



St. Bernard Parish Council

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

#27

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 15, 2015 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 #1686-09-15

Summary No. 3282

Introduced by: Councilman Hunnicutt on 9/1/15
Public hearing held on 9/15/15

AN ORDINANCE TO **AMEND** CHAPTER 11; HEALTH AND SANITATION, SECTION 27; STORAGE, ETC., OF JUNK—ON PUBLIC PROPERTY OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby amend (as attached in (Exhibit "A") Chapter 11; Health and sanitation, Section 27; Storage, etc., of junk—on public property 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.



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Extract #27 continued
September 15, 2015

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 15th day of September, 2015.

ROXANNE ADAMS
CLERK OF COUNCIL

GEORGE CAVIGNAC
COUNCIL CHAIRMAN

Delivered to the Parish President

9/18/2015 10:45am

Date and Time

Approved

Vetoed _____

Parish President

David E. Peralta

Returned to Clerk of the Council

9/18/2015 1:01pm

Date and Time

Received by

EXHIBIT "A"
SUMMARY NO. 3282
ORDINANCE SBPC #1686-09-15

Chapter 11 – Health and Sanitation
Section 27 - Storage, etc., of junk—On public property

Sec. 11-27. - Storage, etc., of junk—On public property

Exceptions: The provisions of this definition of junked motor vehicle shall not apply to any motor vehicle in operable condition specifically adopted or constructed for racing or operation on privately owned drag strips or raceways; nor shall they apply to any operable motor vehicle retained by the owner for antique collection purposes rather than for salvage or transportation.

"Abandoned vehicle" shall mean any vehicle which lacks a current, valid license plate and safety inspection certificate and is left unattended or unclaimed on any parish street or on any parish property in the same location or place for more than ten (10) calendar days shall be considered an abandoned vehicle. Under the provisions of this section, a vehicle shall be deemed to be abandoned whenever the vehicle is parked, placed or left in a location and remains within an area of one hundred (100) yards of such location for more than ten (10) calendar days.

"Vehicle" shall mean every device in, upon, or by which, any person or property is or may be transported or drawn upon a highway, street or alley; except devices moved by human power or used exclusively upon stationary rails or tracks. A bicycle or a ridden animal shall be a vehicle, and a trailer or semi-trailer shall be a separate vehicle.

"Wrecked vehicle" as used herein shall mean a vehicle which has been partially dismantle, is elevated on blocks, jacks or by any other means, or is damaged (including, flat tires, missing tires, missing body parts, etc.) in such a way that it appears it cannot be driven or operated.

(a) It shall be unlawful for any person to park or store any machinery, house trailer, boat, abandoned vehicle, wrecked vehicle or junked vehicle on any public street or right-of-way.

(b) The storage of abandoned, wrecked or used automobiles or other motor vehicles, or any part thereof, or any other junked, discarded or abandoned machinery or other metal, tin or other discarded items on public property, including, but not limited to, public streets, street right-of-way, sidewalk, neutral ground, vacant or occupied lot, or other public places of the parish shall constitute a violation.

(c) Notice of a violation shall be posted on the vehicle, machinery, junk, house trailer or other discarded item(s). Any vehicle, machinery, junk, or other discarded item which remains in violation thirty-six (36) hours after notice shall be considered public property and will be towed or hauled off at the property owner's expense or the party responsible for placing material at this location. Any person in violation of the above shall be fined two hundred dollars (\$200.00) plus the actual expense or cost to the government for removal.