



# St. Bernard Parish Council

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

**#27**

**Guy McInnis**  
*Councilman  
at Large*

**George Cavignac**  
*Councilman  
at Large*

**Ray Lauga, Jr.**  
*Councilman  
District A*

**Nathan Gorbaty**  
*Councilman  
District B*

**Richard "Richie" Lewis**  
*Councilman  
District C*

**Casey W. Hunnicutt**  
*Councilman  
District D*

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

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, JULY 7, 2015 AT SEVEN O'CLOCK P.M.

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

## **ORDINANCE SBPC #1657-07-15**

### **Summary No. 3238**

Introduced by: Councilman Lauga on 6/2/15  
Public hearing held on 6/16/15  
EFC recommended APPROVAL with amendments on 7/1/15  
Tabled on 6/16/15 until 7/7/15

AN ORDINANCE TO AMEND CHAPTER 11; HEALTH AND SANITATION, ARTICLE III; MINIMUM HOUSING CODE, SECTION 11-56; MINIMUM HOUSING STANDARDS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Parish Council hereby amends Chapter 11; Health and Sanitation, Article III; Minimum Housing Code, Section 11-56; Minimum Housing Standards 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.



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Extract #27 continued  
July 7, 2015

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

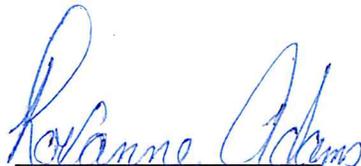
**YEAS:** Lauga, Gorbaty, Lewis, Hunnicutt, Montelongo, McInnis

**NAYS:** None

**ABSENT:** None

The Chairman, Mr. Cavignac, cast his vote as **YEA**.

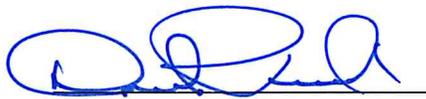
And the motion was declared **adopted** on the 7<sup>th</sup> day of July, 2015.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
GEORGE CAVIGNAC  
COUNCIL CHAIRMAN

Delivered to the Parish President 7/10/2015 10:30am  
Date and Time

Approved  Vetoed

Parish President   
David E. Peralta

Returned to Clerk of the Council 7/10/15 12:21 pm  
Date and Time

Received by Wesley Pohnemann

**ORDINANCE SBPC #1657-07-15**  
**EXHIBIT "A"**  
**SUMMARY NO. 3238**

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Chapter 11 – Health and Sanitation  
Article III – Minimum Housing Code  
Section 11-56 – Minimum Housing Standards

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Sec. 11-56. - Minimum housing standards.

(A) There are hereby established the following standards to determine the fitness of a dwelling for human habitation and to constitute a basis for the enforcement and interpretation of this article.

(1) *Living space requirements:* Every dwelling in St. Bernard Parish shall contain at least a living room, functional kitchen, and bathroom. A one-room efficiency apartment with a functional kitchen area is adequate. However, there must be a separate bathroom for the private use of the inhabitants.

(2) *Interior/exterior surfaces:* All exterior and interior walls, floors, and ceilings shall be in good condition, containing no large cracks, holes, or loose surface material.

(3) *Windows:* All windows shall be reasonably weathertight, containing no broken, loose, or missing panes.

(4) *Structural maintenance:* Every dwelling and every part thereof shall be maintained in good repair by the owner, so as to be fit for human habitation.

(5) *Roofs:* Roof areas covering inhabited buildings shall be maintained in good repair, without leaks.

(6) *Locks:* Functional locks shall be installed on all windows and doors accessible from the outside.

(7) *Sleeping rooms/bedrooms:* Generally there shall be one (1) bedroom for every two (2) family members. Bedrooms shall have at least two (2) electrical outlets on one (1) receptacle and one (1) permanent light fixture and at least one (1) window which must open if it was designed to do so.

(8) *Electrical equipment:* Electrical systems in residential units shall be free of broken or frayed wiring, light fixtures hanging from electrical supply wires (unsupported), missing coverplates on switches or outlets, or badly cracked outlets.

(9) *Lead paint:* Surfaces previously coated with a leadbase paint shall be covered with a durable sealer or sheathing material.

(10) *Living room:* All living rooms shall have at least two (2) electric outlets, or one (1) outlet and one (1) permanent light fixture. All living rooms shall have at least one (1) window.

(11) *Kitchen:* All kitchens shall possess at least one (1) functioning sink with hot and cold running water; one (1) electrical outlet and one (1) permanent light fixture; and permanent counterspace for food preparation.

(12) *Bathroom:* At least one (1) bathroom in each residence shall contain a functioning flush toilet, sink, and tub or shower. Bathrooms shall possess a window that opens or a working exhaust vent.

(13) *Stair railings:* Stair units with more than four (4) steps shall have a secure railing; hand rails shall also be installed along porches, balconies, and decks if more than thirty (30) inches above the ground.

(14) *Foundation:* Foundations shall be in good condition with no serious cracks or leaks.

(15) *Water/sewer:* Plumbing systems in all residences shall be in good repair, without leaks or serious rust contamination, and connected to an approved public or private water supply and sewerage disposal system.

(16) *Ventilation/cooling:* Residences shall be equipped with working ventilation or cooling equipment, or else contain openable windows in each room used for habitation.

(17) *Heating:* Every dwelling and every dwelling unit shall be weatherproof and capable of being adequately heated. Each dwelling shall also be served by a functioning hot water heater which is located, equipped, and installed in a safe manner.

(18) *Entrances/exits:* There shall be for each dwelling unit a separate access either to a highway, landing, stairway or street. Each dwelling unit shall also have an alternate fire exit (this can be met by a window that opens for first and second story homes).

(19) *Elevators:* Elevators in multiunit residential structures shall be functional and safe.

(20) *Common areas:* Common hallways must be safe and in good condition. Lighting must be provided on all interior stairs and common hallways.

(21) *Health hazards:* Residences shall not be located near fire hazards or in areas subject to excessive flooding or serious air pollution.

(22) *Cleanliness:* All residents shall keep every dwelling clean and free from excessive accumulation of dirt, filth, rubbish, or similar matter.

(23) *Rodent and vermin infestation:* Residential units and complexes, including their respective porches and accessory buildings, shall be free of rodent and vermin infestation.

(24) *Mobile homes*: Mobile homes shall be placed on their sites in a stable manner and be equipped with tie-downs. Mobile homes shall be equipped with functioning smoke detectors.

(B) 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:

(1) Within five (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.

(2) Within two (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.

(3) 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 twenty-four (24) hours of the posting of the said notice take prompt action to have the property cleaned and/or secured.

(4) Within sixty (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 one hundred twenty (120) days complete repairs to exterior walls and roofs.

(5) Within three hundred sixty-five (365) days, the owner shall have the dwelling in compliance with Section 11-56 (A).

(6) 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 [an amendment to the Louisiana Uniform Building Code, set out in section 5-1 of St. Bernard Parish Code of Ordinances].

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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 ten (10) percent 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 ten (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 ten (10) percent 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.

(12) 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.

(13) Any dwelling that is not in compliance with Section 11-56 (B) shall be given a non-compliance notice and thirty (30) calendar days to bring the dwelling into compliance or be fined up to one hundred dollars (\$100) per day of non-compliance.

(C)

(1) 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 [an amendment to the Louisiana Uniform Building Code, set out in section 5-1 of St. Bernard Parish Code of Ordinances], 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.

(2) 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.

(3) 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.