



# St. Bernard Parish Council

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

#17

**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Nathan Gorbaty**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

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

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 3, 2017 AT SEVEN O'CLOCK P.M.

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

## ORDINANCE SBPC #1844-01-17

### Summary No. 3444

Planning Commission recommended APPROVAL with conditions on 12/13/16

Introduced by: Administration on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO APPROVE DOCKET Z-2016-020, PETITION OF JACK PAYNE, III FOR CONDITIONAL USE PERMIT TO OPERATE A FOOD TRUCK IN AN A-1 ZONE FOR THE PROPERTY LOCATED AT 6205 DELACROIX HWY., ST. BERNARD, LA 70085.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That DOCKET Z-2016-020, Petition of Jack Payne, III for Conditional Use Permit to operate a food truck in an A-1 Zone is hereby approved with conditions for the following described property:

Property Location: 6205 Delacroix Hwy., St. Bernard, LA 70085.

Planning Commission recommendation: APPROVAL with all conditions as described below:

1. No building permits or licenses for this project shall be issued until final development plans are approved and recorded. Site plan approval shall become null and void in one (1) year from the date of approval if the activities have not commenced and the site plan shall be considered to be disapproved per Section 22-10-1.3(h) of the Zoning Code.
2. The applicant shall meet the requirements of Section 22-6-4(13) – *Permitted uses in Business and industrial districts (Food Trucks)* in its entirety.
  - a. A food truck shall be located on private property with a primary use (no vacant lots), subject to permission from the property's owner. A food truck shall be strictly prohibited from parking within public rights-of-way, except for the Old Arabi Mixed Use and Riverfront Districts.
  - b. Permits/business licenses shall be issued to each individual food truck on a one (1) calendar year basis.



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Extract #17 continued

January 3, 2017

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*Clerk of Council*

- c. Food trucks shall only operate on Monday thru Saturday from 7:00 a.m. to 9:00 p.m. and must vacate premises during non-hours of operation.
- d. In no event shall the permittee or anyone else be allowed to operate a food truck within one thousand (1,000) feet of an established restaurant or other food truck (excluding special events).
- e. Each individual food truck may petition to use multiple locations and allowed to operate within all non-residentially zoned districts, per conditional use approval by parish council.
- f. A food truck permit shall be issued only to vendors operating in conjunction with a St. Bernard Parish licensed food establishment for state mobile vendor permit purposes in accordance with applicable state statutes. Vendors in Old Arabi Mixed Use and Riverfront Districts are exempt from this requirement.

  

- 3. The applicant shall designate parking areas for the food truck operation.
- 4. The applicant shall place portable trash containers near the operation.
- 5. The applicant shall provide at least one (1) picnic style bench being placed near the operation for ease of site customers.
- 6. The applicant shall provide a non-slip surface (portable) being placed at food ordering area for site customers.

**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.



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

**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 3<sup>rd</sup> day of January, 2017.

ROXANNE ADAMS  
CLERK OF COUNCIL

RICHARD J. LEWIS  
COUNCIL CHAIR

Delivered to the Parish President

1/5/2017 1:15 pm

Date and Time

Approved

Vetoed

Parish President

  
Guy McInnis

Returned to Clerk of the Council

1/5/2017 1:20 pm

Date and Time

Received by