



St. Bernard Parish Council

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

#18

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

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

ORDINANCE SBPC #1790-06-16

Summary No. 3382

Planning Commission recommended **APPROVAL** on 5/24/16
Introduced by: Administration on 6/7/16
Public hearing held on 6/21/16

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That St. Bernard Parish does hereby amend Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions as per attached in Exhibit "A".

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

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



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

Richard "Richie" Lewis
Councilmember
at Large

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

Gillis McCloskey
Councilmember
District A

YEAS: McCloskey, Luna, Alcon, Montelongo, Lewis

NAYS: None

Nathan Gorbaty
Councilmember
District B

ABSENT: Gorbaty

Howard Luna
Councilmember
District C

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

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

Wanda Alcon
Councilmember
District D

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Manuel "Monty" Montelongo III
Councilmember
District E

Roxanne Adams
Clerk of Council

Delivered to the Parish President 6/23/2016 4:15pm
Date and Time

Approved

Vetoed

Parish President

Guy McInnis

Returned to Clerk of the Council

6/24/16 9:12am
Date and Time

Received by

EXHIBIT "A"
SUMMARY NO. 3382
ORDINANCE SBPC #1790-06-16

Chapter 22 – Zoning

Section 2 – Interpretation

Subsection 4 - Definitions

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

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

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

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

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

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

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

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

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

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