

# PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: [radams@sbgg.net](mailto:radams@sbgg.net)

(504) 278-4228

(504) 278-4209 (fax)

Posted 6/17/16

Tuesday, June 21, 2016

3:00 p.m.

Council Chambers

Page 1 of 5

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Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

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- A. Meeting Called to Order and Roll Call
- B. Remind Public that no food or drink is allowed in the Council Chambers
- C. Remind Public of Cell Phone Ordinance **SBPC #815-02-08**
- D. Invocation by Pastor Jim Jeffries with Assembly of God Church
- E. Pledge of Allegiance by Councilmember Alcon
- F. Recognize Elected Officials

## APPROVAL OF MINUTES

1. Motion to approve the minutes from the May 31, 2016 Special Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 10, 2016 and to approve the minutes from the June 7, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 17, 2016. (Council Chair)

## RECOGNITION

2. Motion to recognize Joseph "TBoo" Lanclos on his retirement from St. Bernard Parish Government after 36 years of employment. (Administration)
3. **Guy McInnis**, President's Report
4. Councilmember's for a District Update

## RECOGNIZE THE PUBLIC

5. Recognize the Public (Those wishing to speak must sign in prior to the start of the meeting. Speakers will be given 2 minutes.)

## PUBLIC HEARINGS

6. **Summary No. 3381**  
Introduced by: Administration on 6/7/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

7. **Summary No. 3382**  
Planning Commission recommended **APPROVAL** on 5/24/16  
Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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8. **Summary No. 3383**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

9. **Summary No. 3384**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

10. **Summary No. 3385**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

11. **Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

## RESOLUTIONS

12. Adopt **Resolution SBPC #1599-06-16**, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)

### Beer and/or Liquor Permit(s)

1. Big Easy Discount, Inc. dba Big Easy Discount 1016 W. Judge Perez Drive, Chalmette, LA 70043  
Owner: Raed Khalaileh (**New Business**) (**Beer & Liquor**)
2. Pamela Fernandez dba Pam's M'Pressive Reception & Venue Hall 720 E. Judge Perez Drive, Meraux, LA 70075  
Owner: Pamela Fernandez (**New Business**) (**Beer & Liquor**)

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3. Tomasitos Grocery, LLC dba Tomasitos Grocery 7547 W. Judge Perez Drive, Arabi, LA 70032  
Member: Nelita Thompson **(Renewal) (Beer & Liquor)**
4. Trang, LLC dba Son's Seafood 113 E. Judge Perez Drive, Chalmette, LA 70043 Owners:  
Christine Tang & Hanh Trang **(Renewal) (Beer & Liquor)**
5. The Valiant Theatre & Lounge Inc. dba The Valiant 6621 St. Claude Avenue, Arabi, LA 70032  
Owners: Paul O. Chiriaco & Richard Mayer **(Renewal) (Beer & Liquor)**
13. Adopt **Resolution SBPC #1600-06-16**, a resolution authorizing the Parish President to execute any and all act of sale documents deemed necessary to purchase Lot 1-A-7, Hernandez Street, Arabi, Louisiana. (Administration)
14. Adopt **Resolution SBPC #1601-06-16**, a resolution appointing new members to the Board of Zoning Adjustments (BZA). (Administration)
15. Adopt **Resolution SBPC #1602-06-16**, a resolution appointing new members to the Old Arabi Historic Commission. (Councilmember McCloskey)
16. Adopt **Resolution SBPC #1603-06-16**, a resolution authorizing acceptance of a grant from the Louisiana Community Development Block Grant Program in the amount of \$800,000.00 for the Eastern St. Bernard Water System Improvement Project. (Administration)

## ADOPTION OF ORDINANCES

17. **Summary No. 3381**  
Introduced by: Administration on 6/7/16  
  
AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.
18. **Summary No. 3382**  
Planning Commission recommended **APPROVAL** on 5/24/16  
Introduced by: Administration on 6/7/16  
Public hearing held on 6/21/16  
  
AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.
19. **Summary No. 3383**  
Planning Commission recommended **APPROVAL** on 5/24/16  
Introduced by: Administration on 6/7/16  
Public hearing held on 6/21/16

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AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

20. **Summary No. 3384**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

21. **Summary No. 3385**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

22. **Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

## INTRODUCTION

23. **Summary No. 3388**

Introduced by: Administration on 6/21/16

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2016; 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.

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24. **Summary No. 3389**

Introduced by: Administration on 6/21/16

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2016; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

25. **Summary No. 3390**

Introduced by: Administration on 6/21/16

AN ORDINANCE CHANGING THE NAME OF THE ANIMAL CONTROL CENTER TO THE "JOAN E. MANZELLA ANIMAL CONTROL CENTER".

26. **Summary No. 3391**

Introduced by: Council on 6/21/16

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2016 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.

27. **Summary No. 3392**

Introduced by: Councilman Lewis on 6/21/16

AN ORDINANCE TO DECLARE AS SURPLUS LOTS 1 THROUGH 26 OF SQUARES 545, 546, 547 AND 548, VERSAILLES SUBDIVISION LOCATED IN T12S - R12E SECTIONS 25 & 48 AND TO AUTHORIZE THE SALE/TRANSFER OF SAID PROPERTY TO THE SAINT BERNARD SHERIFF'S OFFICE IN EXCHANGE FOR THE SHERIFF'S OFFICE'S SALE/TRANSFER OF LOTS 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 AND 22 OF SQUARE 542, VERSAILLES SUBDIVISION LOCATED IN T125S - R12E SECTIONS 25 & 48 TO ST. BERNARD PARISH GOVERNMENT.

### OTHER MATTERS

28. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.

Next Regular scheduled Council Meeting will be held Tuesday, July 5, 2016 @ 7:00 p.m.

Approved by: *Herri Callais* Time: 2:46 p.m. Date: 6/17/16

## #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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mr. xxxxx, it was moved to **introduce** the following ordinance:

### **Summary No. 3392**

Introduced by: Councilman Lewis on 6/21/16

AN ORDINANCE TO DECLARE AS SURPLUS LOTS 1 THROUGH 26 OF SQUARES 545, 546, 547 AND 548, VERSAILLES SUBDIVISION LOCATED IN T12S - R12E SECTIONS 25 & 48 AND TO AUTHORIZE THE SALE/TRANSFER OF SAID PROPERTY TO THE SAINT BERNARD SHERIFF'S OFFICE IN EXCHANGE FOR THE SHERIFF'S OFFICE'S SALE/TRANSFER OF LOTS 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 AND 22 OF SQUARE 542, VERSAILLES SUBDIVISION LOCATED IN T125S - R12E SECTIONS 25 & 48 TO ST. BERNARD PARISH GOVERNMENT.

ST. BERNARD PARISH COUNCIL, THE GOVERNING AUTHORITY, DOES HEREBY FIND IT NECESSARY AND IN THE PUBLIC INTEREST TO ORDAIN:

**Whereas**, Lots 1 through 26 of Squares 545, 546, 547 and 548, Versailles Subdivision located in T12S - R12E sections 25 & 48 (hereinafter referred to as the "SBPG Property") is owned by the Saint Bernard Parish Government (hereinafter referred to as "SBPG"); and,

**Whereas**, the SBPG considers the SBPG Property surplus and it is not needed for a public purpose; and,

**Whereas**, Lots 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 and 22 of Square 542, Versailles subdivision located in T125S - R12E Sections 25 & 48 (hereinafter referred to as the "SBSO Property") has been undergone a Phase 1 Environmental Assessment, by Kee Environmental Services, LLC and the U.S. Department of the Army Corps of Engineers has issued a determination that the SBSO Property is not in a wetland; and

**Whereas**, The SBSO Property and the SBPG Property are of equivalent value.

**SECTION 1.** The following property is surplus and is not needed for any public purpose:

Lots 1 through 26 of Squares 545, 546, 547 and 548, Versailles Subdivision located in T12S - R12E sections 25 & 48, which are depicted in the attached survey prepared by BFM Professional Land Surveyors, stamped by John S. Teegarden, dated 8/13/2013.

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Extract #27 continued  
June 21, 2016

This property will be referred to hereinafter in this ordinance as “the SBPG Property.”

**SECTION 2.** The SBPG Property shall be sold/transferred to the Saint Bernard Parish Sheriff's (hereinafter referred to as the “SBSO”) in exchange for the SBSO selling/transferring Lots 1, 2, 3, 4, 7, 16, 17, 18, 19, 20, 21 and 22 of Square 542, Versailles subdivision located in T125S - R12E Sections 25 & 48, which are depicted in the attached survey prepared by BFM Professional Land Surveyors, stamped by John S. Teegarden, dated 8/13/2013 (hereinafter referred to as the “SBSO Property”) in accordance with law.

**SECTION 3.** The President of St. Bernard Parish Government is hereby authorized to execute any and all documents necessary to effectuate the sale/transfer required by Section 2 above.

**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:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **xxx**.

And the motion was declared **xxxx** on the 21<sup>st</sup> day of June, 2016.

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Extract #27 continued  
June 21, 2016

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 21<sup>st</sup> day of June, 2016.

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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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mr.xxxx, it was moved to **introduce** the following ordinance:

**Summary No. 3391**

Introduced by: Council on 6/21/16

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2016 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**, 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 2016; 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 2016 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
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 2016, for the respective purposes described below:

<u>2016 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
2.75	N/A	N/A	Parish Constitutional Tax
1.23	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public libraries in the Parish.
2.47	Nov. 7, 2006	2010-2019	Constructing, maintaining, improving and operating public libraries in the Parish and purchasing books and other library materials.
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	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public health units in the Parish.
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.

<u>2016 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Purpose</u>
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 2016, for the respective parishwide districts and purposes described below:

<u>2016 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Parishwide District and Purpose</u>
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.
3.05	Nov. 7, 2006	2007-2016	<u>Road District No. 1</u> - constructing, improving and maintaining public roads and highways in Road District No. 1
1.22	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, 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 2016, for the respective districts and purposes described below:

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 Extract #26 continued  
 June 21, 2016

<u>2016 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Non-parishwide District and Purpose</u>
2.73	Nov. 7, 2006	2007-2016	<u>Fire Protection District No. 1</u> - 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
4.60	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.
8.14	Nov. 7, 2006	2009-2018	<u>Fire Protection District No. 2</u> - acquiring, constructing, maintaining, improving and operating fire protection 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 2016, 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.

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Extract #26 continued  
June 21, 2016

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

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

**YEAS:**

**NAYS:**

**ABSENT:**

**ABSTAINED:**

The Council Chair, Ms. Callais, cast her vote as xxx.

And the motion was declared **xxxx** on the 21<sup>st</sup> day of June, 2016.

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Extract #26 continued  
June 21, 2016

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_

**#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 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

**Summary No. 3390**

Introduced by: Administration on 6/21/16

AN ORDINANCE CHANGING THE NAME OF THE ANIMAL CONTROL CENTER TO THE "JOAN E. MANZELLA ANIMAL CONTROL CENTER".

**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 dedicate the name of the Animal Control Center to Joan E. Manzella; and,

**WHEREAS**, Ms. Manzella was a longtime resident of St. Bernard Parish; and,

**WHEREAS**, Ms. Manzella made a generous bequest to St. Bernard Animal Control.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The St. Bernard Parish Council, the governing authority for St. Bernard Parish, does hereby ordain and decree that the Animal Control Center located at 5455 E. Judge Perez Dr., Violet, LA shall be renamed and hereinafter forever known as the "JOAN E. MANZELLA ANIMAL CONTROL CENTER."

**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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Extract #25 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

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 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

**Summary No. 3389**

Introduced by: Administration on 6/21/16

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2016; 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 firefighting 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 Taxable Limited Tax Certificates of Indebtedness, Series 2016, in the principal amount of Four Million Two Hundred Thousand Dollars (\$4,200,000) (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; EXCEPT the Outstanding Parity Certificates as hereinafter defined; and

Page -2-  
Extract #24 continued  
June 21, 2016

WHEREAS, the Issuer has heretofore issued its Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), secured by the revenues of 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 the Parish of St. Bernard, State of Louisiana (the "Parish"), that:

SECTION i) Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Four Million Two Hundred Thousand Dollars (\$4,200,000) of Taxable Limited Tax Certificates of Indebtedness, Series 2016 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, together with the Issuer's Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), 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, 2017 at the rate of 1.87% 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. The principal amount of the Certificate may

Page -3-  
Extract #24 continued  
June 21, 2016

be advanced by the Purchaser (as defined below) thereof to the Issuer on an "as needed" basis, and interest on the Certificate will only be payable on the principal amount of the Certificate 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. Each installment shall be advanced by the Purchaser (as defined below) upon the Issuer furnishing a requisition to the Purchaser (as defined below) signed by the Parish President and/or the Clerk of the Council.

SECTION ii) The Issuer hereby accepts the offer of Gulf Coast Bank & Trust Company, of New Orleans, Louisiana (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 iii) The principal of and interest on the Certificate shall be secured by and payable from, together with the Issuer's Outstanding Parity Certificates, 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.

SECTION iv) 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**

**TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS, SERIES 2016  
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	\$4,200,000	_____, 2016	March 1, 2017

St. Bernard Parish, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to Gulf Coast Bank & Trust Company, in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, **to the amount thereof advanced to the Issuer**, together with interest thereon from the Issue Date set forth above at the rate of 1.87% 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.

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 July 5, 2016 (the "Ordinance").

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Extract #24 continued  
June 21, 2016

This Certificate is secured by and payable, together with the Issuer=s Taxable Limited Tax Certificates of Indebtedness, Series 2014, dated April 10, 2014 (the "Outstanding Parity Certificates"), 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 and the Outstanding Parity Certificates, 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.

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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*

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Extract #24 continued  
June 21, 2016

SECTION v) 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 vi) 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 and the Outstanding Parity Certificates, provided that the combined principal and interest requirements for any calendar year on the Certificates, the Outstanding Parity 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 vii) 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 viii) 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 ix) The foregoing ordinance shall take effect immediately upon its adoption.

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Extract #24 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

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 #\_\_\_\_\_ adopted by said Parish Council on July 5, 2016, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding Four Million Two Hundred Thousand Dollars (\$4,200,000) of Taxable Limited Tax Certificates of Indebtedness, Series 2016; 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 5<sup>th</sup> of July, 2016.

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 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **introduce** the following ordinance:

**Summary No. 3388**

Introduced by: Administration on 6/21/16

AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE BY THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, OF NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2016; 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 Taxable 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, 2017, 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 governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish" or the "Issuer"), that:

SECTION i) Subject to the approval of the State Bond Commission, there is hereby authorized the issuance of not exceeding Two Million Dollars (\$2,000,000) of Taxable Certificates of Indebtedness, Series 2016 (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, 2017 at the rate of 1.87% 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. The principal amount of the Certificate may be advanced by the Purchaser (as defined below) thereof to the Issuer on an "as needed" basis, and interest on the Certificate will only be payable on the principal amount of the Certificate 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. Each installment shall be advanced by the Purchaser (as defined below) upon the Issuer furnishing a requisition to the Purchaser (as defined below) signed by the Parish President and/or the Clerk of the Council.

SECTION ii) The Issuer hereby accepts the offer of Gulf Coast Bank & Trust Company, of New Orleans, Louisiana (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 iii) 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, 2016.

SECTION iv) 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**

**TAXABLE CERTIFICATES OF INDEBTEDNESS, SERIES 2016  
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	\$2,000,000	_____, 2016	March 1, 2017

The Parish of St. Bernard, State of Louisiana (the "Issuer"), hereby promises to pay, but solely from the source and as hereinafter provided, to Gulf Coast Bank & Trust Company, in the City of New Orleans, Louisiana, or registered assigns, the Principal Amount set forth above on the Maturity Date set forth above, **to the amount thereof advanced to the Issuer**, together with interest thereon from the Issue Date set forth above at the rate of 1.87% 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.

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

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Extract #23 continued  
June 21, 2016

fiscal year ending December 31, 2016, and this Certificate was specially authorized by an ordinance adopted on July 5, 2016 (the "Ordinance").

This Certificate is secured by and payable from a pledge of all revenues accruing to the Issuer for the fiscal year ending December 31, 2016. The Issuer, in and by the Ordinance, has also entered into certain other covenants and agreements with the registered owner of 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.

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>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\* \* \* \* \*

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Extract #23 continued  
June 21, 2016

SECTION v) 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 vi) 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 vii) 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 viii) 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:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

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Extract #23 continued  
June 21, 2016

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

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 #\_\_\_\_\_ adopted by said Parish Council on July 5, 2016, authorizing the issuance and sale by the Parish of St. Bernard, State of Louisiana, of not exceeding Two Million Dollars (\$2,000,000) of Taxable Certificates of Indebtedness, Series 2016; 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 5<sup>th</sup> of July, 2016.

Clerk of Council

# *St. Bernard Parish Government*

*Department of Community Development  
8201 West Judge Perez Drive  
Chalmette, La, 70043  
Office: 278-4310 Fax: 278-4298*



**TO:** ST. BERNARD PARISH PLANNING COMMISSION  
**FROM:** ERIC TOLLE, RECOVERY PLANNER  
**DATE:** MAY 24, 2016

## **ZONING CHANGE REPORT**

Case Number: Z- 2016-010

Owner/Representative: Mr. Zack Smith

Property Address: 2700 Montesquieu Street

Property Location: The property is located on Lots 10, 11 and 12 of Versailles Subdivision, Square 105

Current Site Area: 10,800 sq. ft. or 0.248 acres

Present Use: Single-Family Residence

Present Comprehensive Plan Designation: Medium Density Residential

Present Zoning: R-1 (Single-Family Residential) District

Proposed Zoning: C-1 (Neighborhood Commercial) District

Reason For Request: A zoning change to allow a home based professional office (photography studio).

**I. Executive Summary:**

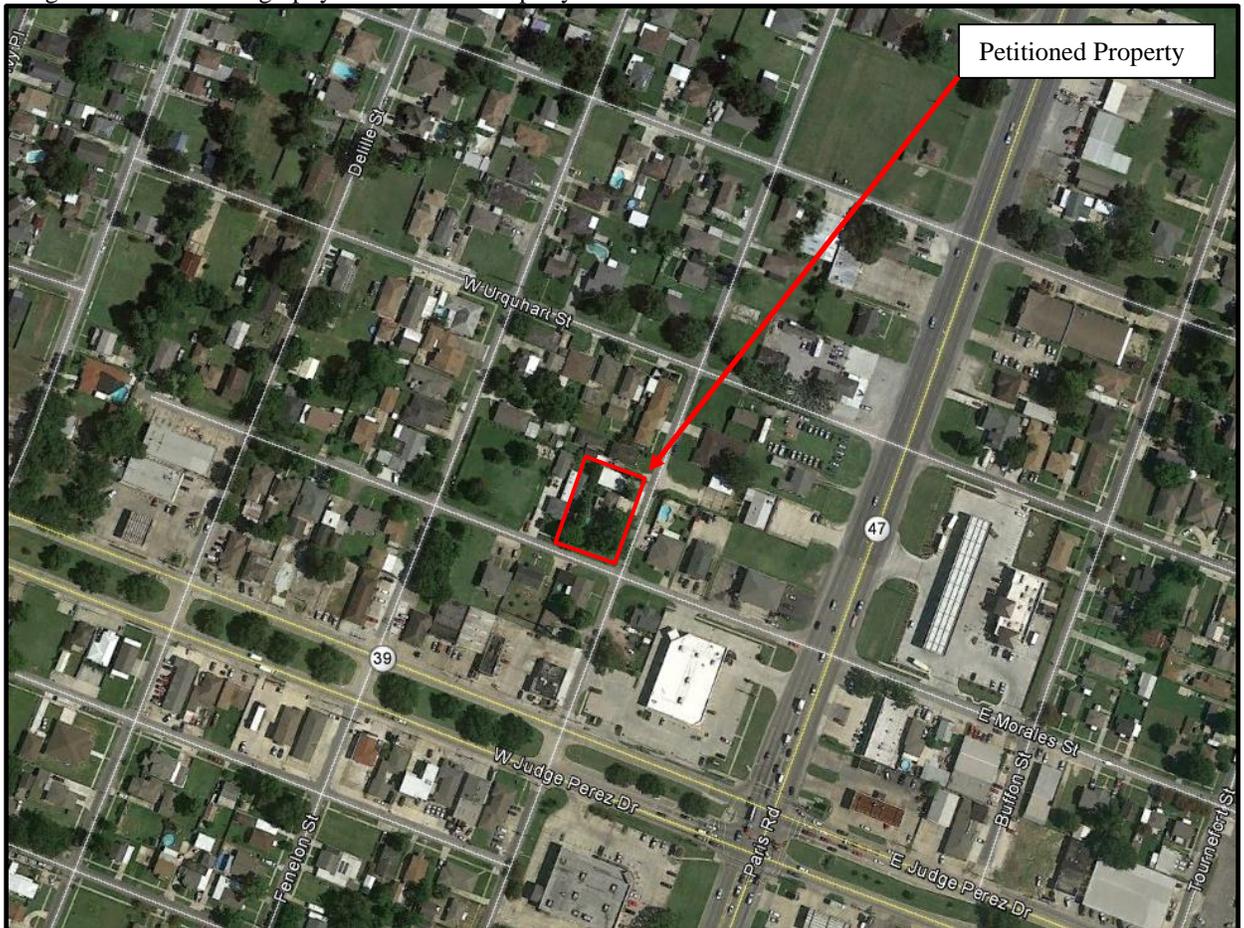
Zoning Docket Z-2016-010 is a request for a zoning change from an R-1 (Single-Family Residential) district to a C-1 (Neighborhood Commercial) district. The site consists of three (3) lots located on the corner of W. Morales Street and Montesquieu Street in Chalmette. The lots have a total area of 10,800 sq. ft. or 0.248 acres. The applicant is requesting for the zoning change to allow a home based professional office (photography studio) as the proposed use does not qualify as a home occupation due to clients coming and going from the premises.

The request is **inconsistent** with the Land Use/Density description of Medium Density Residential in the Comprehensive Plan. The request would be considered a spot zone as it would not be an extension from an identical and adjacent zoning district on the same side of the street as the subject property. Staff recommends **DENIAL** of the request due to the proposed zone district spot zone nature.

**II. Project Analysis:**

**A. Images**

Image #1: Aerial Photography of Petitioned Property



Source: Google Maps (Image Date 08/25/15)

Image #2: Street View of Subject Property



Source: Staff photo (05/20/2016)

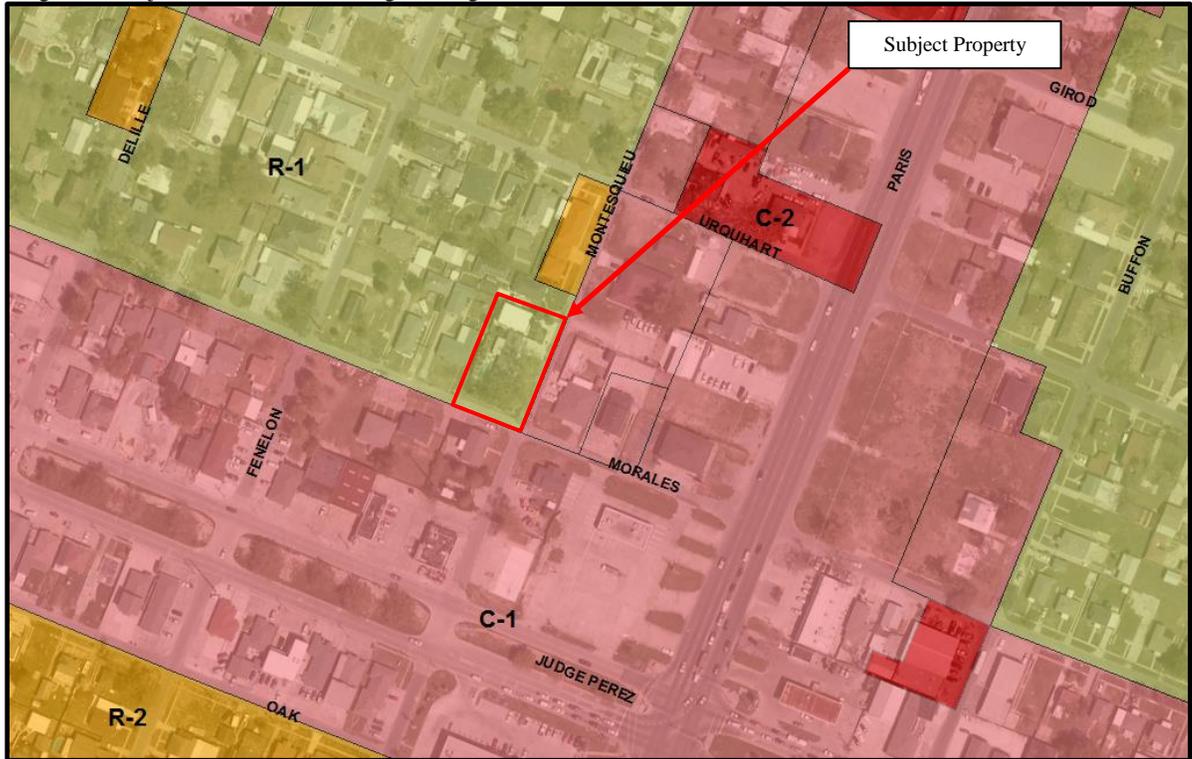
### **B. Site Description:**

The subject site consists of three (3) lots of record located on the corner of W. Morales Street and Montesquieu Street in Chalmette. The subject property approximately has a total area of 10,800 sq. ft. or 0.248 acres. This site contains of a single-family residence with a large detached accessory building.

### **C. Surrounding Land Uses and Zoning**

As shown in Image #3 below, the subject property is located completely within an R-1 (Single-Family Residential) district. The surrounding area is developed with mostly single-family residential structures near two major commercial corridors in an overall suburban setting.

Image #3: Adjacent and Surrounding Zoning Districts



Source: Arc GIS Parish Zoning Map (unofficial)

**D. Purpose of proposed rezoning and effect(s) on adjacent land uses:**

The applicant requests the zoning change to a C-1 (Neighborhood Commercial) district in order establish a home based photography studio operated out of the existing single-family residence which would entail site visits from clients.

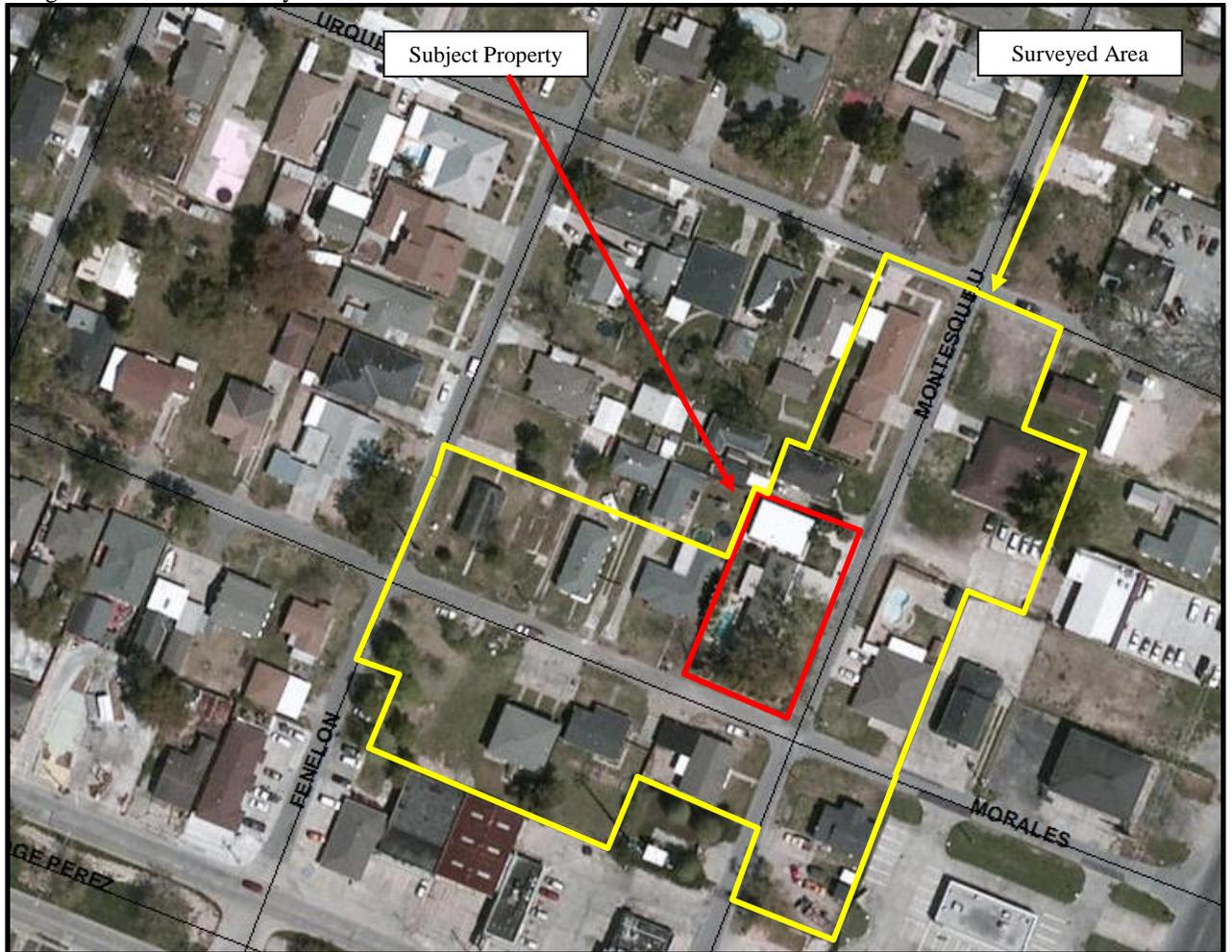
The intent of the R-1 (Single-Family Residence) district is to allow low density residential uses found traditionally in neighborhood/suburban settings.

The staff believes that allowing a zoning change to C-1 (Neighborhood Commercial) at the requested property to allow photography studio operating out of the existing single-family residence would not have a significant impact of adjacent land uses in excess of existing conditions currently experienced along W. Morales Street and Montesquieu Street. However, because the rezone runs with the land, it should be noted the highest intense uses allowed by right in the proposed C-1 (Neighborhood Commercial) zoning district include a restaurant and multi-family residential structures. The applicant would need to provide a minimum of four (4) parking spaces to accommodate the proposed home based business per the parking regulations as stated in Chapter 22-7-3.2.

### E. Block-face study

Staff conducted a block-face study of the area around the subject property. The study assessed the current use of existing structures on both sides of the street. Image #4 below indicates the area surveyed while the results are reported on Table #1 also below. Some conditions have changed in Image #4 below.

Image #4: Block-face study are



Source: Arc GIS Parish Map (unofficial)

Table #1: Block-face field results

Address	Current Use	Current Zoning
120 W. Morales St	Commercial	C-1 (Neighborhood Commercial)
209 W. Morales St	Single-Family Residential	R-1 (Single-Family Residential)
218 W. Morales St	Single-Family Residential	C-1 (Neighborhood Commercial)
222 W. Morales St	Multi-Family Residential	C-1 (Neighborhood Commercial)
2614 Montesquieu St	Single-Family Residential	C-1 (Neighborhood Commercial)
2701 Montesquieu St	Single-Family Residential	C-1 (Neighborhood Commercial)
2714 Montesquieu St	Single-Family Residential	R-1 (Single-Family Residential)
2416 Montesquieu St	Single-Family Residential	R-2 (Two-Family Residential)
2725 Montesquieu St	Single-Family Residential	C-1 (Neighborhood Commercial)
200 Urquhart	Single-Family Residential	R-2 (Two-Family Residential)

Source: Arc GIS Parish Map (unofficial) and field survey

According to the field conducted block-face survey at the above indicated area, of the ten existing structures in the study area, nine of them are used residentially and of those nine, eight are used as single-family residences. Only one structure was being used commercially (a tree trimming business), located diagonally across the street intersection from the subject property.

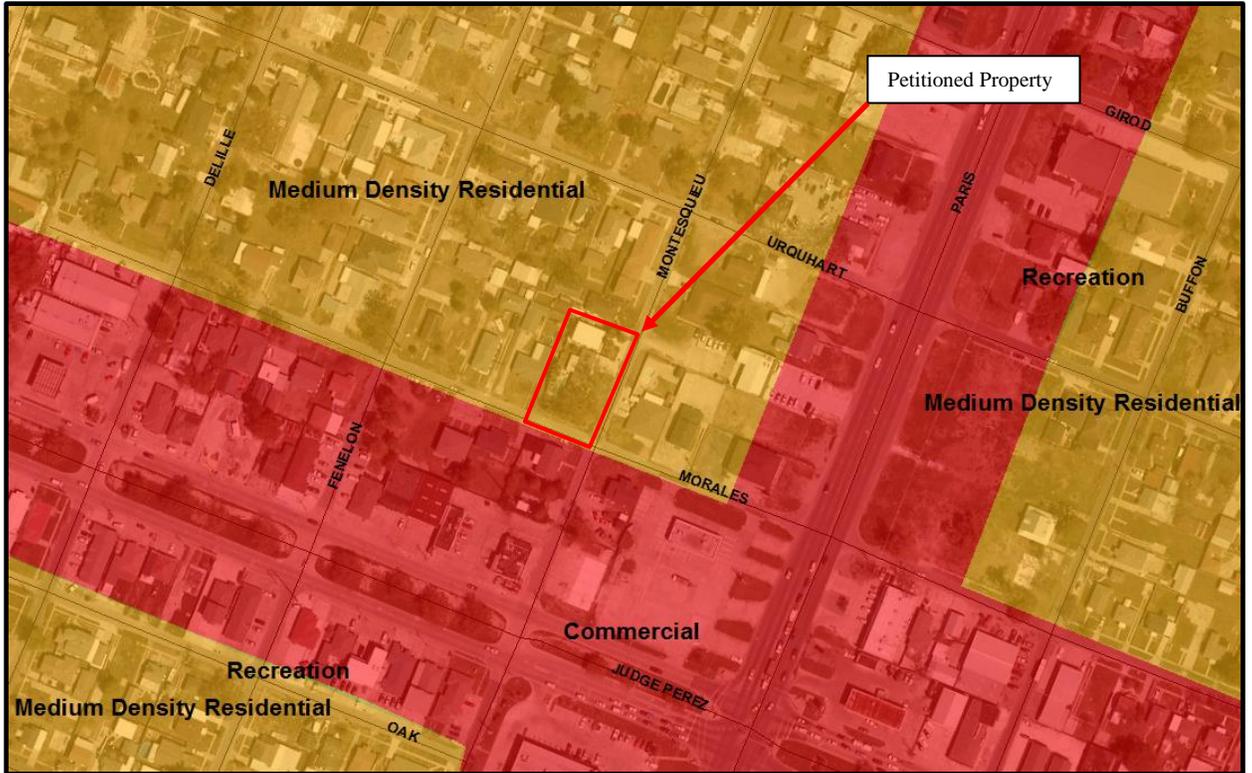
There are a total of two single-family residences (not including the subject property) that are located within the current R-1 (Single-Family Residential) zoning district, two single-family residences located within a nearby R-2 (Two-Family Residential) zoning district, and one multi-family residence, four single-family residences, and one commercial structure in the C-1 (Neighborhood Commercial) zoning district located across both W. Morales and Montesquieu Streets.

**F. Can the request be considered a spot zone?**

Yes. For a request to be considered a spot zone, a subject property would consist of a parcel that is singled out for treatment dissimilar to that of immediately adjacent lots on the same side of the street. As shown above, the request consists of a property that is located in an R-1 (Single-Family Residential) at the corner of W. Morales Street and Montesquieu Street; across both streets is an existing C-1 (Neighborhood Commercial) zoning district which is attributable to the W. Judge Perez Drive and Paris Road commercial corridors.

### III. Comprehensive Plan:

Image #5: Future Land Use Map per Comprehensive Plan



Source: Arc GIS Parish Map (unofficial)

The Future Land Use Map of the Comprehensive Plan designates this area as Medium Density Residential. The proposed rezoning is **inconsistent** with this designation. The land use and density definitions for this designation are shown below:

#### **Medium Density Residential**

**Land Use/Density:** Single-family @ 4-5 units/acre  
Small multi-family @ 12 units/acre and 4 to 12 units per development

The applicant is requesting a zoning change from an R-1 (Single-Family Residential) zoning district to a C-1 (Neighborhood Commercial) zoning district. Specifically listed, the proposed zoning change to allow a commercial use, a home based professional office (photography studio), does not align with the Land Use/Density description for the Medium Density Residential designation as stated on page 35 of the Comprehensive Plan; therefore, the requested zoning change is **inconsistent** with the Comprehensive Plan.

**IV. Summary:**

This is a request for a zoning change from an R-1 (Single-Family Residential) district to a C-1 (Neighborhood Commercial) district. The site located on the corner of W. Morales Street and Montesquieu Street in Chalmette. The applicant is requesting for a zoning change to allow a home based professional office (photography studio).

The request consists of lots that would not be zoned the same as the adjacent zoning districts on the same side of the street, therefore the request would be considered a spot zone.

The zoning request is **inconsistent** with the Land Use/Density description of Medium Density Residential of the Future Land Use Map.

Because the proposed rezone runs with the land, it should be noted the highest intensive uses allowed by right in the proposed C-1 (Neighborhood Commercial) zoning district include a restaurant and multi-family residential structures. The applicant would need to provide a minimum of four (4) parking spaces to accommodate the proposed home based business per the parking regulations as stated in Chapter 22-7-3.2.

This case was tabled by request of the applicant at the April 26, 2016 regular Planning Commission meeting.

**V. Staff Recommendation:**

The staff recommends **DENIAL** of Z-2016-010, a request for a zoning change from R-1 (Single-Family Residential) district to C-1 (Neighborhood Commercial) district.

**VI. Reason for Recommendation:**

1. The proposed C-1 (Neighborhood Commercial) zone district is inconsistent with the Future Land Use Map (Medium Density Residential) and would be considered a spot zone in nature. Despite the C-1 (Neighborhood Commercial) zone district present across both streets, the vast majority of the existing structures in the area are being used as single-family residences. The proposed rezone would run with the land, not property owner, and staff reminds the Commission of a higher intensive use allowed in the C-1 (Neighborhood Commercial) zoning district would be a restaurant for example. The proposed use would not serve an immediate neighborhood need.

**#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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That **DOCKET Z-2016-010**, Petition of Zachary Smith for a Zoning Change from "R-1, (Single Family Residential)" to "C-1, (Neighborhood Commercial)" for the following described property:

Three certain pieces or portions of ground situated in the Parish of St. Bernard, Versailles Subdivision, Square No. 105, designated as lots 10, 11 and 12.

Property Location: 2700 Montesquieu 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #22 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_

**EXHIBIT "A"**  
**SUMMARY NO. 3385**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 - Zoning, Section 7 - Site Development Standards  
Subsection 3- Off-street parking and loading requirements

Type of Use	Minimum Number of Parking Spaces
Residential Uses:	
Single-family dwelling	2.0 per dwelling unit
Multiple-family dwelling	2.0 per dwelling unit
Boarding house or lodging house	1.0 per guest room
Nursing home or convalescent home	1.0 per three beds plus and 1.0 per employee/shift
Manufactured home	1.0 per dwelling unit
Business and Industrial Uses:	
Retail stores, personal service shops, shopping centers and other similar uses	6.0 per 1,000 square feet for 1 to 10,000 square feet, 5.0 per 1,000 square feet above 10,000 square feet
Banks, professional or business office	4.0 per 1,000 square feet
Healthcare facilities	1.0 per 200 square feet and 4.0 per licensed healthcare provider
Industrial and manufacturing	2.0 per 1,000 square feet
Warehouse and storage	0.5 per 1,000 square feet
Contractor's workshops or vehicle storage facilities	As determined by the commission
Hotel or motel	1.0 per guest room plus and 1.0 per employee/shift
Restaurants, clubs, and bars	10.0 per 1,000 square feet
Places of public assembly and conference space	1.0 per 3 seats
Roadside stands	5.0 per each stand
Scrap or salvage yard	1 per 300 sq ft of GFA of office space
Motor Vehicle Service and Repair	6 spaces plus one space per service bay
Truck Repair	3 trucks spaces per service bay + 2 vehicle spaces per bay
Car Wash	1 per car wash bay + 3 spaces per bay for queuing purposes
Motor Vehicle dealerships	1.0 per 500 square feet of gross lot area
Gas Station	2 per pump + 1 per 500sf of retail area + 2 per service bay of accessory motor vehicle service and repair + 4 stacking spaces for car wash bay
Vehicle Impound Lot	1 per 300 sq ft of GFA of office space
Vehicle Storage Lot	1 per 300 sq ft of GFA of office space
Vehicle Operations Facility	1 per 300 sq ft of GFA of office space

**EXHIBIT "A"**  
**SUMMARY NO. 3385**  
**ORDINANCE SBPC #XXXX-XX-XX**

Bowling alleys	4.0 per lane
Riverboat gaming establishments	1.0 per each passenger and crewmember based on maximum capacity plus 1.0 space for each landside employee
Sound stage/movie studio	1.0 per 1,000 square feet of gross floor area (applied to all structures on the campus)
<b><u>Day Care Center, Adult or Child</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
<b><u>Group Home</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
Institutional Uses:	
Clubs and fraternities	1.0 per 3 members
Libraries and museums	2.5 per 1,000 square feet
Elementary and junior high schools	1.0 per classroom
Senior high schools	4.0 per classroom
College and universities	5.0 per classroom
Auditoriums and theaters, places of public assembly	1.0 per 4.0 seats
Hospitals	1.0 per 5.0 beds, 1.0 per each staff doctor, and 1.0 per each employee including nurses
Cemeteries	15.0 per every 5 acres
Churches	1.0 per 4 seats
Bingo halls	5.0 per 1,000 square feet
Athletic playing fields	1.0 per 5,000 square feet of gross area
Parks	One percent of total are designed as parking

**#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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3385**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards, Subsection 3; Off-street parking and loading requirements 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #21 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 6 – Commercial and Industrial Zoning Districts,  
 Subsection 4 - Permitted uses in Business and Industrial Districts

	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
<del>Day care centers and nursery schools</del>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	
<del>Kindergartens and nursery schools</del>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>CU</u>
<del>Child Care Centers (3)</del>		<u>P</u>	<u>P</u>						<u>CU</u>
<u>Day Care Home, Adult or Child (13)</u>		<u>P</u>						<u>P</u>	<u>P</u>
<u>Day Care Center, Adult or Child – Small (14)</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>CU</u>	<u>CU</u>		
<u>Day Care Center, Adult or Child – Large (14)</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>CU</u>	<u>CU</u>		
<u>Group Home, Small (15)</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>
<u>Group Home, Large (15)</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>CU</u>
<u>Group Home, Congregate (15)</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>				<u>CU</u>	

**(13) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.

**(14) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.
- b. The operator of any day care center shall be licensed by the State of Louisiana.
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school
- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

- e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(15) Group Home**

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

**#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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3384**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 6; Commercial and Industrial Zoning Districts, Subsection 4; Permitted uses in business and industrial Districts 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #20 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_



**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 5 – Residential Zoning Districts, Subsection 4 - Permitted uses in Residential Districts

USE	R-1	R-2	R-3	R-1(M)	R-4
<u>Day Care Home, Adult or Child (3)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Day Care Center, Adult or Child – Small (4)</u>			<u>P</u>		
<u>Day Care Center, Adult or Child – Large (4)</u>			<u>P</u>		
<u>Group Home, Small (5)</u>		<u>P</u>	<u>P</u>		
<u>Group Home, Large (5)</u>			<u>P</u>		
<u>Group Home, Congregate (5)</u>			<u>CU</u>		
<u>Child care center (3)</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>

~~(3) — For four (4) or more children when accessory to a church or school as permitted. A fenced and screened play area shall be provided which shall contain not less than twenty-five (25) square feet per child.~~

**(3) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.**
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.**
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.**
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)**
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.**

**(4) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.**
- b. The operator of any day care center shall be licensed by the State of Louisiana.**
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school**
- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.**

**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(5) Group Home**

a. Group homes shall be licensed by the State of Louisiana.

b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.

c. A group home shall encompass the entire structure.

d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

**#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 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3383**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 5; Residential Zoning Districts, Subsection 4; Permitted uses in Residential Districts 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #19 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning

Section 2 – Interpretation

Subsection 4 - Definitions

---

~~Day care center: Any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision and guidance of seven (7) or more children on a regular basis for at least twenty (20) hours in a continuous seven-day week.~~

Day Care Center, Adult. A facility where, for a portion of a twenty-four (24) hour day, functionally-impaired adults that are not related to the owner or operator of the facility are supervised or participate in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity. An adult day care center does not include adult day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) adults
- B. Day Care Center, Large: Thirteen (13) to thirty (30) adults
- C. Day Care Center, Commercial: Thirty-one (31) or more adults

Day Care Center, Child. A facility where care, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) children
- B. Day Care Center, Large: Thirteen (13) to thirty (30) children
- C. Day Care Center, Commercial: Thirty-one (31) or more children

Day Care Home, Adult. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) elderly and/or functionally-impaired adults in a protective setting for less than twenty-four (24) hours per day. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity.

Day Care Home, Child. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) children from outside households in a protective setting for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include facilities that receive children from a single household.

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Adult oriented businesses: An adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult cabaret, or a massage business. Adult establishment also means any premises which sells or disseminates "explicit sexual material". Burlesque shows or acts, generally performed in a variety theater, are not considered an adult oriented business use.

Burlesque shows or acts: A type of theatrical performance involving a variety of different acts, usually a parody or satire of popular culture. Shows often include singing, comics, circus tricks, and striptease acts. Burlesque does not include nudity or exposed nipples.

**#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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3382**

Planning Commission recommended **APPROVAL** on 5/24/16

Introduced by: Administration on 6/7/16

Public hearing held on 6/21/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #18 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_

**EXHIBIT "A"**  
**SUMMARY NO. 3381**  
**ORDINANCE SBPC #XXXX-XX-XX**

~~Chapter 13 – Occupational License, Taxes and Regulations~~  
~~Section 13-44 – Permit requirements for distribution and solicitation.~~

---

- a. ~~Permits shall only be issued under the following criteria:~~
- ~~1. The department shall only issue a permit to groups, associations, fraternal orders, assemblies, congresses, corporations, juridical associations or formal associations of natural persons.~~
  - ~~2. The purpose of the solicitation or distribution must be for a charitable, political, religious, altruistic, philanthropic or humanitarian reason.~~
  - ~~3. Solicitors and distributors shall be the age of majority.~~
  - ~~4. The procurer shall provide the full name, address of the organization and individual procuring the permit.~~
  - ~~5. The procurer shall have a valid government issued ID.~~
  - ~~6. The procurer shall identify all streets and intersections his organization wishes to conduct distributions or solicitations.~~
  - ~~7. Distribution permits may be issued by the Department of Community Development in accordance with chapter 13, article III, section 34 of the St. Bernard Parish Code.~~
  - ~~8. Solicitation permits shall be issued by the Department of Community Development without special permission from the Council.~~
  - ~~9. Reflective vests and/or clothing must be worn.~~
- b. ~~The permit shall be valid for thirty (30) days from issuance.~~
- c. ~~The permit shall cost fifty dollars and zero cents (\$50.00).~~

**#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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

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

**ORDINANCE SBPC #XXXX-06-16**

**Summary No. 3381**

Introduced by: Administration on 6/7/16

Planning Commission recommended **APPROVAL** on 5/24/16

Public hearing held on 6/21/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby repeal Chapter 13; Occupational License, Taxes and Regulations, Section 13-44; Permit requirements for distribution and solicitation 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 this Ordinance with the invalid portions omitted.

Page -2-  
Extract #17 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
ROXANNE ADAMS  
CLERK OF COUNCIL

\_\_\_\_\_  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President \_\_\_\_\_  
Date and Time

Approved \_\_\_\_\_ Vetoed \_\_\_\_\_

Parish President \_\_\_\_\_  
Guy McInnis

Returned to Clerk of the Council \_\_\_\_\_  
Date and Time

Received by \_\_\_\_\_

## #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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

### **RESOLUTION SBPC #1603-06-16**

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN THE AMOUNT OF \$800,000.00 FOR THE EASTERN ST. BERNARD WATER SYSTEM IMPROVEMENT PROJECT

**WHEREAS**, Louisiana Office of Community Development issued a call for grant applications for the FY2016-2017 Louisiana Community Development Block Grant (LCDBG) cycle in fall, 2015; and

**WHEREAS**, St. Bernard Parish has a critical need to improve the water system in eastern St. Bernard Parish due to problems with water pressure and water quality affecting the public safety and quality of life of our residents; and

**WHEREAS**, St. Bernard Parish reviewed this call for projects and determined that a Public Infrastructure Program grant would be most suitable to meet St. Bernard's needs; and

**WHEREAS**, St. Bernard Parish submitted a grant application to this program as approved by Council resolution on November 17, 2015 with the following stipulations:

- This project will completely remedy existing conditions that violate state and federal standards established to protect health and safety.
- This project will benefit low-moderate income persons of eastern St. Bernard Parish.
- Local funds will be used to pay engineering costs associated with this project including basic design, resident inspection, topographic surveying and testing. St. Bernard Parish has secured the professional engineering services of Shread-Kuyrkendall and Associates, Inc. to undertake this and other work related to parish water system improvement projects. These costs will not be part of the LCDBG program grant if awarded.

- Local funds will be used to pay for administrative costs associated with this project and these costs will not be a part of the LCDBG program grant if awarded. St. Bernard Parish has secured the professional engineering services of Digital Engineering to undertake all administrative management work related to this and other parish water system improvement projects.
- Local funds will be used to pay for all pre-agreement costs associated with this project including application preparation fees, advertising and publication fees, etc. St. Bernard Parish has secured the professional planning services of Deborah Jan Fagan Planning Services to undertake grant application preparation work for this and other projects and related planning consultant services. These costs will not be part of the LCDBG program grant if awarded.

**NOW THEREFORE BE IT RESOLVED**, the St. Bernard Parish Council, does hereby authorize the acceptance of a grant from the FY2016-17 Louisiana Community Development Block Grant Program for the Eastern St. Bernard Water System Improvement Project in the amount of \$800,000.00; and

**BE IT FURTHER RESOLVED**, the St. Bernard Parish Council, does hereby authorize the required local match as stipulated in the grant application in the amount of \$1,359,000 from the previously approved Louisiana Department of Health and Hospitals loan for water system improvements.

**BE IT FURTHER RESOLVED**, the St. Bernard Parish Council, does hereby authorize the President of St. Bernard Parish Government to sign and execute all required grant agreements and any amendments thereof, and all of the necessary reports, assurances, contracts and any other documents required in connection with the Louisiana Office of Community Development Block Grant Program FY2016-17 Program.

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

Page -3-  
Extract #16 continued  
June 21, 2016

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

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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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mrs. xxxx, it was moved to **adopt** the following resolution:

### **RESOLUTION SBPC #1602-06-16**

A RESOLUTION APPOINTING NEW MEMBERS TO THE OLD ARABI HISTORIC COMMISSION.

**WHEREAS**, St. Bernard Parish Council adopted **Ordinance SBPC #1374-02-13** on February 5, 2013 which established an Old Arabi Neighborhood Commission, and;

**WHEREAS**, this Council is desirous to seat this commission; and

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following members to the Old Arabi Neighborhood Commission; and

**BE IT FURTHER RESOLVED**, that these terms shall be effective as of June 21, 2016 and terminate as follows:

<b><u>Member</u></b>	<b><u>Expiration Date</u></b>	<b><u>Appointee From</u></b>
Patrice Cusimano	06/21/19	Old Arabi Neighborhood Association
Barry Lemoine	06/21/19	Chamber of Commerce
Clinton Trahan	06/21/19	Planning Commission

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

Page -2-  
Extract #15 continued  
June 21, 2016

## CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at St. Bernard, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal of the Parish of St. Bernard on this 21<sup>st</sup> day of June, 2016.

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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, JUNE 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

**RESOLUTION SBPC #1601-06-16**

A RESOLUTION APPOINTING NEW MEMBERS TO THE BOARD OF ZONING ADJUSTMENTS (BZA).

**WHEREAS**, this Council is desirous to seat this board; and

**NOW THEREFORE, BE IT RESOLVED**, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following members to the Board of Zoning Adjustments (BZA), and

**BE IT FURTHER RESOLVED**, that these terms shall be effective as of June 21, 2016 and terminate as follows:

<u>Member</u>	<u>Expiration</u>
Hilton Preau	July 2020
Charles Doize	July 2020
Suzanne Sweaney	July 2020

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

Page -2-  
Extract #14 continued  
June 21, 2016

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

## #13

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 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

### **RESOLUTION SBPC #1600-06-16**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE ANY AND ALL ACT OF SALE DOCUMENTS DEEMED NECESSARY TO PURCHASE LOT 1-A-7, HERNANDEZ STREET, ARABI, LOUISIANA.

**BE IT RESOLVED**, that the St. Bernard Parish Government purchase for \$31,500.00, on such terms as Guy McInnis, Parish President, in his sole discretion deems fit and proper, the property more fully described as Lot 1-A-7, Hernandez Street, Arabi, Louisiana.

**BE IT FURTHER RESOLVED**, that Guy McInnis, Parish President, is authorized to appear before a Notary Public and to make, sign, and execute any and all act of sale or other instruments or documents which he may deem necessary and proper in order to carry the above resolution into effect; and to pay out and disperse any funds in connection therewith; St. Bernard Parish Government hereby ratifying and confirming all that said members of St. Bernard Parish Government may do by virtue hereof.

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

Page -2-  
Extract #13 continued  
June 21, 2016

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

# #12

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 21, 2016 AT THREE O’CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1599-06-16**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

### **Beer and/or Liquor Permit(s)**

<u>Establishment</u>	<u>Beer</u>	<u>Liquor</u>
1. Big Easy Discount, Inc. dba Big Easy Discount 1016 W. Judge Perez Drive, Chalmette, LA 70043 Owner: Raed Khalaileh	<b>X</b>	<b>X</b>
2. Pamela Fernandez dba Pam’s M’Pressive Reception & Venue Hall 4720 E. Judge Perez Drive, Meraux, LA 70075 Owner: Pamela Fernandez	<b>X</b>	<b>X</b>
3. Tomasitos Grocery, LLC dba Tomasitos Grocery 7547 W. Judge Perez Drive, Arabi, LA 70032 Member: Nelita Thompson	<b>X</b>	<b>X</b>
4. Trang, LLC dba Son’s Seafood 113 E. Judge Perez Drive, Chalmette, LA 70043 Owners: Christine Tang & Hanh Trang	<b>X</b>	<b>X</b>
5. The Valiant Theatre & Lounge Inc. dba The Valiant 6621 St. Claude Avenue, Arabi, LA 70032 Owners: Paul O. Chiriaco & Richard Mayer	<b>X</b>	<b>X</b>

Page -2-  
Extract #12 continued  
June 21, 2016

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

#### CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

---

ROXANNE ADAMS  
CLERK OF COUNCIL

**EXHIBIT "A"**  
**SUMMARY NO. 3385**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 - Zoning, Section 7 - Site Development Standards  
Subsection 3- Off-street parking and loading requirements

Type of Use	Minimum Number of Parking Spaces
Residential Uses:	
Single-family dwelling	2.0 per dwelling unit
Multiple-family dwelling	2.0 per dwelling unit
Boarding house or lodging house	1.0 per guest room
Nursing home or convalescent home	1.0 per three beds plus and 1.0 per employee/shift
Manufactured home	1.0 per dwelling unit
Business and Industrial Uses:	
Retail stores, personal service shops, shopping centers and other similar uses	6.0 per 1,000 square feet for 1 to 10,000 square feet, 5.0 per 1,000 square feet above 10,000 square feet
Banks, professional or business office	4.0 per 1,000 square feet
Healthcare facilities	1.0 per 200 square feet and 4.0 per licensed healthcare provider
Industrial and manufacturing	2.0 per 1,000 square feet
Warehouse and storage	0.5 per 1,000 square feet
Contractor's workshops or vehicle storage facilities	As determined by the commission
Hotel or motel	1.0 per guest room plus and 1.0 per employee/shift
Restaurants, clubs, and bars	10.0 per 1,000 square feet
Places of public assembly and conference space	1.0 per 3 seats
Roadside stands	5.0 per each stand
Scrap or salvage yard	1 per 300 sq ft of GFA of office space
Motor Vehicle Service and Repair	6 spaces plus one space per service bay
Truck Repair	3 trucks spaces per service bay + 2 vehicle spaces per bay
Car Wash	1 per car wash bay + 3 spaces per bay for queuing purposes
Motor Vehicle dealerships	1.0 per 500 square feet of gross lot area
Gas Station	2 per pump + 1 per 500sf of retail area + 2 per service bay of accessory motor vehicle service and repair + 4 stacking spaces for car wash bay
Vehicle Impound Lot	1 per 300 sq ft of GFA of office space
Vehicle Storage Lot	1 per 300 sq ft of GFA of office space
Vehicle Operations Facility	1 per 300 sq ft of GFA of office space

**EXHIBIT "A"**  
**SUMMARY NO. 3385**  
**ORDINANCE SBPC #XXXX-XX-XX**

Bowling alleys	4.0 per lane
Riverboat gaming establishments	1.0 per each passenger and crewmember based on maximum capacity plus 1.0 space for each landside employee
Sound stage/movie studio	1.0 per 1,000 square feet of gross floor area (applied to all structures on the campus)
<b><u>Day Care Center, Adult or Child</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
<b><u>Group Home</u></b>	<b><u>3.0 per 1,000 square feet</u></b>
Institutional Uses:	
Clubs and fraternities	1.0 per 3 members
Libraries and museums	2.5 per 1,000 square feet
Elementary and junior high schools	1.0 per classroom
Senior high schools	4.0 per classroom
College and universities	5.0 per classroom
Auditoriums and theaters, places of public assembly	1.0 per 4.0 seats
Hospitals	1.0 per 5.0 beds, 1.0 per each staff doctor, and 1.0 per each employee including nurses
Cemeteries	15.0 per every 5 acres
Churches	1.0 per 4 seats
Bingo halls	5.0 per 1,000 square feet
Athletic playing fields	1.0 per 5,000 square feet of gross area
Parks	One percent of total are designed as parking

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 21, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JUNE 7, 2016 COUNCIL MEETING:

### **Summary No. 3385**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 7; Site Development Standards, Subsection 3; Off-street parking and loading requirements 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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 6 – Commercial and Industrial Zoning Districts,  
 Subsection 4 - Permitted uses in Business and Industrial Districts

	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
<del>Day care centers and nursery schools</del>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	
<del>Kindergartens and nursery schools</del>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>CU</u>
<del>Child Care Centers (3)</del>		<u>P</u>	<u>P</u>						<u>CU</u>
<u>Day Care Home, Adult or Child (13)</u>		<u>P</u>						<u>P</u>	<u>P</u>
<u>Day Care Center, Adult or Child – Small (14)</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>CU</u>	<u>CU</u>		
<u>Day Care Center, Adult or Child – Large (14)</u>		<u>P</u>	<u>P</u>	<u>P</u>		<u>CU</u>	<u>CU</u>		
<u>Group Home, Small (15)</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>
<u>Group Home, Large (15)</u>		<u>P</u>	<u>P</u>	<u>P</u>				<u>P</u>	<u>CU</u>
<u>Group Home, Congregate (15)</u>		<u>CU</u>	<u>CU</u>	<u>CU</u>				<u>CU</u>	

**(13) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.

**(14) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.
- b. The operator of any day care center shall be licensed by the State of Louisiana.
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school
- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.

**EXHIBIT "A"**  
**SUMMARY NO. 3384**  
**ORDINANCE SBPC #XXXX-XX-XX**

- e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(15) Group Home**

- a. Group homes shall be licensed by the State of Louisiana.
- b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.
- c. A group home shall encompass the entire structure.
- d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 21, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JUNE 7, 2016 COUNCIL MEETING:

### **Summary No. 3384**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 6; Commercial and Industrial Zoning Districts, Subsection 4; Permitted uses in business and industrial Districts 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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning, Section 5 – Residential Zoning Districts, Subsection 4 - Permitted uses in Residential Districts

USE	R-1	R-2	R-3	R-1(M)	R-4
<u>Day Care Home, Adult or Child (3)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Day Care Center, Adult or Child – Small (4)</u>			<u>P</u>		
<u>Day Care Center, Adult or Child – Large (4)</u>			<u>P</u>		
<u>Group Home, Small (5)</u>		<u>P</u>	<u>P</u>		
<u>Group Home, Large (5)</u>			<u>P</u>		
<u>Group Home, Congregate (5)</u>			<u>CU</u>		
<u>Child care center (3)</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>

~~(3) — For four (4) or more children when accessory to a church or school as permitted. A fenced and screened play area shall be provided which shall contain not less than twenty-five (25) square feet per child.~~

**(3) Day Care Home, Adult or Child**

- a. Each day care home shall comply with all applicable state and federal regulations, including the Louisiana Administrative Code.**
- b. The day care home shall retain a residential character and shall not alter the residential character of the neighborhood.**
- c. Day Care Home, Adult or Child is a permitted use when accessory to a church or school.**
- d. No accessory buildings or structures shall be occupied as a part of Day Care Home operations with exception to outdoor play areas and equipment (Child)**
- e. No adult or child (client) may remain on the premises of a Day Care Home for more than twenty-four (24) consecutive hours in one (1) stay.**

**(4) Day Care Center, Adult or Child**

- a. Each day care center shall comply with all applicable state and federal regulations, including regulations within the Louisiana Administrative Code.**
- b. The operator of any day care center shall be licensed by the State of Louisiana.**
- c. Day Care Center, Adult or Child is a permitted use when accessory to a church or school**
- d. No adult or child may remain on the premises of a Day Care Center for more than twenty-four (24) consecutive hours in one (1) stay. However, Day Care Center operations may remain open twenty-four (24) hours a day to accommodate client needs in Commercial zoning districts.**

**EXHIBIT "A"**  
**SUMMARY NO. 3383**  
**ORDINANCE SBPC #XXXX-XX-XX**

e. An on-site drop-off and/or residential passenger zone is required. Stacked parking is permitted. The use of van or bus service is encouraged.

**(5) Group Home**

a. Group homes shall be licensed by the State of Louisiana.

b. Group homes are subject to all local and federal regulations and the regulations of the Louisiana Administrative Code.

c. A group home shall encompass the entire structure.

d. The location, design, and operation of the group home shall not alter the residential character of the neighborhood. The facility shall retain a residential character, which shall be compatible with the surrounding neighborhood.

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 21, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JUNE 7, 2016 COUNCIL MEETING:

### **Summary No. 3383**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 5; Residential Zoning Districts, Subsection 4; Permitted uses in Residential Districts 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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Chapter 22 – Zoning

Section 2 – Interpretation

Subsection 4 - Definitions

---

~~Day care center: Any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group for the primary purpose of providing care, supervision and guidance of seven (7) or more children on a regular basis for at least twenty (20) hours in a continuous seven-day week.~~

Day Care Center, Adult. A facility where, for a portion of a twenty-four (24) hour day, functionally-impaired adults that are not related to the owner or operator of the facility are supervised or participate in a training program. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity. An adult day care center does not include adult day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) adults
- B. Day Care Center, Large: Thirteen (13) to thirty (30) adults
- C. Day Care Center, Commercial: Thirty-one (31) or more adults

Day Care Center, Child. A facility where care, supervision and guidance of children that are not related to the owner or operator of the facility is provided on a regular basis. A child day care center does not include a child day care home.

- A. Day Care Center, Small: Seven (7) to twelve (12) children
- B. Day Care Center, Large: Thirteen (13) to thirty (30) children
- C. Day Care Center, Commercial: Thirty-one (31) or more children

Day Care Home, Adult. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) elderly and/or functionally-impaired adults in a protective setting for less than twenty-four (24) hours per day. This excludes alcohol and drug abuse clientele, former inmates of prisons or correctional institutions, or former patients of mental institutions who have been found not guilty by reason of insanity.

Day Care Home, Child. A residential dwelling where a permanent occupant of the dwelling provides care for up to six (6) children from outside households in a protective setting for less than twenty-four (24) hours per day. The number counted includes the family's natural or adopted children and all other persons under the age of twelve (12). A child day care home does not include facilities that receive children from a single household.

Group Home. A group care facility in a residential dwelling, licensed by the state, for twenty-four (24) hour medical or non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living, or for the protection of the individual. Group homes include youth transitional residences, adult residential care facilities, emergency child shelters, and child residential care facilities licensed by the state.

- A. Small group homes: Up to six (6) residents
- B. Large group homes: Seven (7) to fifteen (15) residents
- C. Congregate group homes: Sixteen (16) or more residents

**EXHIBIT "A"**  
**SUMMARY NO. 3382**  
**ORDINANCE SBPC #XXXX-XX-XX**

Adult oriented businesses: An adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult cabaret, or a massage business. Adult establishment also means any premises which sells or disseminates "explicit sexual material". Burlesque shows or acts, generally performed in a variety theater, are not considered an adult oriented business use.

Burlesque shows or acts: A type of theatrical performance involving a variety of different acts, usually a parody or satire of popular culture. Shows often include singing, comics, circus tricks, and striptease acts. Burlesque does not include nudity or exposed nipples.

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 21, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JUNE 7, 2016 COUNCIL MEETING:

### **Summary No. 3382**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions 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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**EXHIBIT "A"**  
**SUMMARY NO. 3381**  
**ORDINANCE SBPC #XXXX-XX-XX**

~~Chapter 13 – Occupational License, Taxes and Regulations~~  
~~Section 13-44 – Permit requirements for distribution and solicitation.~~

---

- ~~a. Permits shall only be issued under the following criteria:~~
- ~~1. The department shall only issue a permit to groups, associations, fraternal orders, assemblies, congresses, corporations, juridical associations or formal associations of natural persons.~~
  - ~~2. The purpose of the solicitation or distribution must be for a charitable, political, religious, altruistic, philanthropic or humanitarian reason.~~
  - ~~3. Solicitors and distributors shall be the age of majority.~~
  - ~~4. The procurer shall provide the full name, address of the organization and individual procuring the permit.~~
  - ~~5. The procurer shall have a valid government issued ID.~~
  - ~~6. The procurer shall identify all streets and intersections his organization wishes to conduct distributions or solicitations.~~
  - ~~7. Distribution permits may be issued by the Department of Community Development in accordance with chapter 13, article III, section 34 of the St. Bernard Parish Code.~~
  - ~~8. Solicitation permits shall be issued by the Department of Community Development without special permission from the Council.~~
  - ~~9. Reflective vests and/or clothing must be worn.~~
- ~~b. The permit shall be valid for thirty (30) days from issuance.~~
- ~~c. The permit shall cost fifty dollars and zero cents (\$50.00).~~

## PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON **TUESDAY, JUNE 21, 2016 AT THREE (3:00) O'CLOCK P.M.** AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JUNE 7, 2016 COUNCIL MEETING:

### **Summary No. 3381**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** That St. Bernard Parish does hereby repeal Chapter 13; Occupational License, Taxes and Regulations, Section 13-44; Permit requirements for distribution and solicitation 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 this Ordinance with the invalid portions omitted.

BY DIRECTION OF

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **JUNE 7, 2016 AT 7:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on June 7, 2016 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:05 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: Nathan Gorbaty

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and President, Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Reverend Jeff Duke delivered the invocation and Councilmember Alcon led the Pledge of Allegiance.

Councilman Gorbaty is recorded as present at this time.

**#1** On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to approve the minutes from the May 17, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 23, 2016.

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#2** On motion of the Chair, without objection and by unanimous consent, it was moved to recognize the Leadership St. Bernard Class.

**#3** On motion of the Chair, without objection and by unanimous consent, it was moved to recognize the Bayou Bulldogs of St. Bernard.

**#4 President's Report**

A copy of this report was entered into the official record and is on file with the minutes of this meeting.

**#5 Councilmember's District Update**

A copy of this update is on file with the minutes of this meeting.

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #22.

# Minutes of the St. Bernard Parish Council Meeting of April 5, 2016

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**#22** On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to discuss St. Bernard Parish water quality and testing procedures.

Discussion ensued; No official action taken.

**#6 Recognize the Public**

No one signed up to speak at this meeting.

**#7 Summary No. 3379**

Introduced by: Administration on 5/17/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

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

## **RESOLUTION SBPC #1594-06-16**

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

### **Beer and/or Liquor Permit(s)**

1. Violet Discount Meat Market, LTD dba Violet Discount Meat Market 5636 E. Judge Perez Drive, Violet, LA 70092 Owner: Tharwat N. Hamed **(Renewal) (Beer & Liquor)**
2. Vu Ngoc Son, Inc. dba Ruby Express 1515 E. Judge Perez Drive, Suite 4, Chalmette, LA 70043 Owner: Son Ngoc Vu **(Renewal) (Beer & Liquor)**
3. 5303 Paris, LLC dba Paris Casino 5353 Paris Road, Chalmette, LA 70043 Members: J. Georges, G. Corchiani, A. Ackel, G. Ackel III, A Tallo and A. Ackel **(Renewal) (Beer & Liquor)**
4. 7759 LLC dba Nicosia's Express Lane 101 Bayou Road, St. Bernard, LA 70085 Owners: Manuel J. Nicosia and Jeffrey D. Nicosia **(Renewal) (Beer & Liquor)**

On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to amend this item to add the following special event:

1. Name of Organization: Studio Arabi, LLC  
Address: 6707 Saint Claude Avenue, Arabi, LA 70032  
Event: Grand Opening of Studio Arabi  
Location: 6707 Saint Claude Avenue, Arabi, LA  
Date & Time: Saturday, June 25, 2016; 5:00 p.m. – 10:00 p.m.  
Contact Person: Mitchel Gaudet

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

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

**Minutes of the St. Bernard Parish Council Meeting of June 7, 2016**

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**NAYS:** None

**ABSENT:** None

**ABSTAINED:** Lewis

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to **adopt** Resolution SBPC #1594-06-16, as amended.

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

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

**NAYS:** None

**ABSENT:** None

**ABSTAINED:** Lewis

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

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

**RESOLUTION SBPC #1595-06-16**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SOUTHEAST LOUISIANA FLOOD PROTECTION AUTHORITY - WEST (THE AUTHORITY) EXPRESSING TO THE NEW ORLEANS GEOLOGICAL SOCIETY, THE RESPECTFUL REQUEST OF THE AUTHORITY AND ITS CONSTITUENTS, THE ALGIERS LEVEE DISTRICT AND THE WEST JEFFERSON LEVEE DISTRICT, THAT THE NEW ORLEANS GEOLOGICAL SOCIETY (NOGS) FACILITATE THE PRODUCTION OF BASIC PHYSICAL GEOLOGY RESEARCH OF AND IN THE VICINITY OF THE LANDS AND HURRICANE STORM SURGE, DRAINAGE AND FLOOD PREVENTION FACILITIES UNDER THE AUTHORITY'S JURISDICTION.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to amend the title of this resolution to read the following:

A RESOLUTION ASKING THE NEW ORLEANS GEOLOGICAL SOCIETY (NOGS) TO FACILITATE THE PRODUCTION OF BASIC GEOLOGICAL RESEARCH OF AND IN THE VICINITY OF ST. BERNARD PARISH TO ALLOW FOR MORE DETAILED STUDY OF SUBSIDENCE.

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

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

**NAYS:** None

**Minutes of the St. Bernard Parish Council Meeting of June 7, 2016**

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**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Gorbaty, seconded by Mr. Montelongo, it was moved to **adopt** Resolution SBPC #1595-06-16, as amended.

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

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

**RESOLUTION SBPC #1596-06-16**

A RESOLUTION DIRECTING THE COMMUNITY DEVELOPMENT DEPARTMENT TO DRAFT A SHIPPING CONTAINER AND OUTDOOR STORAGE CONTAINER ORDINANCE TO BE SUBMITTED TO THE PLANNING COMMISSION WITHIN SIXTY (60) DAYS.

On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to amend the title of this resolution to read:

A RESOLUTION RESPECTFULLY REQUESTING THE PARISH PRESIDENT FOR ASSISTANCE FOR THE COMMUNITY DEVELOPMENT DEPARTMENT TO DRAFT A SHIPPING CONTAINER AND OUTDOOR STORAGE CONTAINER ORDINANCE TO BE SUBMITTED TO THE PLANNING COMMISSION WITHIN SIXTY (60) DAYS.

Discussion ensued;

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

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

**NAYS:** McCloskey, Lewis

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as **NAY**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

# Minutes of the St. Bernard Parish Council Meeting of June 7, 2016

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On motion of Mr. Luna, seconded by Mrs. Alcon, it was moved to **adopt** Resolution SBPC #1596-06-16, as amended.

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

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

**NAYS:** McCloskey, Lewis

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as **NAY**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#11** On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

## **RESOLUTION SBPC #1597-06-16**

A RESOLUTION APPOINTING THE FOLLOWING MEMBERS TO THE AMERICANS WITH DISABILITIES ACT (ADA) BOARD.

On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to amend this item to appoint the following members:

<u>Member</u>	<u>Expiration</u>
Carolyn Armstrong	May 2018
William Deano	May 2019

Discussion ensued;

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

**YEAS:** McCloskey, Luna, Alcon, Montelongo, Lewis

**NAYS:** Gorbaty

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to defer this item until after item #20.

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

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

**NAYS:** None

**ABSENT:** None

**Minutes of the St. Bernard Parish Council Meeting of June 7, 2016**

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The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of the Chair, without objection and by unanimous consent, it was moved to remove item #12.

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

**ORDINANCE SBPC #1788-06-16**

**Summary No. 3379**

Introduced by: Administration on 5/17/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

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

**NAYS:** Gorbaty, Lewis

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#14** On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

**Summary No. 3381**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **REPEAL** CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

**Minutes of the St. Bernard Parish Council Meeting of June 7, 2016**

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And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#15** On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to **introduce** the following ordinance:

**Summary No. 3382**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**YEAS:** McCloskey, Gorbaty, Luna, Montelongo, Lewis

**NAYS:** Alcon

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#16** On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to **introduce** the following ordinance:

**Summary No. 3383**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#17** On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

**Summary No. 3384**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend this item to add the following changes:

	RO	A-1	C-1	C-2	C-3	I-1	I-2	SA	SBV
<del>Day care centers and nursery schools</del>		P	P	P	P			P	
<del>Kindergartens and nursery schools</del>		P	P	P	P			P	CU

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to **introduce** the following ordinance, as amended:

**Summary No. 3384**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

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

**Summary No. 3385**

Introduced by: Administration on 6/7/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS,

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**SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.**

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#19** On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to **introduce** the following ordinance:

**Summary No. 3386**

Planning Commission made **NO RECOMMENDATION** on 5/24/16

Introduced by: Administration on 6/7/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-010**, PETITION OF ZACHARY SMITH FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2700 MONTESQUIEU STREET, CHALMETTE, LA 70043.

Discussion ensued;

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#20** On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance:

**Summary No. 3387**

Introduced by: Councilmember Luna on 6/7/16

AN ORDINANCE PLACING A NINETY (90) DAY MORATORIUM ON THE PLACEMENT OF SHIPPING CONTAINERS AND OUTDOOR STORAGE CONTAINERS FOR MORE THAN THIRTY (30) DAYS IN R-1, R-2, R-3, C-1 AND C-2 DISTRICTS.

Discussion ensued;

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

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**YEAS:** Luna, Alcon

**NAYS:** McCloskey, Gorbaty, Montelongo, Lewis

**ABSENT:** None

The Council Chair, Ms. Callais, cast her vote as **NAY**.

And the motion was declared **failed** on the 7<sup>th</sup> day of June, 2016.

**#21 Coastal Zone Advisory Committee**

No official action taken

On motion of the Chair, without objection and by unanimous consent, it was moved to re-address item #11.

**#11** On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

**RESOLUTION SBPC #1597-06-16**

A RESOLUTION APPOINTING THE FOLLOWING MEMBERS TO THE AMERICANS WITH DISABILITIES ACT (ADA) BOARD.

<u>Member</u>	<u>Expiration</u>
Carolyn Armstrong	May 2018
William Deano	May 2019

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to amend this item to remove Mr. William Deano and replace with Mr. Nicolas Cusimano.

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

**YEAS:** McCloskey, Luna, Alcon,

**NAYS:** Luna, Montelongo, Lewis

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **NAY**.

And the motion was declared **failed** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution as originally presented:

**RESOLUTION SBPC #1597-06-16**

A RESOLUTION APPOINTING THE FOLLOWING MEMBERS TO THE AMERICANS WITH DISABILITIES ACT (ADA) BOARD.

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<u>Member</u>	<u>Expiration</u>
Carolyn Armstrong	May 2018
William Deano	May 2019

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

**YEAS:** McCloskey, Luna, Alcon, Montelongo, Lewis

**NAYS:** Gorbaty

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

**#23** On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to enter into Executive Session to discuss Joseph Rigby vs. Craig Taffaro, et al, USDC Eastern District No. 12-2537

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of the Chair, without objection and by unanimous consent, it was moved to return to Regular Session.

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to accept the advice of Legal Counsel in the matter of Joseph Rigby vs. Craig Taffaro, et al, USDC Eastern District No. 12-2537

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

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

**NAYS:** None

**ABSENT:** None

The Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of June, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:08 p.m. on the 7<sup>th</sup> day of June, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, June 21, 2016 @ 3:00 p.m.

**COPIES OF ALL RESOLUTIONS AND ORDINANCES IN THEIR ENTIRETY ARE ON FILE AT THE CLERK OF COUNCIL'S OFFICE AND ARE AVAILABLE FOR PUBLIC VIEWING.**

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **SPECIAL MEETING HELD ON TUESDAY MAY 31, 2016 AT 3:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Special Session in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on Tuesday, May 31, 2016 at 3:00 p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:01 p.m. Members present: Council Chair Kerri Callais and Councilmembers McCloskey, Gorbaty, Luna, Alcon, Montelongo

Members absent: Councilmember Lewis

Also present were Roxanne Adams, serving as official secretary of the Council.

Mrs. Alcon led the Pledge of Allegiance.

**1. Summary No. 3380**

Introduced by: Administration on 5/17/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC # 1584-12-14**, AN ORDINANCE TO ADOPT THE 2015 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

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

**ORDINANCE SBPC #1787-05-16**

**Summary No. 3380**

Introduced by: Administration on 5/17/16

Public hearing held on 5/31/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC # 1584-12-14**, AN ORDINANCE TO ADOPT THE 2015 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

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

**NAYS:** None

**ABSENT:** Lewis

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 31<sup>st</sup> day of May, 2016.

There being no further business for discussion, the Chairman declared the meeting adjourned at 3:03 p.m. on the 31<sup>st</sup> day of May, 2016.

*Roxanne Adams*

ROXANNE ADAMS  
CLERK OF COUNCIL

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR

**#1**

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 21, 2016 AT THREE O'CLOCK P.M.

On motion of Mr. XXX, seconded by Mr. XXX, it was moved to approve the minutes from the May 31, 2016 Special Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 10, 2016 and to approve the minutes from the June 7, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 17, 2016.

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

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Ms. Callais, cast her vote as **XXX**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2016.

#### C E R T I F I C A T E

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, June 21, 2016.

Witness my hand and the seal  
of the Parish of St. Bernard on  
this 21<sup>st</sup> day of June, 2016.

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ROXANNE ADAMS  
CLERK OF COUNCIL