is an essential part of the landscape design of the site, such as a wall screening for off-street parking.

**Flashing sign:** A light or light source or a reflection of a light source, which is intermittent.

**Freestanding sign:** Any sign that is supported only by a structure secured in the ground, which does not affect traffic safety by obstructing vision, and which is independent of any building, fence, support wires, vehicles, or other such objects for support.

**Identification sign:** A sign that is limited to name, address, person, or entity of a building.

**Laser:** Any device that emits a narrow, intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such a device.

**Marquee sign:** A permanent roof-like structure that projects beyond a building wall at an entrance to a building or extending along and projecting beyond a building's wall and constructed to provide protection against the weather.

**Monument sign:** Any free-standing ground sign (a) which is of monolithic construction; (b) If supports are visible, they must not exceed twenty-four (24) inches in height, measured from the ground surface; (c) the sign shall not exceed (8') feet in total height from the ground; in no instance shall the sign exceed 64 SF; (d) A double-faced monument sign shall be constructed back-to-back, unless visibility of such sign would be impeded, in which case the two (2) sides may form a V-shape, in which the interior angle does not exceed forty-five (45) degrees.

**Neon sign:** Any colored tubular lighting that is bent or formed into lettering or a design of which the primary source of light is gaseous. Anything within the outline of the neon will be considered part of the sign face.

**Non-conforming sign:** A sign which was legally erected and maintained prior to such time as it came within the purview of this Code and any amendments thereto, and which fails to conform to applicable regulations and restrictions of said Code, or a non-conforming sign for which a conditional use permit has been issued.

**Off-premise Sign:** Any sign directing persons to a different location other than that on which sign is located, and which identifies goods, products, or services not available on the premises on which the sign is located.

**On-premise sign:** A sign identifying or advertising a person, business, activity, or product or service located on the premises where the sign is installed.

**Permanent Building:** Permitted structure not supported by steel frame.

**Ordinance SBPC #1424-09-13**  
**Exhibit A**  
**Summary No. 2974**

**Pole sign:** A sign erected on one or more pole, and which is wholly independent of any building for support in excess of 8'. Not to exceed 35' in height.

**Political sign:** A temporary sign urging the election or defeat of any political candidate, group, or agent thereof, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial or advertising firm when leased or used as a political sign.

**Portable sign:** A sign not permanently attached to the ground, a building, or other structure; a sign designed to be moved from place to place; a snipe sign is one (1) that is tacked, nailed, posted, taped, pasted, glued, or otherwise attached to trees, walls, trash receptacles, fences, or other like objects. Legal notices required by law are exempt.

**Projecting sign:** Any sign other than a wall sign that is affixed to any wall or building, which has a leading edge extending twelve or more inches beyond such wall or building. There are two (2) types:

- (1) *Fixed* --fixed rigidly to building or wall; and
- (2) *Swinging* --has only one (1) rigid support.

**Real estate sign:** A temporary sign erected by the owner or owner's agent, pertaining to the sale, lease, or rental of property on which sign is erected.

**Revolving/rotating sign:** A sign whose face is designed to turn on an axis.

**Sign:** Defined as a medium of communication; a display of letters, characters, illustrations, or ornamentalations; includes its structure and component parts, but not guy wires or the poles to which they are attached.

**Sign area:** The square footage of the area enclosed within the perimeter of the sign face, with each face contributing to the composite area of any sign. In the case where there is no distinguishable geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the message shall determine the sign area. For back-lighted awnings, the entire area of the awning shall be considered the sign area.

**Sign face:** The part of the sign that can be used to identify, advertise, inform, communicate, or convey a visual representation that attracts attention of the public, for any purpose. It includes any background material, panel, trim, frame, color, and lighting that differentiates the sign from the building, structure, or object upon which it is mounted or against which it is placed.

**Sign height:** Defined as the vertical distance from the finished grade to the highest point of the sign or sign structure.

**Sign structure:** The supporting structure upon which a sign or sign face is attached or displayed, having its primary purpose the support or display of the sign; does not include a building or fence.

**Snipe sign:** One (1) that is tacked, nailed, posted, taped, pasted, glued, or otherwise attached to poles, trees, stakes, walls, trash receptacles, fences, or other like objects. Legal notices required by law are exempt.

**Street banner sign:** Any banner sign that is stretched across and hung over a public right-of-way.

**Subdivision sign:** A sign identifying the subdivision and designating the entrance or exit to such subdivision.

**Ordinance SBPC #1424-09-13**  
**Exhibit A**  
**Summary No. 2974**

**Temporary Sign:** A sign pertaining to a specific event or situation that is expected to occur and be completed within a reasonably short time period after the erection of such sign.

**Trailer sign:** A portable sign structure that is attached to or made up of in whole or in part of a trailer or any parts thereof that were previously a whole or part of a trailer.

**Vacant lot:** a lot on which there are no permanent buildings.

**Vehicle sign:** A portable sign that is displayed on or from any mode of transportation.

**Window sign:** Any sign that is painted on, applied to, attached to, or projected onto the interior or exterior of a building's glass area, including doors, or that which is located within one foot of the interior of a building's glass area, which can be perceived from any off-premises contiguous property or public right-of-way.

**22-7-4.3. PROHIBITED SIGNS**

- (a) Abandoned signs.
- (b) Arrow Signs.
- (c) Audible Signs
- (d) Beacons.
- (e) Lasers.
- (f) Portable sign not on the property of the business being advertised are strictly prohibited.
- (g) Projected signs.
- (h) Revolving/rotating signs.
- (i) Any sign which consists or comprises of deceptive, immoral, or scandalous matter, or that presents a message, picture, or letter combination which is offensive.
- (j) Any sign placed on a public street median is strictly prohibited. All such existing signs shall be removed.

**22-7-4.4. EXEMPT SIGNS**

- (a) Official notices posted by any court, public agency, or officer.
- (b) Historic plaques.
- (c) Traffic, directional, warning, or informational signs authorized by any public agency.
- (d) Flags and insignia of any government, except when displayed in connection with commercial promotion.
- (e) Private directional signs, not to exceed four (4) square feet in sign area, per sign.
- (f) Indoor neon signs, not to exceed six (6) square feet in area are allowed at or near windows, providing said signs do not exceed twenty-five (25) percent of the area of such window.
- (g) A portable sign on the property of the business is only allowable during the business hours of that business.

## Ordinance SBPC #1424-09-13

### Exhibit A

### Summary No. 2974

#### 22-7-4.5. DIMENSIONS, CONDITIONS, AND RESTRICTIONS FOR SIGN TYPES

(a) **Address signs.** Non-illuminated address signs in nonresidential and mixed-use districts are not required to obtain a permit, but are a minimum requirement for all structures. They are not to exceed eight (8) square feet, in sign area. The minimum setback is five (5) feet and the maximum height shall be two (2) feet from the ground. Such signs shall be located on or within ten (10) feet of primary public entrance of the premises.

(b) **Awning/awning sign.** Occupants for a commercial, industrial, institutional building or any use other than residential, is allowed an awning sign, also referred to as an awning. All signs must be installed by a licensed sign company or a licensed awning company.

(c) **Banners, flags, seals.** Banners, flags, and seals will be allowed upon application, approval, and issuance of the permit by the Department of Community Development. Applications must include: the name of the person, firm, corporation, or organization sponsoring said event, location(s) where sign(s) will be installed, and dates sign(s) will be displayed. Signs may not exceed thirty-two (32) square feet, and will be limited to up to two (2) banners, flags, or seals per premise. The total number of signs, location(s), and method of attachment must be approved by the Director of the Department of Community Development.

(d) **Changeable signs.** Movie theater signs are allowed changeable message signs without limitation. All other changeable message signs must be incorporated into a sign face, and the changeable component must occupy less than one-half the total sign face area. Change copy, if used, must be located adjacent to or integrated into the sign face. Lettering of changeable signs shall be of uniform size and color. If internal illumination is used, it must be of negative contrast.

(e) **Construction signs.** Non-illuminated construction signs will be permitted on premises that are being developed or improved, subject to the following requirements:

(1) Building permit for construction work must be obtained prior to issuance of construction sign permit.

(2) Residential districts. Only one (1) sign per contractor shall be permitted and no sign shall exceed six (6) square feet in sign area, nor three (3) feet in height. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign(s) shall not be located within ten (10) feet property line, or placed in such a spot as to obstruct traffic visibility.

(3) Nonresidential or mixed use districts. Only one (1) sign is permitted by site, and said sign shall not exceed thirty-two (32) square feet in sign area. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign shall not be placed in such a spot as to obstruct traffic visibility.

(4) Construction signs are limited to one (1) per premises, except when site has two (2) street frontages. In such case, one construction sign will be permitted for each street frontage, not to exceed two (2) signs.

(5) All construction signs shall be removed prior to issuance of certificate of occupancy.

## Ordinance SBPC #1424-09-13

### Exhibit A

### Summary No. 2974

(f) **Facade signs for residential offices.** Facade signs shall not occupy more than fifteen (15) square feet in area per side and not to exceed five (5) feet in height. Said signs shall not project more than four (4) inches from the face of the building. No portion of any such sign shall extend over parish property.

(g) **Facade signs:** Facade signs shall not occupy more than one (1) square foot per linear foot of the building frontage. All signs must be installed by a licensed sign company.

(h) **Freestanding signs.**

(1) No additional sign, defined exclusively as a freestanding sign, shall be permitted upon the effective date of this section.

(2) No billboard signs shall be permitted upon the effective date of this section. All signs must be installed by a licensed sign company.

(i) **Identification signs.** For single-family residential districts, identification signs may not exceed three (3) square feet in sign area. In multi-family residential districts, identification signs may not exceed six (6) square feet and must identify only that specific building that is contained in said multi-family dwelling and must be consistent with the permitted use(s) of the residential structure.

(j) **Marquee signs.** An occupant, for a commercial, industrial, or institutional use or for any use other than residential, is allowed one (1) marquee. Overall height of marquee sign shall not exceed six (6) feet. All signs must be installed by a licensed sign company.

(k) **Monument signs.** Mounds/berms shall not be more than three (3) feet from ground level of lot and shall be located within a landscaped bed area. Height of monument signs shall not exceed eight (8) feet. Setback from the property line shall be a minimum of five (5) feet. If no building façade is behind monument sign, it may be set back up to fifty (50) feet from the property line. One monument sign per one thousand (1,000) feet of street frontage or fraction thereof in excess of one thousand (1,000) foot increments shall be permitted. If more than one street frontage, then one additional monument sign will be allowed for each one thousand (1,000) feet or fraction thereof in excess of one thousand (1,000) feet. Single occupancy buildings shall have no monument sign greater than thirty-two (32) square feet; multi-occupancy buildings shall have no monument sign greater than seventy (70) square feet. All signs must be installed by a licensed sign company.

1. Exception: Businesses located on Paris Road north of the 40 arpent levee shall be allowed signs totaling 16' in height measured from the crown of highway, and shall be allowed a sign no greater than seventy (70) square feet whether single or multi-occupancy buildings.

(l) **Neon signs.** Anything within the boundary of the outline of the neon will be considered a part of the sign face. Neon signs shall not be used to illuminate or outline building facades or window or door openings.

(m) **Non-conforming signs.** Any sign which legally existed prior to the date of adoption of this ordinance may be continued, but will lose its legally conforming status if any of the following occur:

1. The sign has been abandoned for more than 30 days from the notice of non-compliance.
2. The building on the premises where the sign is located is no longer allowable according to the St. Bernard Parish Code of Ordinances.

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3. The sign is changed in a way, so that it is made less in compliance than with this code than before the change occurred.
4. The sign is relocated.
5. The sign structure has been significantly changed.

(n) **Political signs.** Political signs shall not exceed thirty-two (32) square feet. Said signs shall be allowed for no more than ninety (90) consecutive calendar days and must be removed within ten (10) days following election for which signs were permitted. If signs are for more than one (1) election, the permit will automatically extend to the tenth day following the subsequent election.

(1) Political signs are not permitted in public rights-of-way, and are not allowed to obstruct vehicular lines of vision.

(2) Said signs are not allowed to be stacked one on top of another, like in billboard fashion.

(o) **Real estate signs.** In residential areas, signs must be non-illuminated, and limited to five (5) square feet per side, for a total of ten (10) square feet. Sign height cannot exceed five (5) feet in height, if sign is freestanding in nature. In all other districts, signs must be limited to thirty-two (32) square feet per sign face, with an aggregate square footage of not more than sixty-four (64). If sign is freestanding, height cannot exceed seven (7) feet. All real estate signs must be removed within thirty (30) days of property being sold, rented, or leased.

(p) **Subdivision signs.** Subdivision signs should not be more than forty-eight (48) square feet in area or ninety-six (96) square feet for a two-sided sign. Signs must be located only at entrances to approved subdivisions, and must obtain a permit from the department of community development to construct signs. All signs must be installed by a licensed sign company or contractor.

(q) **Window signs.** Window signs shall be permitted as long as they do not prevent said windows from being used as an emergency exit. Also, window signs shall not cover more than twenty-five (25) percent of the square footage of said window.

(r) **Pole sign.** A sign erected on one or more pole, and which is wholly independent of any building for support advertising space shall not exceed 64 square feet per side and must be installed by a licensed sign company.

#### **22-7-4.6. REGULATION OF SIGNS**

All signs hereafter erected on any lot in any district, except official, traffic and street signs, shall conform to the provisions of this paragraph, unless otherwise provided.

(a) Signs in Residential "R" Districts: In residence districts no sign shall be permitted except the following:

(1) A sign, not exceeding two (2) square feet in area, giving the name and/or address only of the land or building on which displayed, or the owner or lessee thereof.

(2) A sign pertaining to the lease or sale of a building or property, provided such sign shall not exceed twelve (12) square feet in surface area and is unilluminated.



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- (3) Temporary nonilluminated signs, for one (1) year, advertising a new subdivision development of five (5) lots or more, provided such signs do not exceed sixty (60) square feet in surface area, are no more than fifteen (15) feet nor less than two (2) feet above ground, advertise only the development in which they are located, and are erected only at dedicated street entrances.
  - (4) One (1) unilluminated sign identifying an engineer, architect or contractor engaged in the construction of a building, provided such sign shall not exceed twelve (12) square feet in surface area, is no more than fifteen (15) feet or less than two (2) feet above ground, and is removed within thirty (30) days following occupancy of the building.
  - (5) One (1) identification sign, not to exceed thirty (30) square feet in area, for the following uses: church, school, hospital, library, farm, park, clinic or similar uses. Such sign shall be solely for the purpose of displaying the name of the institution and its activities or services. It may be illuminated but not flashing.
  - (6) Directional signs not to exceed two (2) square feet in surface area for the following uses: church, school, hospital, library, sanitarium, clinic or similar use; provided, that each shall be limited to one (1) such sign per major thoroughfare approach. No such sign shall be permitted on minor residential streets.
  - (7) One (1) nameplate sign for a dwelling group of four (4) or more units not exceeding five (5) square feet in surface area. Such signs may indicate the names and addresses of the buildings or it may be a directory for the occupants.
  - (8) One (1) nameplate sign, no more than four (4) inches in width and eighteen (18) inches in length, indicating the name and occupation or profession of the resident who utilizes the premises for a permitted home occupation.
- (b) Signs in C-1 Neighborhood Commercial Districts: In the C-1 District signs are permitted subject to the following regulations:
- (1) All signs permitted in the "R" districts.
  - (2) The total area of all business signs on a building or lot shall not exceed one hundred fifty (150) square feet or the sum of three (3) square feet for each lineal foot of lot frontage, whichever is the greater. No signal business sign surface may exceed three hundred (300) square feet in area, nor shall two (2) or more smaller signs be so arranged and integrated as to create a surface area in excess of three hundred (300) square feet.
  - (3) Advertising sign structures shall be limited to not more than one (1) structure for a lot of 100-foot frontage or less, and to one (1) additional structure for each one hundred (100) feet of additional lot frontage. Such structure may contain not more than two (2) signs per facing nor exceed fifty-five (55) feet in length, and no advertising sign may exceed three hundred (300) square feet in area. No advertising sign shall be erected within fifty (50) feet of an adjoining residential district if designed to face into such district.
  - (4) Coordinated shopping center. Each coordinated shopping center may have one (1) incidental or freestanding identification sign for each street frontage set back at least twenty (20) feet from the front property line and announcing only the name of the shopping center and the hours of business.

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(c) Signs in C-2 General Commercial or A-1 Rural Districts: In the C-2 or A-1 District signs are permitted with the following regulations:

- (1) All signs permitted in the "R" districts.
- (2) The total surface area of a business sign or signs on a lot shall not exceed six (6) feet for each lineal foot of lot frontage.
- (3) Advertising sign structures shall be limited to not more than one (1) structure for a lot of fifty-foot frontage or less, and to one (1) additional structure for each fifty (50) feet of additional lot frontage. Such structure may contain not more than two (2) signs per facing nor exceed fifty-five (55) feet length. No advertising sign may be erected within fifty (50) feet of an adjoining residential district if designed to face into such district.
- (4) Coordinated shopping center. Each coordinated shopping center may have one (1) incidental or freestanding identification sign for each street frontage set back at least twenty (20) feet from the front property line and announcing only the name of the shopping center and the hours of business.

(d) Signs in I-1 and I-2 Industrial Districts: In the I-1 and I-2 Districts signs are permitted subject to the following regulations:

- (1) All signs permitted in the "R" districts.
- (2) The total surface area of a business sign or signs on a building or lot shall not exceed ten (10) square feet for each lineal foot of lot frontage.
- (3) Advertising sign structures shall be permitted subject to subsection (e) below.

(e) General Restrictions: Unless otherwise provided in this chapter, the following regulations shall apply to signs in all districts:

- (1) No sign shall be erected as to prevent free ingress or egress from any door, window or fire escape, and no sign of any kind shall be attached to a standpipe or fire escape.
- (2) No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of position, it may interfere with or obstruct the view of traffic sight lines or traffic-control devices. If located within direct line of vision of a traffic-control device, no flashing or intermittent red, green or amber illumination shall be used.
- (3) Any sign affixed flat against the wall of a building and not more than fifteen (15) inches in thickness shall not be deemed a projecting sign. Projecting signs may extend not more than forty-eight (48) inches beyond the building line, or over public property, in no event closer than two (2) feet to the curbline, and shall be at least ten (10) feet above the finished grade of the sidewalk. Wall signs shall not extend more than fifteen (15) inches over public property; however, lighting devices may extend not more than six (6) feet over public property, provided the lowest part of such device is at least fifteen (15) feet above the finished grade.
- (4) Business and advertising signs are required to observe the same setback, side yard and height limitations as provided for other buildings or structures in the zoned district; provided, that where drive-in service or parking facilities are provided, one (1) business sign, not exceeding forty-five (45) square feet in area, may be erected in any required setback area if it is not located nearer to the street or highway right-of-way line than one-third the required setback distance.

## Ordinance SBPC #1424-09-13

### Exhibit A

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- (5) The illumination of any sign within fifty (50) feet of and facing a residential zone lot line shall be diffused or indirected and designed to prevent direct rays of light from shining into adjoining residential districts; and in no event shall flashing or intermittent illumination be permitted where the sign faces directly into and is nearer than three hundred (300) feet to dwellings in a residential district.
- (6) Directional or informational signs of a public or quasipublic nature, not exceeding six (6) square feet in area, may be permitted in any district on approval of the Director of the Department of Community Development. Any illumination shall be nonflashing, uncolored and confined to the face of the sign. No advertising matter whatsoever shall be permitted on signs of this type.
- (7) Temporary signs indicating an event of public interest, such as a state or local fair, local or general election, cattle or horse show, etc., may be erected on a thirty-day, nonrenewable permit in any zone on approval of the Director of the Department of Community Development.
- (8) Whenever a sign becomes structurally unsafe or endangers the safety of a building or premises, or endangers the public safety, Office of Resident Services or its designee shall give written notice to the owner of the sign or the owner of the premises on which the sign is located that such sign be made safe or removed within ten (10) days.
- (9) Any business or outdoor advertising sign legally existing prior to the adoption of the ordinance from which this chapter derived and which does not conform to these provisions shall not be altered, or changed in overall dimensions, except to conform to the provisions of this chapter. If damaged to an extent in excess of thirty (30%) percent of its current replacement value, it shall not be rebuilt, provided that nothing contained herein shall be construed to prevent normal maintenance and repairs, repainting or posting of such signs or structures.
- (10) Unless otherwise provided in these regulations, all signs shall be constructed and erected in accordance with the building code for the Parish of St. Bernard, Louisiana.
- (11) To provide reasonable flexibility in these regulations, Office of Resident Services or its designee may approve an application for a business sign or advertising structure which may not conform with the provisions of the district in which it is to be located, where the location, size or addition would not be inconsistent with the character of the area or neighborhood in which such sign or structure is to be located.
- (12) All signs should be in compliance with the LA State Statue.

#### **22-7-4.7. APPLICATION REQUIREMENTS AND FEE SCHEDULE**

(a) **Application Requirements.** All applications should include the following information, in duplicate:

- (1) Name, address, and telephone number of applicant;
- (2) Permission of premises' owner;
- (3) Legal description of the property where sign(s) is/are to be constructed;
- (4) A site plan, depicting the proposed plan of development;

## Ordinance SBPC #1424-09-13

### Exhibit A

### Summary No. 2974

- (5) An illustration of sign(s), including pylons, side views of signs, and any other rendering deemed necessary by the Department of Community Development, to ensure clear understanding of proposed signage;
  - (6) Sizes, materials, and illumination of said signs;
  - (7) Wind loads, IBC requirements.
- (b) **Fees:** When completed application is submitted with required information, a nonrefundable application fee shall be required according to the following schedule:
- 1. Electrical Signs applicants shall pay an additional cost of an electrical inspection by either the St. Bernard Parish Office of Community Development or its licensed designee

#### 22-7-4.8. ENFORCEMENT, VIOLATIONS AND PENALTIES

(a) **Enforcement.** The provisions of this section shall be administered and enforced by the director of the department of community development, a parish planner, or, in the absence of these, the building inspector. All such officers shall have the authority and power to make inspections of any signs, sign structures, murals, or premises necessary to carry out their duties in the enforcement of the provisions of this section.

(b) **Violation and Notice.**

(1) If any sign or sign structure is erected, structurally altered, or maintained or used in violation of any of the provisions of this article, any proper Parish official or his or her duly authorized deputies or representatives shall begin any appropriate actions or proceedings to prevent such unlawful or illegal act, conduct, or use in or about or concerning any such sign, sign structure, or premises and completed within ninety (90) days. Each day that any such violation continues shall constitute a separate violation of this section. The director of the department of community development, the parish planner, or the building inspector may call upon the Sheriff of St. Bernard Parish to furnish necessary personnel to carry out his/her orders.

(2) Any resident of St. Bernard Parish who believes that a violation of any of these provisions is occurring may file a written complaint with the department of community development. Such complaint shall include as much information as possible, as to the said violation of the provisions of this article. The director of the department of community development, the parish planner, or the building inspector shall properly record such complaint, investigate the allegations of said complaint, and take any action warranted by such complaint and investigation, as provided for by this section.

(3) All Notices of Violations will be mailed to the offender by certified mail. Said Notice will inform him/her of the specific offense as well as the penalty for violation of such ordinance. Notice will further contain a copy of the Municipal Ordinance 22-7-4.9 Due Process which sets forth the administrative procedures to possibly remedy said violation.

(c) **Penalties.** Any person who violates any provision of this section shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment.

**Ordinance SBPC #1424-09-13**  
**Exhibit A**  
**Summary No. 2974**

Each day that any violation of this article occurs shall constitute separate offense.

**22-7-4.9 DUE PROCESS**

(a) Administrative Hearing.

1. A business or property owner may submit a written request for a hearing within 30 calendar days of receipt of the initial notice of violation.
2. All appeals shall be lead by the HRQL in an advisory capacity. HRQL shall give the administration a written recommendation written 5 days of said hearing.
3. Hearing requests shall be adjudged in accordance with the Administrative Procedure Act.
4. Failure to submit a written request for a hearing to the Department within 30 days of receipt of the initial notice of violation(s), or if requesting a hearing, failure to appear on the scheduled hearing date after having been notified of the hearing date and location by certified mail shall constitute default, and the violation(s) shall become finally affirmed.
5. In such cases where violations are affirmed, the Department shall notify the responsible party by certified mail of the affirmation, the penalty assessed, and the requirement that penalty be paid within 30 days of receipt of the notice.
6. In such case where violation(s) are affirmed the administration shall have 90 days to remove said violation.

(b) Recovery of Administrative Penalties.

1. The Department in an attempt to recover administrative penalties, may, at its discretion:
  - a) Order the removal of the sign in non-compliance.
  - b) Remove the non-conforming sign itself and recover said cost from the party found to be in non-compliance.
  - c) Refrain from allowing any permissible use signs to be installed while any fine remains outstanding.
2. These actions are not punitive and used only as a mechanism to garner payment of monies lawfully owed the department.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**#22**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1425-09-13**

### **Summary No. 2975**

Introduced by: Administration on 8/20/13

Public hearing held on 9/3/13

AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-71. ELECTRICIAN'S AND OWNER'S RESPONSIBILITIES; SUB-SECTION 15, FEES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 5, Section 5-71, Sub-section 15 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.

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



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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Extract #22 continued  
September 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbato**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council


**YEAS:** Lauga, Gorbato, Lewis, Montelongo, McInnis

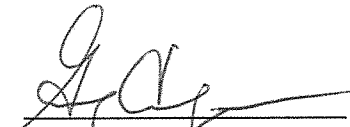
**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

9/10/2013 9:20AM  
Date and Time

Approved 

Vetoed \_\_\_\_\_

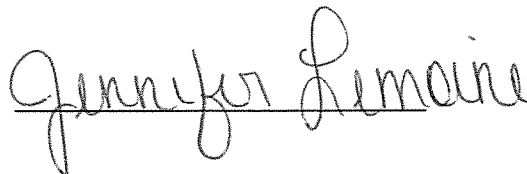
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by



**ORDINANCE SBPC #1425-09-13**  
**EXHIBIT "A"**  
**SUMMARY NO. 2975**

**CHAPTER 5 – BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES**

**Sec. 5-71. Electrician's and owner's responsibilities.**

Each license issued in accordance with the provisions of the code shall specify the name of the person, who shall be known as the holder of the license and such person shall be designated in the license as the supervisor of all work to be done under the license. The person designated as the supervisor may be a person in the employ of the holder of the license.

**(1)     *Permit required.***

a.       Every person, firm or corporation proposing to install, repair or alter any electrical equipment or wires designated to carry electricity at a difference of potential of four (4) volts or more for any purpose or service in or on any building or premises, shall file an application for a permit with the director. No work may be commenced until the permit is issued.

b.       The application for such permit shall contain a complete description of the installation, the repair or alteration as to the area of the building in square feet and number of outlets; the number and size of each circuit, feeder and sub-feeder; the horsepower and voltage rating of each motor; the size of each motor circuit wiring; the number of fixtures and sockets; and all other appliances and equipment that will be installed, repaired or altered. The application shall also state for what purpose the building or premises is to be used after the electrical work is completed and shall give the name of the owner or owners, address and the exact location of the building, including municipal number assigned to that location.

**(2)     *Drawings and specifications.*** Applications for permits to install electrical wiring and equipment that fall within the scope of this chapter shall be accompanied by two (2) sets of drawings and specifications, provided the cost of the work exceeds three thousand dollars (\$3,000.00), in the opinion of the director. All such electrical drawings and specifications shall bear the seal and signature of a Louisiana registered electrical engineer. Drawings and specifications may be required for work costing less than three thousand dollars (\$3,000.00), if the director deems it necessary that such drawings and specifications be submitted for approval.

**(3)     *Certificates of approval.***

a.       The director shall sign and issue all certificates of approval for the installation, repair or alteration of all electrical work. Said certificates shall not be issued until all work has been inspected by him and found to comply with all the requirements of this code. Said certificate shall contain electrical data, name of the owner or owners, and exact location of the building or premises where the work was accomplished.



b. A register shall be kept in which shall be recorded the number of each building, by proper description, in which an inspection has been made with the name of the owner or owners of the building, the date same was inspected and the person or persons for whom such inspection was made and the amount collected for such inspections.

(4) *Temporary wiring.* All certificates of approval issued for temporary wiring of any description may be revoked at the discretion of the director, but all such permits shall automatically expire at the end of ninety (90) days.

(5) *Connection of power.*

a. The director shall notify and authorize in writing, the utility company to make the final connection of the building or premises electrical system to the utility company's service facilities after he has issued a certificate of approval. No other person, firm or corporation shall be authorized to make the final connection.

b. The connection of electricity from a privately owned source of electric supply to electrical wiring system or equipment within or on any building or premises shall not be made until a special permit is secured from the director authorizing such connection.

(6) *Discontinuance of power.* Whenever, in the opinion of the director, any electrical installation, wiring or appliances in any building are unsafe or in a dangerous condition, or any electrical construction, installation, or repair work has been installed or is being used in violation of the code, the director shall serve written notice to the person, firm or corporation using the unsafe or dangerous wiring or violating the provisions of this code to correct such conditions within forty-eight (48) hours or within ten (10) days. This period may not be extended except by special written permission from the director of the department. Upon failure to comply with this notice, the utility company shall discontinue the electrical service upon the request, in writing, of the director, until such time as corrections are made and the utility company is notified in writing by the director the power may be reconnected.

(7) *Work by other than electrical contractors.* No person, firm or corporation, erecting, repairing, or altering buildings, erecting signs, altering, changing, installing plumbing or engaged in any other work shall close in or conceal any wiring or raceways nor cut, break, destroy, disconnect or in any other manner interfere with the arrangements of any electrical conductors or appliances whatever inside or outside of any building or premises without receiving a permit from the director. Before such permit will be issued, said person, firm or corporation shall serve the director with a written notice at least forty-eight (48) hours before such contemplated work is to be commenced, and the work of altering, changing or disconnecting such electrical conductors or appliances must be done under the supervision of a licensed electrician; in addition, this work must be inspected by the Director before he issues said permit.

(8) *Basic installation standards.*

a. All installations shall be in strict conformity with provisions of this code, the statutes of the State of Louisiana, the rules and regulations issued under authority of the state statutes, and shall be in conformity

with approved standards of construction for safety of life and property. In every case where no specific type or class of material, or no specific standard of construction is prescribed by the statutes of the State of Louisiana, the regulations issued under the authority of the state statutes or by this code conformity with the regulations as laid down in the National Electrical Code, as approved by the American Standards Association and in the National Electrical Safety Code, as approved by the American Standards Association, and other installation and safety regulations approved by the American Standards Association shall be prima facie evidence of conformity with approved standards of construction for safety to life and property.

b. All electrical equipment installed or used shall be in conformity with the provisions of this Code, the statutes of the State of Louisiana and any order, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Unless by this code, by a statute of the State of Louisiana, or by any orders, rules or regulations issued by authority thereof, a type or class of electrical equipment is disapproved for installation and use, conformity with the standards is disapproved for installation and use, conformity with the standards of Underwriters' Laboratories, Inc., as approved by the American Standards Association and the electrical provisions of other standards approved by the American Standards Association shall be prima facie evidence of conformity with approved standards for safety to persons and property; provided, however, that the provisions of this section shall not apply to equipment owned and used by an electrical supply or communication agency in the generation, transmission or distribution of electricity or for the operation of signal or the transmission of intelligence.

(9) *Standard Electrical materials.* No electrical apparatus, fittings or material shall be sold, replaced with new articles, rented, given as premium or used unless such apparatus, fittings or material is approved by the chief electrical inspector as complying with the safety requirements of this code; provided, however, that all such apparatus, fittings or material which bears the label of Underwriter's Laboratories, Inc., shall be deemed prima facie evidence to satisfy the requirements of this code, and the chief electrical inspector is authorized to approve such apparatus, fittings or material without requiring further tests thereof to be made.

(10) *Correction devices required.* No certificate of approval on new or repaired installations shall be issued for connection to the lines of any electrical utility company and no consumer shall connect or cause to be connected to any such utilities lines, any electrical discharge types of lamps, or lighting units having low power factor characteristics used for illuminating, decorating, advertising, or for any other purpose, unless such lamps or lighting units or groups of such lamps or lighting units shall have installed by the consumer in connection therewith, power factor corrective devices to increase the power factor of each lamp or lighting unit or each separately controlled group of lamps or lighting units to not less than ninety (90) percent lagging. This section becomes operative six (6) months from date of adoption of this code.

*Exception.* The foregoing provisions of this article shall apply to all lighting units except the following: Underwriters' Laboratories, Inc., approved lighting units containing fluorescent lamps, the rated lamp wattage of which is not more than twenty (20) watts per lamp, and single tube fixtures less than forty (40) watts.

(11) *Emergency systems, exit and emergency illumination.*

- a. All corridors, stair enclosures, exit ways, lobbies, assembly rooms, and all rooms in the line of exit travel within public buildings shall be adequately illuminated at a minimum intensity of one-foot candle at all times during which the building is occupied.
- b. Externally illuminated exit signs shall have the word EXIT in white letters at least six (6) inches high and a green field. Directional signs shall have the words TO EXIT with a suitable arrow under the words; letters shall be white and at least six (6) inches high on a red field. These signs shall be illuminated by two (2) electric lights properly shielded to provide illumination on the surface of the sign to an intensity of 5-foot candles. Lights shall be on separate circuits.
- c. Internally illuminated exit signs shall have the word EXIT in green translucent letters at least five (5) inches in height on an opaque background. Directional signs shall have the word EXIT with a suitable arrow under the word; the letters shall be not less than five (5) inches in height and, together with the arrow, shall be of red translucent material placed on an opaque background. Exit and directional signs shall be equipped with two (2) electric lights within the same fixture. These lights shall be on separate circuits.
- d. Where independent current supply is required, both circuits referred to in the preceding shall be energized by each supply. All exit and emergency circuit wiring shall be kept independent of all other wiring. Switching arrangement for exit and emergency illumination shall be from a control panel accessible only to authorized persons and in accordance with Article 700, National Electrical Code.
- e. The electric lights illuminating the exit and directional signs and the exit ways mentioned above in this article shall be lighted from a source independent from that of the general lighting and shall be controlled by an automatic device which will operate reliably to switch current to an emergency lighting system supply if the general lighting system supply fails. Emergency service shall enter the building as remote from the normal service as practical.
- f. Where exit and emergency illumination is required in the following, two (2) sources of current will not be required; outlets shall be on a separate three-wire (110/220 volt) circuit and the current supply to this circuit shall be from a point located ahead of the main switch.

1. Schools.

2. School gymnasiums without balconies and not exceeding seven thousand (7,000) square feet gross area.

Exceptions: The foregoing provisions of this article shall apply to all buildings except the following:

1. Churches used exclusively for religious purposes.
2. Single story elementary schools used in daytime only when floor level is not more than four (4) feet above adjacent ground level. Also, auditoriums, gymnasiums, cafeterias, multipurpose rooms, etc., in

elementary schools, floors of which are located within four (4) feet of adjacent ground level and under two thousand (2,000) square feet gross area.

3. Single story factories with total floor area of not more than ten thousand (10,000) square feet and an occupancy of not more than one hundred (100) persons.

4. Single story places of public assembly which are independent of all other buildings and which seat not more than two hundred (200) persons.

5. Lodging houses and rooming houses which contain not more than four thousand (4,000) square feet total floor area.

6. Apartment buildings where entrances serve six (6) or fewer apartments.

7. Lodging houses and rooming houses which contain not more than four thousand (4,000) square feet total floor area.

8. Apartment buildings where entrances serve six (6) or fewer apartments.

9. Office buildings with total floor area of not more than twenty thousand (20,000) square feet.

10. Meeting rooms in hotels or other buildings seating not over two hundred (200) persons.

g. Jails, penal institutions and places of detention shall be provided with emergency illumination as directed by the director.

(12) *Decorative lighting.* No person, firm or corporation shall install wiring of a temporary decorative character in or about any building or premises without having first procured from the director written permission authorizing such work to be installed and the director shall be authorized to grant written and limited approval for any temporary installations which may, in his opinion, be necessary. Temporary installations of decorative lighting of residences or their premises otherwise complying with this code are exempt from this requirement.

(13) *Electrical signs.*

a. Before any electrically illuminated or electrically powered sign may be erected or placed in position upon, above or attached to the outside of any building, structure or premises, an electrical permit shall be secured from the director.

b. Application for such electrical permit shall be made in writing on the permit application form prescribed by the director, and in addition three (3) drawings of the sign shall be furnished with the application. The drawings shall show the sign in position and give the following data: weight, height, thickness, number, power factor and capacity of each transformer, location where sign is to be installed by street and number, sign lettering, size of angle iron, cable, chain or pipe, size of bolts and nuts, the number

and wattage of lamps, parts in feet and millimeter size of tubing, name of manufacturer, name of erector, and Underwriter's Laboratories, Inc., label number.

c. The drawings shall show the height above the sidewalk, distance from the curb edge of sidewalk to the outer end of the sign and such other dimensions that may be required by the provisions of any and all applicable regulations of this code.

d. Written notice shall be given by the sign contractor and by the electrical contractor to the director upon completion of the sign installation. The director shall then inspect the sign, and determine whether or not the sign is installed in conformity with the code.

e. Signs that are approved and labeled by the Underwriters' Laboratories, Inc. and such signs of the billboard type that are wired in conformity with the National Electrical Code requirements shall be considered as being in conformity with the requirements of this code.

f. Electricity shall not be connected to any sign or billboard until all work on same is completed and then only when approval is issued by the director.

(14) *Mechanical attic ventilation.* Mechanical ventilation, which purges the attic of a house of hot air and at the same time creates a draft of air through one or more openings in the ceiling of the top floor by means of enclosed electrical fans, shall be safeguarded as follows:

a. The electrical construction shall be approved by the director.

b. For motors not in sight of the controller, the chamber must be insulated by slow burning material so fire in the motor would be confined to this chamber.

c. Install overload protection for the motor and provide type of motor with built-in thermal cutout to prevent motor from overheating.

d. A 135-degree F. approved fusible link shall be placed in the air stream just above the grille, to hold a trap door or self-closing louver normally in an open position; trap door shall close upon failure of the fusible link.

e. A mechanically operated switch supplying the motor shall be so located that, as the trap door or louver closes, the current of the fan motor is cut off.

(15) *Fees.*

There shall be charged each person, firm or corporation the following fees:

Commercial projects:

Filing fee.....\$20.00

Annual license renewal .....\$50.00 (if current license expired)

Construction loop/temporary power pole service .....\$15.00

Electrical circuits, First circuit .....\$4.00

Additional circuits (each) .....\$3.00

Thirty (30) day test service ....\$30.00

Minimum inspection fee .....\$20.00

Reinspection Fees ..... \$50.00

Special inspection fee ..... \$50.00

Residential projects:

\$100.00 flat fee per structure for new construction and renovations.

\$25.00 flat fee for residential repairs.

\$50.00 for reinspection.

b. Fees for modernization and D.C. to A.C. changeover .... \$50.00

c. Fees for permits for temporary power or such other temporary installations as the director shall deem necessary shall be \$50.00. All permits issued for temporary wiring of any description may be revoked at the discretion of the director, but all such permits shall automatically expire at the end of ninety (90) days.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**#23**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1426-09-13**

### **Summary No. 2976**

Introduced by: Administration on 8/20/13

Public hearing held on 9/3/13

AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-50, STANDARD MECHANICAL CODE ADOPTED OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 5, Section 5-50 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.

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



# *St. Bernard Parish Council*

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Page-2-  
Extract #23 continued  
September 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

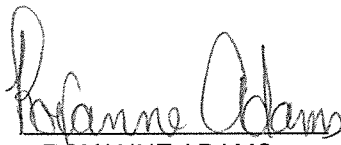
**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/10/2013 9:20 AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

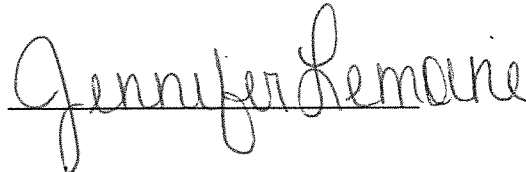
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45 AM  
Date and Time

Received by





**ORDINANCE SBPC #1426-09-13**  
**EXHIBIT "A"**  
**SUMMARY NO. 2976**

**CHAPTER 5 – BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES**

Sec. 5-50. Standard Mechanical Code adopted.

(a) That the parish council does hereby adopt the Standard Mechanical Code of the Southern Building Code Congress International, Inc., with the following amendments.

*101.1.1 Purpose.* The purpose of this chapter is to provide for the administration and enforcement of the Standard Mechanical Code hereinafter referred to as the "technical code", as may be adopted by the state or local jurisdiction.

*101.3 Scope.*

*101.3.1 Applicability.*

*General.* Where, in any specific case, different sections of this Code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

*Building.* The provisions of the St. Bernard Parish Building Code shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition, of every building or structure or any appurtenances connected or attached to such buildings or structures.

*Electrical.* The provisions of the National Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

*Gas.* The provisions of the St. Bernard Parish Gas Code shall apply to the installation of consumer's gas piping, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances, and the installation and operation of residential and commercial gas appliances and related accessories.

*Mechanical.* The provisions of the Mechanical Code shall apply to the installation of mechanical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

*Plumbing.* The provisions of the St. Bernard Parish Plumbing Code shall apply to every plumbing installation, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances, and when connected to a water or sewerage system.

*101.4 Building Department.* The term Building Department as used herein shall mean the Department of Community Development as defined in the Parish Home Rule Charter.

*101.4.1 Building Official Qualifications.* The Building Official shall mean the Director of Community Development or his duly authorized representative.

*101.4.5 Restrictions on Employees.* An officer or employee connected with the department, shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system, or in the making of plans or of specifications thereof for anything regulated under this Code, unless he is the owner of such. This officer or employee shall not engage in any other work which is inconsistent with his duties or conflict with the interests of the Department.

*101.4.7 Liability.* Any officer or employee, or member of the Board of Adjustments and Appeals, charged with the enforcement of this Code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of this Code shall be defended by the Parish until the final termination of the proceedings.

*102.5 Unsafe Buildings or Systems.* All buildings, structures, electrical, gas, mechanical or plumbing systems which are unsafe, unsanitary, or do not provide adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use, constitute a hazard to safety or health, are considered unsafe buildings or service systems and shall be addressed through the Building Code.

*102.8.* Any homeowner intending to perform his own mechanical installation as provided for under the Code of this Parish, will be required to present the Department with a certificate or statement that he lives at the residence where the work will be performed, owns the property in question and no portion of said property is rented or used for commercial purposes. When a new single-family dwelling being constructed is where the intended work is to be done, the homeowner shall present a certificate that when the residence is completed he will live at said residence for a period of at least six months, owns the residence in question and no portion of said property will be rented or used for commercial purposes. The certificate or statement shall be notarized by a Notary Public before presentation of such is accepted. The homeowner that performs his own work will be charged inspections fees and will be required to perform all work in accordance with the applications received.

*103.7.4 Schedule of Permit Fees Commercial.* On all mechanical and gas systems or alterations requiring a permit, a fee for each commercial construction permit shall be paid as required at the time of filing application, in accordance with the following schedule.

Filing fee.....\$20.00

From 1 to 5 H.P. ....\$14.00

From 6 to 10 H.P. ....\$28.00

From 11 to 100 H.P. ....\$50.00

From 101 to 500 H.P. ....\$100.00

From 500 over H.P. ....\$150.00

Electric furnaces and heaters permit .....\$14.00

Repair permit fees based on contract price shall be at the rate of one dollar (\$1.00) per thousand dollars of cost. Winter air conditioning shall be \$5.00 per unit. (For items not included in Plumbing and Gas Code)

All plug-in appliances and industrial maintenance will be exempt.

Reinspection Fee .....\$50.00

Special Inspection Fee .....\$50.00

*103.7.4.1 Schedule of Permit Fees Residential.* On all mechanical and gas systems or alterations requiring a permit, a fee for each residential construction permit shall be paid as required at the time of filing application.

\$100.00 flat fee per structure.

\$25.00 flat fee for residential repair work.

\$50.00 for reinspection.



# *St. Bernard Parish Council*

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**#24**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1427-09-13**

### **Summary No. 2977**

Introduced by: Administration on 8/20/13

Public hearing held on 9/3/13

AN ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; SEC. 5-121, AMENDMENTS TO THE LOUISIANA STATE PLUMBING CODE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 5, Section 5-121 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.

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



# St. Bernard Parish Council

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Page-2-  
Extract #24 continued  
September 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council


**YEAS:** Lauga, Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Hunnicutt

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of September, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President

9/10/2013 9:20AM  
Date and Time

Approved ☒

Vetoed ☐

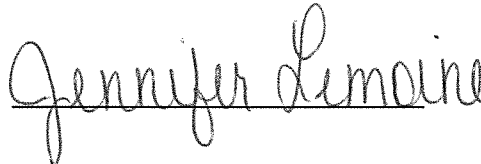
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/10/2013 8:45AM  
Date and Time

Received by



**ORDINANCE SBPC #1427-09-13**  
**EXHIBIT "A"**  
**SUMMARY NO. 2977**

**CHAPTER 5 – BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES**

Sec. 5-121. Amendments to the Louisiana State Plumbing Code.

The Louisiana State Plumbing Code, as adopted by section 5-120, is amended as follows:

- (1) Delete Section 101.1 in its entirety and substitute the following:

*101.1 Title.* The Louisiana State Plumbing Code and the Standard Gas Code along with the provisions defined in this section shall constitute and be known and may be cited as "The St. Bernard Parish Plumbing and Gas Code."

- (2) Amend all sections of Chapter 1, Administration, to delete "plumbing" and replace with "plumbing and gas".

- (3) Amend all sections of the Code to delete "Plumbing Official" and replace with "Plumbing and Gas Official".

- (4) Add a new Section 102.1.1 to read as follows:

*102.1.1.* The Parish Plumbing and Gas Official shall have the authority to enforce the St. Bernard Parish Plumbing and Gas Code. Any enforcement action of the Parish Plumbing and Gas Official shall be in accordance with this code and any other applicable Parish Ordinances.

*102.1.1.A. Liability.* Any officer or employee, or member of the Board of Adjustments and Appeals, charged with the enforcement of this Code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal liability, for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee or member because of such act performed by him in the enforcement of any provision of this Code shall be defended by the Parish until the final termination of the proceedings.

- (5) Add the following paragraphs:

*103.1.A. Permit Fees.* St. Bernard Parish permit and inspection fees for plumbing and gas are as follows:

*103.1.1. Plumbing* for commercial construction.

\$20.00 minimum filing fee.

\$ 4.00 per fixture.

\$14.00 for each trailer trap.

\$50.00 for re-inspection.

\$50.00 additional for special inspection.

\$20.00 transfer fee.

#### 103.1.1.1 Plumbing for residential construction.

\$100.00 per structure flat fee for new construction and renovation.

\$25.00 flat fee for residential repair work.

\$50.00 for reinspection.

#### 103.1.1.2 Gas for commercial construction.

\$20.00 minimum filing fee.

\$50.00 for reinspection.

\$50.00 additional for special inspection.

\$14.00 per 100 ft. for gas piping.

\$10.00 per first 5 for outlets, \$2.00 each for additional.

\$ 6.00 each for the following: domestic water heater, panel heaters, floor furnaces, unit heaters, fireplaces, domestic ranges, incinerators, changing from LPG to Natural Gas and special equipment not over 50,000 BTU.

\$14.00 each gas stop such as: commercial water heater, warm air furnaces not over 200,000 BTU output, commercial ranges, special equipment over 50,000 BTU, inactive meter, relocating meter, trailer meter, changing numbers or capacity of meters.

\$30.00 each for warm air furnaces over 200,000 BTU output.

#### 103.1.2.3 Gas for residential construction.

\$100.00 per structure flat fee for new construction and renovation.

\$25.00 flat fee for residential repair work.

\$50.00 for reinspection.



# *St. Bernard Parish Council*

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**#15**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 17, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1428-09-13**

### **Summary No. 2979**

Introduced by: Administration on 9/3/13

Public hearing held on 9/17/13

AN ORDINANCE TO AMEND CHAPTER 13, OCCUPATIONAL LICENSE, TAXES AND REGULATIONS; ARTICLE V, EARNINGS TAX, SECTION 13-70, VIOLATION; PENALTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 13, Article V, Section 13-70 of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.





# *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)

**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #15 (continued)  
September 17, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

**ABSENT:** Gorbaty, Lewis

**Richard "Richie" Lewis**  
Councilman  
District C

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

**Casey W. Hunnicutt**  
Councilman  
District D



ROXANNE ADAMS  
CLERK OF COUNCIL



GEORGE CAVIGNAC  
COUNCIL CHAIR

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President

9/19/2013 10:45AM  
Date and Time

Approved 

Vetoed \_\_\_\_\_

Parish President

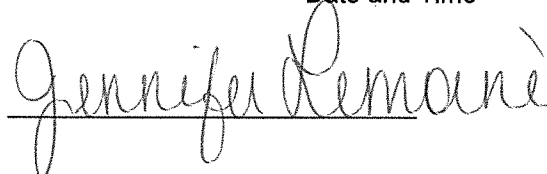


David E. Peralta

Returned to Clerk of the Council

9/19/2013 4:08pm  
Date and Time

Received by



**Ordinance SBPC #1428-09-13**  
**Exhibit "A"**  
**Summary No. 2979**

**Chapter 13 Occupational License, Taxes and Regulations**

**Article V Earnings Tax**

**Sec. 13-70. Violation; penalties.**

It shall be unlawful for any person, firm, corporation or other entity to violate or fail to comply with any provision of this chapter and the violation of any provision of this chapter shall be punished by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding six (6) months or by both such fine and imprisonment, at the discretion of the court. Each day any violation of any provision of this chapter continues or occurs shall constitutes a separate offense.



# *St. Bernard Parish Council*

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**#17**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, SEPTEMBER 17, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1429-09-13**

### **Summary No. 2982**

Introduced by: Administration on 9/3/13

Public hearing held on 9/17/13

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1355-12-12**, AN ORDINANCE TO ADOPT THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #17 (continued)  
September 17, 2013

**George Cavnag**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B


**ABSENT:** Gorbaty, Lewis

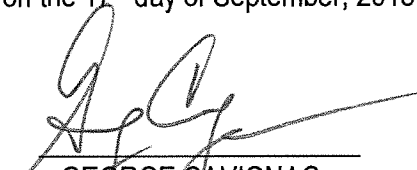
**Richard "Richie" Lewis**  
Councilman  
District C

The Chairman, Mr. Cavnag, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of September, 2013.

**Casey W. Hunnicutt**  
Councilman  
District D

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President

9/19/2013 10:45 AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

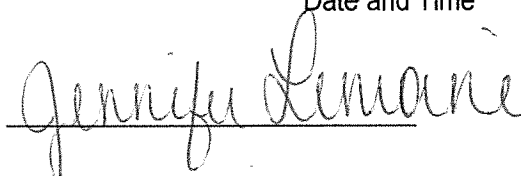
Parish President

  
David E. Peralta

Returned to Clerk of the Council

9/19/2013 4:08 PM  
Date and Time

Received by



ST. BERNARD PARISH GOVERNMENT													
SUMMARY STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCES													
2013 Budget Amendment Adoption 9-17-2013													
DEPARTMENT	Previously Adopted Revenues 6-4-2013	Proposed Revenue Revisions	Proposed Revised Revenues	Previously Adopted Expenses 6-4-2013	Proposed Expense Revisions	Proposed Revised Expenses	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS SALES TAX	TRANSFERS OTHER	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013	
GENERAL FUNDS													
001 GENERAL FUND	4,831,700	640,350	5,472,050	8,907,550	441,450	9,349,000	(3,876,950)	2,824,672	492,000	(560,278)	661,624	101,346	
005 34TH JUDICIAL COURT	28,000	-	28,000	2,087,437	-	2,087,437	(2,059,437)	1,687,287	372,150	-	-	-	
50 SALES TAX	9,860,000	1,643,124	11,503,124	788,800	128,000	916,800	10,586,324	(11,815,810)		(1,229,486)	2,134,455	904,969	
52 CIVIC AUDITORIUM	346,850	-	346,850	346,850	-	346,850	-	-		-	14,481	14,481	
60 COMMUNITY DEV	1,118,350	785,700	1,904,050	1,119,350	784,700	1,904,050	-	-		-	50,748	50,748	
180 BP Oil Spill	-	-	-	-	-	-	-	-		-	192,284	192,284	
Total General Fund	16,184,900	3,069,174	19,254,074	13,249,987	1,354,150	14,604,137	4,649,937	(7,303,851)	864,150	(1,789,764)	3,053,592	1,263,828	
SPECIAL REVENUES													
53 CRIMINAL COURT 34TH	215,000	37,500	252,500	50,000	-	50,000	202,500	0	(186,500)	16,000	145,148	161,148	
54 FIRE DEPT	10,836,850	42,897	10,879,747	10,121,400	542,897	10,664,297	215,450	1,428,844	-	1,644,294	(428,844)	1,215,450	
59 COUNCIL ON AGING	303,000	-	303,000	362,650	-	362,650	(59,650)	-	-	(59,650)	485,976	426,326	
61 RECREATION	917,400	128,600	1,046,000	1,533,900	1,833,900	3,367,800	(2,321,800)	524,156	-	(1,797,644)	1,797,644	-	
62 PUBLIC WORKS	2,960,000	(495,000)	2,465,000	4,347,100	230,465	4,577,565	(2,112,565)	2,446,638	-	334,073	(334,073)	-	
63 ROAD LIGHTING	388,300	-	388,300	726,550	50,000	776,550	(388,250)	359,775	-	(28,475)	28,475	-	
64 SANITATION DEPT	4,238,200	361,000	4,599,200	4,238,200	559,650	4,797,850	(198,650)	1,330,262	-	1,131,612	(1,131,612)	-	
67 WIA	3,306,300	52,031	3,358,331	3,306,300	-	3,306,300	52,031	-	-	52,031	(52,031)	-	
71 HEALTH	199,800	-	199,800	101,900	-	101,900	97,900	-	-	97,900	659,203	757,103	
73 COMMUNICATIONS	365,000	-	365,000	376,650	-	376,650	(11,650)	-	-	(11,650)	297,449	285,799	
77 HOUSING & REDEVELOPMENT	5,773,350	5,000	5,778,350	5,882,200	(33,600)	5,848,600	(70,250)	-	-	(70,250)	2,594,274	2,524,024	
79 U.M.T.A.	1,144,750	-	1,144,750	1,297,450	-	1,297,450	(152,700)	-	-	(152,700)	1,806,619	1,653,919	
86 DEPUTY WITNESS FEES	62,000	-	62,000	95,600	-	95,600	(33,600)	-	50,000	16,400	(52,787)	(36,387)	
160 CDBG DISASTER RECOVERY	18,900,000	2,016,476	20,916,476	6,900,000	39,750	6,939,750	13,976,726	-	(12,000,000)	1,976,726	(1,936,976)	39,750	
170 HAZARD MITIGATION	12,955,500	51,897,850	64,853,350	12,955,500	15,821,750	28,777,250	36,076,100	-	-	36,076,100	-	36,076,100	
429 W&S SALES TAX	3,266,000	361,850	3,627,850	130,650	10,450	141,100	3,486,750	(4,216,224)		(729,474)	729,474	-	
829 FEMA FUNDING	42,531,900	-	42,531,900	42,320,300	-	42,320,300	211,600	-	(355,500)	(143,900)	11,512,305	11,368,405	
Total Special Revenue	108,363,350	54,408,204	162,771,554	94,746,350	19,055,262	113,801,612	48,969,942	1,873,451	(12,492,000)	38,351,393	16,120,244	54,471,637	
Other Special Revenue							-	-	-	-	-	-	
TOTAL OPERATING ACCOUNTS	124,548,250	57,477,378	182,025,628	107,996,337	20,409,412	128,405,749	53,619,879	(5,430,400)	(11,627,850)	36,561,629	19,173,836	55,735,465	

**ST. BERNARD PARISH GOVERNMENT**  
**STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCE**  
**2013 Budget Amendment Adoption 9-17-2013**

DEPARTMENT	Previously Adopted Revenues 6-4-2013	Proposed Revenue Revisions	Proposed Revised Revenues	Previously Adopted Expenses 6-4-2013	Proposed Expense Revisions	Proposed Revised Expenses	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS SALES TAX	TRANSFERS OTHER	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013
<b>CAPITAL PROJECTS</b>												
115 2003 SALES TAX CONSTRUCTION	-	-	-	482,050	-	482,050	(482,050)	-	-	(482,050)	391,895	(90,155)
143 COURT HOUSE CAPITAL	-	-	-	-	-	-	-	-	(372,150)	(372,150)	1,282,383	910,233
151 1990 GENERAL OBLIGATION BOND	-	-	-	-	-	-	-	-	-	-	229	229
162 ROAD RECONSTRUCTION	-	-	-	851,700	-	851,700	(851,700)	-	-	(851,700)	758,416	(93,284)
163 REBUILD ST. BERNARD	-	-	-	35,250	-	35,250	(35,250)	-	-	(35,250)	35,284	34
164 HURRICANE RECONSTRUCT FUND	-	-	-	1,842,800	-	1,842,800	(1,842,800)	-	-	(1,842,800)	5,848,456	4,005,656
252 S/F 1990 GO BONDS	-	-	-	337,800	-	337,800	(337,800)	-	-	(337,800)	372,087	34,287
428 SW99 1/2 CENT SALES TAX I&I	-	-	-	-	-	-	-	-	-	-	1,091,852	1,091,852
434 1999/2008 SALES TAX CONSTRUCTION	-	-	-	-	-	-	-	-	-	-	1,513,565	1,513,565
<b>Total Capital Projects</b>	-	-	-	3,549,600	-	3,549,600	(3,549,600)	-	(372,150)	(3,921,750)	11,294,167	7,372,417
<b>DEBT SERVICE FUNDS</b>												
201 BOND RESERVE 1973-80	-	-	-	-	-	-	-	-	-	-	929	929
209 VERSAILLES PAVING LIENS	-	-	-	-	-	-	-	-	-	-	(24,477)	(24,477)
211 2003 SALES TAX BONDS	-	-	-	286,060	-	286,060	(286,060)	49,400	-	(236,660)	392,111	155,451
212 2012 SALES TAX BONDS	-	-	-	1,316,950	-	1,316,950	(1,316,950)	1,949,450	-	632,500	472,288	1,104,788
430 2004 SALES TAX DEBT SERVICE	-	-	-	302,500	-	302,500	(302,500)	2,568,100	-	2,265,600	(37,752,796)	(35,487,196)
432 1999/2008 SALES TAX DEBT SERVICE	-	-	-	231,600	-	231,600	(231,600)	806,000	-	574,400	(5,362,640)	(4,788,240)
433 1999/2008 SALES TAX RESERVE	-	-	-	-	-	-	-	-	-	-	867,340	867,340
<b>Total Debt Service</b>	-	-	-	2,137,110	-	2,137,110	(2,137,110)	5,372,950	-	3,235,840	(41,407,245)	(38,171,405)
<b>INTERNAL SERVICE FUND</b>												
350 INSURANCE	818,600	-	818,600	867,700	36,050	903,750	(85,150)	49,100	-	(36,050)	676,655	640,605
375 W&S INSURANCE	156,400	-	156,400	164,750	-	164,750	(8,350)	8,350	-	-	796,911	796,911
<b>Total Internal Service</b>	975,000	-	975,000	1,032,450	36,050	1,068,500	(93,500)	57,450	-	(36,050)	1,473,566	1,437,516
<b>WATER &amp; SEWER DIVISION</b>												
400 WATER & SEWER OPERATIONS	5,552,300	-	5,552,300	5,375,250	33,950	5,409,200	143,100	-	12,000,000	12,143,100	168,098,500	180,241,600
401 50 MILLION BOND	-	-	-	-	-	-	-	-	-	-	(113,390)	(113,390)
416 WATER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	133,528	133,528
417 WATER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	96,977	96,977
418 SEWER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	111,496	111,496
419 SEWER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	11,164	11,164
<b>Total Water &amp; Sewer</b>	5,552,300	-	5,552,300	5,375,250	33,950	5,409,200	143,100	-	12,000,000	12,143,100	168,338,275	180,481,375
<b>TOTAL ALL FUNDS</b>	131,075,550	57,477,378	188,552,928	120,090,747	20,479,412	140,570,159	47,982,769	-	-	47,982,769	158,872,599	206,855,368



# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1430-10-13**

### **Summary No. 2983**

Introduced by: Administration on 9/3/13

Planning Commission recommended **APPROVAL** on 8/27/13

Public hearing held on 10/1/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-006**, PETITION OF CAR CRAFT, INC., A LOUISIANA BUSINESS CORPORATION, 15416 OLD FARMS ROAD, FOLSOM, LA 70437, FOR A REZONING OF C-1 (NEIGHBORHOOD COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL). SITE ADDRESS: 2012 VERONICA DRIVE, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-006**, petition of Car Craft, Inc., a Louisiana business corporation, represented by Calvin and/or Cynthia Schenck for a rezoning of one parcel from C-1 (Neighborhood Commercial) to I-1 (Light Industrial) is hereby granted for the following described property:

SITE ADDRESS: 2012 Veronica Drive, Chalmette, LA 70043.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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

Page -2-  
Extract #21 continued  
October 1, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

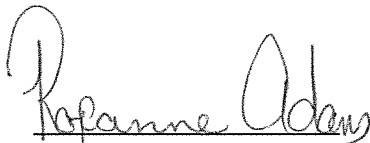
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 10/3/2013 3:15pm  
Date and Time

Approved ☒

Vetoed ☐

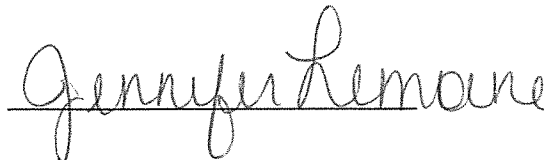
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/3/2013 3:20pm  
Date and Time

Received by







# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1431-10-13**

### **Summary No. 2984**

Introduced by: Administration on 9/3/13

Planning Commission recommended **APPROVAL** on 8/27/13

Public hearing held on 10/1/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-007**, PETITION OF CAR CRAFT, INC., A LOUISIANA BUSINESS CORPORATION, 15416 OLD FARMS ROAD, FOLSOM, LA 70437, FOR A REZONING OF C-1 (NEIGHBORHOOD COMMERCIAL) TO I-1 (LIGHT INDUSTRIAL). SITE ADDRESS: 1101 E. ST. BERNARD HIGHWAY, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-007**, petition of Car Craft, Inc., a Louisiana business corporation, represented by Calvin and/or Cynthia Schenck for a rezoning of one parcel from C-1 (Neighborhood Commercial) to I-1 (Light Industrial) is hereby granted for the following described property:

SITE ADDRESS: 1101 E. St. Bernard Highway, Chalmette, LA 70043.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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

Page -2-  
Extract #22 continued  
October 1, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

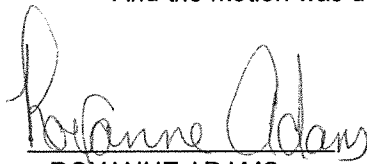
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 10/3/2013 3:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

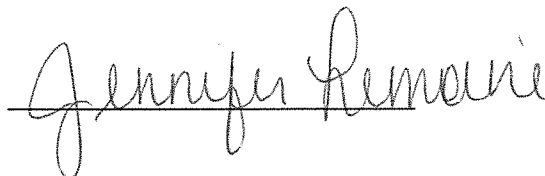
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/3/2013 3:20pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1432-10-13**

### **Summary No. 2985**

Introduced by: Administration on 9/17/13  
Public hearing held on 10/1/13

AN ORDINANCE TO AMEND CHAPTER 21, VEHICLES FOR HIRE, ARTICLE II TAXICABS AND OTHER FOR-HIRE VEHICLES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 21, Article II of the St. Bernard Parish Code of Ordinances.

**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. This ordinance shall be published in one (1) issue of the official journal for the Parish of Saint Bernard, as provided by the Parish 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.



# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbay**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #23 continued  
October 1, 2013

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

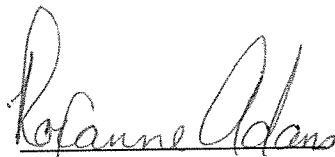
**YEAS:** Lauga, Gorbay, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

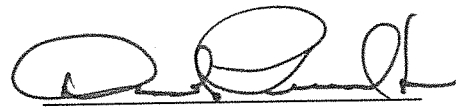
  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 10/3/2013 3:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

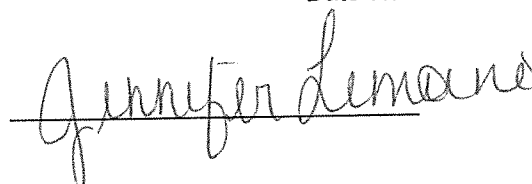
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/3/2013 3:20pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO. 2985**  
**ORDINANCE SBPC #1432-10-13**

**CHAPTER 21 - VEHICLES FOR HIRE**  
**ARTICLE II. TAXICABS AND OTHER FOR-HIRE VEHICLES**

***DIVISION 1. GENERALLY***

Sec. 21-20. Definitions—Enumeration.

Sec. 21-21. Same—Qualification of certain terms.

Sec. 21-22. Applicability of article.

Sec. 21-25. Interparish operation of taxicabs and other hire vehicles.

Sec. 21-26. Taximeters—Required; functioning; location.

Sec. 21-27. Same—Altering; starting.

Sec. 21-28. Examination by coroner as to use of drugs.

Sec. 21-29. Recall of permits and certificates of necessity and convenience.

Secs. 21-30—21-39. Reserved.

**Sec. 21-28. Examination by coroner as to use of drugs.**

The Department of Community Development reserve the right to request each applicant, when applying for an initial permit to own or operate a taxicab or other for-hire vehicle, to furnish a written certificate or statement of the parish coroner that such person has been examined within ten (10) days of the date of application for said permit by said coroner or by a competent person under the coroner's direction and found not to use any narcotic drugs or barbiturate acid derivatives or central nervous system stimulant, as defined by state law. Those applicants whose criminal record indicates prior convictions for drug-related offenses shall be required to submit to drug testing as described herein.

**Sec. 21-29. Recall of permits and certificates of necessity and convenience.**

It shall be unlawful for any person:

- (1) To fail or refuse to return to the Department of Community Development, without necessity of demand for same by the Department of Community Development, any permit or certificate of necessity and convenience that has been revoked or suspended or become invalid for any reason, including the failure to provide or maintain the liability and property damage insurance or other coverage or failure to have an accurate taximeter operating as required by this article; or
- (2) To fail to remove all stickers issued by the Department of Community Development for the vehicle to which said suspension or revocation or invalidity applies; or
- (3) To prevent the removal of said stickers by the representative of said bureau wherever said vehicle may be located for any of the above reasons.

## ***DIVISION 2. OPERATOR'S PERMIT***

### **Sec. 21-41. Application for permit.**

All applicants for a permit to operate taxicabs or for-hire vehicles specified herein shall make application to the Department of Community Development for same, shall meet the requirements listed below in this division, and shall certify that such person meets all of said requirements. No permit shall be granted unless the applicant shall meet the requirements of this article, or if the applicant has furnished false, misleading or incomplete information in the application. A permit issued on the basis of false, misleading or incomplete information furnished by the applicant may be revoked by the Department of Community Development.

### **Sec. 21-49. Sheriff to check applicant's record.**

The name, photograph and fingerprints of all applicants shall be submitted to the sheriff of this parish for investigation and a copy of the report of the sheriff shall be attached to the application and kept on file by the department of safety and permits. Applicant will pay the Sheriff's Office for any costs associated.

### **Sec. 21-51. Operator's permit and duplicate fees; permit expiration date.**

- (a) Every applicant for an operator's permit, or renewal thereof, shall pay therefor an annual fee of fifty dollars (\$50.00), which shall be the cost thereof.
- (b) Such permit shall expire one (1) year from the date issue, unless sooner revoked, cancelled or suspended.
- (c) There shall be a charge of two dollars and fifty cents (\$2.50) for each duplicate permit issued.
- (d) There shall be a charge of two dollars (\$2.00) for identification cards.
- (e) Required fees shall be paid to the Department of Community Development.

### **Sec. 21-52. Issuance of permit.**

Whenever an applicant for a permit to operate a taxicab or for-hire vehicle as a driver has met all of the requirements provided under this article and the Department of Community Development, a taxicab operator's permit shall be issued.

### **Sec. 21-53. Denial of permit; appeal.**

The Department of Community Development may deny a permit to an applicant whenever, in the exercise of its reasonable and sound discretion, and after notice and affording the applicant a hearing thereon, the Department of Community Development has determined that the applicant is not a fit and proper person to have such permit. The applicant may appeal to the Parish Council within ten (10) working days from such denial and the Parish Council shall determine whether such denial is justified in the exercise of its reasonable and sound discretion. If an applicant otherwise qualified to obtain a permit under this division has been convicted of a disqualifying offense under section 21-44, but has received a pardon, or where the offense was committed during the minority of the applicant, or where extenuating or mitigating circumstances exist, the Department of Community Development may issue a permit to such applicant.

### **Sec. 21-54. Report of change of employment of drivers.**

All persons holding valid permits to operate as owner any vehicle regulated by this article shall notify the Department of Community Development in writing of the names and addresses and permit numbers of all persons employed or permitted by them by agreement of any nature to drive any such vehicle within seventy-two (72) hours after each such occurrence, and said owner shall also furnish such information in writing to the Department of Community Development relative to the termination of every employment or agreement of any driver presently or in the future so acting or employed within seventy-two (72) hours after the termination of such employment or agreement. The date of each employment or agreement which is terminated shall be stated in connection with such notice.

**Sec. 21-55. List of drivers.**

The Department of Community Development shall compile and maintain a complete and up-to-date list or record of the employment and discontinuance thereof and insurance of all drivers.

**Sec. 21-57. Renewal of operator's permit.**

- (a) Every operator's permit in good standing shall be renewable on or before its expiration date upon application and payment of the required fee as required in section 21-51 to the Department of Community Development. A grace period of five (5) days following the date of expiration shall be granted.
- (b) Failure to make timely application for renewal of any operator's permit shall result in the payment of a delinquent fee of ten dollars (\$10.00) if the permit has been expired for a period of less than thirty (30) days. If the permit has been expired for a period of more than sixty (60) days, the delinquent fee shall be twenty dollars (\$20.00). Permit holders who have allowed their permits to expire for a period of ninety (90) days or more shall be considered to be a new applicant for a permit and shall conform to all the requirements pertaining to such applicant in obtaining said permit. If failure to make timely application is attributable to the fact that the applicant has had no occasion to operate a taxicab or engage in other operations for which a taxicab operator's permit is required since the expiration date, then the additional fee shall be waived upon the filing of an affidavit by the applicant to evidence this fact.

***DIVISION 3. CERTIFICATES OF PUBLIC NECESSITY AND CONVENIENCE***

**Sec. 21-72. Requirements for issuance of CPNC.**

- (a) Not more than twice annually at a time to be designated by the taxicab bureau, it shall be determined whether or not any certificate will be granted or denied, provided the Department of Community Development shall not deny any application without a hearing being held thereon.
- (b) In determining whether a CPNC shall be granted to an applicant, the Department of Community Development shall take into consideration the following factors:
  - (1) Whether the requirements of public necessity and convenience can be met and complied with by the issuance of additional certificates of public necessity and convenience.
  - (2) The resulting effect upon existing permitted business and upon the existing agencies of mass transportation.

- (3) The effect upon traffic congestion and safety of the public using the streets and such cabs.
- (4) The effect upon working conditions and wages or other compensation paid to drivers of taxicabs, or other motor vehicles being operated under existing licenses.
- (5) Any other facts which the Department of Community Development may deem relevant.

**Sec. 21-74. Corporations or partnerships applying for permits.**

If the applicant is a corporation or association or partnership, all the partners or all principal officers of said corporation or association shall be required to submit applications individually and all of the provisions or requirements applicable to individuals shall apply to and be required of such partners or officers and the failure of any of them to meet such requirements shall be grounds to deny the application of said corporation or association or partnership. All changes of such officers or partners shall be reported to the Department of Community Development within fourteen (14) calendar days and new officers or partners shall individually file applications within such time and the failure to certify within said time, or to possess the qualifications required of individuals under this article, shall be cause for suspension of all permits held by said corporation or association or partnership.

**Sec. 21-77. Record to be maintained.**

A record of the issuance of CPNC is to be kept on file and be available at all times to the public in the Department of Community Development, and the names of the holders of said certificates or permits are likewise to be listed thereon and a description of vehicles and motor numbers thereof.

**Sec. 21-78. Withdrawal of certificates.**

- (a) Certificates of public necessity and convenience shall be withdrawn from the holder thereof and surrendered to the Department of Community Development when:
  - (1) The holder thereof fails to operate applicable vehicle in the public use for a period of thirty (30) consecutive days or fails to place vehicle in public use within thirty (30) days after a granting of a CPNC except for extenuating circumstances approved by the Department of Community Development.
  - (2) The vehicle for which the permit was issued is sold, transferred or otherwise disposed of without substitution of equipment.
- (b) Any surrendered CPNC may be reissued only pursuant to the requirements applicable to the issuance of a new CPNC.

**Sec. 21-79. Transfer of vehicle and reissuance of certificate.**

- (a) In the event of the sale or transfer of any vehicle operated under this article, the CPNC issued for said vehicle shall be deemed invalid. After the vehicle has been transferred in accordance with the laws of this state, a written statement shall be made to the Department of Community Development setting forth that such vehicle has been sold and transferred and containing the following information under oath by both parties thereto:
  - (1) The name and address of the seller or vendor;
  - (2) The CPNC number and the date the vendor received same, if less than one (1) year prior to the sale of the vehicle;



- (3) A description of the vehicle sold, to include make, year and body type, and the year the new vehicle was placed on the market;
  - (4) That the vendor voluntarily surrenders to the Department of Community Development the certificate of public necessity and convenience covering the vehicle concerned and that neither the vendor nor vendee paid or received nor will either pay or receive any consideration for the relinquishment of such certificate of public necessity and convenience and its subsequent reissuance.
- (b) Any false statement made pursuant to the foregoing requirements by either party for the purpose of obtaining reissuance of such certificate of public necessity and convenience shall constitute a violation of this article and shall constitute cause for rejection of application.

**Sec. 21-80. Replacement of vehicles.**

- (a) The owner of any taxicab or for-hire vehicle for which a permit has been issued under the terms of this article may replace such vehicle with a similar vehicle of the same seating capacity upon application to the Department of Community Development, and by obtaining the necessary revised CPNC and a CPNC tag as prescribed by this article. Any owner who desires to remove from service any for-hire vehicle and to place a for-hire vehicle of greater seating capacity in service in lieu of the vehicle so removed from service cannot transfer a permit from vehicle of lesser seating capacity to a vehicle of greater seating capacity, but must make a new application for a certificate of public necessity and convenience to cover such vehicle of greater seating capacity; provided, however, a transfer of permit may be allowed by the Department of Community Development under this section whenever the seating capacity is less than double the seating capacity of the vehicle being replaced.
- (b) The certificate or permit issued for the vehicle to be taken out of operation shall be returned to the Department of Community Development, and the Department of Community Development shall issue a new certificate containing revised information. The procedure to place a vehicle in service prescribed in section 21-76 shall then apply.

**Sec. 21-81. Fee for certificate.**

The permit fee for a CPNC shall be evidenced by a numbered CPNC tag affixed to the windshield of the certified vehicle. A fee of one hundred dollars (\$100.00) shall be paid to the Department of Community Development by the owner of a certified vehicle upon the initial issuance of CPNC and CPNC tag and upon each scheduled annual renewal as described in section 21-83. The fee for a duplicate CPNC tag shall be five dollars (\$5.00).

***DIVISION 4. DRIVER REGULATIONS***

**Sec. 21-98. Passenger as controller of cab.**

- (a) It shall be unlawful for a taxicab driver to cause a passenger to wait without the passenger's consent or to pick up additional passengers enroute without the passenger's consent.
- (b) Every driver of a taxicab or for-hire passenger vehicle shall display on the back of the front seat of each for-hire vehicle operated by such driver, in such a position as to be clearly visible to passengers, the following notices provided by the taxicab bureau:

## PASSENGER RIGHTS

"St. Bernard Parish sets certain standards for taxicab operators. Violation of these standards can result in the suspension or revocation of the operator's license to drive a taxicab.

"A person who has a complaint about the actions of an operator can file a complaint against such operator.

"A complaint: (1) must be filed in writing within thirty (30) days of the action giving rise to the complaint; and (2) must contain the complainant's address and telephone number.

"The complaint must specifically identify the taxicab operator by at least one of the following:

- (1) Operator's name;
- (2) Taxicab company name and taxicab number; this number is found on the exterior of the taxicab;
- (3) Vehicle license plate number.

"File all complaints with:

"Taxicab Bureau  
St. Bernard Parish Council  
Department of Community Development  
8201 W. Judge Perez Drive  
Chalmette, Louisiana 70043"

### **Sec. 21-104. Trip sheets.**

Every person operating one (1) or more taxicab(s) for which permits have been issued in accordance with the provisions of this article shall keep daily records, including a record of telephone calls accepted and calls refused, in such form as to ensure the accuracy thereof. Such daily records shall be preserved and shall be available for examination by the Department of Community Development for a period of ninety (90) days. The driver of each taxicab, whether owner or employee, shall keep a trip report upon which shall be entered for each engagement immediately upon completion thereof the points of origin and destination, the times of beginning and completion, the fare collected, and the number of passengers. All entries shall be made legibly and the trip report shall be signed by the driver and turned over to the owner of the cab, who shall preserve it for a period of not less than ninety (90) days, where it shall be available to the Department of Community Development or any governmental agencies.

## ***DIVISION 5. LIABILITY OF PERMIT HOLDERS***

### **Sec. 21-111. Liability coverage required.**

No taxicab or other for-hire vehicle subject to the provisions of this article shall be permitted to be operated on the streets of the Parish of St. Bernard by any owner or driver until said owner shall have first provided personal injury and property damage liability coverage for each such vehicle in the manner and in the amounts specified by state law and this article. The Department of Community Development shall maintain a continuous check of the liability coverage of each taxicab or other for-hire vehicle specified in this article and shall not permit any said vehicle to operate without the required coverage.

**Sec. 21-113. Coverage by insurance policy.**

No certificate of insurance submitted to the Department of Community Development to provide proof of coverage required by this article shall be accepted unless written by a public insurance company authorized to do business in the state. Further, such certificate shall show that insurance is provided in the amounts specified in and shall conform to all the requirements of section 21-112, and shall contain a clause providing ten (10) days' notice by certified mail of expiration or cancellation to be given to the Department of Community Development as well as to the policy holder; provided, that no policy will be accepted for a shorter period than six (6) months, nor shall any policy be accepted that has an expiration date in advance of the expiration date of the CPNC applicable to the vehicle for which coverage is being accepted.

**Sec. 21-114. Blanket insurance policy.**

If any owner operates more than one (1) public carrier vehicle, such owner may file with the Department of Community Development, in lieu of the policy required by section 21-112, a policy or policies of liability insurance issued by a company or companies authorized to do business in this state insuring payment of claims for each public carrier vehicle operated by such owner in the amounts provided by section 21-112.

***DIVISION 6. VEHICLE INSPECTIONS***

**Sec. 21-120. Required.**

The Department of Community Development shall cause each vehicle for which a certificate of public necessity and convenience has been issued to be inspected as prescribed in this division. When said vehicle has met all the requirements of this article and the owner thereof has paid the required fees, the Department of Community Development shall issue a CPNC tag of such size, color and form as may be determined by the Department of Community Development and shall cause same to be affixed to the windshield of the vehicle. The CPNC tag shall be identified by number, and if it becomes damaged or destroyed, a duplicate shall be issued by the Department of Community Development after application has been made.

**Sec. 21-122. Vehicles subject to inspection at all times.**

All motor vehicles operated in accordance with the provisions of this article engaged in transporting passengers for-hire shall at all times be subject to inspection and shall be maintained in a condition of mechanical fitness with respect to each element of safety as is required by the laws of the state or the ordinances of the Parish Council. The Department of Community Development shall have the power and authority to require inspections from time to time, other than those herein prescribed when in its judgment, are necessary.

**Sec. 21-125. Expiration and renewal of CPNC tags.**

Each CPNC tag issued by the Department of Community Development pursuant to the provisions of this article shall expire at the end of the month of the next scheduled inspection unless sooner removed from cause. The expiration date shall be shown by numeral on the face of the tag.

**Sec. 21-126. Removal of CPNC tag from vehicles.**

Upon completion of the vehicular inspection, the Department of Community Development shall replace any CPNC tag previously issued for such vehicle with the proper CPNC tag, which shall be affixed to the

windshield of the vehicle. If any vehicle is found defective at any time, the current CPNC tag shall be removed and a new CPNC tag shall not be issued until all defects found to exist have been corrected. If the liability coverage of any vehicle does not meet the requirements of this article, the tag shall be removed and a new CPNC tag shall not be issued until all deficiencies found to exist have been corrected.

**Sec. 21-127. Failure to have valid inspection and CPNC tags.**

Failure of the owner to submit a vehicle for inspection at the times required by this article or whenever requested at other times by the Department of Community Development, as aforesaid, and/or to have at all times the required motor vehicle inspection bureau tag and the required CPNC tag on the windshield of the vehicle shall be a violation of this Code subject to the penalties provided therefor. The Department of Community Development is authorized to suspend or revoke the permit for such violation as provided in this article.

***DIVISION 7. TRADE NAMES; VEHICLE IDENTIFICATION; ADVERTISING***

**Sec. 21-130. Trade name to be registered.**

The trade name applicable to each vehicle operated under the provisions of this article shall be registered with and approved by the Department of Community Development. Said registration shall set forth the full name and address of the lawful owners of said trade name and shall specify the color scheme of vehicles to be operated under such trade name. No new trade name or color schemes which are identical or deceptively similar to any trade name or color scheme already registered with the Department of Community Development shall be approved by the Department of Community Development.

**Sec. 21-131. Identification, etc., of vehicles.**

- (a) Each taxicab or for-hire vehicle operated under the provisions of this article shall conform in all respects to the color scheme as set forth for the registered trade name under which it is to be operated.
- (b) In addition, the CPNC number assigned by the Department of Community Development shall be permanently painted on the vehicle, as prescribed by the Department of Community Development.
- (c) The owner of such taxicab or for-hire vehicle must present to the Department of Community Development written approval by the owner of the trade name and color scheme to use the trade name and color scheme.
- (d) The full name of the owner of each public carrier vehicle operated as a taxicab, and the number of the vehicle's certificate, shall be painted conspicuously on each side of the vehicle in letters and figures at least two (2) inches high.
- (e) It shall be unlawful for any person operating a taxicab or for-hire vehicle under the provisions of this article to do business, to advertise or to carry telephone listings under any trade name or color scheme other than that approved for such person's vehicle by the Department of Community Development or to place or carry false or misleading advertisements or statements on or in the vehicle.

**Sec. 21-132. Renumbering of certificates.**

The Department of Community Development shall have the authority to renumber all CPNC's from time to time, and to require the owners of all vehicles to paint such new numbers on such vehicles in accordance with this division.

**Sec. 21-134. Penalties for violation of advertising privilege.**

Failure to comply in any manner with the provisions of this article by any advertising firm, agent, owner or operator of any vehicle governed by this article, or any other person, shall subject the offender to such fines and penalties as are provided by this article, as well as to the temporary or permanent removal of all advertising material from the cabs of such owner or operator, and the privilege to advertise in the vehicles covered by this division may be suspended or revoked by the Department of Community Development following a hearing as set forth in division 9 of this article.

***DIVISION 8. RATES OF FARE***

**Sec. 21-152. Taxicab rates designated.**

The rates for various taxicab services in this parish shall be equivalent to rates set forth in the Parish of Orleans.

***DIVISION 9. SIGHTSEEING VEHICLES AND BUSES***

**Sec. 21-157. General Provisions.**

- (a) Sightseeing vehicles and buses shall not be used for transportation of passengers for hire except on sightseeing tours or chartered trips.
- (b) All circulars, leaflets, posters, pamphlets, or any other advertising matter describing any trip, tour or excursion must receive the approval of the Department of Community Development prior to display or distribution to the public.
- (c) All sightseeing businesses or agents operating on the streets of the parish must be approved and regulated by the Department of Community Development.
- (d) A schedule of rates of fare for each type of trip or tour shall be filed with the Department of Community Development.
- (e) A schedule of rates charged for each trip or tour shall be conspicuously displayed at the starting point upon a sign attached to the bus as near to the entrance as practicable during the time the passengers are entering such vehicle and shall remain thereon until it departs.
- (f) The owner, his agent, operator, sightseeing guide or lecturer shall not charge nor attempt to charge any passenger a sum greater than that set forth in the rate schedule.
- (g) The owner, or his agent, upon request shall deliver to all passengers upon payment of fare, a printed receipt indicating the amount of fare paid, the description or designated number of the trip and the time scheduled for the bus to leave the starting point.
- (h) A sightseeing bus shall operate on a prescribed route when one is so designated.

- (i) The owner or agent shall keep a permanent daily record of each trip, tour or excursion made. This record shall be available to the Department of Community Development at all times and shall contain the following information:
  - (1) Date and time of the start and termination of the trip, tour or excursion;
  - (2) Name of the person who contracted or solicited the passengers or who contracted for the specific trip, tour or excursion;
  - (3) The name of the person acting as the guide or lecturer during the trip, tour or excursion;
  - (4) The name and driver's permit number of the operator of the vehicle;
  - (5) The sightseeing vehicle's C.P.N.C. number and state license plate number.
- (j) The provisions of this section shall not apply to vehicles exclusively hired or engaged under a contract for a special trip or excursion.
- (k) All rules and regulations applicable to owners and drivers of parish taxicabs that are not inconsistent with this section shall also apply to owners and drivers of sightseeing vehicles.

#### ***DIVISION 10. PENALTY PROVISIONS***

##### **Sec. 21-161. Suspension or revocation of permits and certificates.**

- (a) CPNC's and permits may be revoked or suspended by the Department of Community Development whenever said holder has one (1) of the following:
  - (1) Charges with a felony or with any misdemeanor involving any narcotic drugs, prostitution, pandering, contributing to the delinquency of juveniles, or sexual perversions.
  - (2) Repeated acts of drunkenness.
  - (3) Conviction in any court of an offense involving moral turpitude.
  - (4) Conviction in any court for drunken driving.
  - (5) Five (5) or more convictions in the traffic division within a period of twelve (12) months.
  - (6) Three (3) convictions in any court for violating any of the provisions of this article within a period of twelve (12) months.
  - (7) Three (3) findings by the Department of Community Development, after administrative hearings as set forth in this article, that the holder of the permit or CPNC has failed to comply with the provisions of this article.
  - (8) A combination of convictions and/or suspensions totaling five (5).
  - (9) Investigation by the Department of Community Development reveals that the permit holder falsified or concealed information which would have disqualified him as a recipient of a permit under this article.
  - (10) Operation of a vehicle regulated by provisions of this article when operator's permit is under suspension.

- (11) Certification in writing from the coroner that said holder does use narcotic drugs or barbituric acid derivative or central nervous system stimulant, or failure to furnish certification in writing from the coroner that said holder does not use any of same.
- (b) Said suspension or revocation shall be in accordance with the following procedures:
- (1) The Department of Community Development shall review suspensions either upon evidence that the person has been convicted in court of violating this article, or whenever, in the exercise of its sound and reasonable discretion, the Department of Community Development finds, after an investigation by and hearing before it, that the person has failed to comply with the provisions of this article. Due notice of said hearing shall be furnished to the parties involved who shall be afforded an opportunity to present a defense, and a report of the proceedings shall be made in writing to the Department of Community Development.
  - (2) The Department of Community Development, upon finding a probable cause to suspend or revoke the CPNC or permit, shall make said recommendation to the Parish Council, whereupon the Parish Council shall conduct a hearing to determine whether the CPNC or permit shall be suspended or revoked.
- (c) No permit shall be suspended or revoked except by a majority vote of the Parish Council. Hearings shall be conducted according to the rules relative to hearings before administrative bodies. After the Parish Council has rendered its decision, it may grant a rehearing. Proper notice having been served on the holder of such permit in accordance with the above provisions, the hearing may proceed without the holder's presence if the holder fails to appear.
- (d) Upon finding by the Parish Council that the operator's permit or CPNC should be suspended or revoked, the Department of Community Development shall suspend or revoke immediately any such permit. The holder shall surrender any such permit to the Department of Community Development or a proper representative thereof within a period of seventy-two (72) hours from the time demand is made upon the holder by the Department of Community Development. Failure of the holder of any such permit to surrender same as provided herein shall constitute a violation of this Code.

#### **Sec. 21-162. Narcotics tests.**

The director of the Department of Community Development may, from time to time, in the exercise of sound discretion relative thereto, require the holder of any permit issued under this article to take additional tests by the coroner of the parish, or by a competent person acting under the direction of said officer, to determine if such holder uses any narcotic drugs. The Department of Community Development shall immediately notify the Parish Council should said coroner certify in writing that an examination made under such officer's direction shows that such holder does use any narcotic drugs or any barbituric acid derivative or central nervous system stimulant, or if such holder fails to furnish a certificate from the coroner certifying that the holder does not use any of same within ten (10) days after the holder is required in writing to take such an examination.

#### **Sec. 21-163. Suspension and revocation period.**

- (a) Suspension of the operator's permit or the CPNC of any person issued under this article for failure or refusal to comply with the provisions of this article shall last for a period of not more than ninety (90) days.

- (b) No person whose operator's permit has been revoked shall be permitted to file an application for a new permit under this article within a period of twelve (12) months after such revocation. If after such a period application is made, the applicant shall meet all the requirements for qualifications provided in this article for original applicants, and, in such case, the Department of Community Development, in its discretion, may issue a probationary permit, at established fee, for a period of twelve (12) months. Said probationary permit shall be revocable by the Department of Community Development in the exercise of its sound discretion, for any violation of law.

**\*\*Sections will be numbered accordingly\*\***





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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, OCTOBER 1, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1433-10-13**

### **Summary No. 2989**

Introduced by: Administration on 9/17/13  
Public hearing held on 10/1/13

AN ORDINANCE TO DECLARE AS SURPLUS 1948 SEBASTOPOL, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO MIMIA JOHNSON.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 1948 Sebastopol was adjudicated to the Parish on June 15, 2005; and,

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose; and,

WHEREAS, Mimia Johnson has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

1948 Sebastopol  
St. Bernard, Louisiana 70085  
LOT 4 of Sub of Farmlot 8 & 1 Lot. Meas. 25' front on Guerra Rd

This property will be referred to hereinafter in this ordinance as "1948 Sebastopol"



# *St. Bernard Parish Council*

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Extract #27 continued  
October 1, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**SECTION 2.** It is determined that Mimia Johnson is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 1948 Sebastopol to Mimia Johnson for the purchase price of **\$1,000.00**, with Mimia Johnson to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Mimia Johnson continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:**            Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1<sup>st</sup> day of October, 2013.



# St. Bernard Parish Council

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Extract #27 continued  
October 1, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

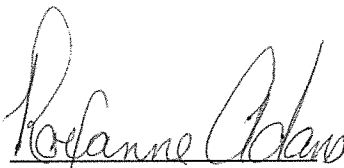
**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

10/3/2013 3:15pm  
Date and Time

Approved



Vetoed

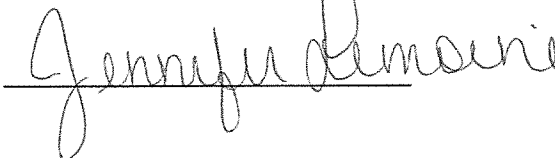
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/3/2013 3:20pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#20**

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, OCTOBER 15, 2013 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 #1434-10-13**

### **Summary No. 2990**

Introduced by: Administration on 10/1/13

Planning Commission recommended **APPROVAL** on 9/24/13 with conditions

Public hearing held on 10/15/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-011**, PETITION OF JTP ENTERPRISES, LLC, AS REPRESENTED BY JEFFREY K. POHLMANN, SR., FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2521 VENTURA DRIVE, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-011**, petition of JTP Enterprises, LLC, as represented by Jeffrey K. Pohlmann, Sr., 2110 E. Judge Perez Dr. Chalmette, LA 70043 for a rezoning of one parcel from R-1 (Single-Family Residential) to C-2 (General Commercial) is hereby granted for the following described property with condition that the south and west facades of the proposed building be finished with split-face block or other decorative masonry product:

Site address: 2521 Ventura Drive, Chalmette, LA 70043.

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



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #20 continued  
October 15, 2013

hereby expresses and declares 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:

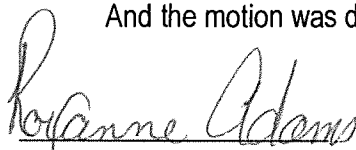
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt

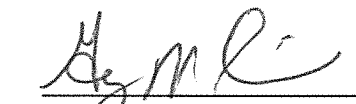
**NAYS:** None

**ABSENT:** Montelongo, Cavignac

The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR


Delivered to the Parish President

10/18/2013 2:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

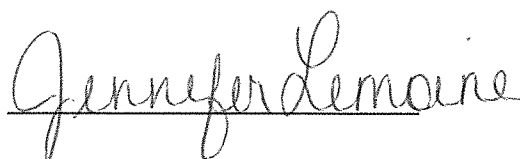
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/21/2013 2:45pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbacy**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#24**

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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1435-10-13**

### **Summary No. 2994**

Introduced by: Administration on 10/1/13

Planning Commission recommended **APPROVAL** on 9/24/13 with conditions

Public hearing held on 10/15/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-015**, PETITION OF JTP ENTERPRISES, LLC, AS REPRESENTED BY JEFFREY K. POHLMANN, SR., FOR A REZONING OF ONE PARCEL FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2100 E. JUDGE PEREZ DRIVE, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-015**, petition of JTP Enterprises, LLC, as represented by Jeffrey K. Pohlmann, Sr., 2110 E. Judge Perez Dr. Chalmette, LA 70043 for a rezoning of one parcel from C-1 (Neighborhood Commercial) to C-2 (General Commercial) is hereby granted for the following described property with condition that the south and west facades of the proposed building be finished with split-face block or other decorative masonry product:

Site address: 2100 E. Judge Perez Drive, Chalmette, LA 70043

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #24 continued  
October 15, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

**ABSENT:** Montelongo, Cavignac

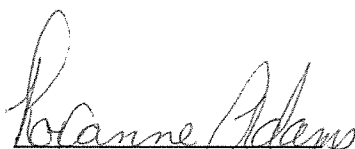
**Richard "Richie" Lewis**  
Councilman  
District C


The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

**Roxanne Adams**  
Clerk of Council


Delivered to the Parish President

10/18/2013 2:45pm  
Date and Time

Approved 

Vetoed

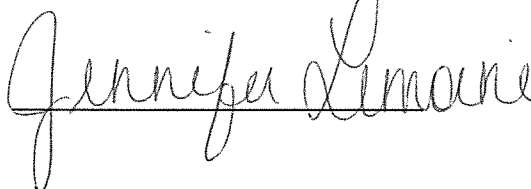
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/21/2013 2:45pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1436-10-13**

### **Summary No. 2992**

Introduced by: Administration on 10/1/13

Planning Commission recommended **DENIAL** on 9/24/13

Public hearing held on 10/15/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-013**, PETITION OF R & M REAL ESTATE INVESTMENT, LLC, OWNER, REPRESENTED BY DAVID MCGEHEE, FOR A CONDITIONAL USE FOR ONE PARCEL, CURRENTLY ZONED C-2 (GENERAL COMMERCIAL). SITE ADDRESS: 2010 BUFFON STREET, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-013**, petition of R & M Real Estate Investment, LLC, owner, 2100 Emilie Drive, Meraux, LA 70075 as represented by David McGehee, 624 Ridgewood Road, Ridgeland, MS 39157, for a conditional use for one parcel, currently zoned C-2 (General Commercial) for the construction of a communications tower is hereby granted for the following described property:

Site address: 2010 Buffon Street, Chalmette, LA 70043.

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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #22 continued  
October 15, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B

**ABSENT:** Montelongo, Cavignac

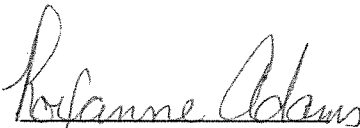
**Richard "Richie" Lewis**  
Councilman  
District C

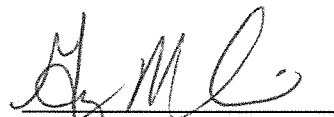
The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

**Casey W. Hunnicutt**  
Councilman  
District D

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

**Roxanne Adams**  
Clerk of Council


Delivered to the Parish President

10/18/2013 2:45pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

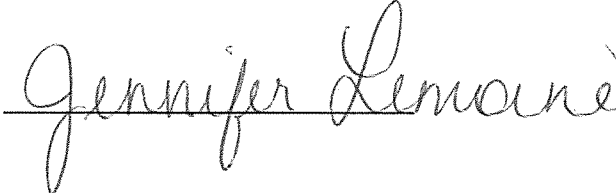
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/21/2013 2:45pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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, OCTOBER 15, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1437-10-13**

### **Summary No. 2999**

Introduced by: Council on 10/1/13  
Public hearing held on 10/15/13

AN ORDINANCE TO AMEND THE 2013 ANNUAL OPERATING AND CAPITAL BUDGET TO REFUND THE FIRE FEE FROM THE FUND BALANCE IN THE AMOUNT OF \$942,560.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #27 continued  
October 15, 2013

**George Cavignac**  
Councilman  
at Large

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

**Ray Lauga, Jr.**  
Councilman  
District A

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt

**NAYS:** None

**Nathan Gorbaty**  
Councilman  
District B


**ABSENT:** Montelongo, Cavignac

**Richard "Richie" Lewis**  
Councilman  
District C

The Vice-Chairman, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15<sup>th</sup> day of October, 2013.

**Casey W. Hunnicutt**  
Councilman  
District D

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 10/18/2013 2:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

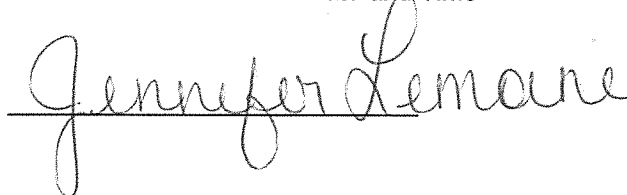
Parish President

  
David E. Peralta

Returned to Clerk of the Council

10/21/2013 2:45pm  
Date and Time

Received by



**St. Bernard Parish Government**  
**Proposed 2013 Budget Amendment 10-01-2013**

<u>G/L Acct</u>	<u>Expenditures</u>	
054-51-3310-522450	Refund of Fire Fee	<u>\$942,560.00</u>
	<u>Fund Balance</u>	
054-00-3310-391000	Net Effect on Fund Balance	-\$942,560.00



# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#18**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1438-11-13**

### **Summary No. 2986**

Introduced by: Administration on 9/17/13

Public hearing held on 10/1/13

Tabled on 10/1/13 until 11/5/13

AN ORDINANCE TO DECLARE AS SURPLUS 2701 DEER CREEK DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ROBERT DUCOTE JR.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 2701 Deer Creek Dr. was adjudicated to the Parish on June 23, 2010; and,

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose; and,

WHEREAS, the Parish has received a qualifying offer to purchase the property; and,

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

2701 Deer Creek Dr.

Violet, Louisiana 70092

LOT 39 Deer Creek Sub, Meas. 61 X 84 = 5124

This property will be referred to hereinafter in this ordinance as "2701 Deer Creek".



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #18 continued  
November 5, 2013

**SECTION 2.** 2701 Deer Creek Dr. shall be sold in accordance with law (La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202A & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13).

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 2701 Deer Creek Dr. to Robert Ducote, Jr., for the purchase price of \$ 2,178.84 , plus closing costs.

**SECTION 4.** 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 5.** 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:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #18 continued  
November 5, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

**Richard "Richie" Lewis**  
*Councilman  
District C*

Delivered to the Parish President

11-8-13 2:15pm  
Date and Time


**Casey W. Hunnicutt**  
*Councilman  
District D*

Approved 

Vetoed \_\_\_\_\_

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

Parish President

  
David E. Peralta

**Roxanne Adams**  
*Clerk of Council*

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#19**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1439-11-13**

### **Summary No. 2987**

Introduced by: Administration on 9/17/13

Public hearing held on 10/1/13

Tabled on 10/1/13 until 11/5/13

AN ORDINANCE TO DECLARE AS SURPLUS 648 ESTEBAN STREET, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO NICHOLAS DERBES, JR.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 648 Esteban St. was adjudicated to the Parish on June 23, 2010; and,

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose; and,

WHEREAS, the Parish has received a qualifying offer to purchase the property; and,

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

648 Esteban St.

Arabi, Louisiana 70032

LOT M, Sq K, Arabi Sub., Meas. 40 X 153=6120

This property will be referred to hereinafter in this ordinance as "648 Esteban".





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #19 continued  
November 5, 2013

**George Cavignac**  
*Councilman  
at Large*

**SECTION 2.** 648 Esteban St. shall be sold in accordance with law (La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202A & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13).

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 648 Esteban St. to Nicholas Derbes, Jr. for the purchase price of \$ 2,178.84, plus closing costs.

**Richard "Richie" Lewis**  
*Councilman  
District C*

**SECTION 4.** 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.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**SECTION 5.** 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.

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B


**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -3-  
Extract #19 continued  
November 5, 2013


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

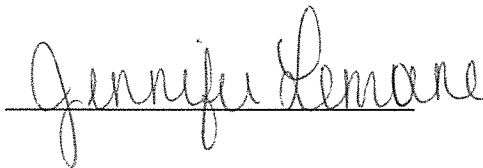
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#20**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1440-11-13**

### **Summary No. 2988**

Introduced by: Administration on 9/17/13

Public hearing held on 10/1/13

Tabled on 10/1/13 until 11/5/13

AN ORDINANCE TO DECLARE AS SURPLUS 1416 GREEN AVENUE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO RODNEY AND KATHY LEMOINE.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

WHEREAS, the property located at 1416 Green Ave. was adjudicated to the Parish on June 23, 2010; and,

WHEREAS, the Parish considers this property surplus and it is not needed for a public purpose; and,

WHEREAS, the Parish has received a qualifying offer to purchase the property.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

1416 Green Ave.

St. Bernard, Louisiana 70085

LOT 28, Green Ave. Sub. 51 X 146 = 7446

This property will be referred to hereinafter in this ordinance as "1416 Green Ave".



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #20 continued  
November 5, 2013

**SECTION 2.** 1416 Green Ave. shall be sold in accordance with law (La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202A & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13).

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 1416 Green Ave. to Rodney and Kathy Lemoine for the purchase price of **\$ 2,178.84**, plus closing costs.

**SECTION 4.** 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 5.** 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:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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Extract #20 continued  
November 5, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

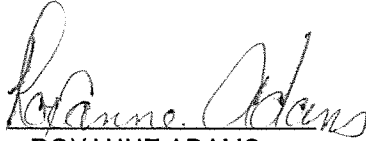
**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

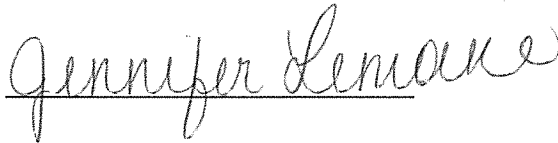
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#21**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1441-11-13**

### **Summary No. 2991**

Introduced by: Administration on 10/1/13

Planning Commission recommended Approval on 9/25/13

Public hearing held on 10/1/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-012**, PETITION OF ERIC P. KELTY, REPRESENTED BY JUDITH SCAGLIONE, FOR A REZONING OF ONE PARCEL FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL). SITE ADDRESS: 2204 PAKENHAM DRIVE, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-012**, petition of Eric P. Kelty, owner, 575 College Hill Drive, Baton Rouge, LA 70808, as represented Judith Scaglione, 3716 Corinne Drive, Chalmette, LA 70043 for a rezoning of one parcel from R-1 (Single-Family Residential) to C-1 (Neighborhood Commercial) is hereby granted with the conditional use limiting to Law office use only for the following described property:

Property is described as Lots 23 and 24 in Square 48, Versailles Subdivision. Site address: 2204 Pakenham Drive, Chalmette, LA 70043.

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



# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

Page -2-  
Extract #21 continued  
November 5, 2013

**George Cavignac**  
Councilman  
at Large

hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

**Ray Lauga, Jr.**  
Councilman  
District A

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

**Nathan Gorbaty**  
Councilman  
District B

**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**Richard "Richie" Lewis**  
Councilman  
District C

**ABSENT:** Lauga, Hunnicutt

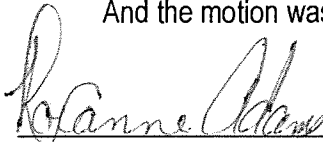
**Casey W. Hunnicutt**  
Councilman  
District D

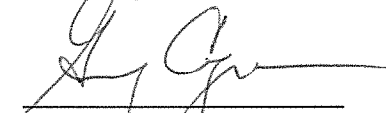
The Chairman, Mr. Cavignac, cast his vote as **YEA**.

**Manuel "Monty" Montelongo III**  
Councilman  
District E

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

**Roxanne Adams**  
Clerk of Council

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, NOVEMBER 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1442-11-13**

### **Summary No. 2995**

Introduced by: Administration on 10/1/13

Planning Commission recommended **APPROVAL** on 9/24/13

Public hearing held on 10/15/13

Tabled on 10/15/13 until 11/5/13

AN ORDINANCE TO CREATE AND INSERT INTO CHAPTER 22 (ZONING) SECTION 22-10-1.7 (ADMINISTRATION ENFORCEMENT; PLANNING COMMISSION; FEES) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 22, Section 22-10-1.7 (Administration Enforcement; Planning Commission; Fees) of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted





# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #22 continued  
November 5, 2013

hereby expresses and declares 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:

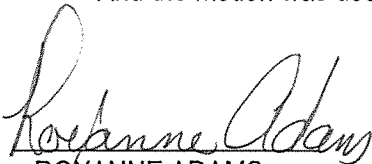
**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_


Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO: 2995**  
**ORDINANCE SBPC #1442-11-13**

Chapter 22; Zoning  
Section 10; Administration Enforcement  
Subsection 1; Planning Commission

---

**22-10-1.7. Fees**

A fee of two hundred fifty dollars (\$250.00) shall be assessed to the applicant for any rezoning or conditional use request submitted to the Department of Community Development. Said fees shall be submitted to the parish treasurer and credited to the general revenue fund of the Parish of St. Bernard, Louisiana.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1443-11-13**

### **Summary No. 2996**

Introduced by: Administration on 10/1/13

Planning Commission recommended **APPROVAL** on 9/24/13

Public hearing held on 10/15/13

AN ORDINANCE TO AMEND CHAPTER 22 (ZONING) SECTION 22-10-4.3(E) (ADMINISTRATION ENFORCEMENT; POWERS AND DUTIES; FEES) OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

SECTION 1. That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 22, Section 22-10-4.3(e) (Administration Enforcement; Powers and Duties; Fees) of the St. Bernard Parish Code of Ordinances.

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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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Page -2-  
Extract #23 continued  
November 5, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

hereby expresses and declares 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:

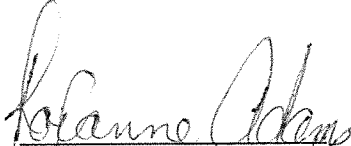
**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO: 2996**  
**ORDINANCE SBPC #1443-11-13**

Chapter 22; Zoning  
Section 10; Administration Enforcement  
Subsection 4.3 (e); Powers and Duties; Fees

---

- (e) Fees. A fee of one hundred fifty dollars (\$150.00) shall be paid to the director of the department of community development at the time the notice of appeal is filed, which the director of the department of community development shall forthwith pay over to the parish treasurer to the credit of the general revenue fund of the Parish of St. Bernard, Louisiana. The applicant will also be charged an additional fifty dollars (\$50.00) per re-zoning or conditional use application and twenty-five dollars (\$25.00) per variance application in addition to the one hundred fifty dollars (\$150.00) for the cost of running the legally required notice of public hearing in the newspaper of general circulation and for the cost of mailing the legally required notices to adjacent property owners.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#24**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1444-11-13**

### **Summary No. 3000**

Introduced by: Administration on 10/15/13

Public hearing held on 11/5/13

AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL; ARTICLE IV PERSONNEL SYSTEM RULES; DIVISION 9 HOURS OF WORK, LEAVE OF ABSENCE AND ABSENCE WITHOUT LEAVE; SECTION 17-140 HOURS OF WORK OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 17, Article IV, Division 9, Section 17-140 of the St. Bernard Parish Code of Ordinances.

**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.



# *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)

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #24 continued  
November 5, 2013

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

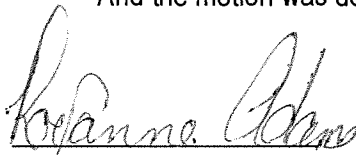
**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

11-8-13 2:15pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

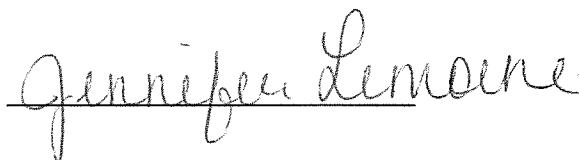
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO. 3000**  
**ORDINANCE SBPC #1444-11-13**

**CHAPTER 17 – PERSONNEL**  
**ARTICLE IV - PERSONNEL SYSTEM RULES**  
**DIVISION 9 - HOURS OF WORK, LEAVE OF ABSENCE AND ABSENCE WITHOUT LEAVE**  
**SECTION 17-140 - HOURS OF WORK**

**Sec. 17-140. Hours of work.**

The work week for full-time employees in the unclassified or classified service shall consist of not less than twenty eight (28) regularly scheduled working hours, exclusive of "lunch" periods. A person employed to work on a regular schedule of less than twenty eight (28) hours per week shall be considered a part-time employee for purposes of pay, administration and other purposes contemplated by this article. An employee who works on an intermittent or variable basis, dependent upon the demand for his services, shall be considered a subject-to-call employee.





# *St. Bernard Parish Council*

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[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1445-11-13**

### **Summary No. 3001**

Introduced by: Administration on 10/15/13

Public hearing held on 11/5/13

AN ORDINANCE TO AMEND CHAPTER 17 PERSONNEL; ARTICLE IV PERSONNEL SYSTEM RULES; DIVISION 9 HOURS OF WORK, LEAVES OF ABSENCE AND ABSENCE WITHOUT LEAVE; BY CREATING SECTION 17-153 STANDARD FOR FMLA LEAVE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 17, Article IV, Division 9, Section 17-153 of the St. Bernard Parish Code of Ordinances.

**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.



# St. Bernard Parish Council

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

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #25 continued  
November 5, 2013

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

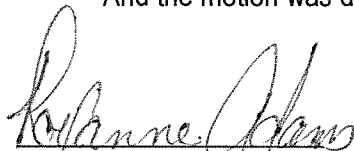
**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

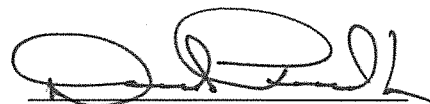
  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved                     

Vetoed                     

Parish President

  
David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO. 3001**  
**ORDINANCE SBPC #1445-11-13**

**CHAPTER 17 – PERSONNEL**  
**ARTICLE IV - PERSONNEL SYSTEM RULES**  
**DIVISION 9 - HOURS OF WORK, LEAVE OF ABSENCE AND ABSENCE WITHOUT LEAVE**  
**SECTION 17-153 - STANDARD FOR FMLA LEAVE**

**Sec. 17-153 Standard for FMLA Leave**

(a) When an employee is faced with a situation entitling the employee to leave under the "The Family and Medical Leave Act"(29 U.S.C. 2601) the employee SHALL take all available leave in the following order:

1. The employee shall exhaust all sick leave,
2. The employee shall exhaust all available vacation time,
3. The employee shall exhaust all leave provided by The Family and Medical Leave Act

(b) Available vacation time shall not include vacation time accrued for next calendar year.

(c) The employee may exhaust all accrued vacation time for the next calendar year CONCURRENTLY with the leave provided under The Family and Medical Leave Act, at employer's discretion.

(d) After all leave periods in (a)(1-3) are exhausted the employee's job will no longer be protected.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#26**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1446-11-13**

### **Summary No. 3002**

Introduced by: Councilman McInnis on 10/15/13  
Public hearing held on 11/5/13

AN ORDINANCE ESTABLISHING A BUILDER BUNDLE DISTRICT IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, AND FURTHER TO AMEND APPENDIX C, SPECIAL DISTRICTS, OF THE ST. BERNARD PARISH CODE OF ORDINANCES TO INCLUDE SAID DISTRICT.

WHEREAS, this ordinance creates and establishes a Builder Bundle District for the all locations in the Parish of St. Bernard where Louisiana Land Trust (LLT) lots have been aggregated into groups ("bundles") for acquisition and future development by homebuilders.

WHEREAS, the ongoing creation and redevelopment of new and marketable single-family residences is a key social and economic component of the parish's ongoing recovery and future growth; and

WHEREAS, the Builder Bundle District offers incentives to homebuilders that allow them to build a wider and more marketable variety of housing that will be attractive to a wide variety of prospective homebuyers;

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN THAT:

**SECTION 1.** The Builder Bundle District shall be comprised of the properties identified in the attached Exhibit "A".

**SECTION 2.** Of those properties, there are forty-seven (47) properties that are considered dimensionally "nonconforming" according to the current standards set forth for residential lots. These forty-seven (47) properties are identified specifically in attached Exhibit "B". Notwithstanding any other provisions in the St.



# *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)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #26 continued  
November 5, 2013

Bernard Parish Code of Ordinances, the minimum square footage for the primary residential structure constructed upon each of the forty-seven (47) properties identified in Exhibit B shall be one thousand four hundred (1,400) square feet of living area and a minimum square footage of one thousand six hundred (1600) under the roof.

**SECTION 3. 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 4. 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:**            Gorbaty, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Lauga, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.



# *St. Bernard Parish Council*

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**Guy McInnis**  
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at Large

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Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

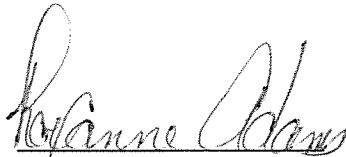
**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #26 continued  
November 5, 2013


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

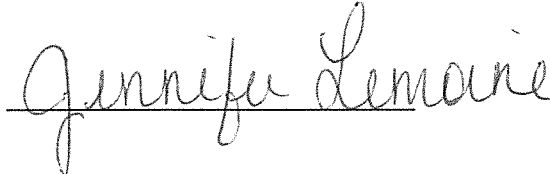
Approved  \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council 11-13-13 4:11pm  
Date and Time

Received by



# EXHIBIT "A"

## Bundle 1 - Disposition Plan

			LOT SIZE
1	400498	2914 Marietta	10,193
2	190575	2712 Plaza	5,450
3	047703	2621 Rosetta	5,041
4	067198	3312 Dauterive	5,250
5	041709	3233 Veronica	5,003
6	118144	3300 Veronica	5,003
7	060028	2804 Charles	6,198
8	093524	2349 Plaza	5,950
9	610515	2400 Plaza	8,189
10	055448	3004 Charles	6,180
11	062807	2801 Blanchard	5,001
12	140281	3312 Plaza	6,000

## Bundle 2 - Disposition Plan

1	400041	14 Carroll	11,550
2	074608	28 Carroll	5,130
3	003497	9 E. Chalmette Circle	5,775
4	006523	58 E. Chalmette Circle	6,509
5	079146	48 E. Claiborne Square	5,775
6	040727	77 E. Claiborne Square	6,050
7	044372	8601 Livingston	6,204
8	040589	8713 Livingston	6,050
9	037219	8904 Livingston	5,500
10	093083	19 Old Hickory	5,775
11	400040	24 Old Hickory	11,361
12	055539	36 Keane	6,232

## Zone 1 - St. Claude Heights

1	071837	1917 Karl	5,200
2	091886	1912 Karl	4,900
3	400250	1916 Karl	11,151
4	610252	1926 Karl	7,318
5	620252	1930 Karl	8,146
6	400258	1923 Karl	9,627
7	400259	1920 Center	11,282
8	084606	1909 Karl	5,000
9	016381	1906 Karl	4,900
10	099533	1904 Karl	4,900
11	400213	1832 Karl	10,900
12	400212	1824 Karl	9,800

**Zone 2 - St. Claude Heights**

1	610188	1836 Benjamin	8,233
2	102382	1900 Benjamin	5,635
3	610183	1833 Alexander	8,232
4	620183	1837 Alexander	8,364
5	620188	1832 Benjamin	8,364
6	400189	1828 Benjamin	10,763
7	400199	1831 Benjamin	9,800
8	610196	1815 Benjamin	7,754
9	620196	1819 Benjamin	7,754
10	620201	1825 Benjamin	7,449
11	031248	1822 Benjamin	5,270
12	400191	1810 Benjamin	9,961
13	610184	1811 Alexander	7,710
14	620184	1815 Alexander	7,841
15	400185	1817 Alexander	10,007
16	610201	1821 Benjamin	7,449

**Zone 3 - Carolyn Park**

1	233555	405 Mink	7,400
2	143205	112 Seal	5,775
3	006115	124 Seal	5,775
4	017471	117 Beaver	5,250
5	067698	101 Nutria	6,300
6	610311	305 Mink	9,583
7	620311	313 Mink	8,756
8	007581	312 Mink	6,712
9	400335	105 Seal	11,020
10	610334	113 Seal	7,884
11	620334	121 Seal	7,884
12	106060	137 Seal	5,250

**Zone 4 - Carolyn Park**

1	400331	304 Ocelot	12,153
2	400330	312 Ocelot	11,151
3	063024	400 Ocelot	5,572
4	125753	408 Ocelot	5,250
5	400325	409 Llama	12,023
6	400324	321 Llama	11,108
7	098151	313 Llama	5,637
8	144747	305 Llama	6,686
9	400322	304 Llama	12,110
10	400323	316 Llama	11,064
11	610485	400 Llama	8,320
12	620485	408 Llama	8,320
13	145140	413 Ocelot	6,619



**Zone 5 - Buccaneer Villa**

1	400390	3800 Dominique	10,716
2	400403	3812 Dominique	10,803
3	610402	3820 Dominique	8,102
4	620402	3828 Dominique	8,102
5	400398	3836 Dominique	10,803
6	400396	3908 Dominique	10,803
7	620401	3825 Norwood	8,102
8	610401	3817 Norwood	8,102
9	400400	3829 Norwood	10,803
10	400399	3837 Norwood	12,110
11	400397	3916 Dominique	10,803
12	049221	3913 Norwood	5,400

**Zone 6 - Buccaneer Villa**

1	400438	4037 Hamlet	16,640
2	610439	4008 Kings	8,494
3	620439	4016 Kings	8,538
4	012474	4000 Kings	6,000
5	400440	8537 Benjamin	15,420
6	009776	3928 Kings	6,000
7	610442	8536 Benjamin	7,492
8	620442	8544 Benjamin	7,492
9	400443	8541 Squadron	10,019
10	400444	8545 Squadron	10,019
11	610447	8536 Squadron	7,492
12	620447	8544 Squadron	7,492
13	400446	8548 Squadron	11,021

**Zone 7 - Val Reis (Valero)**

1	136223	3816 Lena	5,164
2	400539	3900 Lena	10,324
3	400537	3912 Lena	10,324
4	124511	3801 Blanchard	5,037
5	400547	3817 Blanchard	10,324
6	032716	3905 Blanchard	5,170
7	004477	3917 Blanchard	5,096
8	217230	3817 Despaux	5,493
9	400538	3909 Lena	10,324
10	015231	3821 Lena	5,167
11	400540	3908 Ventura	10,019
12	610542	3912 Ventura	9,409
13	620542	3920 Ventura	9,365

**Zone 8 - Val Reis (Valero)**

1	620097	3508 Lena	7,884
2	400557	3528 Lena	11,543
3	400558	3533 Blanchard	15,072
4	610559	3513 Blanchard	7,492
5	620559	3521 Blanchard	7,492
6	010185	3516 Blanchard	5,000
7	199101	3524 Blanchard	4,520
8	610562	3513 Ventura	7,492
9	400099	3509 Lena	10,001
10	400560	3525 Lena	10,019
11	610561	3512 Ventura	7,492
12	620561	3520 Ventura	7,492
13	033850	3504 Ventura	5,001

**128 Total Properties**

# EXHIBIT "B"

## Bundle 1 - Disposition Plan

			LOT SIZE
1	190575	2712 Plaza	5,450
2	047703	2621 Rosetta	5,041
3	067198	3312 Dauterive	5,250
4	041709	3233 Veronica	5,003
5	118144	3300 Veronica	5,003
6	060028	2804 Charles	6,198
7	093524	2349 Plaza	5,950
8	055448	3004 Charles	6,180
9	062807	2801 Blanchard	5,001
10	140281	3312 Plaza	6,000

## Bundle 2 - Disposition Plan

1	074608	28 Carroll	5,130	59' Front
2	003497	9 E. Chalmette Circle	5,775	
3	006523	58 E. Chalmette Circle	6,509	
4	079146	48 E. Claiborne Square	5,775	
5	040727	77 E. Claiborne Square	6,050	
6	044372	8601 Livingston	6,204	
7	040589	8713 Livingston	6,050	
8	037219	8904 Livingston	5,500	
9	093083	19 Old Hickory	5,775	
10	055539	36 Keane	6,232	

## Zone 1 - St. Claude Heights

1	071837	1917 Karl	5,200
2	091886	1912 Karl	4,900
3	084606	1909 Karl	5,000
4	016381	1906 Karl	4,900
5	099533	1904 Karl	4,900

## Zone 2 - St. Claude Heights

1	102382	1900 Benjamin	5,635
2	031248	1822 Benjamin	5,270

## Zone 3 - Carolyn Park

1	143205	112 Seal	5,775
2	006115	124 Seal	5,775
3	017471	117 Beaver	5,250
4	067698	101 Nutria	6,300
5	106060	137 Seal	5,250

**Zone 4 - Carolyn Park**

1	063024	400 Ocelot	5,572
2	125753	408 Ocelot	5,250
3	098151	313 Llama	5,637

**Zone 5 - Buccaneer Villa**

1	049221	3913 Norwood	5,400
---	--------	--------------	-------

**Zone 6 - Buccaneer Villa**

1	012474	4000 Kings	6,000
2	009776	3928 Kings	6,000

**Zone 7 - Val Reis (Valero)**

1	136223	3816 Lena	5,164
2	124511	3801 Blanchard	5,037
3	032716	3905 Blanchard	5,170
4	004477	3917 Blanchard	5,096
5	217230	3817 Despaux	5,493
6	015231	3821 Lena	5,167

**Zone 8 - Val Reis (Valero)**

1	010185	3516 Blanchard	5,000
2	199101	3524 Blanchard	4,520
3	033850	3504 Ventura	5,001

**47 Total Properties**



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#28**

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 5, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1447-11-13**

### **Summary No. 3004**

Introduced by: Councilman Lewis on 10/15/13  
Public hearing held on 11/5/13

AN ORDINANCE TO AMEND CHAPTER 11, HEALTH AND SANITATION; ARTICLE VII, SECTION 11-166.5, PENALTIES; OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish Council does hereby amend as attached in "Exhibit A" Chapter 11, article VII, section 11-166.5, of the St. Bernard Parish Code of Ordinances.

**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.



# *St. Bernard Parish Council*

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Extract #28 continued  
November 5, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

**YEAS:** Gorbaty, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Lauga, Hunnicutt

The Chairman, Mr. Cavnac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5<sup>th</sup> day of November, 2013.

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 11-8-13 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

David E. Peralta

Returned to Clerk of the Council

11-13-13 4:11pm  
Date and Time

Received by

**EXHIBIT "A"**  
**SUMMARY NO. 3004**  
**ORDINANCE SBPC #1447-11-13**

**CHAPTER 11 HEALTH AND SANITATION**  
**ARTICLE VII**  
**SECTION 11-166.5 PENALTIES**

---

- 11-166.5 Penalties.** Penalties for noncompliance with orders and notices be as set forth in Section 165.4.
- a. Upon failure of any such property owner to pay the charges, the parish is authorized to have the charges enumerated added to the annual ad valorem tax bill of the property involved.



# *St. Bernard Parish Council*

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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, NOVEMBER 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1448-11-13**

### **Summary No. 2980**

Introduced by: Administration on 9/3/13

Public hearing held on 9/17/13

Tabled on 9/17/13

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF CERTAIN PORTIONS OF CATON STREET, TOURNEFORT STREET, LAPLACE STREET, SALON STREET, DELAMBERT STREET, PELOPIDAS STREET, LAVOISIER STREET IN ST. BERNARD PARISH, LA.

WHEREAS, Robert Berthelot, representing Robert C. Berthelot Family Limited Partnership, is the owner of Lots 2, 3, 4 and 5 in Square 538, and lots 1, 2, 3 4 and Lot 23 in Square 539, and Lots 9, 10, 11, 12 and portions of Lots 13, 14, 15, 16 in Square 421, and Lots 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 in Square 422, all being a part of Versailles Subdivision, St. Bernard Parish as recorded in St. Bernard Parish Clerk of Court's Office, copies of same are on file in the St. Bernard Parish Clerk of Council's Office; and

WHEREAS, the owner of the aforementioned properties is requesting this Council to revoke and set aside the dedication of certain portions of streets as shown on the attached survey; and

WHEREAS, this Council was notified by letter dated September 12, 2013 from the Director of Public Works that Administration would have no objection to the abandonment of certain portions of Buffon Street; and

WHEREAS, that portion of streets as described herein has never been cut, used, improved and/or formerly dedicated as a public street, and the same is not needed nor required for public purposes.





# *St. Bernard Parish Council*

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Extract #22 (continued)  
November 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That certain portions of streets as described herein and as further shown on the survey of Dading, Marques & Associates, Inc. dated July, 15, 2013, attached hereto and made a part hereof (Exhibit A) and never having been cut, used, improved and/or formerly dedicated as a public street and the same is not now needed nor required for public purposes, be and the same is hereby revoked and declared to be abandoned.

## **ABANDONMENT OF RIGHT OF WAYS VERSAILLES SUBDIVISION, LOUISIANA**

### **PARCEL 1 PORTION OF CANTON STREET (NOT CONSTRUCTED) SQUARES 526 AND 539**

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF CATON STREET RIGHT OF WAY, BETWEEN SQUARES 526 AND 539 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF PARIS ROAD AND MEASURE N 77° 32' 52" E ALONG SAID SOUTHERLY SIDE OF MARINA ROAD A DISTANCE OF 393.04 TO A POINT ON THE SOUTHERLY SIDE OF CATON STREET (NOT CONSTRUCTED) SAID POINT BEING THE POINT OF BEGINNING, THENCE ALONG SAID NORTHERLY SIDE MEASURES S 67° 49' 29" E; A DISTANCE OF 102.91; THENCE MEASURE S 22° 10' 31" W A DISTANCE OF 49.02'; THENCE N 67° 49' 29" W A DISTANCE OF 173.90' TO A POINT OF BEGINNING AND CONTAINING 6,784.72 SQUARE FEET MORE OR LESS.

### **PARCEL 2 PORTION OF TOURNEFORT STREET (NOT CONSTRUCTED) SQUARES 526 AND 525**

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF TOURNEFORT STREET RIGHT



## *St. Bernard Parish Council*

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Extract #22 (continued)  
November 19, 2013

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*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
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**Roxanne Adams**  
*Clerk of Council*

OF WAY, BETWEEN SQUARES 526 AND 525 OF SAID VERSAILLES  
SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF  
PARIS ROAD AND MEASURE N 77° 32' 52" E ALONG SAID SOUTHERLY SIDE  
OF MARINA ROAD A DISTANCE OF 604.37 TO THE POINT OF BEGINNING;  
THENCE FROM SAID POINT OF BEGINNING MEASURE N 77° 32' 52" E A  
DISTANCE OF 60.76' TO THE EAST SIDE OF TOURNEFORT STREET (NOT  
CONSTRUCTED); THENCE ALONG SAID EAST SIDE MEASURE S 22° 10' 31"  
W; A DISTANCE OF 105.60'; THENCE MEASURE N 67° 49' 29" W A DISTANCE  
OF 50.00' TO THE WESTERLY SIDE OF TOURNEFORT STREET A DISTANCE  
OF 71.07' TO THE POINT OF BEGINNING AND CONTAINING 4,416.64 SQUARE  
FEET MORE OR LESS.

**PARCEL 3**  
**PORTION OF LAPLACE STREET (NOT CONSTRUCTED)**  
**SQUARES 525 AND 520**

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E,  
ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES  
SUBDIVISION DESIGNATED AS A PORTION OF LAPLACE STREET RIGHT OF  
WAY, BETWEEN SQUARES 526 AND 520 OF SAID VERSAILLES SUBDIVISION  
AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF  
PARIS ROAD AND THE SOUTHERLY SIDE OF MARINA ROAD AND MEASURE  
N 77° 32' 52" E ALONG SAID SOUTHERLY SIDE OF MARINA ROAD A DISTANCE  
OF 1029.72' TO A POINT ON THE WEST SIDE OF LAPLACE STREET (NOT  
CONSTRUCTED), SAID POINT BEING THE POINT OF BEGINNING; FROM SAID  
POINT OF BEGINNING MEASURE N 77° 32' 52" E A DISTANCE OF 60.76' TO A  
POINT ON THE PROJECTED EAST SIDE OF LAPLACE STREET; THENCE  
MEASURE ALONG EAST SIDE OF LAPLACE STREET S 22° 10' 31" WEST; A  
DISTANCE OF 129.92'; THENCE MEASURE ALONG SAID WEST SIDE A  
DISTANCE OF 95.40' TO THE POINT OF BEGINNING AND CONTAINING  
5,632.98 SQUARE FEET MORE OR LESS.

**PARCEL 4**  
**PORTION OF SALON STREET (NOT CONSTRUCTED)**  
**SQUARES 524 AND 520**



## *St. Bernard Parish Council*

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Extract #22 (continued)  
November 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF SALON STREET RIGHT OF WAY, BETWEEN SQUARES 526 AND 520 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF PARIS ROAD AND THE SOUTHERLY SIDE OF MARINA ROAD AND MEASURE N 77° 32' 52" E ALONG SAID SOUTHERLY SIDE OF MARINA ROAD A DISTANCE OF 1161.04' TO A POINT ON THE NORTHERLY SIDE OF SALON STREET (NOT CONSTRUCTED) SAID POINT BEING THE POINT OF BEGINNING; THENCE CONTINUE S 67° 49' 29" E ALONG THE NORTHERLY SIDE OF SALON STREET A DISTANCE OF 241.94' TO THE NORTHWEST CORNER OF SALON STREET AND D'ALEMBERT STREET (NOT CONSTRUCTED); THENCE MEASURE S 22° 10' 31" W A DISTANCE OF 49.02 TO THE SOUTHERLY SIDE OF SALON STREET; THENCE ALONG THE SOUTHERLY SIDE OF SALON STREET MEASURE N 67° 49' 29" W A DISTANCE OF 300.00'; THENCE MEASURE N 22° 10' 31" E A DISTANCE OF 8.92'; THENCE MEASURE N 77° 32' 52" E A DISTANCE OF 70.56' TO THE POINT OF BEGINNING AND CONTAINING 13,541.94 SQUARE FEET MORE OR LESS.

### PARCEL 5 PORTION OF D'ALEMBERT STREET (NOT CONSTRUCTED) SQUARES 520 AND 521

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF D'ALEMBERT STREET RIGHT OF WAY, BETWEEN SQUARES 520 AND 521 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF PARIS ROAD AND THE SOUTHERLY SIDE OF MARINA ROAD AND MEASURE N 77° 32' 52" E ALONG SAID SOUTHERLY SIDE OF MARINA ROAD A DISTANCE OF 1455.06' TO A POINT ON THE WESTERLY SIDE OF D'ALEMBERT STREET (NOT CONSTRUCTED) SAID POINT BEING THE POINT OF BEGINNING; FROM SAID POINT OF BEGINNING CONTINUE N 77° 32' 52" E A DISTANCE OF 60.76' TO A POINT ON THE EASTERLY SIDE OF D'ALEMBERT STREET; THENCE MEASURE S 22° 10' 31" W A DISTANCE OF 80.60'; THENCE MEASURE N 67° 49' 29" W A DISTANCE OF 50.00' TO THE WEST SIDE OF



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November 19, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

D'ALEMBERT STREET; THENCE MEASURE N 22° 10' 31" E A DISTANCE OF 46.07' TO THE POINT OF BEGINNING AND CONTAINING 3.166.82 SQUARE FEET MORE OR LESS.

## **PARCEL 6 PORTION OF PELOPIDAS STREET (NOT CONSTRUCTED) SQUARES 500 AND 521**

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF PELOPIDAS STREET RIGHT OF WAY, BETWEEN SQUARES 500 AND 521 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST SIDE RIGHT OF WAY LINE OF PARIS ROAD AND THE SOUTHERLY SIDE OF MARINA ROAD AND MEASURE N 77° 32' 52" E A DISTANCE OF 1756.51' TO A POINT ON THE SOUTHERLY SIDE OF PELOPIDAS STREET (NOT CONSTRUCTED) SAID POINT BEING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE N 77° 32' 52" E A DISTANCE OF 86.27' TO A POINT ON THE NORTH ALLEY SIDE OF PELOPIDAS STREET; THENCE MEASURE ALONG NORTH SIDE OF PELOPIDAS STREET S 67° 49' 29" E A DISTANCE OF 31.96' TO THE NORTHWEST CORNER OF PELOPIDAS STREET AND LAVOISIER STREET; THENCE MEASURE S 22° 10' 31" W A DISTANCE OF 49.02'; THENCE MEASURE ALONG THE SOUTH SIDE OF PELOPIDAS STREET N 67° 49' 29" W A DISTANCE OF 101.00' TO THE POINT OF BEGINNING AND CONTAINING 3,257.48 SQUARE FEET MORE OR LESS.

## **PARCEL 7 PORTION OF LAVOISIER STREET (NOT CONSTRUCTED) SQUARES 500 AND 501**

ONE CERTAIN PORTION OF GROUND SITUATED IN SECTION 46, T12S-R12E, ST. BERNARD PARISH, LOUISIANA IN THAT PART KNOWN AS VERSAILLES SUBDIVISION DESIGNATED AS A PORTION OF LAVOISIER STREET RIGHT OF WAY, BETWEEN SQUARES 500 AND 501 OF SAID VERSAILLES SUBDIVISION AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF PARIS ROAD AND THE SOUTHERLY SIDE OF MARINA ROAD, THENCE



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #22 (continued)  
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MEASURE N 77° 32' 52" E ALONG THE SAID SOUTHERLY SIDE OF MARINA ROAD A DISTANCE OF 1880.41 FEET TO A POINT ON THE WEST SIDE OF LAVOISIER STREET (NOT CONSTRUCTED), SAID POINT BEING THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING CONTINUE N 77° 32' 52" E A DISTANCE OF 60.76 FEET TO A POINT ON THE EAST SIDE OF LAVOISIER STREET; THENCE MEASURE S 22° 10' 31" W A DISTANCE OF 55.91 FEET TO THE NORTHEAST CORNER OF LAVOISIER STREET AND PELOPIDAS STREET. THENCE MEASURE N 57° 49' 29" W A DISTANCE OF 50 FEET TO A POINT. THENCE MEASURE N 22° 10' 31" E A DISTANCE OF 21.38 FEET TO THE POINT OF BEGINNING AND CONTAINING 1932.17 SQUARE FEET MORE OR LESS.

(Errors, omissions and conflicts in survey excepted).

**SECTION 2.** Effective Date, This ordinance shall become effective thirty (30) calendar days after publication by the Parish Council. 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 Section 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, PARISH COUNCIL Bernard Parish Council hereby expresses and declares 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:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as YEA.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

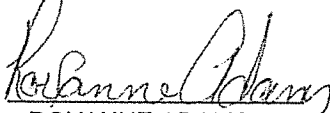
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

11/21/2013 1:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

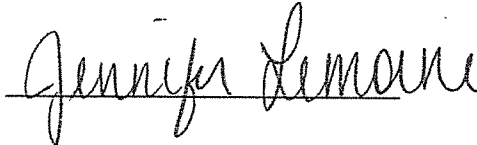
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**#23**

**George Cavignac**  
*Councilman  
at Large*

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 19, 2013 AT THREE O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

## **ORDINANCE SBPC #1449-11-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

### **Summary No. 3003**

Introduced by: Administration on 10/15/13

Public hearing held on 11/5/13

Tabled on 11/5/13

**Casey W. Hunnicutt**  
*Councilman  
District D*

AN ORDINANCE TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 10.5, FLOOD DAMAGE PREVENTION OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**Roxanne Adams**  
*Clerk of Council*

**SECTION 1.** That St. Bernard Parish Council does hereby repeal and replace in its entirety as attached in "Exhibit A" Chapter 10.5, of the St. Bernard Parish Code of Ordinances.

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President and the adoption of the new FEMA flood insurance rate maps by the governing authority. 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.



# St. Bernard Parish Council

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Extract #23 continued  
November 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

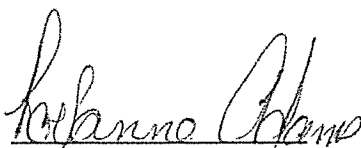
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 19<sup>th</sup> day of November, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11/21/2013 1:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

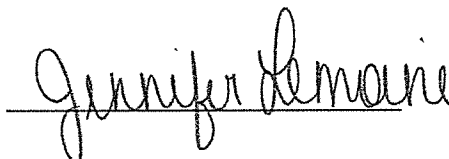
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by





**EXHIBIT "A"**  
**SUMMARY NO. 3003**  
**Ordinance SBPC #1449-11-13**

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**Chapter 10.5 FLOOD DAMAGE PREVENTION**

**ARTICLE I - STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS**

**Sec. 10.5-1 STATUTORY AUTHORIZATION**

The Legislature of the State of Louisiana has statute LRS 38:84 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the St. Bernard Parish Council does ordain as follows:

**Sec. 10.5-2 FINDINGS OF FACT**

(1) The flood hazard areas of St. Bernard Parish are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

(2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

**Sec. 10.5-3 STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- (7) Insure that potential buyers are notified that property is in a flood area.

**Sec. 10.5-4 METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction and/or alteration of flood barriers or other structures which will divert waters onto any area within the jurisdiction of St. Bernard Parish or which may increase flood hazards to other lands.

**ARTICLE II - DEFINITIONS**

**10.5-5 DEFINITIONS OF WORKS AND TERMS USED**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**ALLUVIAL FAN FLOODING** - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

**APEX** - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

**APPURTENANT STRUCTURE** – means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure

**AREA OF FUTURE CONDITIONS FLOOD HAZARD** – means the land area that would be inundated by the 1-percent-annual chance (100 year) flood based on future conditions hydrology.

**AREA OF SHALLOW FLOODING** - means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD** - is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

**BASE FLOOD** - means the flood having a 1 percent chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION** – The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1% chance of equaling or exceeding that level in any given year – also called the Base Flood.

**BASEMENT** - means any area of the building having its floor sub-grade (below ground level) on all sides.

**BREAKAWAY WALL** – means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**CRITICAL FEATURE** - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**DEVELOPMENT** - means any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**DIVERSIONARY STRUCTURES** – means structures engineered and constructed to intentionally divert water and/or sediment from one riverine source to another area within the jurisdiction of St. Bernard Parish (does not include Parish Council-approved structures and/or operations following the adoption of this ordinance).

**ELEVATED BUILDING** – means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**EXISTING CONSTRUCTION** - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION** - means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FLOOD OR FLOODING** - means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) the overflow of inland or tidal waters.

(2) the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD ELEVATION STUDY** – means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

**FLOOD INSURANCE RATE MAP (FIRM)** - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – see Flood Elevation Study

**FLOODPLAIN OR FLOOD-PRONE AREA** - means any land area susceptible to being inundated by water from any source (see definition of flooding).

**FLOODPLAIN MANAGEMENT** - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**FLOODPLAIN MANAGEMENT REGULATIONS** - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOOD PROTECTION SYSTEM** - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOOD PROOFING** - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOODWAY** – see Regulatory Floodway

**FREEBOARD** – a factor of safety above the base flood elevation. For purposes of this ordinance Freeboard is an additional eighteen (18) inches above the base flood elevation in the Areas of Special Flood Hazards, and is eighteen (18) inches above the Highest Adjacent Grade in other areas.

**FUNCTIONALLY DEPENDENT USE** - means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**HIGHEST ADJACENT GRADE** - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**HISTORIC STRUCTURE** - means any structure that is:

(1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

(a) By an approved state program as determined by the Secretary of the Interior or;

(b) Directly by the Secretary of the Interior in states without approved programs.

**LEVEE** - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

**LEVEE SYSTEM** - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**LOWEST FLOOR** - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; **provided** that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

**MANUFACTURED HOME** - means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

**MANUFACTURED HOME PARK OR SUBDIVISION** - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MEAN SEA LEVEL** - means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**NEW CONSTRUCTION** - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION** - means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

**PRIMARY FRONTAL DUNE** - means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

**RECREATIONAL VEHICLE** - means a vehicle which is (i) built on a single chassis; (ii) 400 square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**REGULATORY FLOODWAY** - means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**RIVERINE** – means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**SAND DUNES** - mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

**SPECIAL FLOOD HAZARD AREA** – see Area of Special Flood Hazard

**START OF CONSTRUCTION** - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building. For diversionary structures, start of construction shall mean the conducting of any activity in furtherance of any such project, including, but not limited to, surveys, land acquisition and preparation, construction, repair, reconstruction, rehabilitation, additional placement, or alteration of a diversionary opening.

**STRUCTURE** – means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**SUBSTANTIAL DAMAGE** - means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

**VARIANCE** – means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

**VIOLATION** - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** - means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

## **ARTICLE III - GENERAL PROVISIONS**

### **Sec. 10.5-6 LANDS TO WHICH THIS ORDINANCE APPLIES**

The ordinance shall apply to all areas within the jurisdiction of St. Bernard Parish.

### **Sec. 10.5-7 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Revised Preliminary Flood Insurance Study (FIS) for St. Bernard Parish, Louisiana (All Jurisdictions)," dated November 9, 2012, with accompanying Revised Preliminary Flood Insurance Rate Maps (FIRM) dated November 9, 2012, and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.

### **Sec. 10.5-8 ESTABLISHMENT OF DEVELOPMENT PERMIT**

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

### **Sec. 10.5-9 COMPLIANCE**

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

### **Sec. 10.5-10 ABROGATION AND GREATER RESTRICTIONS**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### **Sec. 10.5-11 INTERPRETATION**

In the interpretation and application of this ordinance, all provisions shall be; (1) considered as minimum requirements; (2) liberally construed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State statutes.

### **Sec. 10.5-12 WARNING AND DISCLAIMER OR LIABILITY**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

## **ARTICLE IV - ADMINISTRATION**

### **Sec. 10.5-21 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR**

The Director of the Department of Community Development is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (Emergency Management and Assistance - National Flood Insurance Program Regulations) pertaining to floodplain management.

#### **Sec. 10.5-22 DUTIES & RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR**

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
- (3) Review, approve or deny all applications for development permits required by adoption of this ordinance.
- (4) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Floodplain Administrator shall make the necessary interpretation.
- (6) Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is Department of Transportation and Development, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
- (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- (8) When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
- (9) When a regulatory floodway has not been designated, the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- (10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than 1 foot, provided that the community first completes all of the provisions required by Section 65.12.

#### **Sec. 10.5-23 PERMIT PROCEDURES**

- (1) Application for a Floodplain Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
  - (a) Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
  - (b) Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
  - (c) A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2);

(d) Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;

(e) Maintain a record of all such information in accordance with Article 4, Section (B)(1);

(2) Approval or denial of a Floodplain Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

(a) The danger to life and property due to flooding or erosion damage;

(b) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(c) The danger that materials may be swept onto other lands to the injury of others;

(d) The compatibility of the proposed use with existing and anticipated development;

(e) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(f) The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(g) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(h) The necessity to the facility of a waterfront location, where applicable;

(i) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

#### **Sec. 10.5-24 VARIANCE PROCEDURES**

(1) The Appeal Board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this ordinance. The Board shall consist of no less than three (3) Certified Floodplain Managers (CFM) nominated by the Parish President and appointed by the St. Bernard Parish Council.

(2) The Appeal Board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

(3) Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.

(4) The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report any variances actions to the Parish Council and, if requested, to the Federal Emergency Management Agency.

(5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.

(6) Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the 1/2 half acre, the technical justification required for issuing the variance increases.

(7) Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.



(10) Prerequisites for granting variances:

(a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(b) Variances shall only be issued upon: (i) showing a good and sufficient cause; (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(c) Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that (i) the criteria outlined in Article 4, Section D (1)-(9) are met, and (ii) the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(12) Variances shall not be issued for Diversionary Structures.

## **ARTICLE V - PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **Sec. 10.5-31 GENERAL STANDARDS**

In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

(1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

(2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

(3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

(4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

(5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,

(7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

### **Sec. 10.5-32 SPECIFIC STANDARDS**

All new construction or substantial damage or substantial improvement work in St. Bernard Parish regardless of being located in or out of special flood hazard areas is required to meet the following provisions:

(1) **Residential Construction** - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C (1) a., is satisfied. In areas located

outside of special flood hazard areas the lowest floor (including basement) must be built at eighteen (18) inches above highest adjacent grade.

(2) **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard, or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation plus an additional eighteen (18) inches of freeboard the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. In areas located outside of special flood hazard areas the lowest floor (including basement) must be built at eighteen (18) inches above highest adjacent grade or meet the floodproofing requirement herein described to a height of eighteen (18) inches above highest adjacent grade. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator.

(3) **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

(a) A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(b) The bottom of all openings shall be no higher than 1 foot above grade.

(c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

**(4) Manufactured Homes -**

(a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.

(b) Require that manufactured homes that are placed or substantially improved within the areas of special flood hazard be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(c) Require that manufactured homes that are placed or substantially improved outside the areas of special flood hazard be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to or above eighteen (18) inches above the highest adjacent grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

(5) **Recreational Vehicles** - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of Article 4, Section C (1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

6) **Diversiónary Structures** – No new permits shall be issued for diversionary structures.

#### **Sec. 10.5-33 STANDARDS FOR SUBDIVISION PROPOSALS**

(1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.

(2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Floodplain Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.

(3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.

(4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

(5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

#### **Sec. 10.5-34 COASTAL HIGH HAZARD AREAS**

Located within the areas of special flood hazard established in Article 3, Section B, are areas designated as Coastal High Hazard Areas (Zones V1-30, VE, and/or V). These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, in addition to meeting all provisions outlined in this ordinance, the following provisions must also apply:

(1) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures, and whether or not such structures contain a basement. The Floodplain Administrator shall maintain a record of all such information.

(2) All new construction shall be located landward of the reach of mean high tide.

(3) All new construction and substantial improvements shall be elevated on pilings and columns so that:

(i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood elevation plus eighteen (18) inches of freeboard;

(ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (3)(i) and (ii) of this Section.

(4) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

(i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

(ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

(5) Prohibit the use of fill for structural support of buildings.

(6) Prohibit man-made alteration of sand dunes and mangrove stands that increase potential flood damage.

**(7) Manufactured Homes -**

Require that manufactured homes placed or substantially improved within Zone V1-30, V, and VE on the community's FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, meet the standards of paragraphs (1) through (6) of this section **and** that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the community's FIRM meet the requirements of Article 5, Section B(4) of this ordinance.

**(8) Recreational Vehicles -**

Require that recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the requirements in Article 3, Section C of this ordinance and paragraphs (1) through (6) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

**Sec. 10.5-35 SEVERABILITY**

If any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Sec. 10.5-36 PENALTIES FOR NON COMPLIANCE**

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500 or imprisoned for not more than thirty (30) days, or both, for each violation. Each day the violation continues shall be deemed a new violation. In addition, the violator shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent St. Bernard Parish Government from taking such other lawful action as is necessary to prevent or remedy any violation.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1450-11-13**

### **Summary No. 3007**

Introduced by: Administration on 11/5/13  
Public hearing held on 11/19/13

AN ORDINANCE TO DECLARE AS SURPLUS 2325 RIVERBEND DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO SYLVIA LEWIS.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 2325 Riverbend Dr. was adjudicated to the Parish on June 23, 2010.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Sylvia Lewis has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined she is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

2325 Riverbend Dr.

Violet, Louisiana 70092

LOT 82 Riverbend Sub 60 X 150 = 9000

This property will be referred to hereinafter in this ordinance as "2325 Riverbend Dr."

**SECTION 2.** It is determined that Sylvia Lewis is the adjoining owner that has maintained the property for more than one year.



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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

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Extract #25 continued  
November 19, 2013

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 2325 Riverbend Dr. to Sylvia Lewis for the purchase price of \$1000.00, with Sylvia Lewis to pay any closing costs. The President is further

authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Sylvia Lewis continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:** Lauga, Gorbay, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnac, cast his vote as **DID NOT VOTE.**

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013



# *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)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

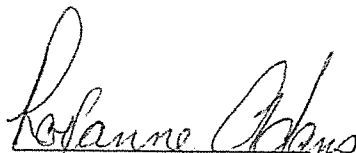
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #25 continued  
November 19, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVNAC  
COUNCIL CHAIR


Delivered to the Parish President

11/21/2013 1:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

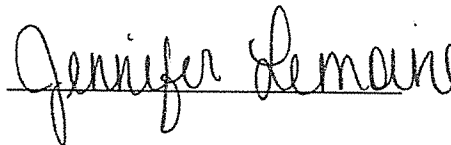
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#26**

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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1451-11-13**

### **Summary No. 3008**

Introduced by: Administration on 11/5/13

Public hearing held on 11/19/13

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ACCEPT OWNERSHIP OF A DONATION OF THE FOLLOWING PROPERTIES, EXCEPT ANY THAT MAY OTHERWISE BE TRANSFERRED TO A THIRD PARTY PRIOR TO THE ENACTMENT OF THIS ORDINANCE, FROM THE LOUISIANA LAND TRUST.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Council, the Governing Authority, does hereby authorize the acceptance of ownership by St. Bernard Parish Government of the attached list (Exhibit A) of Louisiana Land Trust properties from the Louisiana Land Trust.

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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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Page -2-  
Extract #26 continued  
November 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

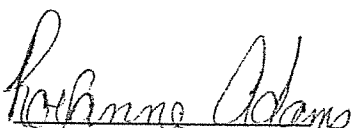
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavnagac, cast his vote as YEA.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11/21/2013 1:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

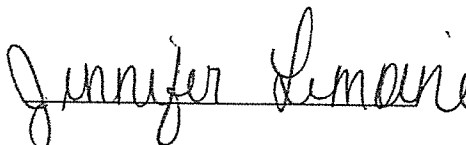
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by



**EXHIBIT "A"**  
**SUMMARY NO. 3008**  
**Ordinance SBPC #1451-11-13**

1942 Benjamin	637 Norton
1946 Benjamin	305 Norton
1950 Benjamin	2 Packenham
1958 Benjamin	6 Packenham
1962 Benjamin	3809 Evangeline
1966 Benjamin	3801 Evangeline
1970 Benjamin	8529 Prince
2100 Center	8541 Prince
2104 Center	3800 Kings
2002 Benjamin	8301 Hermitage
1448 Perrin	8313 Hermitage
2035 Benjamin	8321 Hermitage
2105 Benjamin	8325 Hermitage
2113 Benjamin	8401 Hermitage
2121 Benjamin	8409 Hermitage
2205 Benjamin	8417 Hermitage
2213 Benjamin	8425 Hermitage
2217 Benjamin	4024 Evangeline
2301 Benjamin	4025 Evangeline
2325 Benjamin	4017 Evangeline
1049 Cougar	4012 Evangeline
1021 Cougar	4000 Evangeline
1001 Cougar	8420 Hermitage
921 Cougar	8412 Hermitage
917 Cougar	8408 Hermitage
905 Cougar	8400 Hermitage
813 Cougar	8332 Hermitage
801 Cougar	8324 Hermitage
709 Cougar	8320 Hermitage
701 Cougar	8312 Hermitage
633 Cougar	8329 Benjamin
625 Cougar	8337 Benjamin
605 Cougar	8405 Benjamin
517 Cougar	8409 Benjamin
444 Cougar	8417 Benjamin
436 Cougar	8425 Benjamin
416 Cougar	4020 Hamlet
7227 St. Claude	4036 Hamlet

4044 Hamlet  
 4052 Hamlet  
 4060 Hamlet  
 4001 Kings  
 3929 Kings  
 3921 Kings  
 3829 Kings  
 3821 Kings  
 3817 Kings  
 3809 Kings  
 3801 Kings  
 3729 Kings  
 3713 Kings  
 3535/33 Kings  
 3529/31 Kings  
 3525/27 Kings  
 3547/45 Kings  
 3917 Plaza  
 3849 Plaza  
 3845 Plaza  
 804 Magistrate  
 1201 Magistrate  
 3625/27 Jupiter  
 3121 Delambert  
 3201 Delambert  
 3221 Delambert  
 508 Josephine  
 511/09 Pierre  
 3815/13 Tournefort  
 3920 Gallo  
 3912 Gallo  
 3904 Gallo  
 3804 Gallo  
 3736 Gallo  
 3728 Gallo  
 3608 Gallo  
 3512 Gallo  
 3412 Gallo  
 3304 Gallo  
 3212 Gallo  
 3100 Gallo  
 3016 Gallo  
 3008 Gallo  
 2912 Gallo

2904 Gallo  
 3108 Volpe  
 3109 Volpe  
 3116 Chalona  
 3201 Volpe  
 3209 Volpe  
 3113 Plaza  
 3109 Plaza  
 3105 Rosetta  
 3408 Mumphrey  
 3409 Mumphrey  
 3412 Campagna  
 3507 Blanchard  
 3508 Lena  
 3500 Lena  
 3501 Lena  
 3201 Inez  
 3209 Inez  
 4209 Florida  
 3525 St. Marie  
 3301 St. Marie  
 3229 St. Marie  
 3201 St. Marie  
 3013 St. Marie  
 4504 Newport  
 4108 Mistrot  
 4116 Mistrot  
 4028 Mistrot  
 4000 Mistrot  
 2824 Munster  
 2701 Angelique  
 2409 Daniel  
 2417 Daniel  
 104 West Claiborne  
 120 West Claiborne  
 2412 Artillery  
 2912 Gallo  
 3728 Gallo  
 3912 Gallo  
 3904 Gallo  
 1522 Schnell  
 1603 Center  
 1717 Center  
 1721 Center

1730	Schnell	201	Norton
1911	Center	3332	Pakenham
1916	Schnell	3409	Jupiter
1813	Center	2900	Bartolo
4909	E Judge Perez	2901	Bartolo
1904	Schnell	2901	Munster
3409	Jupiter	2400	Riverbend
126	West Claiborne	2601	Reunion
3625	Jupiter	2833	Reunion
2609	Reunion	101	Fourth
3332	Pakenham	2829	Creely
2601	Reunion	2909	Jean Lafitte
112	West Claiborne	505	Pierre
1516	Schnell	1721	Aycock
2508	Riverbend	1821	Aycock
3001	Palmisano	1901	Aycock
104	West Claiborne	2005	Aycock
131	East Claiborne	6900	Patricia
1403	Center	2817	Blomquist
1405	Center	3306	Bartolo
1509	Center	3312	Bartolo
1510	Schnell	3300	Bartolo
1517	Center	3313	Bartolo
1609	Center	3301	Bartolo
1615	Center	3307	Bartolo
1616	Schnell	3318	Bartolo
1701	Center	3400	Bartolo
1705	Center	3324	Bartolo
1736	Schnell	3319	Bartolo
1804	Schnell	3325	Bartolo
1808	Schnell	3401	Bartolo
1819	Center	3413	Bartolo
1820	Schnell	3407	Bartolo
1823	Center	3419	Bartolo
1923	Center	3406	Bartolo
1927	Center	3418	Bartolo
1933	Center	3412	Bartolo
2001	Benjamin	3512	Bartolo
7304	Patricia	3518	Bartolo
401	Center	3501	Bartolo
1914	Alexander	3525	Bartolo
1920	Alexander	3600	Bartolo
113	Norton	3613	Bartolo



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1452-11-13**

### **Summary No. 3009**

Introduced by: Administration on 11/5/13

Public hearing held on 11/19/13

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF STARLING STREET, AS STATED IN ORDINANCE P3-72, PASSED FEBRUARY 1972.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, Christie Development Corporation, the developer of Starling Street which commences at: the intersection of Western Line of Lot G-24 with the Northern Right of Way Line of St. Bernard Highway, measures thence North 7 degrees 0 minutes East a distance of 1578 feet to a point, measures thence on a line bearing South 82 degrees, 7 minutes East a distance of 273.77 feet to a point, measures thence on a line bearing South 84 degrees 1 minute East a distance of 100.51 feet to a point, and measures thence on a line bearing South 83 degrees 13 minutes East, a distance of 66.02 feet to a point, and measures thence on a line bearing South 6 degrees 54 minutes West, a distance of 1786.07 feet to a point, said point being the intersection with the northern Right of Way Line of St. Bernard Highway, thence on a curve running westerly direction, along the Northern Right of Way line of St. Bernard Highway, a distance of 490.80 feet to the Point of Beginning. COB 109, folio 380, (hereinafter referred to as "Starling Street") Dedicated STARLING STREET in Ordinance P-3-72 passed February 1972.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #27 continued  
November 19, 2013

**WHEREAS**, STARLING STREET as described hereinabove is not needed nor required for public purposes.

**SECTION 1.** The dedication of Starling Street as described above is hereby revoked and declared to be abandoned.

**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:**                    Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                None

The Chairman, Mr. Cavnag, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B


**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -3-  
Extract #27 continued  
November 19, 2013

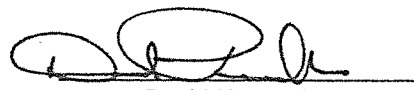
  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11/21/2013 1:45pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

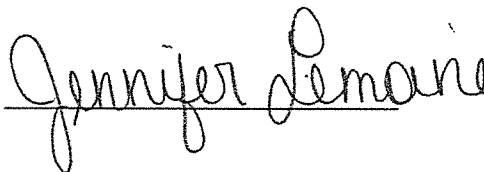
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
[www.sbpj.net](http://www.sbpj.net)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#29**

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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1454-11-13**

### **Summary No. 3011**

Introduced by: Administration on 11/5/13

Public hearing held on 11/19/13

AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.





# St. Bernard Parish Council

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

Page -2-  
Extract #29 continued  
November 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

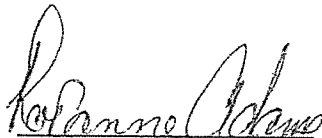
**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 11/21/2013 1:45pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

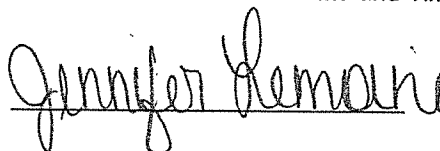
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by



**Summary No. 3011**  
**Exhibit A**  
**Ordinance SBPC #1454-11-13**

G/L ACCOUNT CODE			ACCOUNT TITLE		ENTRY AMOUNT	
FUND	COST CENTER	EXPENSE			Debit	Credit
157	4010	570493	Dept. of Public Works: Construction in Progress		540,000.00	
157	2161	570493	34th Judicial: Construction in Progress		726,000.00	
157	3310	570493	Fire: Construction in Progress		600,000.00	
157	6110	570493	Recreation: Construction in Progress		650,000.00	
157	3495	570493	Recovery: Construction in Progress		1,783,000.00	
157	4310	570493	Water & Sewerage: Construction in Progress		5,001,000.00	
157	4310	570493	W & S Capital Bond Proceeds: Const. in Progress			9,300,000.00
					9,300,000.00	9,300,000.00



# *St. Bernard Parish Council*

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*Councilman  
at Large*

**George Cavignac**  
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**Ray Lauga, Jr.**  
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District A*

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**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#30**

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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1455-11-13**

### **Summary No. 3012**

Introduced by: Councilman McInnis on 11/5/13  
Public hearing held on 11/19/13

AN ORDINANCE TO ORDER THE DEMOLITION OF STRUCTURES THAT ARE UNSAFE, DILAPIDATED, DANGEROUS AND ENDANGER THE PUBLIC WELFARE AND ARE IN VIOLATION OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

CONSIDERING, protecting the public health, safety and welfare of the people of St. Bernard Parish, the purpose of this ordinance is to provide a means to demolish the structures within the Parish and for the orderly process thereof, and to supersede all ordinances or parts of ordinances in conflict, and;

CONSIDERING, that Hurricane Katrina occurred more than eight years ago and there are still numerous structures that are unsafe, dangerous, dilapidated and endanger the public welfare that are in violation of the St. Bernard Parish Code of Ordinances,

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

SECTION 1. The structures identified on the attached Exhibit 1 are hereby ordered to be demolished after notice is issued as provided in Section 2.

SECTION 2. The Parish shall provide at least fifteen days advance notice to property owners via publication in the Parish's official journal, posting on the Parish Government's website, posting on the structures to be demolished and United States Postal Service regular mail addressed to the property owner's last known address, that the structures identified on the attached Exhibit "A" are to be demolished.



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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[www.sbpq.net](http://www.sbpq.net)

Page -2-  
Extract #30 continued  
November 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 3. 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 4. 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 of this Ordinance with the invalid portions omitted.

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

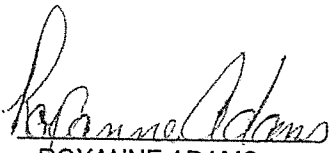
**YEAS:** Lauga, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty

The Chairman, Mr. Cavnagac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

11/21/2013 1:45pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #30 continued  
November 19, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

Parish President

  
David E. Peralta

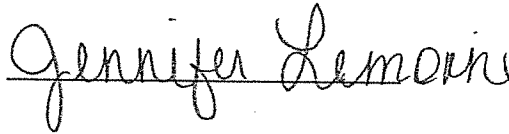
**Nathan Gorbaty**  
*Councilman  
District B*

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

**Richard "Richie" Lewis**  
*Councilman  
District C*

Received by



**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**EXHIBIT "A"**  
**SUMMARY NO. 3012**  
**Ordinance SBPC #1455-11-13**

---

213	4th St.	825	Lebeau
804	Bayou Rd.	2024	Kingbird Blvd.
2006	Benjamin St.	3220	Lyndel Dr.
6729	Bienvenue St.	3025	Munster Blvd.
2100	Centanni	3833	Plaza Dr.
3008	Charles Dr.	2704	Reunion Dr.
2802	Daniel Dr.	2712	Rosetta Dr.
317 and 319	Delaronde Dr.	3009	Rosetta Dr.
4317	E. Genie St.	2112	S. River Park
5001	E. Judge Perez Dr.	1619	Schnell Dr.
1634	E. St. Bernard Hwy.	2818	Stacie Dr.
2901	Golden Dr.	2917	Stacie Dr.
1328	Green Ave.	3009	Stacie Dr.
7	Guerraland Ln.	3307	Stacie Dr.
2231	Highland St.	2307	Tiffany Ct.
1889	Joseph Dr.	8901-03 W.	Judge Perez Dr.
3817	Juno Dr.	208	W. Urquhart Dr.
3913	Jupiter Dr.	2300	Walkers LN.



# *St. Bernard Parish Council*

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(504) 278-4228    Fax (504) 278-4209  
www.sbpj.net

**Guy McInnis**  
*Councilman  
at Large*

**#31**

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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 19, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1456-11-13**

### **Summary No. 3013**

Introduced by: Councilman McInnis on 11/5/13  
Public hearing held on 11/19/13

AN ORDINANCE TO DECLARE AS SURPLUS 3008 PLAZA DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO DAVID PERNICIARO.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 3008 Plaza Dr. was adjudicated to the Parish on June 23, 2010.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, David Perniciaro has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

3008 Plaza Dr.  
Chalmette, Louisiana 70043  
LOT 4 SQ. F. Chalmette Plaza Sub 50 X 109 = 5450

This property will be referred to hereinafter in this ordinance as "3008 Plaza Dr."

**SECTION 2.** It is determined that David Perniciaro is the adjoining owner that has maintained the property for more than one year.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -2-  
Extract #31 continued  
November 19, 2013

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 3008 Plaza Drive to David Perniciaro for the purchase price of \$1,000.00 with David Perniciaro to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that David Perniciaro continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:**                    Lauga, Lewis, Montelongo, McInnis

**NAYS:**                    None

**ABSENT:**                Gorbaty

**DID NOT VOTE:** Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19<sup>th</sup> day of November, 2013





# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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Extract #31 continued  
November 19, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

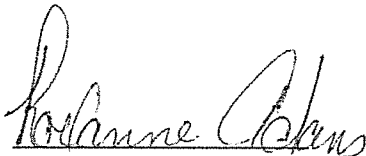
**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E


**Roxanne Adams**  
Clerk of Council

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President

11/21/2013 1:45pm  
Date and Time

Approved 

Vetoed

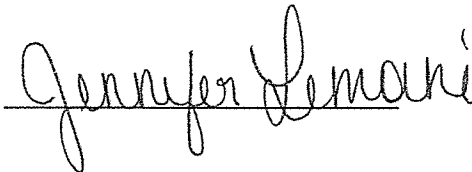
Parish President

  
David E. Peralta

Returned to Clerk of the Council

11/21/2013 4:10pm  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1457-12-13**

### **Summary No. 2997**

Introduced by: Administration on 10/1/13  
Public Hearing held on 12/3/13

AN ORDINANCE TO ADOPT THE 2014 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2014 is hereby adopted as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
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Page -2-  
Extract #22 continued  
December 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty" Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

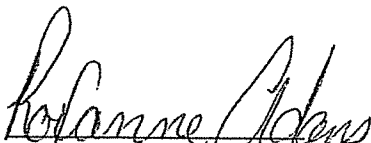
**YEAS:** Lauga, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/4/2013 2:15pm  
Date and Time

Approved                     

Vetoed                     

Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by



**ST. BERNARD PARISH GOVERNMENT**  
**SUMMARY STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCES**  
**2014 Capital & Operating Budget, Adopted 12-3-2013**

DEPARTMENT	2014 Introduced Budget Revenue	Proposed Revenue Revisions	2014 Revised Proposed Budget Revenue	2014 Introduced Budget Expense	Proposed Expense Revisions	2014 Revised Proposed Budget Expense	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS SALES TAX	TRANSFERS OTHER	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2014	FUND BALANCE DEC. 31, 2014
<b>GENERAL FUNDS</b>												
001 GENERAL FUND	5,361,862	195,827	5,557,689	8,812,112	3,865,978	12,678,090	(7,120,401)	3,698,117	272,284	(3,150,000)	3,251,346	101,346
005 34TH JUDICIAL COURT	28,000	-	28,000	2,083,000	152,500	2,235,500	(2,207,500)	1,907,500	300,000	-	-	-
50 SALES TAX	11,140,000	560,000	11,800,000	991,800	(46,200)	945,600	10,854,400	(10,946,216)	-	(91,816)	1,698,139	1,606,323
52 CIVIC AUDITORIUM	200,000	(50,000)	150,000	167,000	34,200	201,200	(51,200)	-	-	(51,200)	14,481	(36,719)
60 COMMUNITY DEV	1,354,050	23,100	1,377,150	2,084,850	8,080	2,092,930	(715,780)	715,780	-	-	50,748	50,748
180 BP Oil Spill	-	-	-	-	-	-	-	-	(192,284)	(192,284)	192,284	-
<b>Total General Fund</b>	<b>18,083,912</b>	<b>828,927</b>	<b>18,912,839</b>	<b>14,138,762</b>	<b>4,014,558</b>	<b>18,153,320</b>	<b>- 759,519</b>	<b>(4,624,819)</b>	<b>380,000</b>	<b>(3,485,300)</b>	<b>5,206,998</b>	<b>1,721,698</b>
<b>SPECIAL REVENUES</b>												
53 CRIMINAL COURT 34TH	252,500	-	252,500	50,000	(7,000)	43,000	209,500	-	(176,987)	32,513	161,148	193,661
54 FIRE DEPT	10,590,077	162,350	10,752,427	10,134,505	5,050,134	15,184,639	(4,432,212)	-	-	(4,432,212)	7,421,450	2,989,238
59 COUNCIL ON AGING	303,000	(11,800)	291,200	323,900	13,250	337,150	(45,950)	-	-	(45,950)	426,326	380,376
61 RECREATION	1,102,350	(142,050)	960,300	1,559,466	131,289	1,690,755	(730,455)	730,455	-	-	-	-
62 PUBLIC WORKS	2,656,000	202,100	2,858,100	4,033,760	(113,011)	3,920,749	(1,062,649)	1,062,649	-	-	-	-
63 ROAD LIGHTING	388,300	(12,274)	376,026	803,550	-	803,550	(427,524)	427,524	-	-	-	-
64 SANITATION DEPT	4,978,592	980	4,979,572	4,978,592	980	4,979,572	-	-	-	-	-	-
67 WIA	3,306,300	-	3,306,300	3,306,300	-	3,306,300	-	-	-	-	-	-
71 HEALTH	199,800	(7,700)	192,100	100,700	-	100,700	91,400	-	-	91,400	757,103	848,503
73 COMMUNICATIONS	365,000	-	365,000	371,100	14,050	385,150	(20,150)	-	-	(20,150)	285,799	265,649
77 HOUSING & REDEVELOPMENT	6,017,295	(9,150)	6,008,145	6,156,015	(162,511)	5,993,504	14,641	-	-	14,641	2,524,024	2,538,665
79 U.M.T.A.	1,144,750	6,000	1,150,750	1,285,650	(653,675)	631,975	518,775	-	(250,000)	268,775	1,653,919	1,922,694
86 DEPUTY WITNESS FEES	62,000	-	62,000	95,600	-	95,600	(33,600)	-	69,987	36,387	(36,387)	-
160 CDBG DISASTER RECOVERY	19,321,000	(1,200)	19,319,800	19,321,000	(18,972,200)	348,800	18,971,000	-	(18,971,000)	-	39,750	39,750
170 HAZARD MITIGATION	13,474,455	1,100	13,475,555	13,474,455	(12,636,607)	837,848	12,637,707	-	(12,637,707)	-	36,076,100	36,076,100
429 W&S SALES TAX	3,772,964	-	3,772,964	141,100	-	141,100	3,631,864	(3,631,864)	-	-	-	-
829 FEMA FUNDING	46,066,600	(355,500)	45,711,100	45,711,100	(35,443,300)	10,267,800	35,443,300	-	(35,443,300)	-	11,368,405	11,368,405
<b>Total Special Revenue</b>	<b>114,000,983</b>	<b>(167,144)</b>	<b>113,833,839</b>	<b>111,846,793</b>	<b>(62,778,601)</b>	<b>49,068,192</b>	<b>- 64,765,647</b>	<b>(1,411,236)</b>	<b>(67,409,007)</b>	<b>(4,054,596)</b>	<b>60,677,637</b>	<b>56,623,041</b>
Other Special Revenue												
<b>TOTAL OPERATING ACCOUNTS</b>	<b>132,084,895</b>	<b>661,783</b>	<b>132,746,678</b>	<b>125,985,555</b>	<b>(58,764,043)</b>	<b>67,221,512</b>	<b>- 65,525,166</b>	<b>(6,036,055)</b>	<b>(67,029,007)</b>	<b>(7,539,896)</b>	<b>65,884,635</b>	<b>58,344,739</b>

DEPARTMENT	2014 Introduced Budget Revenue	Proposed Revenue Revisions	2014 Revised Proposed Budget Revenue	2014 Introduced Budget Expense	Proposed Expense Revisions	2014 Revised Proposed Budget Expense	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS	TRANSFERS	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013
CAPITAL PROJECTS								SALES TAX	OTHER			
115 2003 SALES TAX CONSTRUCTION	-	-	-	-	-	-	-	-	90,155	90,155	391,895	482,050
143 COURT HOUSE CAPITAL	-	-	-	-	-	-	-	-	(300,000)	(300,000)	1,282,383	982,383
151 1990 GENERAL OBLIGATION BOND	-	-	-	-	-	-	-	-	-	-	229	229
157 CAPITAL PROJECT FUND	-	-	-	-	-	-	-	-	-	-	-	-
162 ROAD RECONSTRUCTION	-	-	-	-	-	68,234,307	(68,234,307)	335,300	67,329,007	(570,000)	-	(570,000)
163 REBUILD ST. BERNARD	-	-	-	-	-	-	-	27,059	66,225	93,284	(93,284)	-
164 HURRICANE RECONSTRUCT FUND	-	-	-	34	-	34	(34)	-	-	(34)	34	-
252 S/F 1990 GO BONDS	-	-	-	-	-	-	-	-	-	-	4,005,656	4,005,656
428 SVV99 1/2 CENT SALES TAX I&I	-	-	-	34,287	(34,287)	-	-	-	-	-	34,287	34,287
434 1999/2008 SALES TAX CONSTRUCTION	-	-	-	-	-	-	-	-	-	-	1,091,852	1,091,852
	-	-	-	-	-	-	-	-	-	-	1,513,565	1,513,565
Total Capital Projects	-	-	-	34,321	(34,287)	68,234,341	(68,234,341)	362,359	67,185,387	(686,595)	8,226,617	7,540,022
DEBT SERVICE FUNDS												
201 BOND RESERVE 1973-80	-	-	-	-	-	-	-	-	(929)	(929)	929	-
209 VERSAILLES PAVING LIENS	-	-	-	-	-	-	-	-	-	-	(24,477)	(24,477)
211 2003 SALES TAX BONDS	-	-	-	-	-	-	-	-	(155,451)	(155,451)	155,451	-
212 2012 SALES TAX BONDS	-	-	-	-	-	-	-	-	-	-	1,104,788	1,104,788
430 2004 SALES TAX DEBT SERVICE	-	-	-	1,782,250	-	1,782,250	(1,782,250)	1,782,250	-	-	(35,487,196)	(35,487,196)
432 1999/2008 SALES TAX DEBT SERVICE	-	-	-	2,695,656	-	2,695,656	(2,695,656)	2,695,656	-	-	(4,788,240)	(4,788,240)
433 1999/2008 SALES TAX RESERVE	-	-	-	809,465	-	809,465	(809,465)	809,465	-	-	867,340	867,340
Total Debt Service	-	-	-	5,287,371	-	5,287,371	(5,287,371)	5,287,371	(156,380)	(156,380)	(38,171,405)	(38,327,785)
INTERNAL SERVICE FUND												
350 INSURANCE	819,600	-	1,245,663	1,954,801	(304,388)	1,650,413	(404,750)	386,325	38,325	19,900	676,655	696,555
375 W&S INSURANCE	156,400	-	254,675	434,700	(150,275)	284,425	(29,750)	-	29,750	-	796,911	796,911
Total Internal Service	975,000	-	1,500,338	2,389,501	(454,663)	1,934,838	(434,500)	386,325	68,075	19,900	1,473,566	1,493,466
WATER & SEWER DIVISION												
400 WATER & SEWER OPERATIONS	5,552,300	-	5,552,300	5,243,900	630,266	5,874,166	(321,866)	-	(68,075)	(389,941)	168,098,500	167,708,559
401 50 MILLION BOND	-	-	-	-	-	-	-	-	-	-	(113,390)	(113,390)
416 WATER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	133,528	133,528
417 WATER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	96,977	96,977
418 SEWER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	111,496	111,496
419 SEWER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	11,164	11,164
Total Water & Sewer	5,552,300	-	5,552,300	5,243,900	630,266	5,874,166	(321,866)	-	(68,075)	(389,941)	168,338,275	167,948,334
TOTAL ALL FUNDS	138,612,195	661,783	139,799,316	138,940,648	(58,622,727)	148,552,228	(8,752,912)	-	-	(8,752,912)	205,751,688	196,998,776



## *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#23**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

### **ORDINANCE SBPC # 1458-12-13**

#### **Summary No. 3014**

Introduced by: Administration on 11/19/13

AN ORDINANCE TO DECLARE THE PROPERTIES ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID PROPERTIES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, the Parish considers the properties listed on the attached Exhibit "A" as surplus and these properties are not needed for a public purpose of the Parish, and;

**WHEREAS**, the Parish intends to transfer these properties in compliance with state law.

**SECTION 1.** The properties on the attached Exhibit "A" are hereby declared surplus and are not needed for any public purpose.

**SECTION 2.** The President of St. Bernard Parish Government is hereby authorized to execute any documents necessary to transfer the properties listed on the attached Exhibit "A" in compliance with state law. However the property described as "Lots 1, 2, 3, 4, 5, 24, 25, 26, 27, 28, 29 and 30 enclosed by the letters "A", "B", "C", "D" and "E", in square No. 1, which square is bounded by Public Road, Railroad Avenue, Avenue "A" and Fifth Street in "ALLUVIAL CITY", Saint Bernard Parish, Louisiana" shall be returned to the Council prior to authorization for auction.

**SECTION 3.** 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.



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #23 continued  
December 3, 2013

**SECTION 4. 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:

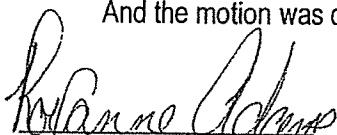
**YEAS:** Lauga, Lewis, Montelongo, McInnis

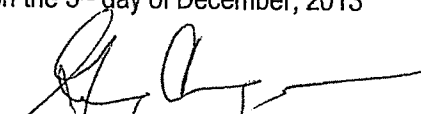
**NAYS:** None

**ABSENT:** Gorbaty, Hunnicutt

The Chairman, Mr. Cavnac, cast his vote as YEA.

And the motion was declared adopted on the 3<sup>rd</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL


  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/6/2013 2:15pm  
Date and Time

Approved                     

Vetoed                     

Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by



**Ordinance SBPC #1458-12-13**  
**Summary No. 3014**  
**Exhibit "A"**

	<u>BER #</u>	<u>Address</u>
1	110317	2100 A ST VIOLET LA - 70092
2	126540	4512 ANAIS ST MERAUX LA - 70075
3	094791	2817 ANGELIQUE DR VIOLET LA - 70092
4	610016	2304 ARTILLERY DR CHALMETTE LA - 70043
5	047863	1905 AYCOCK ST ARABI LA - 70032
6	054000	1620 AYCOCK, ARABI, LA. 70032
7	062082	2516 BARTOLO DR MERAUX LA - 70075
8	065984	8516 BENJAMIN ST CHALMETTE LA - 70043 1104
9	400096	3507 BLANCHARD DR CHALMETTE LA - 70043
10	400519	2504 CAMPAGNA DR CHALMETTE LA - 70043
11	400533	3916 CAMPAGNA DR CHALMETTE LA - 70043
12	118861	3712 CAMPAGNA DR., CHALMETTE, LA. 70043
13	400354	23 CAROLYN CT ARABI LA - 70032
14	074574	12 CAROLYN CT., ARABI, LA. 70032
15	183722	10 CAROLYN CT., ARABI, LA. 70032
16	007490	507 CENTER ST ARABI LA - 70032
17	063346	1600 CENTER ST ARABI LA - 70032
18	113442	519 CENTER ST ARABI LA - 70032
19	137075	4429 COLONY DR MERAUX LA - 70075
20	042413	212 CONEY DR ARABI LA - 70032
21	055141	2007 CONGRESSMAN HEBERT DR CHALMETTE LA - 70043
22	063156	3301 CORINNE ST CHALMETTE LA - 70043
23	083464	2700 CREELY DR CHALMETTE LA - 70043
24	066909	8328 CREOLE DR CHALMETTE LA - 70043
25	188863	2300 CULOTTA ST CHALMETTE LA - 70043
26	400049	2209 CULOTTA ST CHALMETTE LA - 70043
27	084832	212 D'AMOUR, ST., CHALMETTE, LA. 70043
28	400071	700 DARYL DR CHALMETTE LA - 70043
29	400070	712 DARYL DR CHALMETTE LA - 70043 1424
30	400490	3601 DAUTERIVE DR CHALMETTE LA - 70043
31	019002	2813 DECOMINE DR CHALMETTE LA - 70043
32	620065	3805 DECOMINE DR CHALMETTE LA - 70043
33	011638	3304 DELAMBERT ST CHALMETTE LA - 70043
34	400053	3518 DELAMBERT ST CHALMETTE LA - 70043
35	043247	3516 DESPAUX DR CHALMETTE LA - 70043
36	180104	3804 DESPAUX DR CHALMETTE LA - 70043
37	155173	66 E CLAIBORNE SQ., CHALMETTE, LA. 70043
38	040029	1005 E. GENIE ST CHALMETTE LA - 70043
39	046706	22 E. QUEENS CT., CHALMETTE, LA 70043
40	060685	420 E. SAINT JEAN BAPTIST CHALMETTE LA - 70043
41	610065	1001 EAGLE DR CHALMETTE LA - 70043
42	025258	2408 EDGAR DR VIOLET LA - 70092
43	072134	2417 EDGAR VIOLET LA - 70092



**Ordinance SBPC #1458-12-13**  
**Summary No. 3014**  
**Exhibit "A"**

44	100583	3600 EVANGELINE DR CHALMETTE LA - 70043
45	400474	8533 FAIRFAX DR CHALMETTE LA - 70043
46	400475	8517 FAIRFAX DR CHALMETTE LA - 70043
47	620383	8329 FAIRFAX DR CHALMETTE LA - 70043
48	153907	2316 FENELON ST., CHALMETTE, LA. 70043
49	040903	6312 FOURTH ST VIOLET LA - 70092
50	012466	309 FOX DR ARABI LA - 70032
51	026510	2213 GALLANT DR CHALMETTE LA - 70043
52	124397	2717 GALLO DR CHALMETTE LA - 70043
53	400085	3512 GALLO DR CHALMETTE LA - 70043
54	052388	2413 GARDEN DR MERAUX LA - 70075
55	050344	2313 GENERAL PERSHING ST VIOLET LA - 70092
56	074513	4416 GENIE ST MERAUX LA - 70075
57	033091	3609 HAZEL DR MERAUX LA - 70075
58	039975	5 JAMIE CT VIOLET LA - 70092 5529
59	011611	2212 JEAN LAFITTE PKWY CHALMETTE LA - 70043
60	030166	2804 JEAN LAFITTE PKWY CHALMETTE LA - 70043
61	061249	3713 JEAN LAFITTE PKWY CHALMETTE LA - 70043
62	005909	1885 JOSEPH DR ST. BERNARD LA - 70085
63	105257	3408 JUDY DR MERAUX LA - 70075
64	069482	53 JUPITER CIR VIOLET LA - 70092
65	058694	2212 KENILWORTH DR ST. BERNARD LA - 70085
66	046738	2412 KENNETH DR VIOLET LA - 70092
67	043729	2045 LIVACCARI DR VIOLET LA - 70092
68	039143	321 LIVINGSTON, ARABI, LA. 70032
69	042614	6515 LOUIS ELAM ST VIOLET LA - 70092
70	121003	2912 LYNDELL DR CHALMETTE LA - 70043
71	076364	3225 LYNDELL DR, CHALMETTE, LA 70043
72	007606	3217 LYNDELL DR, CHALMETTE, LA 70043
73	067448	400 LYNX, ARABI, LA. 70032
74	110863	2301 MAPLE, ST. BERNARD, LA. 70085
75	400516	2413 MARIETTA ST CHALMETTE LA - 70043
76	099037	2800 MARQUEZ DR MERAUX LA - 70075
77	197246	3132 MAUREEN LN MERAUX LA - 70075
78	198615	2324 MAUREEN LN MERAUX LA - 70075
79	400636	3129 MAUREEN LN MERAUX LA - 70075
80	006700	1928 MEHLE ARABI LA - 70032
81	017849	2217 MEHLE AVE ARABI LA - 70032
82	088690	1721 MEHLE AVE ARABI LA - 70032
83	610171	2126 MEHLE AVE ARABI LA - 70032
84	060694	1729 MEHLE AVE., ARABI, LA. 70032
85	132965	2901 MERAUX LN VIOLET LA - 70092
86	015755	3012 MUMPHREY RD CHALMETTE LA - 70043
87	070614	3808 MUMPHREY RD CHALMETTE LA - 70043

# Ordinance SBPC #1458-12-13

## Summary No. 3014

### Exhibit "A"

88	016376	3116 MUNSTER BLVD MERAUX LA - 70075
89	400586	3124 MUNSTER BLVD MERAUX LA - 70075
90	089129	703 N. ROBERTSON ST, CHALMETTE, LA.70043
91	218262	2917 NANCY, MERAUX, LA 70075
92	400388	3708 NORWOOD DR CHALMETTE LA - 70043
93	610394	3840 NORWOOD DR., CHALMETTE, LA. 70043
94	016177	2800 OAK DR VIOLET LA - 70092
95	054676	53 PACKENHAM AVE CHALMETTE LA - 70043
96	080570	25 PACKENHAM, CHALMETTE, LA. 70043
97	050022	3100 PALMETTO ST CHALMETTE LA - 70043
98	217696	3124 PALMETTO ST CHALMETTE LA - 70043
99	028340	3509 PECAN DR CHALMETTE LA - 70043
100	620076	3701 PECAN DR CHALMETTE LA - 70043
101	228079	2829 PIRATE DR CHALMETTE LA - 70043
102	610113	7224 PROSPERITY ST., ARABI, LA. 70032
103	620113	7228 PROSPERITY ST., ARABI, LA. 70032
104	038630	50 QUEENS CT CHALMETTE LA - 70043
105	044120	2400 REPOSE ST VIOLET LA - 70092
106	084315	2304 REPOSE, VIOLET, LA 70092
107	052664	2217 REUNION DR VIOLET LA - 70092
108	400614	2620 REUNION DR VIOLET LA - 70092
109	061516	2801 RIVERBEND DR VIOLET LA - 70092
110	069634	1833 ROBERT DR POYDRAS LA - 70085
111	021657	504 ROWLEY BLVD ARABI LA - 70032
112	182319	813 ROWLEY BLVD ARABI LA - 70032
113	196351	505 ROWLEY BLVD., ARABI, LA. 70032
114	089756	1529 SCHNELL DR ARABI LA - 70032
115	400337	1916 SCHNELL DR ARABI LA - 70032
116	025412	225 SEAL, ARABI, LA. 70032
117	087679	224 SEAL, ARABI, LA. 70032
118	019715	8529 SQUADRON DR CHALMETTE LA - 70043
119	035942	7227 SUCCESS, ARABI, LA. 70032
120	112061	2808 TARA DR VIOLET LA - 70092
121	079576	5533 THIRD ST VIOLET LA - 70092
122	003803	2045 VALMAR DR MERAUX LA - 70075
123	053522	3617 VENTURA DR CHALMETTE LA - 70043
124	400543	3816 VENTURA DR., CHALMETTE, LA. 70043
125	135611	2612 VERONICA DR CHALMETTE LA - 70043
126	056565	2101 VOLPE DR CHALMETTE LA - 70043
127	610081	3608 VOLPE DR CHALMETTE LA - 70043
128	026087	2201 W CHRISTIE DR POYDRAS LA - 70085
129	188559	2141 WALKERS LN MERAUX LA - 70075
130	081654	2033 YSCLOSKEY HWY ST. BERNARD LA - 70085

# Ordinance SBPC #1458-12-13

## Summary No. 3014

### Exhibit "A"

131

Lots 1, 2, 3, 4, 5, 24, 25, 26, 27, 28, 29 and 30 enclosed by the letters A", "B", "C", "D" and "E", in square No. 1, which square is bounded by Public Road, Railroad Avenue, Avenue "A" and Fifth Street in "ALLUVIAL CITY", Saint Bernard Parish, Louisiana, as per plan and survey of School Site shown on plan of C.A. Robert, Civil Engineer and Surveyor, dated June 7<sup>th</sup>, 1930, and annexed to the original of this Act and made part hereof, by reference and paraphed by the undersigned Clerk of Court and Ex Officio Notary Public, to identify said plan with this act.

And as per survey of Thomas P. Reed, C. E. & S., dated August 15, 1977, a copy of which is annexed hereto and made a part hereof, said property is more fully described as commencing 272.8.7 feet from the intersection of Fifth Street and (Public Rd.) La. State Hwy. 46, and measures thence in an easterly direction along (Public Road) La. State Hwy. 46 a distance of 137.1.0 feet to a point, thence in a westerly direction on an are having a radius of 1935.08 a distance of 319.8.2 feet to a point, thence in a southeasterly direction a distance of 347.1.0 feet to a point, thence n a northeasterly direction a distance of 258.9.0 feet to the point of beginning.

Being the same property acquired by the St. Bernard Parish Police Jury from St. Bernard Parish School Board by Act of Exchange of Property passed before notary Glenn E. Diaz, dated April 16, 1977 recorded at 149 710 in the St Bernard Parish Conveyance Records.



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#24**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1459-12-13**

### **Summary No. 3015**

Introduced by: Administration on 11/5/13  
Public hearing held on 12/3/13

AN ORDINANCE TO DECLARE AS SURPLUS 7236 HATTIE STREET, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO ANTHONY CALABRESI, SR.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 7236 Hattie St. was adjudicated to the Parish on June 23, 2010.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Anthony Calabresi, Sr. has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

7236 Hattie St.  
Arabi, Louisiana 70032  
LOT 47 Block P St. Claude Hgts. 49 X 100

This property will be referred to hereinafter in this ordinance as "7236 Hattie St."



## *St. Bernard Parish Council*

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Page -2-  
Extract #24 continued  
December 3, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnag**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbay**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**SECTION 2.** It is determined that Anthony Calabresi, Sr. is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 7236 Hattie Street to Anthony Calabresi, Sr. for the purchase price of **\$1000.00**, with Anthony Calabresi, Sr. to pay any closing costs. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Anthony Calabresi, Sr. continues to maintain the property up until the date of the sale.

**SECTION 4.** 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 5.** 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:**            Lauga, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbay, Hunnicutt

The Chairman, Mr. Cavnag, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013



# St. Bernard Parish Council

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**Guy McInnis**  
Councilman  
at Large

**George Cavnagac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbati**  
Councilman  
District B

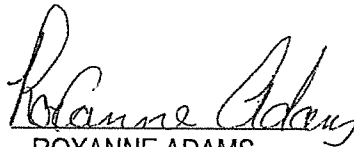
**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council


Page -3-  
Extract #24 continued  
December 3, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

12/6/2013 2:15pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53 am  
Date and Time

Received by





# *St. Bernard Parish Council*

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*Councilman  
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*Councilman  
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*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#25**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1460-12-13**

### **Summary No. 3016**

Introduced by: Administration on 11/5/13

Public hearing held on 12/3/13

AN ORDINANCE TO DECLARE AS SURPLUS 1005 COUGAR DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO NICHOLE CASTELLO.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 1005 Cougar Dr. was adjudicated to the Parish on June 25, 2008.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Nichole Castello has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

1005 Cougar Dr.

Arabi, Louisiana 70032

LOT 1224 SQ. 46 Carolyn Park Sub 50 X 110 = 5500

This property will be referred to hereinafter in this ordinance as "1005 Cougar Dr."



## *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

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Extract #25 continued

December 3, 2013

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**SECTION 2.** It is determined that Nichole Castello is the adjoining owner that has maintained the property for more than one year.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 1005 Cougar Drive to Nichole Castello for the purchase price of \$1000.00, with Nichole Castello to pay any closing costs. Approval and sale is contingent upon affidavit certified/signed by Ms. Castello. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Nichole Castello continues to maintain the property up until the date of the sale.

**SECTION 4. 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 5. 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:** Lauga, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

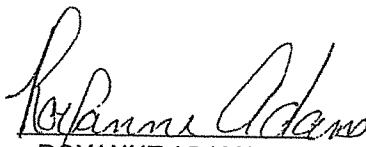
**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #25 continued  
December 3, 2013


  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/4/2013 2:15pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by





# *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)

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#27**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1461-12-13**

### **Summary No. 3018**

Introduced by: Administration on 11/5/13

Public hearing held on 12/3/13

AN ORDINANCE TO DECLARE AS SURPLUS 3121 JUDY DRIVE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY TO JULIE MURRAY.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

Whereas, the property located at 3121 Judy Dr. was adjudicated to the Parish on June 23, 2010.

Whereas, the Parish considers this property surplus and it is not needed for a public purpose.

Whereas, Julie Murray has submitted an offer to purchase the property at a price set by the Parish Council and the Parish Council has determined he is the adjoining property owner that has maintained the property for more than one year.

**SECTION 1.** The following adjudicated property is surplus and is not needed for any public purpose:

3121 Judy Dr.

Chalmette, Louisiana 70043

LOT 172 Fisher-Dazat Sub., Meas. 50 X 115 = 5750

This property will be referred to hereinafter in this ordinance as "3121 Judy Dr."



## *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -2-  
Extract #27 continued  
December 3, 2013

**George Cavnac**  
*Councilman  
at Large*

**SECTION 2.** It is determined that Julie Murray is the adjoining owner that has maintained the property for more than one year.

**Ray Lauga, Jr.**  
*Councilman  
District A*

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to sell 3121 Judy Drive to Julie Murray for the purchase price of \$1000.00, with Julie Murray to pay any closing costs. Approval and sale is contingent upon affidavit certified/signed by Ms. Julie Murray. The President is further authorized to execute all documents necessary to effectuate the sale in compliance with La.R.S. 47:2201 et seq., specifically, La.R.S. 47:2202B & La.R.S. 47:2206, as well as the St. Bernard Parish Adjudicated Surplus Properties Program (Ordinance SBPC# 1378-03-13) provided that Julie Murray continues to maintain the property up until the date of the sale.

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**SECTION 4. 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.

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

**SECTION 5. 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.

**Roxanne Adams**  
*Clerk of Council*

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

**YEAS:**            Lauga, Lewis, Montelongo, McInnis

**NAYS:**            None

**ABSENT:**        Gorbaty, Hunnicutt

The Chairman, Mr. Cavnac, cast his vote as YEA.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013



# *St. Bernard Parish Council*

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**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

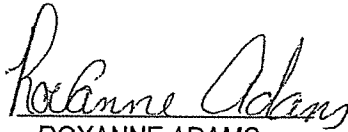
**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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Extract #27 continued  
December 3, 2013

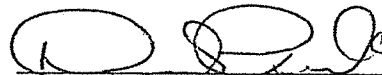
  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/12/2013 2:15pm  
Date and Time

Approved ✓ Vetoed \_\_\_\_\_


Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by





# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#29**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1462-12-13**

### **Summary No. 3020**

Introduced by: Administration on 11/5/13

Public hearing held on 12/3/13

AN ORDINANCE TO APPROVE THE HIRING OF ATTORNEYS, PATRICK FANNING, ATTORNEY AT LAW, AND EDWARD F. KOHNKE, IV AND RACHAL D. CHANCE, OF PREIS & ROY, A PROFESSIONAL LAW CORPORATION TO REPRESENT ST. BERNARD PARISH GOVERNMENT IN THE MATTER OF ST. BERNARD PARISH WATERWORKS, AKA ST. BERNARD PARISH WATERWORKS, Docket #2013-15317-HH AND IN ANY MATTERS RELATED THERETO, AS WELL AS IN ANY LITIGATION OR CLAIMS FOR DAMAGES ALLEGEDLY CAUSED BY NAEGLERIA FOWLERI AMOEBA AND IN ANY MATTERS RELATED THERETO.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the Governing Authority, does hereby approve and authorize the employment of Patrick J. Fanning, Attorney at Law, and Edward F. Kohnke, IV and Rachal D. Chance of the Preis & Roy, a Professional Law Corporation to represent St. Bernard Parish Government in the Matter of St. Bernard Parish Waterworks, aka St. Bernard Parish Waterworks, Docket # 2013-15317-HH and in any matters related there to, as well as in any litigation or claims for damages allegedly caused by Naegleria Fowleri Amoeba and in any matters related thereto.

SECTION 2. Compensation. The compensation shall be at hourly rates not to exceed the fee schedule from the Louisiana Attorney General.

SECTION 3. 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



# St. Bernard Parish Council

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Page -2-  
Extract #29 continued  
December 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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 4. 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 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: Lauga, Lewis, Montelongo, McInnis

NAYS: None

ABSENT: Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared adopted on the 3<sup>rd</sup> day of December, 2013

ROXANNE ADAMS  
CLERK OF COUNCIL

GEORGE CAVIGNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/16/2013 2:15pm  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

David E. Peralta



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

Page -3-  
Extract #29 continued  
December 3, 2013

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by

Ashley Ahemann



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#30**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1463-12-13**

### **Summary No. 3021**

Introduced by: Administration on 11/5/13  
Public hearing held on 12/3/13

AN ORDINANCE TO ACCEPT THE DONATION OF LOTS A & B, ORIGINALLY PART OF LOT 24 IN CORINNE AND MYRTLE GROVE PLANTATION

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**WHEREAS**, The Parish Council believes it to be in the best interest of the citizens of St. Bernard Parish and St. Bernard Parish Government to accept the donation of Lots A & B, originally part of Lot 24 in Corinne and Myrtle Grove Plantation, from the present owners, Michael Fisher, Harry M. Fisher, Jr., Joel Fisher Rapp, said immovable property is more particularly described in Exhibit A, which is attached to and is a part of this Ordinance, as the property may be needed for water treatment plant expansion in the future and/or for other purposes that will benefit the Parish;

**SECTION 1.** The Parish Council hereby authorizes the Parish President to accept the donation of Lots A & B, originally part of Lot 24 in Corinne and Myrtle Grove Plantation, to St. Bernard Parish Government, from the present owners Michael Fisher, Harry M. Fisher, Jr., Joel Fisher Rapp., said immovable property is more particularly described in Exhibit A, which is attached to and is a part of this Ordinance, and authorizes the Parish President to execute any and all documents necessary to effectuate the donation.

**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.





# *St. Bernard Parish Council*

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Page -2-  
Extract #30 continued  
December 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**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:

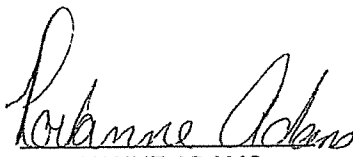
**YEAS:** Lauga, Lewis, Montelongo, McInnis

**NAYS:** None

**ABSENT:** Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR

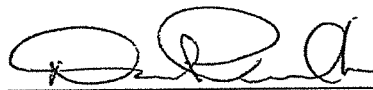
Delivered to the Parish President

12/6/2013 2:15pm  
Date and Time

Approved 

Vetoed \_\_\_\_\_

Parish President

  
David E. Peralta



# *St. Bernard Parish Council*

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**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #30 continued  
December 3, 2013

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

**Nathan Gorbaty**  
*Councilman  
District B*

Received by

*Wesley Dohrmann*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

STATE OF LOUISIANA

ST. BERNARD PARISH

ACT OF DONATION

BE IT KNOWN, that on this \_\_\_\_ day of \_\_\_\_\_ 2013, before me,  
\_\_\_\_\_, a Notary Public, duly  
commissioned and qualified in and for the hereinafter Parish and State, personally came and  
appeared:

Michael Fisher being of sound mind and age of majority,  
Harry M. Fisher, Jr. being of sound mind and age of majority and  
Joel Fisher Rapp being of sound mind and age of majority("DONORS")

who declared that they do these presents make a donation inter vivos unto:

St. Bernard Parish Government, 8201 West Judge Perez Drive,  
Chalmette, Louisiana 70043("DONEE");

hereby appearing for the purpose of accepting the same, of the following described property, to-  
wit:

LOT A

A CERTAIN PIECE OR PORTION OF GROUND SITUATED IN THE STATE OF  
LOUISIANA, PARISH OF ST. BERNARD, BEING PART OF ORIGINAL LOT 24 IN  
CORINNE AND MYRTLE GROVE PLANTATION, BOUNDED BY C-D CANAL,  
MUNSTER BOULEVARD, GENIE STREET, AND BARTOLO DRIVE, DESIGNATED LOT  
A, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE  
OF BARTOLO DRIVE AND THE SOUTHERLY RIGHT OF WAY OF GENIE STREET,  
MEASURE THENCE IN A WESTERLY DIRECTION N65°12'00"E, A DISTANCE OF  
71.00 FEET TO A POINT, THE POINT OF BEGINNING. MEASURE THENCE FROM THE  
POINT OF BEGINNING IN A SOUTHERLY DIRECTION S24°48'00"W, A DISTANCE OF  
1492.53 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF THE C-D CANAL;  
MEASURE THENCE IN A WESTERLY DIRECTION ALONG SAID NORTHERLY LINE  
N61°54'06"W, A DISTANCE 190.67 FEET; MEASURE THENCE IN A NORTHERLY  
DIRECTION N24°48'00"E, A DISTANCE OF 1481.56 FEET TO A POINT ON THE  
SOUTHERLY RIGHT OF WAY LINE OF GENIE STREET; THENCE ALONG SAID

SOUTHERLY LINE, IN AN EASTERLY DIRECTION S56°12'00"E, A DISTANCE OF 190.35 FEET TO A POINT, THE POINT OF BEGINNING.

LOT B

A CERTAIN PIECE OR PORTION OF GROUND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. BERNARD, BEING A PART OF ORIGINAL LOT 24 IN CORINNE AND MYRTLE GROVE PLANTATION, BOUNDED BY FLORIDA AVENUE, MUNSTER BOULEVARD, GENIE STREET, AND BARTOLO DRIVE, DESIGNATED LOT B, AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE FROM THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF BARTOLO DRIVE AND THE NORTHERLY RIGHT OF WAY OF GENIE STREET, MEASURE THENCE IN A WESTERLY DIRECTION N65°12'00"E, A DISTANCE OF 71.00 FEET TO A POINT, THE POINT BEGINNING. CONTINUE THENCE FROM THE POINT OF BEGINNING ALONG SAID NORTHERLY LINE IN A WESTERLY DIRECTION N65°12'00"W, A DISTANCE OF 190.35; MEASURE THENCE IN A NORTHERLY DIRECTION N24°48'00"E, A DISTANCE OF 1293.63 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF FLORIDA AVENUE; MEASURE THENCE AN EASTERLY DIRECTION ALONG SAID SOUTHERLY LINE S68°29'49"E, A DISTANCE OF 190.67 FEET; MEASURE THENCE IN A SOUTHERLY DIRECTION S24°48'00"W, A DISTANCE OF 1304.60 FEET; MEASURE THENCE IN A SOUTHERLY DIRECTION S24°48'00"W, A DISTANCE OF 1304.60 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF GENIE DRIVE, THE POINT OF BEGINNING.

Said DONORS declare that it has given, donated and delivered and does by this formal Act of Donation irrevocably gives and donates pursuant to the provisions of LRS 12:1301 et.seq. and delivers unto said DONEE.

Donors, Michael Fisher, Harry M. Fisher, Jr and Joel Fisher Rapp declare that it is their intention to make a donation inter vivos to Donee, St. Bernard Parish Government. Donee herein accepts this donation in accordance with the terms hereof and acknowledges gratitude therefor.

This property is transferred and accepted subject to any and all easements and servitudes of public record.

DONEE declared that he accepts the said Donation and acknowledged due delivery and possession of the property so donated to him.

The parties hereto acknowledge that no survey has been performed on the above described properties, at their request, at that the parties agree to relieve, release, and hold harmless and indemnify the undersigned Notary Public from any and all liability and responsibility in connection therewith.

THUS DONE AND PASSED by Michael Fisher, Harry M. Fisher, Jr and Joel Fisher Rapp in the presence of the undersigned competent witnesses and me, Notary Public, in and for the Parish of St. Bernard, Louisiana all of whom sign on this \_\_\_\_ day of \_\_\_\_\_ 2013, after due reading of the whole.

WITNESSES:

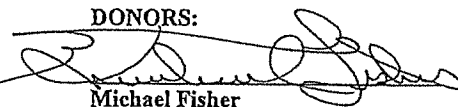
\_\_\_\_\_  
PRINTED NAME

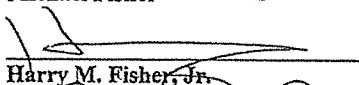
\_\_\_\_\_  
SIGNATURE

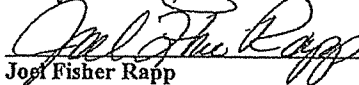
\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
SIGNATURE

DONORS:

  
\_\_\_\_\_  
Michael Fisher

  
\_\_\_\_\_  
Harry M. Fisher, Jr.

  
\_\_\_\_\_  
Joel Fisher Rapp

\_\_\_\_\_  
NOTARY PUBLIC  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
BAR ROLL NO./NOTARY NO.

THUS DONE AND PASSED by the President of St. Bernard Parish Government, in the presence of the undersigned competent witnesses and me, Notary Public, in and for the Parish of St. Bernard, Louisiana, all of whom sign on this \_\_\_\_ day of \_\_\_\_\_ 2013, after due reading of the whole.

WITNESSES:

DONEE:

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
St. Bernard Parish Government  
BY: David Peralta  
Parish President

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
BAR ROLL NO./NOTARY NO.



# *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)

**Guy McInnis**  
*Councilman  
at Large*

**#31**

**George Cavnac**  
*Councilman  
at Large*

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

**Ray Lauga, Jr.**  
*Councilman  
District A*

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

**Nathan Gorbaty**  
*Councilman  
District B*

## **ORDINANCE SBPC # 1464-12-13**

**Richard "Richie" Lewis**  
*Councilman  
District C*

### **Summary No. 3022**

Introduced by: Councilman McInnis on 11/5/13  
Public hearing held on 12/3/13

**Casey W. Hunnicutt**  
*Councilman  
District D*

AN ORDINANCE REQUESTING ADMINISTRATION TO PROVIDE THE ST. BERNARD PARISH COUNCIL WITH ANY AND ALL PERSONNEL EDITS AS THEY ARE FILED WITH THE HUMAN RESOURCES DEPARTMENT.

**Manuel "Monty" Montelongo III**  
*Councilman  
District E*

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**Roxanne Adams**  
*Clerk of Council*

**SECTION 1.** The Parish Council hereby respectfully requests Administration to provide the St. Bernard Parish Council with any and all personnel edits as it relates to the budget and filed with the Human Resources Department.

**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.



# *St. Bernard Parish Council*

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Page -2-  
Extract #31 continued  
December 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavnac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbay**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

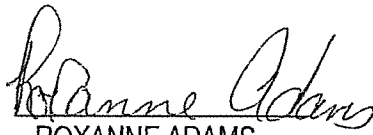
YEAS: Lauga, Lewis, Montelongo, McInnis

NAYS: None

ABSENT: Gorbay, Hunnicutt

The Chairman, Mr. Cavnac, cast his vote as YEA.

And the motion was declared adopted on the 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

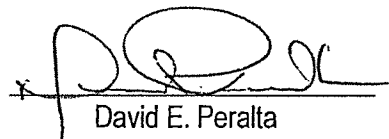
  
GEORGE CAVNAC  
COUNCIL CHAIR

Delivered to the Parish President 12/10/2013 2:15pm  
Date and Time

Approved                     

Vetoed                     

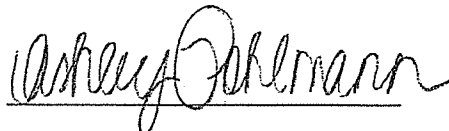
Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/9/13 10:53am  
Date and Time

Received by







# *St. Bernard Parish Council*

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

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

**#32**

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, DECEMBER 3, 2013 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC # 1465-12-13**

### **Summary No. 3023**

Introduced by: Administration on 11/19/13

Public hearing held on 12/3/13

AN ORDINANCE AUTHORIZING DAVID E. PERALTA, PRESIDENT, ST. BERNARD PARISH, LOUISIANA, TO HIRE LEGAL REPRESENTATION TO PROVIDE LEGAL SERVICES RELATED TO THE INVESTIGATION, PREPARATION, FILING AND HANDLING OF SUCH INJUNCTIVE, DECLARATORY, OR OTHER ACTIONS AS ARE NECESSARY TO ENSURE COMPLIANCE WITH COASTAL ZONE LAWS, STATUTES AND REGULATIONS FOR ST. BERNARD PARISH, THE ST. BERNARD PARISH COUNCIL AND THE ST. BERNARD PARISH COASTAL ZONE MANAGEMENT PROGRAM.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Government will enter into a reasonable attorneys fee contract with the Law Firm of Carmouche and Associates, LLC D/B/A Talbot, Carmouche and Marcello; Cossich, Sumich, Parisola, & Taylor, LLC and Connick and Connick, LLC to represent St. Bernard Parish Government to provide legal services related to the investigation, preparation, filing and handling of such injunctive, declaratory, or other actions as are necessary to ensure compliance with Coastal Zone Laws, Statutes and Regulations for St. Bernard Parish, the St. Bernard Parish Council and the St. Bernard Parish Coastal Zone Management Program.

SECTION 2. That the services of the aforesaid law firm be retained through a reasonable attorneys fee contract for legal services that shall be provided pursuant to a reasonable attorneys fee contract that compiles with all applicable statutes, rules and regulations.



# St. Bernard Parish Council

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

Page -2-  
Extract #32 continued  
December 3, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

SECTION 3. That the Parish President is hereby authorized to sign a contract for legal services as set forth in Section I through III of this ordinance.

SECTION 4. 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 of this Ordinance with the invalid portions omitted.

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

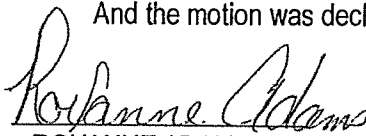
YEAS: Lauga, Lewis, Montelongo, McInnis

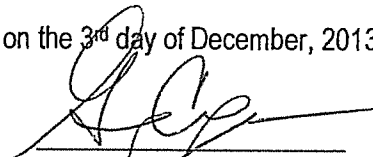
NAYS: None

ABSENT: Gorbaty, Hunnicutt

The Chairman, Mr. Cavignac, cast his vote as YEA.

And the motion was declared **adopted** on the 3<sup>rd</sup> day of December, 2013.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIR


Delivered to the Parish President

12/10/2013 2:15pm  
Date and Time

Approved ☒

Vetoed ☐

Parish President

  
David E. Peralta



## *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
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[www.sbpq.net](http://www.sbpq.net)

**Guy McInnis**  
*Councilman  
at Large*

Page -3-  
Extract #32 continued  
December 3, 2013

**George Cavnac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

Returned to Clerk of the Council

12/9/13 10:53 am  
Date and Time

**Nathan Gorbaty**  
*Councilman  
District B*

Received by

Ashley Oehlmann

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
District E*

**Roxanne Adams**  
*Clerk of Council*

## LEGAL SERVICES CONTRACT

THIS CONTRACT OF EMPLOYMENT is made and entered into this \_\_\_\_\_ day of August, 2013 by and between,

ST. BERNARD PARISH, THE ST. BERNARD PARISH COUNCIL AND ST. BERNARD PARISH COASTAL ZONE MANAGEMENT PROGRAM (collectively referred to herein as "Client"), herein represented by DAVID E. PERALTA, PRESIDENT, ST. BERNARD PARISH, LOUISIANA.

And

CARMOUCHE AND ASSOCIATES, L.L.C. D/B/A TALBOT, CARMOUCHE & MARCELLO; COSSICH, SUMICH, PARSIOLO & TAYLOR, L.L.C.; and CONNICK and CONNICK, L.L.C.; (hereinafter collectively referred to as "Attorneys")

WITNESSETH:

- (1) **Nature of Legal Services.** Client has engaged Attorneys to represent Client, and those parties Client is allowed to represent under the provisions of La. R.S. 49:214.21 *et seq.*, in connection with potential claims for recovery of damages, restoration costs, and injunctive and other appropriate relief under the provisions of the State and Local Coastal Resources Management Act of 1978 (La. R.S. 49:214.21 *et seq.*), including any claim related to La. R.S. 49:214.21 *et seq.* that Client has the right and cause of action to assert. Attorneys shall conduct an investigation for the purpose of determining whether any persons or legal entities have violated any of the provisions of La. R.S. 49:214.21, *et seq.* If it is determined by Attorneys that there is sufficient evidence to support claims by Clients under the provisions of La. R.S. 49:214.21, *et seq.*, Attorneys shall make recommendations to Client as to the appropriate legal action or actions to be taken to pursue such claims. After consultation with Client, Attorneys are authorized to file suit in a court of appropriate jurisdiction against any persons or legal entities who are potentially responsible for damages or any other remedies provided in La. R.S. 49:214.21 *et seq.*, including any claim related to La. R.S. 49:214.21 *et seq.* that Client has the right and cause of action to assert.
- (2) **Filing of Suit or Negotiation of Settlement.** If Attorneys are successful in obtaining relief via judgment, settlement, or arbitration award, the following shall provide the nature and method of payment of fees, costs and expenses:

If any claim covered by this contract is concluded by means of settlement, Attorneys are entitled to payment of all fees, costs, and expenses from the settling defendants in an amount determined by the court or agreed by the defendants. If any claim covered by this contract is concluded by litigation or arbitration resulting in a judgment or arbitration award, Attorneys shall be paid those attorneys' fees, costs and expenses awarded by the court or arbitration panel under the provisions of La. R.S. 49:214.36

(E), or any other applicable fee shifting statute. Attorneys assume full responsibility for advancing any costs or expenses necessary to prosecute the claims covered by this contract. Client acknowledges that in seeking payment of attorneys' fees under R.S. 49:214.36 (E), or any other applicable fee shifting statute, Attorneys may base their claims on one or more the following non-exclusive factors: (1) the ultimate result obtained; (2) the responsibility incurred; (3) the importance of the litigation; (4) the amount of money involved; (5) the legal knowledge, attainment, and skill of the attorneys; (6) the number of appearances involved; (7) the intricacies of the facts involved; (8) the diligence and skill of counsel; (9) the financial risks assumed by Attorneys; (10) the time and labor required; (11) the novelty and difficulty of the questions involved; (12) the preclusion of other employment by the attorney due to acceptance of the case; (13) the customary fees charged in similar litigation; (14) the time limitations imposed by the circumstances; (15) awards in similar cases; and (16) contingency contracts customarily used in similar cases. Attorneys acknowledge that this contract is not a contingency fee contract, and that this contract shall not be construed to create a right in Attorneys to claim as a fee any portion of any cash recovery for the Client's damages or losses.

- (3) **Termination.** Client, and those parties Client is allowed to represent under the provisions of La. R.S. 49:214.21 *et seq.*, shall have the sole and exclusive right to accept or reject any offers for settlement of any claim or claims. However, Client, and those parties Client is allowed to represent under the provisions of La. R.S. 49:214.21 *et seq.*, shall have an obligation to weigh fully the opinions and recommendations of Attorneys and shall not unreasonably withhold consent to any settlement proposal which, in the judgment of Attorneys, is fair and reasonable.

Client may terminate Attorneys' representation at any time by providing written notice to Attorneys. Should Client elect to terminate Attorneys representation prior to the full conclusion of Attorneys' services under this contract, Client understands and agrees that Attorneys may petition the Court for an award of attorney fees under the terms of this contract, and may file a claim and lien for expenses, costs, and Attorneys' fees in accordance with applicable law, provided, however, that any claim for Attorneys' fees, costs and expenses under the provisions of this paragraph shall be limited to the fees, costs and expenses provided for in paragraph (2) of this contract, and provided further that under no circumstances shall Attorneys file any claim directly against Client for attorney fees, costs, or expenses.

- (4) **No Guarantees.** Client hereby acknowledges that Attorneys have made no guarantees regarding a successful outcome, and that all representations concerning the likely outcome of the claim or claims are merely opinions.
- (5) **Severability.** If any part of this contract is determined to be unenforceable, the parties agree that all other parts of this contract shall nevertheless remain valid and enforceable.

- (9) **Integration.** This contract represents the final and mutual understanding of the parties. It replaces and supersedes any prior contracts, agreements, or understandings, whether written or oral. This contract may not be modified, amended, or replaced except by written agreement.

**CLIENT**

BY: \_\_\_\_\_  
DAVID E. PERALTA,  
PARISH PRESIDENT

**ATTORNEYS**

CARMOUCHE AND ASSOCIATES, L.L.C.

DONALD T. CARMOUCHE  
BY: \_\_\_\_\_

COSSICH, SUMICH, PARSIOLA & TAYLOR, L.L.C.

BY: \_\_\_\_\_  
PHILIP F. COSSICH, JR.

CONNICK AND CONNICK, L.L.C.

BY: \_\_\_\_\_  
WILLIAM P. CONNICK



# *St. Bernard Parish Council*

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

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

**#21**

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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1466-12-13**

### **Summary No. 3026**

Introduced by: Administration on 12/3/13  
Public hearing held on 12/17/13

AN ORDINANCE TO AMEND THE 2013 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish Annual Operating and Capital Budget for 2013 is hereby amended as per 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 of this Ordinance with the invalid portions omitted.



# St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
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Page -2-  
Extract #21 continued  
December 17, 2013

**Guy McInnis**  
Councilman  
at Large

**George Cavignac**  
Councilman  
at Large

**Ray Lauga, Jr.**  
Councilman  
District A

**Nathan Gorbaty**  
Councilman  
District B

**Richard "Richie" Lewis**  
Councilman  
District C

**Casey W. Hunnicutt**  
Councilman  
District D

**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

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

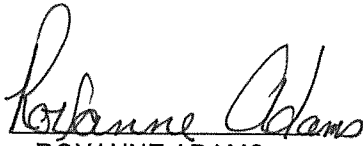
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GUY MCINNIS  
COUNCIL VICE CHAIR


Delivered to the Parish President

12/19/2013 10:15AM  
Date and Time

Approved 

Vetoed \_\_\_\_\_

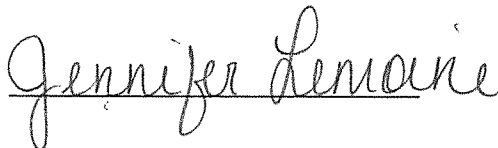
Parish President

  
David E. Peralta

Returned to Clerk of the Council

12/26/2013 8:30AM  
Date and Time

Received by





ST. BERNARD PARISH GOVERNMENT  
SUMMARY STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCES  
2013 Proposed Final Budget 12-17-2013

DEPARTMENT	2013 Adopted Revenues 19-17-2013	Proposed Revenue Revisions	2013 Proposed Revenues 12-17-2013	2013 Adopted Expenses 19-17-2013	Proposed Expense Revisions	2013 Proposed Expenses 12-17-2013	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS SALES TAX	TRANSFERS OTHER	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013
GENERAL FUNDS												
001 GENERAL FUND	5,444,950	3,317,482	8,762,432	9,348,500	479,175	9,827,675	(1,065,243)	3,165,165.00	492,000	2,591,922	661,624	3,253,546
005 34TH JUDICIAL COURT	28,000	(7,000)	21,000	2,087,437	53,513	2,140,950	(2,119,950)	1,747,800	372,150	-	-	-
50 SALES TAX	11,503,124	496,876	12,000,000	916,800	43,200	960,000	11,040,000	(11,567,700)	-	(527,700)	2,134,455	1,606,755
52 CIVIC AUDITORIUM	346,850	(96,850)	250,000	346,850	(107,250)	239,600	10,400	-	-	10,400	14,481	24,881
60 COMMUNITY DEV	1,904,050	10,450	1,914,500	1,904,050	217,700	2,121,750	(207,250)	156,502	-	(50,748)	50,748	-
180 BP Oil Spill	-	-	-	-	-	-	-	-	-	-	192,284	192,284
Total General Fund	19,226,974	3,720,958	22,947,932	14,603,637	686,338	15,289,975	7,657,957	(6,498,233)	864,150	2,023,874	3,053,592	5,077,466
SPECIAL REVENUES												
53 CRIMINAL COURT 34TH	252,500	(42,500)	210,000	50,000	(13,000)	37,000	173,000	-	(186,500)	(13,500)	145,148	131,648
54 FIRE DEPT	10,879,747	5,976,375	16,856,122	10,664,297	(293,440)	10,370,857	6,485,265	1,428,844	-	7,914,109	(428,844)	7,485,265
59 COUNCIL ON AGING	303,000	-	303,000	362,650	96,250	458,900	(155,900)	-	-	(155,900)	485,976	330,076
61 RECREATION	1,067,900	(93,850)	974,050	3,344,050	55,550	3,399,600	(2,425,550)	627,906	-	(1,797,644)	1,797,644	-
62 PUBLIC WORKS	2,465,000	336,643	2,801,643	4,577,565	(306,205)	4,271,360	(1,469,717)	1,803,790	-	334,073	(334,073)	-
63 ROAD LIGHTING	388,300	(12,300)	376,000	776,550	-	776,550	(400,550)	400,550	-	-	28,475	28,475
64 SANITATION DEPT	4,599,200	295,800	4,895,000	4,797,850	(64,960)	4,732,890	162,110	969,502	-	1,131,612	(1,131,612)	-
67 WIA	2,033,900	1,324,431	3,358,331	3,306,300	-	3,306,300	52,031	-	-	52,031	(52,031)	-
71 HEALTH	199,800	(7,800)	192,000	101,900	(6,050)	95,850	96,150	-	-	96,150	659,203	755,353
73 COMMUNICATIONS	365,000	-	365,000	376,650	700	377,350	(12,350)	-	-	(12,350)	297,449	285,099
77 HOUSING & REDEVELOPMENT	5,778,350	(603,200)	5,175,150	5,853,600	193,716	6,047,316	(872,166)	-	-	(872,166)	2,594,274	1,722,108
79 U.M.T.A.	1,144,750	3,000	1,147,750	1,297,450	(310,200)	987,250	160,500	-	-	160,500	1,806,619	1,967,119
86 DEPUTY WITNESS FEES	62,000	(10,000)	52,000	95,600	(10,600)	85,000	(33,000)	50,000	33,600	50,600	(52,787)	(2,187)
160 CDBG DISASTER RECOVERY	20,916,476	(13,705,476)	7,211,000	6,938,050	579,400	7,517,450	(306,450)	-	-	(306,450)	(1,936,976)	(2,243,426)
170 HAZARD MITIGATION	64,853,322	(61,025,322)	3,828,000	28,777,228	(25,798,778)	2,978,450	849,550	-	-	849,550	-	849,550
429 W&S SALES TAX	3,627,850	-	3,627,850	141,100	-	141,100	3,486,750	(4,216,224)	-	(729,474)	729,474	-
829 FEMA FUNDING	42,531,900	(13,606,900)	28,925,000	42,320,300	(13,758,700)	28,561,600	363,400	-	(330,750)	32,650	11,512,305	11,544,955
Total Special Revenue	161,468,995	(81,171,099)	80,297,896	113,781,140	(39,636,317)	74,144,823	6,153,073	1,064,368	(483,650)	6,733,791	16,120,244	22,854,035
Other Special Revenue												
TOTAL OPERATING ACCOUNTS	180,695,969	(77,450,141)	103,245,828	128,384,777	(38,949,979)	89,434,798	13,811,030	(5,433,865)	380,500	8,757,665	19,173,836	27,931,501

ST. BERNARD PARISH GOVERNMENT												
STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCE												
2013 Proposed Final Budget 12-17-2013												
DEPARTMENT	2013 Adopted Revenues 19-17-2013	Proposed Revenue Revisions	2013 Proposed Revenues 12-17-2013	2013 Adopted Expenses 19-17-2013	Proposed Expense Revisions	2013 Proposed Expenses 12-17-2013	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS SALES TAX	TRANSFERS OTHER	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013
CAPITAL PROJECTS												
115 2003 SALES TAX CONSTRUCTION		-	-	-	-	-	-	-	-	-	391,895	391,895
143 COURT HOUSE CAPITAL	-	-	-	-	124,000	124,000	(124,000)	-	(372,150)	(496,150)	1,282,383	786,233
151 1990 GENERAL OBLIGATION BOND	-	-	-	-	-	-	-	-	-	-	229	229
162 ROAD RECONSTRUCTION	-	-	-	851,700	(832,700)	19,000	(19,000)	-	-	(19,000)	758,416	739,416
163 REBUILD ST. BERNARD	-	-	-	-	-	-	-	-	-	-	35,284	35,284
164 HURRICANE RECONSTRUCT FUND	-	-	-	1,842,800	(1,764,800)	78,000	(78,000)	-	-	(78,000)	5,848,456	5,770,456
252 S/F 1990 GO BONDS	-	75	75	337,800	(337,800)	-	75	-	-	75	372,087	372,162
428 SW99 1/2 CENT SALES TAX I&I	-	-	-	-	-	-	-	-	-	-	1,091,852	1,091,852
434 1999/2008 SALES TAX CONSTRUCTION	-	-	-	-	-	-	-	-	-	-	1,513,565	1,513,565
Total Capital Projects	-	75	75	3,032,300	(2,811,300)	221,000	(220,925)	-	(372,150)	(593,075)	11,294,167	10,701,092
DEBT SERVICE FUNDS												
201 BOND RESERVE 1973-80	-	-	-	-	-	-	-	-	-	-	929	929
209 VERSAILLES PAVING LIENS	-	-	-	-	-	-	-	-	-	-	(24,477)	(24,477)
211 2003 SALES TAX BONDS	-	-	-	286,060	-	286,060	(286,060)	49,400	-	(236,660)	392,111	155,451
212 2012 SALES TAX BONDS	-	-	-	1,316,950	-	1,316,950	(1,316,950)	1,949,450	-	632,500	472,288	1,104,788
430 2004 SALES TAX DEBT SERVICE	-	-	-	302,500	-	302,500	(302,500)	2,568,100	-	2,265,600	(37,752,796)	(35,487,196)
432 1999/2008 SALES TAX DEBT SERVICE	-	-	-	223,500	-	223,500	(223,500)	809,465	-	585,965	(5,362,640)	(4,776,675)
433 1999/2008 SALES TAX RESERVE	-	-	-	-	-	-	-	-	-	-	867,340	867,340
Total Debt Service	-	-	-	2,129,010	-	2,129,010	(2,129,010)	5,376,415	-	3,247,405	(41,407,245)	(38,159,840)
INTERNAL SERVICE FUND												
350 INSURANCE	818,600	-	818,600	903,750	-	903,750	(85,150)	49,100	-	(36,050)	676,655	640,605
375 W&S INSURANCE	156,400	-	156,400	164,750	-	164,750	(8,350)	8,350	-	-	796,911	796,911
Total Internal Service	975,000	-	975,000	1,068,500	-	1,068,500	(93,500)	57,450	-	(36,050)	1,473,566	1,437,516
WATER & SEWER DIVISION												
400 WATER & SEWER OPERATIONS	5,552,300	5,806,700	11,359,000	5,409,200	4,210,674	9,619,874	1,739,126	-	(8,350)	1,730,776	168,098,500	169,829,276
401 50 MILLION BOND	-	-	-	-	-	-	-	-	-	-	(113,390)	(113,390)
416 WATER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	133,528	133,528
417 WATER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	96,977	96,977
418 SEWER DISTRICT #2	-	-	-	-	-	-	-	-	-	-	111,496	111,496
419 SEWER DISTRICT #1	-	-	-	-	-	-	-	-	-	-	11,164	11,164
Total Water & Sewer	5,552,300	5,806,700	11,359,000	5,409,200	4,210,674	9,619,874	1,739,126	-	(8,350)	1,730,776	168,338,275	170,069,051
TOTAL ALL FUNDS	187,223,269	(71,643,366)	115,579,903	140,023,787	(37,550,605)	102,473,182	13,106,721	-	-	13,106,721	158,872,599	171,979,320

**ST. BERNARD PARISH GOVERNMENT**  
**SUMMARY STATEMENT OF REVENUES AND EXPENDITURES & FUND BALANCES**  
**2013 Final Budget 12-17-2013**

	2013 Adopted Revenues 19-17-2013	Proposed Revenue Revisions	2013 Proposed Revenues 12-17-2013	2013 Adopted Expenses 19-17-2013	Proposed Expense Revisions	2013 Proposed Expenses 12-17-2013	EXCESS OF REVENUES OVER <UNDER> EXPENDITURES	TRANSFERS	TRANSFERS	EXCESS REV. OVER<UNDER> AFTER TRANS	FUND BALANCE JAN. 1, 2013	FUND BALANCE DEC. 31, 2013
DEPARTMENT								SALES TAX	OTHER			
GENERAL FUNDS												
001 GENERAL FUND	5,444,950	3,317,482	8,762,432	9,348,500	479,175	9,827,675	(1,065,243)	3,165,165.00	492,000	2,591,922	661,624	3,253,546
005 34TH JUDICIAL COURT	28,000	(7,000)	21,000	2,087,437	53,513	2,140,950	(2,119,950)	1,747,800	372,150	-	-	-
50 SALES TAX	11,503,124	496,876	12,000,000	916,800	43,200	960,000	11,040,000	(11,567,700)		(527,700)	2,134,455	1,606,755
52 CIVIC AUDITORIUM	346,850	(96,850)	250,000	346,850	(107,250)	239,600	10,400	-		10,400	14,481	24,881
60 COMMUNITY DEV	1,904,050	5,336,950	7,241,000	1,904,050	217,700	2,121,750	5,119,250	156,502		5,275,752	50,748	5,326,500
180 BP Oil Spill	-	-	-	-	-	-	-	-	-	-	192,284	192,284
Total General Fund	19,226,974	9,047,458	28,274,432	14,603,637	686,338	15,289,975	-	(6,498,233)	864,150	7,350,374	3,053,592	10,403,966
SPECIAL REVENUES												
53 CRIMINAL COURT 34TH	252,500	(42,500)	210,000	50,000	(13,000)	37,000	173,000	-	(186,500)	(13,500)	145,148	131,648
54 FIRE DEPT	10,879,747	5,976,375	16,856,122	10,664,297	(293,440)	10,370,857	6,485,265	1,428,844	-	7,914,109	(428,844)	7,485,265
59 COUNCIL ON AGING	303,000	-	303,000	362,650	96,250	458,900	(155,900)	-	-	(155,900)	485,976	330,076
61 RECREATION	1,067,900	(93,850)	974,050	3,344,050	55,550	3,399,600	(2,425,550)	627,906	-	(1,797,644)	1,797,644	-
62 PUBLIC WORKS	2,465,000	336,643	2,801,643	4,577,565	(306,205)	4,271,360	(1,469,717)	1,803,790	-	334,073	(334,073)	-
63 ROAD LIGHTING	388,300	(12,300)	376,000	776,550	-	776,550	(400,550)	400,550	-	-	28,475	28,475
64 SANITATION DEPT	4,599,200	295,800	4,895,000	4,797,850	(64,960)	4,732,890	162,110	969,502	-	1,131,612	(1,131,612)	-
67 WIA	2,033,900	1,324,431	3,358,331	3,306,300	-	3,306,300	52,031	-	-	52,031	(52,031)	-
71 HEALTH	199,800	(7,800)	192,000	101,900	(6,050)	95,850	96,150	-	-	96,150	659,203	755,353
73 COMMUNICATIONS	365,000	-	365,000	376,650	700	377,350	(12,350)	-	-	(12,350)	297,449	285,099
77 HOUSING & REDEVELOPMENT	5,778,350	(603,200)	5,175,150	5,853,600	193,716	6,047,316	(872,166)	-	-	(872,166)	2,594,274	1,722,108
79 U.M.T.A.	1,144,750	3,000	1,147,750	1,297,450	(310,200)	987,250	160,500	-	-	160,500	1,806,619	1,967,119
86 DEPUTY WITNESS FEES	62,000	(10,000)	52,000	95,600	(10,600)	85,000	(33,000)	50,000	33,600	50,600	(52,787)	(2,187)
160 CDBG DISASTER RECOVERY	20,916,476	(13,705,476)	7,211,000	6,938,050	579,400	7,517,450	(306,450)	-	-	(306,450)	(1,936,976)	(2,243,426)
170 HAZARD MITIGATION	64,853,322	(61,025,322)	3,828,000	28,777,228	(25,798,778)	2,978,450	849,550	-	-	849,550	-	849,550
429 W&S SALES TAX	3,627,850	-	3,627,850	141,100	-	141,100	3,486,750	(4,216,224)		(729,474)	729,474	-
829 FEMA FUNDING	42,531,900	(13,606,900)	28,925,000	42,320,300	(13,758,700)	28,561,600	363,400	-	(330,750)	32,650	11,512,305	11,544,955
Total Special Revenue	161,468,995	(81,171,099)	80,297,896	113,781,140	(39,636,317)	74,144,823	-	6,153,073	1,064,368	(483,650)	6,733,791	16,120,244
Other Special Revenue							-	-	-	-	-	-
TOTAL OPERATING ACCOUNTS	180,695,969	(72,123,641)	108,572,328	128,384,777	(38,949,979)	89,434,798	-	(5,433,865)	380,500	14,084,165	19,173,836	33,258,001

[illegible]



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043

(504) 278-4228 Fax (504) 278-4209

www.sbpq.net

**#22**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavnagac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaly**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilman  
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, DECEMBER 17, 2013 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1467-12-13**

### **Summary No. 3028**

Introduced by: Administration on 12/3/13

Planning Commission recommended **APPROVAL** on 10/22/13

Public hearing held on 12/17/13

AN ORDINANCE TO APPROVE **DOCKET Z-2013-016**, PETITION OF THE ROMAN CATHOLIC CHURCH OF THE ARCHDIOCESE OF NEW ORLEANS, REPRESENTED BY CLIFF DOESCHER ON BEHALF OF ARC OF GREATER NEW ORLEANS, FOR A CONDITIONAL USE FOR ONE PARCEL, CURRENTLY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL) OPERATION OF A COMMUNITY CENTER AND "URBAN FARM" (SMALL-SCALE COMMUNITY-BASED GARDEN) SITE ADDRESS: 3700 JEAN LAFITTE PARKWAY, CHALMETTE, LA 70043.

SECTION 1. That **DOCKET Z-2013-016**, petition of The Roman Catholic Church of the Archdiocese of New Orleans, 7887 Walmsley Avenue, New Orleans LA 70125, as represented by Cliff Doescher, 925 S. Labarre Road, Metairie, LA 70001, on behalf of Arc of Greater New Orleans for a conditional use for one parcel, currently zoned R-1 (single-Family Residential) operation of a community center and "urban farm" (small-scale community-based garden) is hereby granted for the following described property:

Site address: 3700 Jean Lafitte Parkway, Chalmette, LA 70043.

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,



# St. Bernard Parish Council

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**Manuel "Monty"  
Montelongo III**  
Councilman  
District E

**Roxanne Adams**  
Clerk of Council

Page -2-  
Extract #22 continued  
December 17, 2013

paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares 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 there upon resulted as follows:

**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo

**NAYS:** None

**ABSENT:** Cavignac

The Council Vice-Chair, Mr. McInnis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of December, 2013

ROXANNE ADAMS  
CLERK OF COUNCIL

GUY MCINNIS  
COUNCIL VICE CHAIR

Delivered to the Parish President

12/19/2013 10:15AM  
Date and Time

Approved ✓

Vetoed \_\_\_\_\_

Parish President

David E. Peralta

Returned to Clerk of the Council

12/24/2013 8:30AM  
Date and Time

Received by