



St. Bernard Parish Council

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

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

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

Roxanne Adams
Clerk of Council

#17

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JULY 19, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #1799-07-16

Summary No. 3393

Introduced by: Administration on 7/5/16

Public hearing held on 7/19/15

AN ORDINANCE AMENDING CHAPTER 11, HEALTH AND SANITATION; ARTICLE I, IN GENERAL; TO CREATE AND INSERT SECTION 11-8 MOSQUITO CONTROL OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council, the governing authority for St. Bernard Parish, does hereby create and insert section 11-8 Mosquito Control of the St. Bernard Parish Code of Ordinances as attached in Exhibit "A".

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

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



St. Bernard Parish Council

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

Page -2-
Extract #17 continued
July 19, 2016

Kerri Callais
Councilmember
at Large

Richard "Richie" Lewis
Councilmember
at Large

Gillis McCloskey
Councilmember
District A

Nathan Gorbaty
Councilmember
District B

Howard Luna
Councilmember
District C

Wanda Alcon
Councilmember
District D

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

Roxanne Adams
Clerk of Council

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

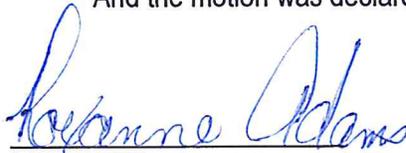
YEAS: McCloskey, Luna, Alcon, Montelongo

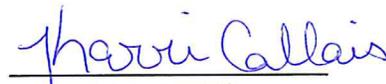
NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 19th day of July, 2016.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President 7/20/2016 4:15pm
Date and Time

Approved ✓ Vetoed _____

Parish President 
Guy McInnis

Returned to Clerk of the Council 7/21/2016 2:00pm
Date and Time

Received by Jennifer Lemorne

SUMMARY NO. 3393
EXHIBIT "A"
ORDINANCE SBPC #1799-07-16

CHAPTER 11 - HEALTH AND SANITATION

ARTICLE I - IN GENERAL

SECTION 11-8 MOSQUITO CONTROL

- A. It shall be unlawful for any person or entity to allow conditions conducive to the breeding or harborage of mosquitos to exist on any property owned or controlled by that entity or person. Examples of those conditions include – but are not limited to the following:
1. The open storage of tires or any other method of storage resulting in water retention
 2. Open storage of tarps, visqueen or any other material which is non porous and allows for accumulation and retention of water
 3. Configuration of land, building or any other item which allows water to pool and stand for any period of time.
 4. Storage of any vessel, container or item which results in the standing accumulation of water with in that vessel, container or item.
 5. Untreated (absence of regular or sufficient chemical shock, chlorine, filtration system or other method approved by the manager of mosquito control or his designee) swimming pools, ponds, baths, or dormant fountains.
 6. Any condition which results in the presence of live mosquito larvae or pupae in numbers declared substantial by the Manager of Mosquito Control (or his designee).
 7. Any condition which results in the breeding or likely breeding of mosquitos
- B. This section shall not apply to undeveloped land, any land zoned A-1, Rural or I-2, Heavy Industrial, any parcel of land greater than 1 acre in size, drainage ditches or canals, natural water bodies or any other land, circumstance or condition exempted by the manager of mosquito control or his designee.
- C. Definitions:
1. Administration: The Manager of Mosquito Control (or the Manager's designee) will exercise all administrative authority relative to the application and enforcement of this section.
 2. Enforcement: The Manager of Mosquito Control may refer any inspection, remediation/abatement or enforcement action relative to this section to the Office/Division of Resident Services & Compliance or Code Enforcement.
 3. Remedial or abatement measures: This section authorizes the Manager of Mosquito control (or his designees) and all Division of Mosquito Control employees to exercise immediate abatement measures relative to this section.
 4. Penalty: Upon a first conviction, the offender shall be punished by a fine not to exceed two hundred dollars, or a sentence not to exceed 30 days incarceration, or ordered to perform not more than forty eight hours of community service; or any combination of fine, incarceration and/or community service so ordered by the court.
 5. Upon any second or subsequent convictions , the offender shall be punished by a fine not to exceed five hundred dollars, or a sentence not to exceed 60 days incarceration, or ordered to perform not more than ninety six hours of community service; or any combination of fine, incarceration and/or community service so ordered by the court.