

ORDINANCES ADOPTED BY THE ST. BERNARD PARISH COUNCIL IN 2007

[\(Click on each link to see the full resolution\)](#)

698-01-07	1940	Extend the curfews on bars and lounges until 4:00 a.m.	01-04-07
699-01-07	1933	Approve Conditional Use for Docket 9-06, Vee Barattini & Bryan Frichter R-2 to RO, 3509 Jean Lafitte Parkway, Chalmette.	01-04-07
700-01-07	1934	Approve Conditional Use for Docket 10-06 for Thelma & Ruffino Guerra Conditional Use for Lot 64 Farm Site Road and Cane Road.	01-04-07
701-01-07	1941	Amend the sign ordinance.	01-04-07
702-01-07	1945	Amend the landscaping ordinance.	01-04-07
703-01-07	1931	Clarify definition of manufactured, modular, and mobile homes.	01-16-07
704-01-07	1951	Approve a 20 year \$1.00 per year lease with School Board for Rebel Park.	01-16-07
705-02-07	1956	Amend the 2007 Budget to shift cable division from Administration to Council, to include Recreation in the payroll schedule correcting a computer error and amend budget to increase professional services from #80,500 to \$90,500.	02-06-07
706-02-07	1966	Amend Ord. #663-07-06 to set fines for failure to comply with Sec. 102.6 a & b requirements to clean and secure property and structures. Emergency	02-06-07
707-02-07	1959	Amend the 2007 Annual Budget to increase Registrar of Voters travel by \$575.00 to cover the cost of continuing education.	02-22-07
708-02-07	1965	Amend Ord. #663-07-06 to set civil penalties for failure to comply with Sec. 102.6 a & b requirements to clean and secure property and structures.	02-22-07
709-02-07	1969	Contract for professional services for temporary auditing assistance with the 2005 and 2006 audits. Emergency	02-22-07
710-03-07	1964	Amend the 2007 Budget to establish a \$2,400 line item within the finance Budget to reduce the amount for Pauper Funerals with a \$400 cap per funeral (cremation only) as approved by the Council.	03-06-07
711-03-07	1955	Approve Docket 3-07, petition of Junius Joseph Naquin, Jr. R-1 to R-1 Lot No. 2 on Packenham Road, Violet.	03-20-07

712-03-07	1957	Amend the 2007 Budget, upon rescinding of Executive Order 11-29-07-01, to re-establish the 2007 budget for the Department of Homeland Security in conjunction with approved 2007 funding for engineering professionals and combining homeland security and recovery operations.	03-20-07
713-03-07	1967	Establish permitting procedures for modular homes to coincide with International Building Code.	03-20-07
714-03-07	1968	Establish tie down and securing requirements for modular and elevated homes to coincide with International Building Codes.	03-20-07
715-03-07	1980	Authorize a lease between parish government and the City of Hope for Community Playground, Arabi, Louisiana. Emergency	03-27-07
716-04-07	1889	Adopt the Advisory Base Flood Elevations requested by FEMA on 4/12/06.	04-03-07
717-04-07	1970	Amend the 2007 Budget to move \$7,200 from Admin Professional Services to Council for the 2007 Police Jury Association dues.	04-03-07
718-04-07	1971	Adopt Subdivision Regulations approved by Planning Commission on 1/23/07.	04-03-07
719-04-07	1972	Amend the 2007 Budget by moving \$10,000 within Admin budget to cover Broker's Opinion costs of the Hazard Mitigation Grant Program.	04-03-07
720-04-07	1989	Authorize President to enter into an agreement with the U. S. Department of Agriculture, Natural Resources Conservation Service for levee repair at a cost of \$1,079,820.00. Emergency	04-03-07
721-04-07	1953	Approve Docket 1-07, petition of Lydia Assavedo, wife of/and Kenneth K. Crank, Sr., R-1 to R-1(M).	04-17-07
722-04-07	1954	Approve Docket 2-07, petition of Larry G. Arcement, R-1 to R-1(M) 2728 Farm Site Road.	04-17-07
723-04-07	1962	An ordinance to approve Docket 5-07, petition of Shane J. Callais, R-1 to R-1(M), 2117 General Pershing, Violet.	04-17-07
724-04-07	1963	Approve Docket 6-07, Kathleen Henderson, Janice H. Doran, Reed Henderson & Ashley H. Rodriguez, R-1 and C-1 to R-1(M), 5901 Second St.	04-17-07
725-04-07	1973	Amend the 2007 Budget to reflect \$1,290,991.26 to Administration Revenue State Grants and \$1,290,991.26 to Administration Expenses Operating Grants to cover expenses for the Department of Health and Hospitals Grant to the St. Bernard Health Clinic.	04-17-07
726-04-07	1974	Amend the 2007 Budget to reflect a transfer of \$50,000 for Administration Professional Services from General Fund to cover expenses related to Ericksen, Krental and La Porte's accounting assistance.	04-17-07
727-04-07	1975	Amend the 2007 Budget to reflect Recreation Revenue Donations \$24,000 to increase amount of donation and to reflect receipt of Rebel Booster Club Account Transfer.	04-17-07

728-04-07	1976	Amend the 2007 Budget to reflect Recreation Department line item Transfer of \$500 from Donations to Team Expense.	04-17-07
729-04-07	1977	Amend the 2007 Budget to reflect a Recreation Department line item transfer of \$7,500 from Donations to Recreation Repairs and Maintenance.	04-17-07
730-04-07	1978	Grant variance requests for 3813 Lyndell Drive, Chalmette, as requested by owners Ronnie and Georgiana Teoulet.	04-17-07
731-04-07	1979	Advertise for Sale by Public Bid the Municipal Address of 2704 Maureen Lane, Meraux, LA 70075.	04-17-07
732-06-07	1981	Amend the 2007 Budget to reflect \$135,068.77 to Hurricane Reconstruction Fund Revenue reflecting receipt of insurance proceeds.	05-15-07
733-06-07	1982	Authorize the Parish President to sign a 10 year lease between St. Bernard Parish Government and the City of Hope for Community Playground, 801 Community Street, Arabi.	05-15-07
734-06-07	1983	Amend the 2007 Budget Tourism as follows: Revenues Donations \$500.00 and Expenses Miscellaneous \$500.00 to reflect a donation by Exxon Mobil for the cost of food at State Park opening.	05-15-07
735-06-07	1984	Amend the 2007 Budget Auditorium as follows: Revenues State Grants \$112,142.83 and Expenses Rent and Leases \$3,000.00 to reflect a Rural Grant development reimbursement for auditorium roof repairs and the refund of a rental deposit to First Baptist Church.	05-15-07
736-06-07	1985	Amend the 2007 Budget Probation Officers as follows: Expenses Rent Repairs and Maintenance \$156.00 to reflect fees for a maintenance contract on the copy machine.	05-15-07
737-06-07	1986	Amend the 2007 Budget Criminal Court as follows: Expense Professional Liability Insurance \$6,500.00 increase.	05-15-07
738-06-07	1987	Amend the 2007 Budget Criminal Court as follows: Expense supplies \$2,331.30 to reflect reimbursement to the petty cash account for courthouse supplies.	05-15-07
739-06-07	1988	Amend the 2007 Budget Criminal Court as follows: Expense Repairs and and Maintenance \$2,700 increase to reflect fees for maintenance contract on the copy machine.	05-15-07
740-05-07	1949	Accept donations made by various communities and entities as a result of Hurricanes Katrina and Rita.	05-15-07
741-05-07	1993	Amend the 2007 Budget Hurricane Reconstruction Fund \$786,733.50, to reflect a Murphy Oil settlement.	05-15-07
742-05-07	1997	Amend the 2007 Budget Public Works Mosquito Control \$219.28 – certification workshop expenses.	05-15-07
743-05-07	1998	Amend Code of Ordinances list of permitted uses in St. Bernard Village to allow religious houses of worship.	05-15-07

744-06-07	1995	Require all contracts for professional services, construction, architecture, engineering, equipment, or any other contractual arrangement that create a financial liability for the parish be approved by the council prior to execution.	06-05-07
745-06-07	2002	Levy and impose taxes for 2007 on all property subject to taxation in the parish, Road Lighting District #1, Road District #1, Garbage District #1, Fire Protection District #1 and Fire Protection District #2.	06-05-07
746-06-07	2009	Authorize Administration to access CDL Funds needed to fund a Sweep of new construction debris and to purchase parish equipment and fund appropriate staffing to enable future parish sweeps.	06-07-07
747-06-07	1992	Approve Docket 8-07 , petition of Patricia Conway, wife of/and Robert T. Fanning for a zoning change from C-1 to R-1 for one certain piece or portion of ground, situated in Cypress Gardens Subdivision, Unit No. I, being a re-subdivision of a portion of Lot 31, Corinne and Myrtle Grove Plantation in Section 2, T-13-S, R-13-E. Southeastern District of LA, east of of the Mississippi River. 2545 Lawrence Lane.	06-19-07
748-06-07	1994	Amend the 2007 Budget OEP Fund as follows: Expenses – Operating Grants – \$37,850.00 to reflect EPZ Emergency Preparedness Consultants’ Services Revenues – Operating Grants - \$37,850.00 to reflect the 2004 SHSP Grant.	06-19-07
749-06-07	1999	Amend the 2007 Budget Finance Department as follows: Expenses – \$65,000.00 to reflect the Finance Director’s salary.	06-19-07
750-06-07	2000	Authorize a demobilization plan for FEMA group sites in parish.	06-19-07
751-06-07	2001	Amend the 2007 Budget Juvenile Probation to reflect an increase for an additional juvenile probation staff member and a replacement staff member for the Indigent Defender Board, a net increase of \$10,000.00.	06-19-07
752-06-07	2003	Amend the 2007 Budget Council as follows: Expenses - \$25,000.00 to reflect Professional Services performed by the Ericksen, Krentel Firm for 2006 Audit.	06-19-07
753-06-07	2008	Amend the Advisory Base Flood Elevation (ABFE) Ordinance #716-04-07 to clarify the location of the highest adjacent existing ground.	06-19-07
754-06-07		VACANT	
755-06-07	2014	Grant authority to the Parish President to authorize entry to and upon private property for the expressed purpose of removing dead trees and debris defined and/or classified by FEMA and St. Bernard Parish government as a public health and/or safety hazard due to Hurricanes Katrina and Rita.	06-19-07

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 4, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #698-01-07

Summary No. 1940

Recommended for Introduction by Executive/Finance Committee on 10-24-06
Public Hearing held December 5, 2006

AN ORDINANCE TO AMEND ORDINANCE SBPD #648-04-06 TO CHANGE THE TIME FROM 2:00 A.M. TO 4:00 A.M.

Section 1-11 Enforcement of Code of Ordinances

Chapter 3 - Alcoholic Beverages.

Section 3-25(d)

Should a suspension under Section 3- 26(g) be in effect when a permit may be due for renewal, the said renewal shall be processed in the usual administrative manner and the remaining time of suspension shall be applied against the new permit, should it be issued.

Section 3-26.1 Sale, delivery, dispensing, possession and consumption of alcoholic beverages.

A. Supremacy

All provisions of this section shall supersede, though not repeal, any provision of the St. Bernard Code of Ordinances that may be in conflict with this section; may impose a limitation or restriction upon this section; may serve to limit, prohibit, or reduce the penalties that are imposed by this section; or may appear to require that administrative procedures be exhausted or followed before a prosecution may be brought under this section.

B. Venue.

The Courts of the 34th Judicial District shall have Jurisdiction over prosecutions for any violation of this Section.

C. Sale, delivery, or dispensing of alcoholic beverages for on premises consumption. Limitations on sales, hours of operation, closing time, possession and consumption.

- 1) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Bernard to sell, deliver, or dispense alcoholic beverages pursuant to a permit for the retail sale of alcoholic beverages for consumption on the premises, shall close their doors to entry at 4:00 a.m. daily and shall remain closed until 6:00 a.m. daily.
- 2) No holder of a permit for the retail sale of alcoholic beverages for on premises consumption, nor any employee of a permit holder, shall sell, deliver, or dispense nor allow the sale, delivery to a customer, or dispensing of any alcoholic beverage upon the licensed premises between the hours of 4:00 a.m. and 6:00 a.m. daily.

- 3) No person shall request or solicit the holder, nor any employee of a holder, of a permit for the retail sale of alcoholic beverages for on premises consumption, to sell, deliver, or dispense any alcoholic beverage upon the licensed premises in violation of this section.
- 4) All persons on the premises at the time of closing designated herein and who are not the permit holder or an employee of the permit holder, shall be required to leave the premises by 4:15 a.m. and may not leave the premises in possession of any alcoholic beverage.
- 5) No person, whether patron, customer, employee or otherwise, shall at any time, while on the outside of the building of the premises and/or the parking area of a holder of a permit for the retail sale of alcoholic beverages for on premises consumption, possess any alcoholic beverage in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise unless said container is unopened and sealed.
- 6) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.

D. Sale, delivery, or dispensing of alcoholic beverages for off premises consumption. Limitations on sales, possession, and consumption.

- 1) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Bernard to sell alcoholic beverages at retail for off premises consumption, and their employees, shall be prohibited from selling, delivering, or dispensing alcoholic beverages between the hours of 4:00 a.m. and 6:00 a.m. daily.
- 2) No person, whether patron, customer, employee or otherwise, shall at any time, consume any alcoholic beverage on the premises of a holder of a permit for the retail sale of alcoholic beverages for off premises consumption.
- 3) No holder of a permit for the retail sale of alcoholic beverages for off premises consumption, nor their employees, shall knowingly permit any individual, whether patron, customer, employee or otherwise, to consume any alcoholic beverage on the premises.
- 4) No person, whether patron, customer, employee or otherwise, shall at any time, while on the premises of a holder of a permit for the retail sale of alcoholic beverages for off premises consumption, possess any alcoholic beverage in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise unless said container is unopened and sealed.
- 5) No holder of a permit for the retail sale of alcoholic beverages for off premises consumption, nor their employees, shall knowingly permit any individual, whether patron, customer, employee or otherwise, to remove any alcoholic beverage from the premises in a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or otherwise, unless said container is unopened and sealed.
- 6) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.
- 7) Paragraphs D.1, D.2, D.3, D.4, and D.5 herein constitute separate offenses within the context of this section.

- 8) Unopened and sealed container shall be defined as a container of any type, whether glass, bottle, can, paper or plastic cup, go-cup, or other receptacle which has not been opened, or on which a seal or stamp has not been broken, or from which a straw does not protrude.

E. Required notices.

- 1) All holders of permits for the sale of alcoholic beverages shall post a conspicuous notice inside their premises, not less than 11 inches by 17 inches in size, as well as by each exit, stating that it is illegal to sell, deliver, dispense, or remove any alcoholic beverages from the premises between the hours of 4:00 a.m. and 6:00 a.m. and that said violators shall be subject to fine and/or imprisonment as provided in parish ordinances.
- 2) All holders of permits for the sale of alcoholic beverages for off premises consumption shall, in addition to the foregoing notice, post a conspicuous notice inside their premises, not less than 11 inches by 17 inches in size, as well as by each exit, stating that it is illegal at any time to open or consume any alcoholic beverage on the premises and that said violators shall be subject to fine and/or imprisonment as provided in parish ordinances. This notice may be stated as part of the same notice required in E.1.

F. Exceptions.

- 1) The provisions of this section shall not apply on the following days: January 1; the Saturday, Sunday, and Monday preceding Mardi Gras Day; and Mardi Gras Day itself, but said days shall be counted as calendar days for the purposes of the imposition of penalties hereunder.
- 2) Restaurants and cafeterias, which derive sixty percent (60%) or more of their total business from the sale of food items, shall be exempt from the closure provisions of this section provided however, that such restaurants or cafeterias shall be prohibited from selling or dispensing alcoholic beverages between the hours of 4:00 a.m. and 6:00 a.m. daily.
- 3) All businesses, establishments, persons, firms or corporations who are licensed by the Parish of St. Bernard only to sell alcoholic beverages at retail for off-premise consumption, shall be exempt from the closure provisions but not the prohibition of alcoholic beverage sales.

G. Penalties:

Any person, permit holder, or employee of any permit holder who violates any of the provisions of this section shall be sentenced as follows:

For the first offense, a fine of not more than TWO HUNDRED DOLLARS (\$200.00), and/or imprisonment for not more than 5 days in jail, plus costs of the court;

For the second offense occurring within any period of time consisting of 730 consecutive calendar days from the commission of the first offense, a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) and/or imprisonment for not more than 10 days in jail, plus costs of the court; and/or if applicable, the judicial suspension for up 30 days of the permit to sell or dispense alcoholic beverages;

For the third offense occurring within any period of time consisting of 730 consecutive calendar days from the commission of first offense, a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) and imprisonment for not less than 5 nor more than 15 days in jail, plus costs of the court; and if applicable, the judicial suspension for not less than 30 days nor more than 185 days of the permit to sell or dispense alcoholic beverages;

For the fourth offense occurring within any period of time consisting of 730 consecutive calendar days from the commission of the first offense, a fine of not more than FIVE HUNDRED DOLLARS (\$500.00) and imprisonment for not less than 15 nor more than 30 days in jail, plus costs of the court; and, if applicable, the judicial revocation of the permit to sell or dispense alcoholic beverages for a period of two years.

H. Notication

The Clerk of Court shall forward to the Chief Administrative Officer (CAO) and Clerk of Council a copy of the final disposition by the 34th Judicial District Court of any charges brought hereunder.

Section 3-50 (b)

The provisions of this section shall not apply to Section 3-26.1 and shall not be construed in any manner to limit, restrict, or otherwise control or reduce the penalties that may be imposed by the court under that section.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Henderson, Taffaro and Melerine.

NAYS: Madary, Hoffmeister and Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 4, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #699-01-07

Summary No. 1933

Introduced by: Administration on 11-7-06

Planning Commission recommended APPROVAL on 12-12-06

Public Hearing held January 4, 2007

AN ORDINANCE TO APPROVE A CONDITIONAL USE R-O PERMIT FOR DOCKET 9-06
PETITION OF VEE BARATTINI FRICHTER, WIFE OF/AND BRYAN PRESTON FRICHTER.

SECTION 1. That a Conditional Use (RO) Permit for Docket 9-06, petition of Vee Barattini Frichter, wife of/and Bryan Preston Frichter, is hereby granted for the following described property:

A certain lot of ground, situated in the Parish of St. Bernard, State of Louisiana, in Buccaneer Villa North, Section 1, Square No. 1, bounded by Patricia Street, Jean Lafitte Parkway, Southern Boundary of Subdivision (side), and Valor Drive (side), and Kings Drive (side), designated as Lot "D" on a survey made by Eugene I. Estopinal & Associates, Inc., Surveyors, dated February 8, 1984, redated October 11, 1985.

Said lot commences at a distance of 100 feet from the corner of Patricia Street and Jean Lafitte Parkway, measures thence 51 feet front on Patricia Street, same width in the rear, by a depth on the sideline nearer to Jean Lafitte Parkway of 103.92 feet and a depth on the opposite sideline of 104.11 feet.

Above named property was acquired by Vee Barattini Frichter, wife of/and Bryan Preston Frichter from Resolution Trust Corporation (receiver) of Security Homestead, F.S.A. by Act of Sale before Jodi A. Moscona, Notary Public in the State of Louisiana, Parish of Orleans and Eileen C. Sykes, Notary Public in the State of Louisiana, Parish of Orleans on October 14, 1991 and recorded in C.O.B. 508, Folio 256 in the Clerk of Court Office, Parish of St. Bernard, State of Louisiana on October 31, 1991.

And, a certain lot of ground, situated in the Parish of St. Bernard, State of Louisiana, in that part thereof known as Buccaneer Villa North, Section No. 1, Lot F, on a plan of re-subdivision of Parcel 2-A of Square 1, in Lots A thru J made by J. J. Krebs & Sons, Inc. C.E. & S., dated May 30, 1978 annexed to a resolution of the Police Jury of the Parish of St. Bernard, dated August 1, 1978, registered at C.O.B. 159, folio 120.

Said lot, is bounded by Jean Lafitte Parkway, Patricia Street, Valor Drive, the eastern boundary of the subdivision and Judge Perez Drive. Lot F commences at a distance of 65 feet from the intersection of Jean Lafitte Parkway and Patricia Street, and measures; thence, 62 feet front on Jean Lafitte Parkway, the same in width in the rear by a depth of 100 feet between equal and parallel lines. (3509 Jean Lafitte Parkway) Above named property was acquired by Vee Barattini Frichter, wife of/and Bryan Preston Frichter from Gerald Joseph Manuel by Sale of Property before Barbara L. Acosta, Notary Public for the Parish of St. Bernard, State of Louisiana on March 1, 1990 and recorded in C.O.B. 429, Folio 200 in the Clerk of Court Office, Parish of St. Bernard, State of Louisiana on March 2, 1990.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 4, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #700-01-07

Summary No. 1934

Introduced by: Administration

Planning Commission recommended APPROVAL on 12-12-06

Public Hearing held January 4, 2007

AN ORDINANCE TO APPROVE AN A-1 RURAL CONDITIONAL USE PERMIT FOR DOCKET 10-06, PETITION OF THELMA ALFONSO GUERRA, WIFE OF AND/OR RUFFINO GUERRA.

SECTION 1. That an A-1 Rural Conditional Use Permit for Docket 10-06, petition of Thelma Alfonso Guerra, wife of/and Ruffino Guerra, is hereby granted for the following described property:

A certain piece or portion of ground, situated in the Parish of St. Bernard, State of Louisiana, Poydras Farm Sites, in Section 12 of said subdivision, Lot No. 64 and begins 462.5 feet from the intersection of Farm Site Road and Cane Road; thence, a distance of 75 feet front on Farm Site Road; thence, South 238 feet, has the same width in the rear, by a depth of 238 feet on the side line between Lot Nos. 62 and 64 to the point of beginning; all in accordance with a plan of subdivision, by F. G. Stewart, C. E. & S., dated April 4, 1955, a copy of which is annexed to an Act of Sale before Edwin M. Roy, N. P., dated June 22, 1955.

The rear 5 feet of the property herein conveyed is subject to a servitude of reservation in favor of the Parish of St. Bernard for drainage purposes, as shown on an Act of Dedication of Streets and Servitudes passed before Edwin M. Roy, N. P., dated June 7, 1955, and registered in C. O. B. 50, Folio 536.

Said property was acquired by Thelma Alfonso Guerra, wife of/and Ruffino Guerra from Kathy Alberado Sokac by Cash Sale before David Burrow, Notary Public, State of Ohio, on October 6, 2006 and Cullen Tonry, Notary Public, Parish of St. Bernard, on October 9, 2006 and recorded in C. O. B. 810, Folio _____ in the Clerk of Court Office, Parish of St. Bernard, State of Louisiana on October 11, 2006.

SECTION 2. That the following conditions are also required:

1. skirting around the trailer
2. reasonable landscaping
3. no clutter on the lawn
4. either one or both of Thelma and Ruffino Guerra own the property

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Henderson, Dean and Melerine.

NAYS: Madary, Hoffmeister and Taffaro.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 4, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #701-01-07

Summary No. 1941

Recommended for Introduction by Executive/Finance Committee on 10-24-06

Public Hearing held January 4, 2007

AN ORDINANCE TO AMEND THE SIGN ORDINANCE

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN that Chapter 22 of the St. Bernard Parish Code of Ordinances is hereby amended to included the following sign regulations.

SECTION 1. Sign Regulations - The purpose of this section is to provide comprehensive regulations for signs within St. Bernard Parish, to facilitate the location and choice of signs, to avoid visual clutter that is potentially harmful to vehicular and pedestrian safety, to protect property values, to promote business opportunities, and to provide for a pleasing environmental setting.

DEFINITIONS

Abandoned Sign: 1. A sign that no longer correctly proclaims any person, business, lesser, owner, entity, or product, on or off premises; or 2. A sign in disrepair that has not been maintained for a period of any ninety (90) days; or 3. Any sign with no message other than one advertising available lease or owner information, for a consecutive one hundred eighty (180) days.

Address Sign: A sign which communicates only the numeric address of the premises on which it is located.

Attached Sign: Any sign which is connected physically to and which derives structural support from a building or building appendage or adornment.

Audible Sign: A sign which is designed to or which does produce any sound.

Awning Sign: Any sign placed on an awning that is supported entirely from the exterior wall of a building, and is composed of a cloth, plastic, or nonstructural covering; also, the awning itself, when words or images of advertisement or information are contained thereon.

Banners, Banner Signs, Flags, Seals: A sign having letters, characters, illustrations, or ornamentations applied to cloth, paper, or other lightweight material which allows for movement caused by the atmosphere, designed to express a message or identify a place, person, idea, or any thing other than duly adopted flags or seals of municipalities, parishes, states, or nations.

Beacon: A strong or bright light focused on or pointed in one or more directions.

Bench Sign: A sign painted on or attached to a bench or a shelter, or other non-mobile structure, provided for a person awaiting public transportation.

Billboard Sign: A freestanding sign used for selling advertising space.

Changeable Message Sign: A sign on which the message or sign panels may be changed electronically or manually through the removal, replacement, or rearrangement of letters, symbols, blocks, or panels designed for attachment to the sign.

Construction Sign: Any temporary sign erected and maintained by an architect, contractor, developer, financial institution, materials supplier, or subcontractor on sight for which said person or persons is presently furnishing labor, materials, services, or capital financing.

Façade Sign: Any sign painted on or mounted against the surface of a front or side wall of a building, or any wall which is an essential part of the landscape design of the site, such as a wall screening for off-street parking.

Flashing Sign: A light or light source or a reflection of a light source, which is intermittent.

Freestanding Sign: Any sign that is supported only by a structure secured in the ground, which does not affect traffic safety by obstructing vision, and which is independent of any building, fence, support wires, vehicles, or other such objects for support.

Identification Sign: A sign that is limited to name, address, person, or entity of a building.

Laser: Any device that emits a narrow, intense beam of light waves that have been amplified and concentrated by stimulated atoms, or the light produced by such a device.

Marquee Sign: Any sign attached to a marquee, which is a permanent roof-like structure that projects beyond a building wall at an entrance to a building or extending along and projecting beyond a building's wall and constructed to provide protection against the weather. Signs painted or sewn onto awnings shall be considered marquee signs.

Monument Sign: Any free-standing ground sign (a) which is of monolithic construction; (b) If supports are used, they must not exceed twenty-four (24") inches in height, measured from the ground surface; (c) A double-faced monument sign shall be constructed back-to-back, unless visibility of such sign would be impeded, in which case the two sides may form a V-shape, in which the interior angle does not exceed forty-five (45) degrees.

Neon Sign: Any colored tubular lighting that is bent or formed into lettering or a design of which the primary source of light is gaseous. Anything within the outline of the neon will be considered part of the sign face.

Non-conforming Sign: A sign which was legally erected and maintained prior to such time as it came within the purview of this code and any amendments thereto, and which fails to conform to applicable regulations and restrictions of said code, or a non-conforming sign for which a special permit has been issued.

Off-premise Sign: Any sign directing persons to a different location other than that on which sign is located, and which identifies goods, products, or services not available on the premises on which the sign is located.

On-premise Sign: A sign identifying or advertising a person, business, activity, or product or service located on the premises where the sign is installed.

Pole Sign: A sign erected on a pole, and which is wholly independent of any building for support.

Political Sign: A temporary sign urging the election or defeat of any political candidate, group, or agent thereof, or urging the passage or defeat of any ballot measure, but not including any billboard owned or maintained by a commercial or advertising firm when leased or used as a political sign.

Portable Sign: A sign not permanently attached to the ground, a building, or other structure; a sign designed to be moved from place to place.

Projecting Sign: Any sign other than a wall sign that is affixed to any wall or building, which has a leading edge extending twelve or more inches beyond such wall or building. There are two types: Fixed—fixed rigidly to building or wall; & Swinging—has only one rigid support.

Real Estate Sign: A temporary sign erected by the owner or owner's agent, pertaining to the sale, lease, or rental of property on which sign is erected.

Revolving / Rotating Sign: A sign whose face is designed to turn on an axis.

Sign: defined as a medium of communication; a display of letters, characters, illustrations, or ornamentations; includes its structure and component parts, but not guy wires or the poles to which they are attached.

Sign Area: the square footage of the area enclosed within the perimeter of the sign face, with each face contributing to the composite area of any sign. In the case where there is no distinguishable geometric shape, the simplest geometric shape or rectangle enclosing the outer edges of the message shall determine the sign area. For back-lighted awnings, the entire area of the awning shall be considered the sign area.

Sign Face: The part of the sign that can be used to identify, advertise, inform, communicate, or convey a visual representation that attracts attention of the public, for any purpose. It includes any background material, panel, trim, frame, color, and lighting that differentiates the sign from the building, structure, or object upon which it is mounted or against which it is placed.

Sign Height: Defined as the vertical distance from the finished grade to the highest point of the sign or sign structure.

Sign Structure: The supporting structure upon which a sign or sign face is attached or displayed, having its primary purpose the support or display of the sign; does not include a building or fence.

Snipe Sign: One that is tacked, nailed, posted, taped, pasted, glued, or otherwise attached to poles, trees, stakes, walls, trash receptacles, fences, or other like objects. Legal notices required by law are exempt.

Street Banner Sign: Any banner sign that is stretched across and hung over a public right-of-way.

Subdivision Sign: A sign identifying the subdivision and designating the entrance or exit to such subdivision.

Trailer Sign: Any sign or sign structure that is attached to or made up of in whole or in part of a trailer, or any parts thereof that were previously a whole or part of a trailer.

Vehicle Sign: A sign that is displayed on or from any mode of transportation.

Temporary Sign: A sign pertaining to a specific event or situation that is expected to occur and be completed within a reasonably short time period after the erection of such sign.

Window Sign: Any sign that is painted on, applied to, attached to, or projected onto the interior or exterior of a building's glass area, including doors, or that which is located within one foot of the interior of a building's glass area, which can be perceived from any off-premises contiguous property or public right-of-way.

Sec. 5-12. Signs—Portable signs prohibited unless authorized.

Any sign, display or advertising device initially designed for being moved or transported and not attached permanently to a foundation or a permanent location on the building site and other portable signs are strictly prohibited and no variance or special exception shall be granted authorizing such a sign. No sign shall be placed on a public street median. All such existing signs shall be removed.

***Other Prohibited Signs**

1. Abandoned Signs
2. Audible Signs
3. Beacons
4. Flashing Signs
5. Lasers
6. Projected Signs
7. Revolving / Rotating Signs
8. Snipe Signs
9. Trailer Signs
10. Vehicle Signs
11. Any sign not specifically defined and allowed by this ordinance.
12. Any sign which consists or comprises of deceptive, immoral, or scandalous matter, or that presents a message, picture, or letter combination which is offensive to good taste and decency.

Exempt Signs

1. Official notices posted by any court, public agency, or officer.
2. Historic plaques.
3. Traffic, directional, warning, or informational signs authorized by any public agency.
4. Flags and insignia of any government, except when displayed in connection with commercial promotion.
5. Private directional signs, not to exceed four (4) square feet in sign area, per sign.
6. Indoor neon signs, not to exceed six (6) square feet in area are allowed at or near windows, providing said signs do not exceed twenty-five percent (25%) of the area of such window.

Dimensions, Conditions, and Restrictions for Sign Types

Address Signs. Non-illuminated address signs in nonresidential and mixed-use districts are not required to obtain a permit, but are a minimum requirement for all structures. They are not to exceed eight (8) square feet, in sign area. The minimum setback is five (5) feet and the maximum height shall be two (2) feet from the ground. Such signs shall be located on or within ten (10) feet of primary public entrance of the premises.

Awning / Awning Sign. Occupants for a commercial, industrial, institutional building or any use other than residential, is allowed an awning sign, also referred to as an awning. Awning signs shall be used in lieu of a wall sign. Also known as a *Marquee* Sign.

Banners, Flags, Seals. Banners, flags, and seals will be allowed for not more than two (2) times, for special events and grand openings, for one business entity or applicant. The issuance of the temporary permit will be issued by the Department of Community Development, and will be good for only fourteen (14) days. Applications must include: the name of the person, firm, corporation, or organization sponsoring said event, location(s) where sign(s) will be installed, and dates sign(s) will be displayed. Signs may not exceed thirty-two (32) square feet, and will be limited to up to two (2) banners, flags, or seals per premise. Seasonal banners such as, but not limited to, those which are attached to light standards within a shared parking lot of a multi-occupant premise or residential neighborhood may be allowed, upon review by and approval of the Department of Community Development. Said signs shall not exceed eight (8) square feet in area. The total number of signs, location(s), and method of attachment must be approved by the Department of Community Development. No advertising message on banners will be permitted, but seasonal greetings will be allowed. The name of the multi-occupant premises may be included on signs, but they may not exceed fifty percent (50%) of banner area.

Changeable Signs. Movie theater signs are allowed changeable message signs without limitation. All other changeable message signs must be incorporated into a sign face, and the changeable component must occupy less than one-half the total sign face area. Change copy, if used, must be located adjacent to or integrated into the sign face. Lettering of changeable signs shall be of uniform size and color. If internal illumination is used, it must be of negative contrast.

Construction Signs. Non-illuminated construction signs will be permitted on premises that are being developed or improved, subject to the following requirements:

1. Building permit for construction work must be obtained prior to issuance of construction sign permit.
2. Residential Districts. Only one sign per contractor shall be permitted and no sign shall exceed six (6) square feet in sign area, nor three (3) feet in height. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign(s) shall not be located within ten (10) feet property line, or placed in such a spot as to obstruct traffic visibility.
3. Nonresidential or Mixed Use Districts. Only one sign is permitted by site, and said sign shall not exceed thirty-two (32) square feet in sign area. The sign shall denote only the architect, contractor, engineer, subcontractor, or financial agency that is providing labor, materials, services, or financial capital for the purpose of construction. The sign shall not be placed in such a spot as to obstruct traffic visibility.
4. Construction signs are limited to one (1) per premise, except when site has two (2) street frontages. In such case, one construction sign will be permitted for each street frontage, not to exceed two (2) signs.
5. All construction signs shall be removed prior to issuance of certificate of occupancy.

Façade Signs for Residential Offices. Façade signs shall not occupy more than fifteen (15) square feet in area per side and not to exceed five (5) feet in height. Said signs shall not project more than four (4) inches from the face of the building. No portion of any such sign shall extend over parish property.

Façade Signs: Façade signs shall not occupy more than one (1) square foot per linear foot of the building frontage.

Freestanding Signs.

1. No additional Freestanding Signs shall be permitted upon the effective date of this ordinance.
2. No additional Billboard Signs shall be permitted upon the effective date of this ordinance.

Identification Signs. For single-family residential districts, identification signs may not exceed three (3) square feet in sign area. In multi-family residential districts, identification signs may not exceed six (6) square feet and must identify only that specific building that is contained in said multi-family dwelling and must be consistent with the permitted use(s) of the residential structure.

Marquee Signs. In lieu of a wall sign, an occupant, for a commercial, industrial, or institutional use or for any use other than residential, is allowed one (1) marquee. If the occupant uses a marquee, a wall sign is not permitted. Overall height of marquee sign shall not exceed six (6) feet. Signs painted or sewn onto awnings or canopies shall also be considered marquee signs.

Monument Signs. Mounds/berms shall not be more than three (3) feet from ground level of lot and shall be located within a landscaped bed area. Height of monument signs shall not exceed eight (8) feet. Setback from the property line shall be a minimum of five (5) feet. If no building façade is behind monument sign, it may be set back up to fifty (50) feet from the property line. One monument sign per one thousand (1,000) feet of street frontage or fraction thereof in excess of one thousand (1,000) foot increments shall be permitted. If more than one street frontage, then one additional monument sign will be allowed for each one thousand (1,000) feet or fraction thereof in excess of one thousand (1,000) feet. Single occupancy buildings shall have no monument sign greater than thirty-two (32) square feet; multi-occupancy buildings shall have no monument sign greater than seventy (70) square feet.

Neon Signs. Anything within the boundary of the outline of the neon will be considered a part of the sign face. Neon signs shall not be used to illuminate or outline building facades or window or door openings.

Non-conforming Signs. Any sign which legally existed prior to (date) may be continued, but will lose its legally conforming status if any of the following occur:

1. The sign has been abandoned for more than one hundred eighty (180) days.
2. The building on the premises where the sign is located is no longer allowable according to the St. Bernard Parish Code of Ordinances.
3. The sign is changed in a way, so that it is made less in compliance than with this code than before the change occurred.
4. The sign is relocated.
5. The sign face is significantly changed, resulting in different sign message.
6. It is repaired by more than thirty (30) percent or it is completely replaced.

Other non-conforming signs that did not legally exist before this section shall be removed within thirty (30) days of adoption of this ordinance.

Political Signs. Political signs shall not exceed thirty-two (32) square feet. Said signs shall be allowed for no more than ninety (90) consecutive calendar days and must be removed within ten (10) days following election for which signs were permitted. If signs are for more than one (1) election, the permit will automatically extend to the tenth day following the subsequent election.

1. Political signs are not permitted in public rights of way, and are not allowed to obstruct vehicular lines of vision.
2. Said signs are not allowed to be stacked one on top of another, like in billboard fashion.

Real Estate Signs. Real estate signs shall be limited to one (1) per premise. Sign must be non-illuminated. In residential areas, signs must be limited to five (5) square feet per side, for a total of ten (10) square feet. Sign height cannot exceed five (5) feet in height, if sign is freestanding in nature. In all other districts, signs must be limited to sixteen (16) square feet per sign face, with an aggregate square footage of not more than thirty-two (32). If sign is freestanding, height cannot exceed seven (7) feet. All real estate signs must be removed within thirty (30) days of property being sold, rented, or leased.

Subdivision Signs. Subdivision signs should not be more than forty-eight (48) square feet in area or ninety-six (96) square feet for a two-sided sign. Signs must be located only at entrances to approved subdivisions, and must obtain a permit from the Department of Community Development to construct signs.

Window Signs. Window signs shall be permitted as long as they do not prevent said windows from being used as an emergency exit. Also, window signs shall not cover more than twenty-five (25) percent of the square footage of said window.

APPLICATION REQUIREMENTS & FEE SCHEDULE

Application Requirements. All applications should include the following information, in duplicate:

1. Name, address, and telephone number of applicant;
2. Permission of premises' owner;
3. Legal description of the property where sign(s) is/are to be constructed;
4. A site plan, depicting the proposed plan of development;
5. An illustration of sign(s), including pylons, side views of signs, and any other rendering deemed necessary by the Department of Community Development, to ensure clear understanding of proposed signage;
6. Sizes, materials, and illumination of said signs;
7. Wind loads, IBC requirements.

Fees:

When completed application is submitted with required information, a nonrefundable application fee according to the following schedule:

1. Electrical Signs...\$25, plus an electrical inspection by either the St. Bernard Parish Office of Community Development or its licensed designee
2. Non-electrical Signs...\$25
3. Murals...\$25
4. Temporary Signs...\$25
5. Banners...\$20
6. Billboards...no new ones to be constructed

A yearly renewal / re-inspection fee shall be paid as follows:

1. Billboard sign...\$100
2. All other signs...\$15

Enforcement, Violations, and Penalties

Enforcement. The provisions of this article shall be enforced by the St. Bernard Sheriff's Office, and shall be administered by the Director of the Department of Community Development, a Parish Planner, or, in the absence of these, the Building Inspector. All such officers shall have the authority and power to make inspections of any signs, sign structures, murals, or premises necessary to carry out their duties in the enforcement of the provisions of this article.

Violation.

1. If any sign or sign structure is erected, structurally altered, or maintained or used in violation of any of the provisions of this article, any proper city official or his or her duly authorized deputies or representatives may begin any appropriate actions or proceedings to prevent such unlawful or illegal act, conduct, or use in or about or concerning any such sign, sign structure, or premises. Each day that any such violation continues shall constitute a separate violation of this article. The Director of the Department of Community Development, the Parish Planner, or the Building Inspector may call upon the Sheriff of St. Bernard Parish to furnish necessary personnel to carry out his / her orders.
2. Any resident of St. Bernard Parish who believes that a violation of any of these provisions is occurring may file a written complaint with the Department of Community Development. Such complaint shall include as much information as possible, as to the said violation of the provisions of this article. The Director of the Department of Community Development, the Parish Planner, or the Building Inspector shall properly record such complaint, investigate the allegations of said complaint, and take any action warranted by such complaint and investigation, as provided for by this article.

Penalties.

Any person who violates any provision of this article shall be guilty of a misdemeanor, and deemed a public nuisance and upon conviction shall be punished for each separate offense by a fine not exceeding five hundred dollars (\$500.00) or imprisonment for a term not exceeding sixty (60) days, or by both fine and imprisonment. Each day that any violation of this article occurs shall constitute separate offense.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JANUARY 4, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #702-01-07

Summary No. 1945

Introduced by: Craig Taffaro, Councilman, District D
Public Hearing held January 4, 2007

AN ORDINANCE TO AMEND THE LANDSCAPING ORDINANCE

PLANTING, MAINTENANCE AND REMOVAL OF LANDSCAPED TREES ON PUBLIC LAND

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN THAT CHAPTER 22 OF THE ST. BERNARD PARISH CODE OF ORDINANCES, TITLED ZONING, IS HEREBY AMENDED TO INCLUDE THE FOLLOWING TREE MANAGEMENT REGULATIONS.

SECTION 1. Tree Management Regulations - The purpose of this article is to protect and enhance the community's environment, economic, and aesthetic and decrease storm water runoff from paved areas.

DEFINITIONS

For the purpose of this section the following terms, phrases, words, and their derivations shall have the meaning given herein.

Buffer zone: A landscaped area between any building or vehicular use area and providing a visual screen of vegetation only or in conjunction with a nonliving screening material for the purpose of providing a buffer between non-compatible land uses.

Community tree plan: A written document that guides the work of the tree advisory committee.

DBH- Diameter at Breast Height: The caliper measurement taken approximately four and one half (4 ½) feet high on the trunk of a tree.

Drip line: The outer edge of the foliage of a tree extending in all directions parallel to the ground.

Ground cover: Plant material which is used to cover the surface of the ground to prevent erosion or retain moisture and should reach a maximum height of not more than twelve (12) inches at maturity, including turf.

Median: A landscape strip of land dividing a thoroughfare, boulevard or street into lanes according to direction of travel; or neutral ground within a circle drive or a cul de sac, or neutral ground separating a turn-out lane from the main street.

Mulch: Material that is used to cover the ground surface to prevent erosion, retain moisture and protect plant material.

Native trees: Certain species naturally occurring in south Louisiana and along the Gulf Coast.

Plant material: Any plant including trees, vines, shrubs, ground covers and annuals or vegetation of any size, species, or description.

Right-of-way: Part of a street or highway, not covered by the sidewalk or other paving, lying between the property line and the edge of the street.

Public trees: All trees and shrubs now hereafter growing on any street or any public land where otherwise indicated.

Plant material: Any plant including trees, vines, shrubs, ground covers and/or vegetation of any size, species or description.

Public property: All grounds owned and maintained by the parish.

Tree-Class A: Any woody plant of any species which normally grows to an overall height of approximately fifty (50) feet, with one main trunk although some species may have multiple trunks and many branches. A list of Class A tree species may be obtained by the Public works department.

Tree-Class B: Any woody plant of any species which normally grows to an overall height of approximately twenty-five (25) feet with one or more main trunk(s) with many branches. A list of Class B tree species may be obtained by the Public works department.

Under-story vegetation: Any shrub(s) and tree(s) twenty-five (25) feet or less in height suitable for growth under the canopy of Class A trees.

Vegetation protection zone: The area within the drip line of a tree required by this ordinance to be preserved.

Establishment of a tree advisory committee.

Tree Advisory Commission

The nine members and non-voting ex-officio members are as follows:

- A) As one (1) voting member, one professional forester, employed by an agency of government or an educational institutional having knowledge of urban forestry problems and licensed as required by law for the conduct of his/her profession.
- B) One (1) voting member is representing the utilities. The Utility Council will designate the utility from which this member comes. The utility will then provide the name of the individual member.
- C) As voting members, four (4) professional members to include: one (1) licensed landscape architect and three (3) other members such as licensed arborists, licensed architects, landscape architects, licensed landscape contractors, or other similar professional as appropriate.
- D) Three (3) voting members selected at large, from residents and/or property owners of St. Bernard Parish chosen for their knowledge of and/or concern about the Parish's urban forest.
- E) As non-voting ex-officio members, a representative from each of the following: the Department of Public Works, the Planning Commission, the Parish Forester, and the Director of Community Development.

1. The voting members of the Tree Advisory Commission shall be appointed by the Parish Council.
2. The voting members of the Tree Advisory Commission shall serve without compensation.
3. The Tree Advisory Commission shall meet four (4) times a year.

The Tree Advisory Commission shall have the following powers and duties:

Community tree plan.

The tree advisory committee shall formulate a community tree plan for the approval of the council.

The community tree plan shall include but not be limited to the goals and mission of the tree advisory committee, an inventory of resources, needed work, associated cost and time schedules for such work in correlation with public works and relevant information, such as activities of the tree advisory committee, standard tree maintenance and planting specifications and permit application procedures.

There is hereby created and established a Tree Advisory Commission which shall have the following composition, powers, and duties:

The Tree Advisory Commission shall consist of nine (9) members as set forth under Tree Advisory Commission and

1. Apply for and maintain a "Tree City USA" status with the National Arbor Day Foundation.
 1. Conduct seminars and public education programs.
 2. Plan and coordinate an annual Arbor week observance.
 3. Develop a community tree plan.
 4. Organize community tree planting projects.
 5. Seek funding for projects and activities.
 6. Develop a botanical garden, arboretum, and/or community forest preserve(s).
- Develop a public tree fund for public tree-planting, permit fees, mitigation fees, and donations.

Landscape Requirements.

Provisions shall apply to:

- A. All new commercial, industrial, multi-family, religious, educational institution, public and semi-public land uses that are developed after January 3, 2007.
- B. Development that requires the issuance of a building permit for a building addition amounting to more than fifty (50) percent % of existing street façade.
- C. Issuance of an occupancy permit for uses of buildings that change from residential to commercial.

Landscape Plan.

All building permit applications covered by this ordinance shall be accompanied by a landscape plan. In addition to meeting Louisiana Horticulture Law requirements, building permits, applications on commercial, multi-family, & industrial lot(s) of more than "square footage" shall have a landscape plan prepared by a Louisiana Licensed Landscape Architect and shall bear the Landscape Architect's seal and signature. All landscape plans shall contain a statement, signed and dated by the preparer certifying that the plan was prepared in accordance with Louisiana Horticulture Law and specifications of this chapter.

The criteria shall include, but are not limited to:

- a. Show all buildings, walkways, vehicular use areas, utility areas, retention/detention areas, site triangles, and miscellaneous site structures.
- b. Show all on/off site utilities, servitudes, right-of-way, or easements.
- c. Show all current land use of all adjacent property.
- d. Show all protected trees and their trunk sizes using DBH (Diameter at Breast Height) measured at 4 ½ feet. *Show actual canopy spread of all protected trees or groups.*
- e. Show layout of all plant materials, sizes, and specifications.
- f. Show all other proposed paved surfaces, curbs, steps, and grade changes.
- g. Show all other proposed site development amenities.
- h. Show topography, existing natural features, and drainage information.
- i. Provide complete plant schedule, of materials to be planted on the site.
- j. Provide irrigation or watering system plat if applicable.
- k. All landscape plans shall include a summary tabulation of all landscape requirements.

Abuse to or Removal of Any Tree or Vegetation on Public Property.

Except as otherwise provided in this article, it shall be unlawful for a person or contractor to perform any of the following acts regarding trees or other vegetation on or in public property. No person shall:

- A) Damage, cut, carve, trim, prune, break, climb, or walk upon, injure or remove any tree or other vegetation.
- B) Attach any rope, wire, nails, advertisements, decorations, or posters.
- C) Spray any tree or vegetation with any chemical, insecticide, or other liquids, gases, and solids.
- D) Set fire or permit any fire to burn.
- E) No persons shall deposit, place, store, or maintain any public place, municipality, any stone, brick, sand, concrete, or other materials which may impede tree passage of water, air, fertilizer to the roots of any tree growing therein excluding temporary utility service or installation work.
- F) All trees except those on the right-of-way green space near any excavation or construction of any building, structure, or street work, shall be guarded with a good substantial fence or frame.
- G) The "construction tree guard" shall be no less than four (4) feet and eight (8) feet or at a distance in feet from tree trunk, which equals to the DBH in inches, or whichever is greater.
- H) All building material, dirt or other debris shall be kept outside the construction tree guard.

Tree Permit Requirements.

The following tree preservation requirements shall be followed if a preliminary plat is approved by the Department of Community Development for a proposed commercial, office, industrial, institutional or residential development.

Following the issuance of a building permit, trees not designated for tree preservation on an approved landscape plan may be removed. This requirement is not applicable to street right-of-way, public/private servitude of access, utilities, drainage and sewerage areas necessary for the approved construction or site plans.

- A) **Tree Removal Permit:** The tree removal process has been established to allow for a review of site development alternatives that would encourage the preservation of existing significant native.

1. **Tree Removal Permit is required:** When one of the following conditions is present.
 - a) Tree clearing proposed for commercial, office, industrial, or institutional development(s).
 - b) Tree clearing proposed for residential development(s) is greater than one (1) acre.

2. **Tree Removal Permit is not required:** When any parcel of land or site is present with the following conditions:
 - a) The land is zoned or proposed to be zoned for commercial, office, industrial, institutional development(s) and contains no native trees.
 - b) Tree clearing is for residential development(s) less than one (1) acre.
 - c) A landscape plan, tree preservation plan and/or tree replacement plan has been prepared, by a professional licensed by the state of Louisiana to do such work.
 - d) The project must be reviewed and approved by the Department of Community Development.

- B) Permit Required to Remove, Cut, Plant Trees and Other Vegetation on Public Property:**
 - a) No person, including public utilities, shall remove any tree or shrub growing within a dedicated street area of public right-of-way or other public property without a permit from the Department of Community Development.
 - b) No person shall plant, spray, fertilize, prune, or remove any tree on any public property without first procuring a permit from the Department of Community Development. The permit will cost twenty-five dollars (\$25.00).

 - c) Utility companies and the Department of Public Works shall be exempt from permitting requirements during major storms or situations which cause interruptions of service or immediate threat to public safety or where immediate action is required in accordance with parish safety policies and procedures.

Historic Trees and Preservation.

A) *Preservation of historic trees.*

(1) Before any historic tree(s) may be altered or demolished, in whole or in part, the owner, the parish (Department of Public Works), or the utility company shall apply to the Department of Community Development for a permit therefore and provide said application describing said tree(s); their locations, type of work to be performed and approximate date on which work will begin.

(2) Said application shall be published in the parish's official journal for two publications, and such application shall be enacted upon only after a delay of sixty (60) days after the first publication of such application. This section shall provide that any trimming of trees designated as historic landmarks, shall be done in accordance with Dr. Alex L. Shigo's guidelines for pruning trees near electric lines or under the supervision of a licensed utility arborist.

(3) Utility companies or the Department of Public Works shall be exempt from subsections 1 and 2 during major storms or situations which cause interruptions of service or immediate threat to public safety.

(B) *Determination of historic significance.* A historic tree is one of such character that it is inseparably connected with exceptionally important historic events in this parish or state.

(C) *Same—(Quercus) Oak trees constituting historic landmarks.* The oak trees located on Jackson Boulevard, Packerham Drive, De La Ronde Oaks, along Paris Road and in Docville or any tree with a trunk diameter of twenty-four (24) inches or more at a standard height of (DBH) four-and-one-half (4 1/2) feet from the base of the tree shall be declared historic landmarks.

Tree and Urban Forest Preservation Standards:

Existing (DBH) Inches of Preserved Trees	Class A Tree Credit
26 inches or greater	5
20 inches	4
9 to 19 inches	3
3 to 8 inches	2

Tree Preservation Plan:

Scientific Name	Common Name
Class A Trees	
<i>Magnolia grandiflora</i>	Southern Magnolia
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus phellos</i>	Willow Oak
<i>Quercus virginiana</i>	Live Oak (Southern)
<i>Taxodium distichum</i>	Bald Cypress
<i>Ulmus Americana</i>	American Elm

Enforcement, penalty and appeals.

The director of the department of public works shall be the enforcement agent of this article and any person, firm or corporation violating or failing to comply with any of the provisions of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be fined a sum no less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00), or may be imprisoned for a term not exceeding thirty (30) days, or both. Each day after a violation has been documented shall constitute a separate violation.

Administrative Guidelines.

Permits may be applied for as set forth below.

(A) Applications for permits must be made to the Department of Community Development not less than forty-eight (48) hours in advance of the time the work is to be done, so the Department of Public Works can issue the Right-of-Entry order.

(B) Standards of issuance. The Department of Community Development shall issue the permit provided for herein if, in their judgment, the proposed work is desirable and the proposed method and workmanship thereof are of a satisfactory nature. Any permit shall be void if its terms are violated.

(C) Notice of completion shall be given within five (5) days to the Department of Community Development for their inspection.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 4th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 16, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #703-01-07

Summary No. 1931

Recommended for Introduction by Executive/Finance Committee on 10-12-06

Public Hearing held January 16, 2007

AN ORDINANCE TO CLARIFY THE DEFINITIONS OF MANUFACTURED, MODULAR AND MOBILE HOMES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN that Chapter 1 Section 12-1 (Definitions) of the St. Bernard Parish Code of Ordinances is hereby amended to clarify and include the following definitions.

SECTION 1. The following definitions are hereby clarified and added to Chapter 1 Section 12-1 (Definitions) of the St. Bernard Parish Code of Ordinances:

Mobile home: any vehicle or similar portable structure having no foundation other than wheels, jacks or skirts and so designed or constructed as to permit occupancy for dwelling or sleeping purposes, regardless of whether or not the wheels, chassis or jacks have been removed and regardless of whether or not they are affixed to a permanent foundation. The mobile home is built in a factory under federal building code administered by the U.S. Department of Housing and Urban Development, Federal Manufactured Home Construction and Safety Standards Code.

Modular home: factory built home built in sections at a factory to state, local and regional codes in accordance with the International Building Code and transported to site on truck beds or similar type of transportation system and then joined together on site.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 16th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JANUARY 16, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #704-01-07

Summary No. 1951

Recommended for Introduction by Executive/Finance Committee on 12-14-06

AN ORDINANCE TO APPROVE A 20 YEAR/\$1.00 PER YEAR LEASE AGREEMENT WITH THE ST. BERNARD PARISH SCHOOL BOARD FOR REBEL PARK WITH THE UNDERSTANDING THAT ANY LEASE ALTERATIONS REQUIRE COUNCIL APPROVAL. (LEASE ATTACHED AS EXHIBIT A.)

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the following lease between the St. Bernard Parish Government and the St. Bernard Parish School Board be entered into as per the terms and restrictions of the full lease attached as Exhibit A.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 16th day of January, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, FEBRUARY 6, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #705-02-07

Summary No. 1956

Introduced by: Joseph Di Fatta, Council Chairman

Public Hearing held February 6, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO SHIFT CABLE DIVISION FROM ADMINISTRATION TO COUNCIL, TO INCLUDE RECREATION IN THE PAYROLL SCHEDULE CORRECTING A COMPUTER ERROR AND TO AMEND THE COUNCIL BUDGET TO INCREASE PROFESSIONAL SERVICES FROM \$80,500 TO \$90,500.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended as follows:

- a. Shift Cable Division from Administration to Council
- b. Include Recreation in the payroll schedule correcting a computer error
- c. Increase Council Budget professional services from \$80,500 to \$90,500 to cover the 2006 audit

SECTION 2. . Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, FEBRUARY 6, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #706-02-07

Summary No. 1966

Introduced by: Craig Taffaro, Councilman, District D

AN EMERGENCY ORDINANCE, IN THE INTEREST OF PUBLIC HEALTH AND SAFETY, TO AMEND ORDINANCE #663-07-06 TO SET FINES FOR FAILURE TO COMPLY WITH SECTION 102.6 A & B REQUIREMENTS TO CLEAN AND SECURE PROPERTY AND STRUCTURES AND TO AUTHORIZE THE OFFICES OF COMMUNITY DEVELOPMENT, COMPLAINTS, PUBLIC WORKS OR ANY OTHER OFFICE AS DESIGNATED BY THE CAO OR PARISH PRESIDENT TO CARRY OUT THE PROVISIONS OF THIS ORDINANCE.

Section 102.6 The owner of any structure that is destroyed or damaged beyond habitability by fire, storm, natural disaster, or other natural or man made event shall accomplish the following:

A Within 5 days, or such other time frame as may be set by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard, of being able to initially access the premises or property, cause the interior and exterior of the property to be cleared and cleaned of all debris, mud, sludge, sediment, and other health and safety hazards.

B Within 2 days after the activities required in paragraph A are completed, cause all exterior windows, doors, and all exterior other openings in a structure's exterior walls, roofs, eaves, and floors of raised structures to be secured by doors, windows, or temporarily boarded up with sturdy, rigid, weather resistant materials in a manner to completely close the openings and prevent unauthorized entry by humans and prevent access by animals and rodents excluding the front windows which shall be secured with a solid translucent material.

C Should a property not be cleaned and/or secured within the time frames and in the manner as required herein, The Director of Community Development, or his designee, shall post a notice on the court house door and/or on the property stating that the parish will, at the expense of the owner, have the property cleaned and/or secured as required herein and after the expiration of 24 hours of the posting of the said notice take prompt action to have the property cleaned and/or secured.

D Within 60 days after boarding up of a structure, the owner shall remove all temporary boarding up and complete the installation of windows and doors, and within 120 days complete repairs to exterior walls and roofs.

E Should the Director of Community Development, or his designee, determine that the property presents such a hazard that it requires repair, removal, or demolition in whole or part, or the owner has failed to comply with paragraph D herein, the property will be then administered under the provisions of Section 102.5.

F The Director of Community Development may point as many designees as he deems necessary to carry out the provisions of this section and such designees may be existing employees of any department of the parish, contract workers, or a firm contracted for such tasks.

G In the event a fire, storm, natural disaster, or other natural or man made even is of such magnitude that it may require a modification of the time frames and notice requirements herein all such notice requirements and/or time frames herein may be modified by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard in a manner to properly address the circumstances then existing.

H Any Emergency Presidential Order or Council Resolution to Address an Emergency or Public Safety and Health Hazard relating hereto (and which resolution shall be adopted by no less than five members of the Parish Council), shall be published once in the official journal of the parish and be posted on the Courthouse and Parish Government doors. If the parish journal is not publishing because of the emergency conditions then postings on the Courthouse and Parish Government doors shall be sufficient public notice.

I In the event of a conflict of time frames set by an Emergency Presidential Order and a Council Resolution to Address an Emergency or Public Safety and Health Hazard adopted as required herein, the time frame established by the Council Resolution shall prevail.

J The costs of the activities undertaken hereunder by the Director of Community Development shall be documented as to the property being cleaned and/or secured and all expenses incurred by the Parish in the enforcement of this Article shall be borne by the person or persons owning the unsafe premises, building, part or parts of buildings, etc., which sums so expended, together with the attorney fees and interest at the rate of 10% per annum from the date of completion of such work, shall be charged to the owner of the property on the next regular tax bill forwarded to such owner by the Parish, if not paid by such owner prior thereto, which charge shall be due and payable by such owner at the time of payment of such tax bill. If the full amount due the Parish under this Article is not paid by the owner within 10 days after the work has been done, the Director or his duly authorized representative shall cause to be recorded in the Mortgage Office of the Parish a sworn statement showing the cost and expense incurred for the work and the date, place or property on which such work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Such costs and expenses shall be collected in the manner fixed by law for the collection of taxes; and, further, shall be subject to a delinquent penalty of 10% in the event they are not paid in full on or before the date the tax bill upon which the charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that such charge is due and collectible as provided by law.

K The fact that the Parish may cause said premises, building or buildings, or parts thereof, chimneys, staging or other structure to be demolished or repaired at the expense of the person, firm or corporation owning the same, shall not preclude the Director from taking legal action in a court of competent jurisdiction against the person, firm or corporation who shall fail, neglect or refuse to comply with the orders of the Director and the violation or disregard of such orders shall be considered a violation of this code.

L Provisions to set fines for failure to comply with Sections A & B requirements to clean and secure property and structures are as follows:

1. Enforcement of this ordinance shall authorize the Office of Community Development, the Complaints Office, or any office or administrative employee designated by the Chief Administrative Officer to assess, document, and cite any property not in compliance with any section of this ordinance.

2. Upon documentation of any non-compliance, St. Bernard Parish Government, through the Office of the Chief Administrative Officer, shall receive all said citations and issue or assign to be issued by the Office of Community Development or the Complaints Office the allowable civil fines for non-compliance within 24 hours of receiving documentation of a property being out of compliance.

3. Property owners shall be assessed a civil fine of \$100.00 per day for each day the property is non-compliant. Fines shall accrue daily until the property owner provides written documentation that the fined property has been remediated and inspection verifies the written representations and adequacy of the remediation. Fines shall not accrue between the time the written representation of remediation is received and is verified unless the verification inspection results in a finding that the written representations of the property owner are incorrect or the remediation is inadequate. If a property is properly remediated 100% of the said civil fines may be dismissed. These civil fines shall accrue on a daily basis and for every cumulative amount of \$1,000 or more a lien against the property and in favor of St. Bernard Parish Government may be filed in the public records of the parish of St. Bernard.

4. When the amount of accrued fines exceed the tax assessment valuation of the property St. Bernard Parish Government may petition, by ordinary process, a court of competent jurisdiction for a judgment in favor of St. Bernard Parish Government in the amount of the recorded liens, and any other civil fines that may accrue from the last filed lien to the date of rendition of judgment, plus attorney fees and court costs. Upon said judgment becoming final the parish may seek to execute the said judgment in accordance with law.

5. Proceeds of fines and any judgments collected under this ordinance shall be deposited into a special account designated to receive funds from such activities.

102.7 (a) In the event a fire, storm, natural disaster, or other natural or man made event of such magnitude that it may require a modification of the time frames, procedures, and notice requirements contained in Section 102.5 herein, all such notice requirements, procedures, and/or time frames herein may be modified by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard in a manner to properly address the circumstances then existing.

(b) Any Emergency Presidential Order or Council Resolution to Address an Emergency or Public Safety and Health Hazard relating hereto shall be adopted by no less than five members of the Parish Council hereto (and which resolution shall be adopted by no less than five members of the Parish Council), shall be published once in the official journal of the parish and be posted on the Courthouse and Parish Government doors. If the parish journal is not publishing because of the emergency conditions, then the postings on the Courthouse and Parish Government doors shall be sufficient notice.

(c) In the event of a conflict of time frames set by an Emergency Presidential Order and a Council Resolution to Address an Emergency or Public Safety and Health Hazard adopted as required herein, the time frame established by the Council Resolution shall prevail.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. As an emergency ordinance the provisions shall remain valid for 60 days.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Madary and Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON THURSDAY, FEBRUARY 22, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #707-02-07

Summary No. 1959

Introduced by: Joseph Di Fatta, Councilman-at-Large

Public Hearing held February 22, 2007

Recommended by EFC January 18, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO INCREASE REGISTRAR OF VOTERS TRAVEL BY \$575.00 TO COVER THE COST OF CONTINUING EDUCATION TRAINING EXPENSES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to increase Registrar of Voters travel by \$575.00 to cover the cost of continuing education training expenses.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT FOR VOTE: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22nd day of February, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON THURSDAY, FEBRUARY 22, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #708-02-07

Summary No. 1965

Introduced by: Craig Taffaro, Councilman, District D
Public Hearing held February 22, 2007

AN ORDINANCE TO AMEND ORDINANCE #663-07-06 TO SET CIVIL PENALTIES FOR FAILURE TO COMPLY WITH SECTION 102.6 A & B REQUIREMENTS TO CLEAN AND SECURE PROPERTY AND STRUCTURES AND TO AUTHORIZE THE OFFICES OF COMMUNITY DEVELOPMENT, COMPLAINTS, PUBLIC WORKS OR ANY OTHER OFFICE AS DESIGNATED BY THE CAO OR PARISH PRESIDENT TO CARRY OUT THE PROVISIONS OF THIS ORDINANCE.

Section 102.6 The owner of any structure that is destroyed or damaged beyond habitability by fire, storm, natural disaster, or other natural or man made event shall accomplish the following:

A Within 5 days, or such other time frame as may be set by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard, of being able to initially access the premises or property, cause the interior and exterior of the property to be cleared and cleaned of all debris, mud, sludge, sediment, and other health and safety hazards.

B Within 2 days after the activities required in paragraph A are completed, cause all exterior windows, doors, and all exterior other openings in a structure's exterior walls, roofs, eaves, and floors of raised structures to be secured by doors, windows, or temporarily boarded up with sturdy, rigid, weather resistant materials in a manner to completely close the openings and prevent unauthorized entry by humans and prevent access by animals and rodents excluding the front windows which shall be secured with a solid translucent material.

C Should a property not be cleaned and/or secured within the time frames and in the manner as required herein, The Director of Community Development, or his designee, shall post a notice on the court house door and/or on the property stating that the parish will, at the expense of the owner, have the property cleaned and/or secured as required herein and after the expiration of 24 hours of the posting of the said notice take prompt action to have the property cleaned and/or secured.

D Within 60 days after boarding up of a structure, the owner shall remove all temporary boarding up and complete the installation of windows and doors, and within 120 days complete repairs to exterior walls and roofs.

E Should the Director of Community Development, or his designee, determine that the property presents such a hazard that it requires repair, removal, or demolition in whole or part, or the owner has failed to comply with paragraph D herein, the property will be then administered under the provisions of Section 102.5.

F The Director of Community Development may point as many designees as he deems necessary to carry out the provisions of this section and such designees may be existing employees of any department of the parish, contract workers, or a firm contracted for such tasks.

G In the event a fire, storm, natural disaster, or other natural or man made even is of such magnitude that it may require a modification of the time frames and notice requirements herein all such notice requirements and/or time frames herein may be modified by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard in a manner to properly address the circumstances then existing.

H Any Emergency Presidential Order or Council Resolution to Address an Emergency or Public Safety and Health Hazard relating hereto (and which resolution shall be adopted by no less than five members of the Parish Council), shall be published once in the official journal of the parish and be posted on the Courthouse and Parish Government doors. If the parish journal is not publishing because of the emergency conditions then postings on the Courthouse and Parish Government doors shall be sufficient public notice.

I In the event of a conflict of time frames set by an Emergency Presidential Order and a Council Resolution to Address an Emergency or Public Safety and Health Hazard adopted as required herein, the time frame established by the Council Resolution shall prevail.

J The costs of the activities undertaken hereunder by the Director of Community Development shall be documented as to the property being cleaned and/or secured and all expenses incurred by the Parish in the enforcement of this Article shall be borne by the person or persons owning the unsafe premises, building, part or parts of buildings, etc., which sums so expended, together with the attorney fees and interest at the rate of 10% per annum from the date of completion of such work, shall be charged to the owner of the property on the next regular tax bill forwarded to such owner by the Parish, if not paid by such owner prior thereto, which charge shall be due and payable by such owner at the time of payment of such tax bill. If the full amount due the Parish under this Article is not paid by the owner within 10 days after the work has been done, the Director or his duly authorized representative shall cause to be recorded in the Mortgage Office of the Parish a sworn statement showing the cost and expense incurred for the work and the date, place or property on which such work was done, and the recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the amount due in principal and interest, plus costs of court, if any, for collection, until final payment has been made. Such costs and expenses shall be collected in the manner fixed by law for the collection of taxes; and, further, shall be subject to a delinquent penalty of 10% in the event they are not paid in full on or before the date the tax bill upon which the charge appears becomes delinquent. Sworn statements recorded in accordance with the provisions hereof shall be prima facie evidence that all legal formalities have been complied with and that the work has been properly and satisfactorily done and shall be full notice to every person concerned that the amount of the statement, plus interest, constitutes a charge against the property designated or described in the statement and that such charge is due and collectible as provided by law.

K The fact that the Parish may cause said premises, building or buildings, or parts thereof, chimneys, staging or other structure to be demolished or repaired at the expense of the person, firm or corporation owning the same, shall not preclude the Director from taking legal action in a court of competent jurisdiction against the person, firm or corporation who shall fail, neglect or refuse to comply with the orders of the Director and the violation or disregard of such orders shall be considered a violation of this code.

L Provisions to set civil penalties for failure to comply with Sections A & B requirements to clean and secure property and structures are as follows:

1. Enforcement of this ordinance shall authorize the Office of Community Development, the Complaints Office, or any office or administrative employee designated by the Chief Administrative Officer to assess, document, and cite any property not in compliance with any section of this ordinance.

2 Upon documentation of any non-compliance, St. Bernard Parish Government, through the Office of the Chief Administrative Officer, shall receive all said citations and issue or assign to be issued by the Office of Community Development or the Complaints Office the allowable civil penalties for non-compliance within 24 hours of receiving documentation of a property being out of compliance.

3. Property owners shall be assessed a civil penalty of \$100.00 per day for each day the property is non-compliant. Penalties shall accrue daily until the property owner provides written documentation that the penalized property has been remediated and inspection verifies the written representations and adequacy of the remediation. Penalties shall not accrue between the time the written representation of remediation is received and is verified unless the verification inspection results in a finding that the written representations of the property owner are incorrect or the remediation is inadequate. If a property is properly remediated 100% of the said civil penalties may be dismissed. These civil penalties shall accrue on a daily basis and for every cumulative amount of \$1,000 or more a lien against the property and in favor of St. Bernard Parish Government may be filed in the public records of the parish of St. Bernard.

4. When the amount of accrued penalties exceeds the tax assessment valuation of the property St. Bernard Parish Government may petition, by ordinary process, a court of competent jurisdiction for a judgment in favor of St. Bernard Parish Government in the amount of the recorded liens, and any other civil penalties that may accrue from the last filed lien to the date of rendition of judgment, plus attorney fees and court costs. Upon said judgment becoming final the parish may seek to execute the said judgment in accordance with law.

5. Proceeds of penalties and any judgments collected under this ordinance shall be deposited into a special account designated to receive funds from such activities.

102.7 (a) In the event a fire, storm, natural disaster, or other natural or man made event of such magnitude that it may require a modification of the time frames, procedures, and notice requirements contained in Section 102.5 herein, all such notice requirements, procedures, and/or time frames herein may be modified by Emergency Order of the Parish President or Council Resolution to Address an Emergency or Public Safety and Health Hazard in a manner to properly address the circumstances then existing.

(b) Any Emergency Presidential Order or Council Resolution to Address an Emergency or Public Safety and Health Hazard relating hereto shall be adopted by no less than five members of the Parish Council hereto (and which resolution shall be adopted by no less than five members of the Parish Council), shall be published once in the official journal of the parish and be posted on the Courthouse and Parish Government doors. If the parish journal is not publishing because of the emergency conditions, then the postings on the Courthouse and Parish Government doors shall be sufficient notice.

(c) In the event of a conflict of time frames set by an Emergency Presidential Order and a Council Resolution to Address an Emergency or Public Safety and Health Hazard adopted as required herein, the time frame established by the Council Resolution shall prevail.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22nd day of February, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON THURSDAY, FEBRUARY 22, 2007 AT SEVEN O'CLOCK P.M.

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

EMERGENCY ORDINANCE SBPC #709-02-07

Summary No. 1969

Recommended by: Special Council Meeting February 15, 2007

Public Hearing held February 22, 2007

AN EMERGENCY ORDINANCE TO CONTRACT FOR PROFESSIONAL SERVICES FOR TEMPORARY AUDITING ASSISTANCE WITH THE 2005 AND 2006 AUDITS.

SECTION 1. That the St. Bernard Parish Council does hereby authorize Administration to contract with the firm Ericksen, Krentel & La Porte, LLP for professional services for temporary auditing assistance with the 2005 and 2006 audits.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. As an emergency ordinance the provisions shall remain valid for 60 days.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT FOR VOTE: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 22nd day of February, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MARCH 6, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #710-03-07

Summary No. 1964

Recommended by Executive/Finance Committee on 1-25-07

Public Hearing held March 6, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO ESTABLISH A \$2,400 LINE ITEM WITHIN THE FINANCE BUDGET FOR PAUPER FUNERALS WITH A \$400 CAP PER FUNERAL (CREMATION ONLY) AND TO BE APPROVED BY COUNCIL

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget to establish a \$2,400 line item within the Finance Budget for pauper funerals with a \$400 cap per funeral (cremation only) and to be approved by the Council.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, and Taffaro.

NAYS: Melerine.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 6th day of March, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MARCH 20, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #711-03-07

Summary No. 1955

Introduced by: Administration on 1-16-07

Planning Commission recommended DENIAL on 2-27-07

Public Hearing held March 20, 2007

AN ORDINANCE TO APPROVE DOCKET 3-07, PETITION OF JUNIUS JOSEPH NAQUIN, JR. FOR A ZONING CHANGE FROM R-1, (SINGLE FAMILY RESIDENTIAL) TO R-1(M), (SINGLE FAMILY DWELLING AND MOBILE HOME RESIDENTIAL)

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That a zoning change for Docket 3-07, petition of Junius Joseph Naquin, Jr. is hereby granted for the following described property:

One certain lot of ground, situated in the Town of North Borgnemouth, at Violet, in the Parish of St. Bernard, State of Louisiana, which said lot is designated by the No. 2, in Square No. 5 of the Town of North Borgnemouth, which said square is bounded by Pakenham Road, Fourth, General Pershing and Fifth Streets. Said Lot No. 2 measures forty (40') feet front on Pakenham Road, by a depth of one hundred fifty (150') feet, between equal and parallel lines; together with the use of a common alley running through said square.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: Hoffmeister.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20th day of March, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MARCH 20, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #712-03-07

Summary No. 1957

Introduced by: Joseph Di Fatta, Council Chairman on 1-4-07

Public Hearing held March 20, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET, UPON RESCINDING OF EXECUTIVE ORDER 11-29-07-01, TO RE-ESTABLISH THE 2007 BUDGET FOR THE DEPARTMENT OF HOMELAND SECURITY IN CONJUNCTION WITH APPROVED 2007 FUNDING FOR ENGINEERING PROFESSIONALS AND COMBINING HOMELAND SECURITY AND RECOVERY OPERATIONS.

THE ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget, upon rescinding of Executive Order 11-29-07-01, to re-establish the 2007 budget for the Department of Homeland Security in conjunction with approved 2007 funding for engineering professionals and coming Homeland Security and Recovery operations.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: Hoffmeister.

The Chairman, Mr. Di Fatta, cast his vote as **NAY**.

And the motion was declared **adopted** on the 20th day of March, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MARCH 20, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #713-03-07

Summary No. 1967

Recommended by Executive/Finance Committee on 2/15/07
Public Hearing held March 20, 2007

AN ORDINANCE TO ESTABLISH PERMITTING PROCEDURES FOR MODULAR HOMES TO COINCIDE WITH INTERNATIONAL BUILDING CODES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That permitting procedures for Modular Homes are hereby establish to coincide with International Building Codes.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: Hoffmeister.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20th day of March, 2007.

/s/POLLY BOUDREAU
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

_____ Date and Time

Approved _____

Vetoed _____

Parish President

_____ Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

_____ Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MARCH 20, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #714-03-07

Summary No. 1968

Recommended by Executive/Finance Committee on 2/15/07
Public Hearing held March 20, 2007

AN ORDINANCE TO ESTABLISH TIE DOWN AND SECURING REQUIREMENTS FOR MODULAR AND ELEVATED HOMES TO COINCIDE WITH INTERNATIONAL BUILDING CODES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That tie down and securing requirements for Modular and Elevated Home are hereby establish to coincide with International Building Codes.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: Hoffmeister.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 20th day of March, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MARCH 27, 2007 AT TEN FORTY-FIVE A.M.

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

EMERGENCY ORDINANCE SBPC #715-03-07

Summary No. 1980

Introduced by: Joseph Di Fatta, Councilman-at-Large

AN **EMERGENCY ORDINANCE** TO AUTHORIZE A LEASE BETWEEN ST. BERNARD PARISH GOVERNMENT AND CITY OF HOPE FOR COMMUNITY PLAYGROUND, ARABI, LOUISIANA.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the Parish President or his designee is hereby authorized to sign a lease between St. Bernard Parish Government and the City of Hope for Community Playground, Arabi, Louisiana. (Lease attached as Exhibit A.)

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. As an emergency ordinance the provisions shall remain valid for 60 days.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean and Taffaro.

NAYS: None.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 27th day of March, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, MARCH 27, 2007 AT TEN FORTY-FIVE A.M.

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

EMERGENCY ORDINANCE SBPC #715-03-07

Summary No. 1980

Introduced by: Joseph Di Fatta, Councilman-at-Large

AN **EMERGENCY ORDINANCE** TO AUTHORIZE A LEASE BETWEEN ST. BERNARD PARISH GOVERNMENT AND CITY OF HOPE FOR COMMUNITY PLAYGROUND, ARABI, LOUISIANA.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the Parish President or his designee is hereby authorized to sign a lease between St. Bernard Parish Government and the City of Hope for Community Playground, Arabi, Louisiana. (Lease attached as Exhibit A.)

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. As an emergency ordinance the provisions shall remain valid for 60 days.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean and Taffaro.

NAYS: None.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 27th day of March, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 3, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #716-04-07

Summary No. 1889

Introduced by: Administration

Public Hearing held August 25, 2006, March 20, 2007 and April 3, 2007

AN ORDINANCE TO ADOPT THE FLOOD GUIDANCE ADVISORIES RELEASED BY FEMA ON APRIL 12, 2006.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the Flood Guidance Advisories released by FEMA on April 12, 2006 are hereby adopted.

SECTION 2. Effective Date. This ordinance shall become effective at 5:00 p.m. on June 4, 2007, 30 days after the Parish President's signature followed by a 30 day implementation period. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

_____ Date and Time

Approved _____

Vetoed _____

Parish President

_____ Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

_____ Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 3, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #717-04-07

Summary No. 1970

Recommended for Introduction by the EFC Committee on 2/22/07

Public Hearing held April 3, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO MOVE \$7,200 FROM ADMINISTRATION PROFESSIONAL SERVICES TO COUNCIL PROFESSIONAL SERVICES FOR 2007 POLICE JURY ASSOCIATION DUES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget be amended to reflect a move of \$7,200 from Administration Professional Services to Council Professional Services for 2007 Police Jury Association dues.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 3, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #718-04-07

Summary No. 1971

Recommended for Introduction by the EFC Committee on 2/22/07

Public Hearing held April 3, 2007

AN ORDINANCE TO ADOPT THE CURRENT SUBDIVISION REGULATIONS APPROVED BY THE PLANNING COMMISSION ON JANUARY 23, 2007.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the St. Bernard Parish Code of Ordinances is hereby amended by replacing Appendix A, Subdivision Regulations, Sections 1 – 5.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of April, 2007.

___/s/POLLY BOUDREAU
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 3, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #719-04-07

Summary No. 1972

Recommended for Introduction by the EFC Committee on 2/22/07

Public Hearing held April 3, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET BY MOVING \$10,000 WITHIN THE ADMINISTRATION BUDGET TO COVER BROKER'S OPINION COSTS OF THE HAZARD MITIGATION GRANT PROGRAM.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended by moving \$10,000 within the Administration budget to cover broker's opinion costs of the Hazard Mitigation Grant Program.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

_____ Date and Time

Approved _____

Vetoed _____

Parish President
Returned to Clerk of the Council

Henry J. Rodriguez, Jr.

_____ Date and Time

Received by _____

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

EMERGENCY ORDINANCE SBPC #720-04-07

Summary No. 1989

Introduced by: Craig Taffaro, Councilman, District D

AN EMERGENCY ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ENTER INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE.

WHEREAS, under the provisions of Section 216 of Public Law 81-516, Emergency Watershed Protection Program, and title IV of the Agriculture Credit Act of 1978, Public Law 95-334, NRCS is authorized to assist the Sponsor in relieving hazards created by natural disasters that cause impairment of a watershed; and

WHEREAS, NRCS and the Sponsor agree to install emergency watershed protection measures to relieve hazards and damages created by Hurricane Katrina.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Parish President is hereby authorized to enter into an agreement between St. Bernard Parish Government and United State Department of Agriculture, Natural Resources Conservation Service. (Agreement attached as Exhibit A.)

SECTION 2. It is agreed that the following described work (levee repair) is to be performed at a total estimated cost of \$1,079,820.00.

DSR No.	Project	Estimated Cost
087-05-002K	Florissant Levee Repair	\$1,079,820.00

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. As an emergency ordinance the provisions shall remain valid for 60 days.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean and Taffaro.

NAYS: None.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #721-04-07

Summary No. 1953

Introduced by: Administration

Planning Commission recommended DENIAL on March 27, 2007

AN ORDINANCE TO APPROVE DOCKET 1-07, PETITION OF LYDIA ASSAVEDO, WIFE OF/AND KENNETH K. CRANK, SR. FOR A ZONING CHANGE FROM R-1, (SINGLE FAMILY RESIDENTIAL) TO R-1(M), (SINGLE FAMILY DWELLING AND MOBILE HOME RESIDENTIAL).

SECTION 1. That a zoning change for Docket 1-07, petition of Lydia Assavedo, wife of/and Kenneth K. Crank, Sr., for a zoning change from R-1 (Single Family Residential) to R-1(M), (Single Family Dwelling and Mobile Home Residential) is hereby granted for the following described property:

One certain lot of ground, situated in the Parish of St. Bernard, State of Louisiana, that part thereof known as "POYDRAS FARM SITES", bounded by Farm Site Road, Rice Road, and Drainage Canal, designated as Lot No. 112, on a survey made by Eugene I. Estopinal and Associates, Inc., dated December 28, 1978, and according thereto, said lot commences at a distance of 462.50 feet from the corner of Farm Site Road and Rice Road, and measures thence 75 feet front on Farm Site Road, the same in width in the rear, by a depth of 238 feet between equal and parallel lines. Improvements thereon bear the Municipal No. 2725 Farm Site Road.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Henderson, Dean, and Melerine.

NAYS: Madary, Hoffmeister and Taffaro.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #722-04-07

Summary No. 1954

Introduced by: Administration

Planning Commission recommended DENIAL on March 27, 2007

AN ORDINANCE TO APPROVE DOCKET 2-07, PETITION OF LARRY G. ARCEMENT FOR A ZONING CHANGE FROM R-1, (SINGLE FAMILY RESIDENTIAL), TO R-1(M), (SINGLE FAMILY DWELLING AND MOBILE HOME RESIDENTIAL).

SECTION 1. That a zoning change for Docket 2-07, Petition of Larry G. Arcement for a zoning change from R-1, (Single Family Residential) to R-1(M), (Single Family Dwelling and Mobile Home Residential), for the following described property:

That portion of ground, situated in the Parish of St. Bernard, State of Louisiana, in a subdivision which lot is designated as Lot 113 and begins at a distance of 537.5 feet from the intersection of Farm Site Road and Rice Road and measures thence 75 feet front between equal and parallel lines. According to survey by Eugene Surveying and Engineering, Inc., dated August 10, 1994, Lot 113 has the same measurements as above set forth and is situated in the square bounded by Farmsite Road, Rice Road, Northern Boundary of Subdivision and Eastern Boundary of Subdivision (side). Improvements thereon bear the Municipal No. 2728 Farm Site Road

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Henderson, Dean, and Melerine.

NAYS: Madary, Hoffmeister and Taffaro.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #723-04-07

Summary No. 1962

Introduced by: Administration

Planning Commission recommended APPROVAL on March 27, 2007

AN ORDINANCE TO APPROVE DOCKET 5-07, PETITION OF SHANE J. CALLAIS, PER POWER OF ATTORNEY FROM OWNER ROBERT A. CALLAIS, WHO ACQUIRED OWNERSHIP THROUGH THE LAST WILL AND TESTAMENT OF HIS FATHER, LUDWICK CALLAIS, FOR A ZONING CHANGE FROM R-1, (SINGLE FAMILY RESIDENTIAL), TO R-1(M), (SINGLE FAMILY DWELLING AND MOBILE HOME RESIDENTIAL).

SECTION 1. That a zoning change for Docket 5-07, petition of Shane J. Callais, per Power of Attorney from owner Robert A. Callais, who acquired ownership through the Last Will and Testament of his father, Ludwick Callais, for a zoning change from R-1, (Single Family Residential), to R-1(M), (Single Family Dwelling and Mobile Home Residential), for the following described property:

That portion of ground, situated in the Parish of St. Bernard, State of Louisiana, designated as Lot No. 11 in Square No. 2 of the Town of North Borgne, bounded by General Pershing and Second Streets, Pakenham Road and First Street, and which lot measures 30 feet front on General Pershing Street, by a depth of 150 feet between equal and parallel lines, and forms the corner of General Pershing and Second Streets, together with the use of a common alley 15 feet wide running through said square. Improvements thereon bear the Municipal No. 2117 General Pershing Street.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #724-04-07

Summary No. 1963

Introduced by: Administration

Planning Commission recommended APPROVAL on March 27, 2007

AN ORDINANCE TO APPROVE DOCKET 6-07, KATHLEEN C. HENDERSON, JANICE H. DORAN, REED HENDERSON AND ASHLEY H. RODRIGUEZ, FOR A ZONING CHANGE FROM R-1, (SINGLE FAMILY RESIDENTIAL) AND C-1, (NEIGHBORHOOD COMMERCIAL) TO R-1(M), (SINGLE FAMILY DWELLING AND MOBILE HOME RESIDENTIAL) FOR THE FOLLOWING DESCRIBED PROPERTY:

SECTION 1. That a zoning change for Docket 6-07, Petition of Kathleen C. Henderson, Janice H. Doran, Reed Henderson and Ashley H. Rodriguez, for a zoning change from R-1, (Single Family Residential) and C-1, (Neighborhood Commercial) to R-1(M), (Single Family Dwelling and Mobile Home Residential) for the following described property:

Two certain lots of ground, situated in the Town of North Borgnemouth, at Violet, in the Parish of St. Bernard, State of Louisiana, designated as Lots No. 1 and 2, in Square No. 17 said Town of North Borgnemouth, bounded by Violet, Second, Repose and Third Streets, which Lots adjoin each other.

Lot No. 1 forms the corners of Violet and Second Street and Second and Repose Streets, and measures thirty (30) feet front on Violet Street by a depth and front on Second Street of on hundred forty-two and 32/100 (142.32') feet, a width and front on Repose Street of Twenty-nine and 91/1000 (29.91') feet and a depth on the side line separating said Lot No. 1 from Lot No.2 of one hundred forty-seven and 57/100 (147.57') feet. Lot No. 2 measures thirty (30') feet front on Violet Street, by a depth on the line separating said Lot No. 2 from Lot No. 1 of one hundred, forty-seven and 57/100 (147.57') feet, a width and front on Repose Street of Twenty-nine and 91/100 (29.91') feet, and a depth on the side line separating said Lot No. 2 from Lot No. 3 of one hundred fifty-two and 82/100 (152.82')feet. Improvements thereon bear the municipal No. 5901 Second Street.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Dean, Taffaro and Melerine.

NAYS: None.

RECUSED: Henderson.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #725-04-07

Summary No. 1973

Recommended for Introduction by the Executive/Finance Committee on 3-15-07

Recommended for APPROVAL by the Executive/Finance Committee on 4-12-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT \$1,290,991.26 TO ADMINISTRATION REVENUE STATE GRANTS AND \$1,290,991.26 ADMINISTRATION EXPENSES OPERATING GRANTS TO COVER EXPENSES FOR THE DEPARTMENT OF HEALTH AND HOSPITALS GRANT TO THE ST. BERNARD HEALTH CLINIC.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to reflect \$1,290,991.26 to Administrative Revenue State Grants and \$1,290,991.26 Administrative Expenses Operating Grants to cover expenses for the Department of Health and Hospitals to the St. Bernard Health Clinic.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #726-04-07

Summary No. 1974

Recommended for Introduction by the Executive/Finance Committee on 3-15-07

Recommended for APPROVAL by the Executive/Finance Committee on 4-12-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT A TRANSFER OF \$50,000 FOR ADMINISTRATION PROFESSIONAL SERVICES FROM GENERAL FUND TO COVER EXPENSES RELATED TO ERICKSEN, KRENTAL AND LA PORTE'S ACCOUNTING ASSISTANCE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to reflect a transfer of \$50,000 for Administration Professional Services from General Fund to cover expenses related to Ericksen, Krental and La Porte's Accounting Assistance.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #727-04-07

Summary No. 1975

Recommended for Introduction by the Executive/Finance Committee on 3-15-07

Recommended for APPROVAL by the Executive/Finance Committee on 4-12-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT RECREATION REVENUE DONATIONS \$24,000 TO INCREASE AMOUNT OF DONATION AND TO REFLECT RECEIPT OF REBEL BOOSTER CLUB ACCOUNT TRANSFER.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to reflect a Recreation Revenue Donations \$24,000 to increase amount of donation and to reflect receipt of Rebel Booster Club Account transfer.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #728-04-07

Summary No. 1976

Recommended for Introduction by the Executive/Finance Committee on 3-15-07

Recommended for APPROVAL by the Executive/Finance Committee on 4-12-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT RECREATION DEPARTMENT LINE ITEM TRANSFER OF \$500 FROM DONATIONS TO TEAM EXPENSE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to reflect a Recreation Department line item transfer of \$500 from Donations to Team Expense.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #729-04-07

Summary No. 1977

Recommended for Introduction by the Executive/Finance Committee on 3-15-07

Recommended for APPROVAL by the Executive/Finance Committee on 4-12-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT A RECREATION DEPARTMENT LINE ITEM TRANSFER OF \$7,500 FROM DONATIONS TO RECREATION REPAIRS AND MAINTENANCE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget is hereby amended to reflect a Recreation Department line item transfer of \$7,500 from Donations to Recreation Repairs and Maintenance.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #730-04-07

Summary No. 1978

Introduced by: Joseph Di Fatta, Councilman-at-Large
Public Hearing held April 17, 2007

AN ORDINANCE TO GRANT VARIANCE REQUESTS FOR 3813 LYNDELL DRIVE, CHALMETTE, AS REQUESTED BY OWNERS RONNIE AND GEORGIANA TEOULET AS FOLLOWS:

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That the following variances be granted for 3813 Lyndell Drive, Chalmette, as requested by owners Ronnie and Georgiana Teoulet as follows:

VARIANCE #1: a request for the reduction of the 20'- 0" front yard set back to 11' – 10" for the construction of a front porch.

VARIANCE #2: a request for the reduction of the 5' – 0" side yard set back to 1'– 0" to incorporate a driveway protection into the new roof line.

VARIANCE #3: a request for the increase of the 25' – 0" carport structure to 40' – 0" to provide protection for the two vehicles.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, APRIL 17, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #731-04-07

Summary No. 1979

Introduced by: Craig Taffaro, Councilman, District D
Public Hearing held April 17, 2007

AN ORDINANCE TO AUTHORIZE THE ADVERTISEMENT FOR SALE BY PUBLIC BID THE MUNICIPAL ADDRESS OF 2704 MAUREEN LANE, MERAUX, LA 70075

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Council hereby authorizes the advertisement for sale by public bid the Municipal Address of 2704 Maureen Lane, Meraux, LA 70075.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of April, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #732-05-07

Summary No. 1981

Recommended for Introduction by the EFC Committee on 3/22/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TO REFLECT \$135,068.77 TO HURRICANE RECONSTRUCTION FUND REVENUE REFLECTING RECEIPT OF INSURANCE PROCEEDS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget be amended to reflect \$135,068.77 to Hurricane Reconstruction Fund Revenue reflecting receipt of insurance proceeds.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #733-05-07

Summary No. 1982

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AUTHORIZE A 10 YEAR LEASE BETWEEN ST. BERNARD PARISH GOVERNMENT AND THE CITY OF HOPE FOR COMMUNITY PLAYGROUND, 801 COMMUNITY STREET, ARABI, LA 70032.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Parish President is hereby authorized to sign a 10 year lease between St. Bernard Parish Government and the City of Hope for Community Playground, 801 Community Street, Arabi, LA 70032.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish 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: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #734-05-07

Summary No. 1983

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET TOURISM AS FOLLOWS: REVENUES DONATIONS \$500.00 AND EXPENSES MISCELLANEOUS \$500.00 TO REFLECT A DONATION BY EXXON MOBIL FOR THE COST OF FOOD AT STATE PARK OPENING.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Tourism be amended as follows: Revenues Donations \$500.00 and Expenses Miscellaneous \$500.00 to reflect a donation by Exxon Mobil for the cost of food at State Park opening.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #735-05-07

Summary No. 1984

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET AUDITORIUM AS FOLLOWS: REVENUES STATE GRANTS \$112,142.83 AND EXPENSES RENTS AND LEASES \$3,000.00 TO REFLECT A RURAL GRANT DEVELOPMENT REIMBURSEMENT FOR AUDITORIUM ROOF REPAIRS AND THE REFUND OF A RENTAL DEPOSIT FEE TO FIRST BAPTIST CHURCH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Auditorium be amended as follows: Revenues State Grants \$112,142.83 and Expenses Rent and Leases \$3,000.00 to reflect a Rural Grant development reimbursement for auditorium roof repairs and the refund of a rental deposit to First Baptist Church.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #736-05-07

Summary No. 1985

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET PROBATION OFFICERS AS FOLLOWS: EXPENSES REPAIRS AND MAINTENANCE \$156.00 TO REFLECT FEES FOR A MAINTENANCE CONTRACT ON THE COPY MACHINE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Probation Officers be amended as follows: Expenses Rent Repairs and Maintenance \$156.00 to reflect fees for a maintenance contract on the copy machine.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #737-05-07

Summary No. 1986

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET CRIMINAL COURT AS FOLLOWS: EXPENSE PROFESSIONAL LIABILITY INSURANCE \$6,500.00 INCREASE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Criminal Court be amended as follows: Expense Professional Liability Insurance \$6,500.00 increase.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #738-05-07

Summary No. 1987

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET CRIMINAL COURT AS FOLLOWS: EXPENSE SUPPLIES \$2,331.30 TO REFLECT REIMBURSEMENT TO THE PETTY CASH ACCOUNT FOR COURTHOUSE SUPPLIES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Criminal Court be amended as follows: Expense Supplies \$2,331.30 to reflect reimbursement to the petty cash account for courthouse supplies.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 1, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #739-05-07

Summary No. 1988

Recommended for Introduction by the EFC Committee on 3/29/07

Public Hearing held May 1, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET COMMUNITY DEVELOPMENT AS FOLLOWS: EXPENSE REPAIRS AND MAINTENANCE \$2,700.00 INCREASE TO REFLECT FEES FOR A MAINTENANCE CONTRACT ON THE COPY MACHINE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget Criminal Court be amended as follows: Expense Repairs and Maintenance \$2,700 increase to reflect fees for a maintenance contract on the copy machine.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 1st day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 15, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #740-05-07

Summary No. 1949

Introduced by: Joseph Di Fatta, Councilman-at-Large
Public Hearing held May 15, 2007

AN ORDINANCE TO ACCEPT DONATIONS MADE BY VARIOUS COMMUNITIES AND ENTITIES AS A RESULT OF HURRICANES KATRINA AND RITA.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION I. That St. Bernard Parish Government accepts donations made by various communities and entities as a result of Hurricanes Katrina and Rita.

SECTION II. Effective Date. That this ordinance shall become effective immediately upon the date of the President's signature. In the event of a presidential veto this ordinance shall become effective upon a two thirds favorable vote of the total membership of the Council pursuant to Section 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION III. 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: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 15, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #741-05-07

Summary No. 1993

Recommended by: Executive/Finance Committee on 4-12-07

Public Hearing held May 15, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **HURRICANE RECONSTRUCTION FUND** AS FOLLOWS: REVENUES - STORM DAMAGE REIMBURSEMENT - \$786,733.50 TO REFLECT A MURPHY OIL SETTLEMENT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **Hurricane Reconstruction Fund** be amended as follows: Revenues – Storm Damage Reimbursement - \$786,733.50, to reflect a Murphy Oil settlement.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 15, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #742-05-07

Summary No. 1997

Recommended by: Executive/Finance Committee on 4-19-07
Public Hearing held May 15, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **PUBLIC WORKS MOSQUITO CONTROL** AS FOLLOWS: EXPENSES – TRAVEL AND TRAINING - \$219.28 TO REFLECT CERTIFICATION WORKSHOP EXPENSES

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **Public Works Mosquito Control** be amended as follows: Expenses – Travel and Training - \$219.28, to reflect certification workshop expenses.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of May, 2007.

/s/POLLY BOUDREAU
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

_____ Date and Time

Approved _____

Vetoed _____

Parish President
Returned to Clerk of the Council

Henry J. Rodriguez, Jr.

_____ Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, MAY 15, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #743-05-07

Summary No. 1998

Recommended by: Executive/Finance Committee on 5/3/07

Public Hearing held May 15, 2007

AN ORDINANCE TO AMEND CHAPTER 22, ZONING, OF THE ST. BERNARD PARISH CODE OF ORDINANCES, SECTION 22-5, GENERAL PROVISIONS, USES PERMITTED IN SA SUBURBAN AGRICULTURAL DISTRICT AND ST. BERNARD DISTRICT TO ADD (31) RELIGIOUS HOUSES OF WORSHIP.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION I. That Chapter 22, Zoning, Section 22-5, General Provisions, Uses Permitted in SA Suburban Agricultural District and St. Bernard Village District is hereby amended to add the following permitted use:

SBV ST. BERNARD VILLAGE DISTRICT

(31) religious houses of worship

SECTION II. Effective Date. That this ordinance shall become effective immediately upon the date of the President's signature. In the event of a presidential veto this ordinance shall become effective upon a two thirds favorable vote of the total membership of the Council pursuant to Section 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION III. 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: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 15th day of May, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 5, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #744-06-07

Summary No. 1995

Introduced by: Craig Taffaro, Councilman, District D

Amendments approved by EFC on 5/31/07

Public Hearing held 6/5/07

AN ORDINANCE REQUIRING ALL CONTRACTS FOR PROFESSIONAL SERVICES, CONSTRUCTION, ARCHITECTURE, ENGINEERING, EQUIPMENT, OR ANY OTHER CONTRACTUAL ARRANGEMENT THAT CREATES A FINANCIAL LIABILITY FOR ST. BERNARD PARISH GOVERNMENT THAT IS NOT COVERED WITHIN AN APPROVED LINE ITEM IN A CURRENT BUDGET BE APPROVED BY THE ST. BERNARD PARISH COUNCIL PRIOR TO EXECUTION.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That all contracts that have complete funding within an approved current budget shall not be subject to this ordinance.

SECTION 2. That all contracts that do not have complete funding within an approved budget shall follow the process as follows:

1. All contracts which do not have complete funding in a current approved budget, negotiated and recommended by the Parish President or his/her designee shall be reviewed at a public meeting of the council.
2. All contracts, which do not have complete funding in a current approved budget, negotiated and recommended by the Parish President, or his designee, shall have council approval in the form of a resolution passed by majority vote of the total membership of the council. Such approval shall be documented and received prior to the execution of any contract.
3. All contracts, which do not have complete funding in a current approved budget, negotiated and recommended by the Parish President or his/her designee shall have accompanying documentation from the Director of the Finance Department identifying the appropriated funds, or the approved funding mechanism, or recommended budget amendment to cover the anticipated expenses of said contract.
4. Upon a favorable vote by the parish council relative to a negotiated and recommended contract presented by the Parish President, recommendation shall be followed by appropriate budgetary amendments to meet the anticipated financial liabilities created by said contracts.

5. Upon favorable vote of the Council, the Council Chair or Vice Chair in the absence of the Chair, shall countersign all contracts negotiated and recommended by the Parish President, or his designee, and reviewed and approved by the Parish Council in the absence of the Chairman. Signature of the Chair or Vice Chair shall be completed within 24 hours of the favorable vote of the Parish Council. If the Council Chair does not complete such signature in the allotted time period, a certified copy from the Clerk of Council of the favorable vote of the council attached to said contract shall serve as appropriate documentation supporting the president's signature to execute the approved contract.
6. Should the council not return a favorable vote relative to a negotiated and recommended contract by the Parish President, such a vote shall not prohibit the consideration of a budget amendment to address the budgetary needs for any contract.
7. Contracts executed to address emergency situations, not occurring in a declared emergency, that involve imminent danger to life, safety, or the protection of property, shall be excluded from the procedures herein. The Parish President shall provide a review of such a contract immediately upon the convening of the next Parish Council meeting. At said meeting, the emergency contract executed by the Parish President shall receive approval of the Parish Council, including the requirements set forth in this ordinance, for continuation of the contract as valid.
8. During the first five days of a state, local or federal declaration of emergency this ordinance shall not be enforceable.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 4. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean, Taffaro and Melerine.

NAYS: None.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 5, 2007 AT ELEVEN O'CLOCK A.M.

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

ORDINANCE SBPC #745-06-07

Summary No. 2002

Introduced by: St. Bernard Parish Council on 5/15/07

Recommended by the Executive/Finance Committee on 5/31/07

Public Hearing held June 5, 2007

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2007 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 2007; and

WHEREAS, it is also necessary for the said Parish Council, acting as the governing authority of said Parish said Parish, to levy taxes for the year 2007 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; and

that:

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 2007, for the respective purposes described below:

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

2.19	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.
0.63	Nov. 7, 2006	2007-2016	Constructing, maintaining, improving and operating public health units in the Parish.
0.95	Nov. 7, 2006	2007-2016	Providing funding for Senior Citizens programs, activities and services operated by the St. Bernard Parish Council on Aging.

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 2007, for the respective parishwide districts and purposes described below:

<u>2007 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Parishwide District and Purpose</u>
3.08	Nov. 7, 2006	2007-2016	<u>Garbage District No. 1</u> - providing and maintaining garbage collection and disposal services in Garbage District No. 1.
3.08	Nov. 7, 2006	2007-2016	<u>Road District No. 1</u> - constructing, improving and maintaining public roads and highways in Road District No. 1
1.23	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 2007, for the respective districts and purposes described below:

<u>2007 Millage Rate</u>	<u>Election Date</u>	<u>Years Authorized</u>	<u>Non-parishwide District and Purpose</u>
2.77	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
4.66	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.
8.35	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. Taxes for Payment of General Obligation Bonds. 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 Parish and in the respective districts described below for the year 2007, for the payment of principal and interest on the respective issues of general obligation bonds described below:

<u>2007 Millage Rate</u>	<u>Name of Issuer and Bond Issue(s)</u>
1.50	<u>Parish of St. Bernard</u> - General Obligation Refunding Bonds, Series 2005.

SECTION 5. 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 2007, 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.

SECTION 6. Publication. This ordinance shall be published one time in the official journal of this Parish Council in the manner provided by law.

SECTION 7. Effective Date. This ordinance shall become effective immediately.

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

YEAS: Madary, Hoffmeister, Henderson, Taffaro and Melerine.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 5th day of June, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

_____ Date and Time

Approved _____

Vetoed _____

Parish President

_____ Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

_____ Date and Time

Received by _____

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A SPECIAL MEETING HELD IN THE COUNCIL OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON THURSDAY, JUNE 7, 2007 AT FIVE SEVENTEEN P.M.

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

EMERGENCY ORDINANCE SBPC #746-06-07

Summary No. 2009

Introduced by: Craig Taffaro, Councilman, District D

AN ORDINANCE TO AUTHORIZE ADMINISTRATION TO ACCESS CDL FUNDS NEEDED TO FUND A SWEEP OF NEW CONSTRUCTION DEBRIS AND TO PURCHASE PARISH EQUIPMENT AND FUND APPROPRIATE STAFFING TO ENABLE FUTURE PARISH SWEEPS.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Administration is hereby authorized to access CDL Funds needed to fund a sweep of new construction debris and to purchase parish equipment and fund appropriate staffing to enable future parish sweeps.

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 4. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7th day of June, 2007.

/s/POLLY BOUDREAUX
CLERK OF COUNCIL

/s/JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #747-06-07

Summary No. 1992

Introduced by: Administration on 4/17/07

Recommended by Executive/Finance Committee on 4/19/07

Planning Commission recommended APPROVAL on 5/22/07

Public Hearing held June 19, 2007

AN ORDINANCE TO APPROVE DOCKET 8-07, PETITION OF PATRICIA CONWAY, WIFE OF/AND ROBERT T. FANNING FOR A ZONING CHANGE FROM C-1, (NEIGHBORHOOD COMMERCIAL) TO R-1, (SINGLE FAMILY RESIDENTIAL).

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That a zoning change for Docket 8-07, Petition of Patricia Conway, wife of/and Robert T. Fanning for a zoning change from "C-1 (Neighborhood Commercial)" to "R-1, (Single Family Residential)" for the following described property:

One certain piece or portion of ground, situated in the Parish of St. Bernard, State of Louisiana, in that portion thereof now know as Cypress Gardens Subdivision, Unit No. 1, being a re-subdivision of a portion of Lot 31, Corinne and Myrtle Grove Plantation in Section 2, T-13-S, R-13-E. Southeastern District of Louisiana, east of the Mississippi River and in accordance with the plan of re-subdivision made by J. J. Krebs and Sons, Surveyors dated April 3, 1964, approved as to Unit No. 1 by resolution of the St. Bernard Parish Police Jury dated April 20, 1965, registered in COB 91, Folio 130 on May 7, 1965 and by plan of re-subdivision made by J. J. Krebs and Sons, Inc., Surveyors dated December 17, 1968, approved by the Police Jury for the Parish of St. Bernard on March 25, 1969 registered in COB 103, folio 559, said lot is designated as Lot 166-A in Square J.

Said lot measures 60 feet front on Lawrence Lane, 72.86 feet in width in the rear, by a dept of the side line of Lot 165-A of 86 feet and a depth and front on Judge Perez Drive of 86.96 feet. Improvements thereon bear the Municipal No. 2545 Lawrence Lane.

And, that parcel of ground located in Section 3, Township 13 South, Range 13 East, Parish of St. Bernard, State of Louisiana, immediately adjacent to the rear of Lot 166A, Square J, Cypress Garden Subdivision. Said strip of ground is designated as Parcel 166-B and measures 13.24' x 60'x12.72'x60'.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson, Dean and Taffaro.

NAYS: None.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #748-06-07

Summary No. 1994

Introduced by Executive/Finance Committee on 4-17-07

Recommended by Executive/Finance Committee on 5-17-07

Public Hearing held June 19, 2007

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **OEP FUND** AS FOLLOWS: EXPENSES – OPERATING GRANTS - \$37,850.00 TO REFLECT EPZ EMERGENCY PREPAREDNESS CONSULTANTS' SERVICES REVENUES – OPERATING GRANTS - \$37,850.00 TO REFLECT THE 2004 SHSP GRANT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **OEP Fund** be amended as Follows: Expenses – Operating Grants - \$37,850.00 to Reflect EPZ Emergency Preparedness Consultants' Services – Revenues – Operating Grants - \$37,850.00 to reflect the 2004 SHSP Grant.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #749-06-07

Summary No. 1999

Introduced by Executive/Finance Committee on 5-15-07

Recommended by Executive/Finance Committee on 5-17-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **FINANCE DEPARTMENT** AS FOLLOWS: EXPENSES - \$65,000.00 TO REFLECT THE FINANCE DIRECTOR'S SALARY.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **Finance Department** be amended as follows: EXPENSES - \$65,000.00 to reflect the Finance Director's salary increase.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O’CLOCK P.M.

On motion of Mr. Taffaro, seconded by Mr. Henderson, it was moved to **adopt** the following ordinance as amended:

ORDINANCE SBPC #750-06-07

Summary No. 2000

Introduced by Executive/Finance Committee on 5-15-07

Recommended by Executive/Finance Committee on 5-17-07

Public Hearing held June 19, 2007

AN ORDINANCE TO AUTHORIZE A DEMOBILIZATION PLAN FOR FEMA GROUP SITES IN ST. BERNARD PARISH.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the following demobilization plan for FEMA group sites is hereby authorized:

Group Site Demobilization Plan

PARK	DEMOBILIZATION START DATE
Torres Park	August 15, 2007
Lynn Dean	August 15, 2007
Stage (Chalmette Retail)	August 15, 2007
Fisher	August 30, 2007
Lattimore/Township Square	September 30, 2007
Rowley West Side (Colomb)	October 30, 2007
Delchamps	November 30, 2007
Park Four(Jean Lafitte)	December 15, 2007
Meraux Property	December 30, 2007
Nunez Community College	December 30, 2007
Rowley East Side (Colomb)	March 30, 2008

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: None.

The Chairman, Mr. Di Fatta, cast his vote as **NAY**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #751-06-07

Summary No. 2001

Introduced by Executive/Finance Committee on 5-15-07

Recommended by Executive/Finance Committee on 5-17-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **JUVENILE PROBATION** TO REFLECT AN INCREASE FOR AN ADDITIONAL JUVENILE PROBATION STAFF MEMBER AND A REPLACEMENT STAFF MEMBER FOR THE INDIGENT DEFENDER BOARD, A NET INCREASE OF \$10,000.00.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **Juvenile Probation** be amended as follows: to reflect increase for an additional Juvenile Probation staff member and a replacement staff member for the Indigent Defender Board, a net increase of \$10,000.00.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #752-06-07

Summary No. 2003

Introduced by Executive/Finance Committee on 5-15-07

Recommended by Executive/Finance Committee on 5-17-07

AN ORDINANCE TO AMEND THE 2007 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET **COUNCIL** AS FOLLOWS: EXPENSES - \$25,000.00 TO REFLECT PROFESSIONAL SERVICES PERFORMED BY THE ERICKSEN, KRENTEL FIRM FOR THE 2006 AUDIT.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the 2007 St. Bernard Parish Annual Operating and Capital Budget **COUNCIL** be amended as follows: Expenses - \$25,000.00 to reflect Professional Services performed by the Ericksen, Krentel Firm for the 2006 Audit.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #753-06-07

Summary No. 2008

Recommended for Introduction: Executive/Finance Committee on 5-10-07

Public Hearing held June 19, 2007

An ordinance to amend the Advisory Base Flood Elevation (ABFE) Ordinance #716-04-07 to clarify that the Highest Existing Adjacent Grade is the location to be utilized in calculating the ABFE inside of levee protected areas.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That the Advisory Base Flood Elevation (ABFE) Ordinance #716-04-07 is hereby amended to clarify that the Highest Existing Adjacent Grade is the location to be utilized in calculating the ABFE inside of levee protected areas.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Taffaro.

NAYS: Dean.

ABSENT: Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAU
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by _____

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 OFFICE TRAILER OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE CHALMETTE, LOUISIANA ON TUESDAY, JUNE 19, 2007 AT SEVEN O'CLOCK P.M.

On motion of Mr. Henderson, seconded by Mrs. Hoffmeister, it was moved to **adopt** the following emergency ordinance:

EMERGENCY ORDINANCE SBPC #755-06-07

Summary No. 2014

Introduced by: Administration

AN ORDINANCE TO GRANT AUTHORITY TO THE PARISH PRESIDENT TO AUTHORIZE ENTRY TO AND UPON PRIVATE PROPERTY FOR THE EXPRESSED PURPOSE OF REMOVING DEAD TREES AND DEBRIS DEFINED AND/OR CLASSIFIED BY FEMA AND ST. BERNARD PARISH GOVERNMENT AS A PUBLIC HEALTH AND/OR SAFETY HAZARD DUE TO THE HURRICANES KATRINA AND RITA AND FURTHER TO EXECUTE ANY REQUIRED AGREEMENTS WITH ALL ENTITIES NECESSARY TO ACCOMPLISH THE SAID OBJECTIVE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN

SECTION 1. That authority is hereby granted to the Parish President to authorize entry to and upon private property for the expressed purpose of removing dead trees and debris defined and/or classified by FEMA and St. Bernard Parish government as a public health and/or safety hazard due to the Hurricanes Katrina and Rita and further to execute any required agreements with all entities necessary to accomplish the said objective.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this Ordinance with the invalid portions omitted.

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

YEAS: Madary, Hoffmeister, Henderson and Dean.

NAYS: None.

ABSENT: Taffaro and Melerine.

The Chairman, Mr. Di Fatta, cast his vote as **YEA**.

And the motion was declared **adopted** on the 19th day of June, 2007.

POLLY BOUDREAUX
CLERK OF COUNCIL

JOSEPH S. DI FATTA, JR.
COUNCIL CHAIRMAN

Delivered to the Parish President

Date and Time

Approved _____

Vetoed _____

Parish President

Henry J. Rodriguez, Jr.

Returned to Clerk of the Council

Date and Time

Received by
