



St. Bernard Parish Council

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

#20

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

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, APRIL 5, 2016 AT SEVEN O'CLOCK P.M.

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

ORDINANCE SBPC #1748-04-16

Summary No. 3358

Introduced by: Administration on 3/15/16
Public hearing held on 4/5/16

AN ORDINANCE TO AMEND CHAPTER 10.5; FLOOD DAMAGE PREVENTION, SECTION 10.5-5; DEFINITIONS OF WORKS AND TERMS USED AND SECTION 10.5-32; SPECIFIC STANDARDS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That Chapter 10.5; Flood Damage Prevention, Section 10.5-5; Definitions of works and terms used and Section 10.5-32; Specific Standards of the St. Bernard Parish code of ordinances is hereby amended 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 #20 continued
April 5, 2016

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

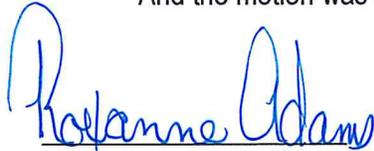
YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Lewis

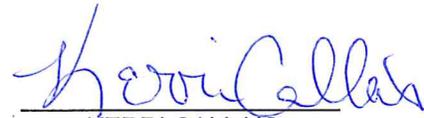
NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of April, 2016.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President

4-8-16 11:15am
Date and Time

Approved

Vetoed

Parish President


Guy McClinnis

Returned to Clerk of the Council

4-8-16 3:28pm
Date and Time

Received by



EXHIBIT "A"
SUMMARY NO. 3358
ORDINANCE SBPC #1748-04-16

Chapter 10.5 – Flood Damage Prevention

Section 10.5-5. - Definitions of works and terms used.

...Omitted for Brevity...

Floodway. See regulatory floodway.

Freeboard means a factor of safety above the base flood elevation. For purposes of this chapter, freeboard is an additional eighteen (18) inches above the base flood elevation in the areas of special flood hazards, and is eighteen (18) inches above either: (a) the nearest adjacent base flood elevation or (b) the highest adjacent grade in other areas.

Functionally dependent use means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

...Omitted for Brevity...

Section 10.5-32. - Specific standards.

All new construction or substantial damage or substantial improvement work in St. Bernard Parish regardless of being located in or out of special flood hazard areas is required to meet the following provisions:

- (1) Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in article IV, 10.5-23(1)(a), is satisfied. In areas located outside of special flood hazard areas the lowest floor (including basement) must be built at eighteen (18) inches above either: a) the nearest adjacent base flood elevation or b) the highest adjacent grade.
- (2) Nonresidential construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard, or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation plus an additional eighteen (18) inches of freeboard the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. In areas located outside of special flood hazard areas the lowest floor (including basement) must be built at eighteen (18) inches above either: (a) the nearest adjacent base flood elevation or (b) the highest adjacent grade or meet the floodproofing requirement herein described to a height of eighteen (18) inches above either: (a) the nearest adjacent base flood elevation or (b) the highest adjacent grade. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific

EXHIBIT "A"
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elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

- (3) Enclosures. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (a) A minimum of two (2) openings on separate walls having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (b) The bottom of all openings shall be no higher than one (1) foot above grade.
 - (c) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (4) Manufactured homes.
 - (a) Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
 - (b) Require that manufactured homes that are placed or substantially improved within the areas of special flood hazard be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to or above the base flood elevation plus an additional eighteen (18) inches of freeboard and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 - (c) Require that manufactured homes that are placed or substantially improved outside the areas of special flood hazard be elevated on a permanent foundation such that the bottom of the longitudinal structural I beam of the manufactured home is elevated to or above eighteen (18) inches above either: a) the nearest adjacent base flood elevation or (b) the highest adjacent grade, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (5) Recreational vehicles. Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either (i) be on the site for fewer than one hundred eighty (180) consecutive days, or (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of article IV, section 10.5-23(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- (6) Diversionary structures. No new permits shall be issued for diversionary structures.