

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER SICA, SECONDED FOR INTRODUCTION BY COUNCIL MEMBER MADDEN.

ORDINANCE NO. 19-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND AND REORDAIN THE CODE OF ORDINANCES, CHAPTER 9 – HEALTH AND SANITATION,, SECTION 9-2. – PROHIBITED DEPOSITS IN STREETS, ON BEACH FRONT, IN LAKE, TO INCLUDE THE REMOVAL OF PORTABLE SANITARY HUMAN WASTE DISPOSAL SYSTEMS NEAR THE LAKEFRONT AREA IN THE EVENT OF A TROPICAL STORM OR HUURRICANE, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Mandeville desires to ensure that portable sanitary human waste disposal systems (port-a-john or equivalent) are removed from sites near the lakefront whenever a named tropical storm/hurricane is located in the Gulf of Mexico so as not to endanger the health, safety, welfare and aesthetics of the City; and

WHEREAS, portable sanitary human waste disposal systems (port-a-john or equivalent) left on site during a tropical storm/hurricane can overturn, capsize, and/or spill off into the City's storm drain system, causing water pollution and endangering the public health.

WHEREAS, the Mandeville City Council deems these amendments appropriate to protect the health, safety, and welfare of the citizens of Mandeville; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mandeville, at its regular session convened, that Section 9-2 (e) of the Mandeville Municipal Code of Ordinances, PROHIBITED DEPOSITS IN STREETS, ON BEACH FRONT, IN LAKE, be amended as outlined below. The remainder of Section 9-2 shall remain in full force and effect following the amendment below:

“Sec. 9-2. – Prohibited deposits in streets, on beach front, in lake.

(e) It shall be the responsibility of the landowner or his or her designated representative to maintain an orderly construction site. Construction debris shall be cleaned from the site at least once a week or a "roll-off" container (or equivalent) must be on the site and kept in good order. In the event of a tropical storm or hurricane the site must be thoroughly cleaned and all items that are not attached and that may become missiles must be removed from the site or secured at least thirty-six (36) hours before the predicted landfall of the storm or hurricane in St. Tammany Parish by the National Weather Service. All new construction sites must be equipped with a portable sanitary human waste disposal system (port-a-john or equivalent) and a garbage can with a lid attached for the containment of domestic waste. *All portable sanitary human waste disposal systems (port-a-john or equivalent) located on sites within the area of the City of Mandeville bounded by, and including all parcels touching, Monroe Street on the North,*

Jackson Avenue on the East, Galvez Street on the West and Lake Pontchartrain on the South, shall be removed from the site whenever a named tropical storm/hurricane is located in the Gulf of Mexico, at least thirty-six (36) hours before the predicted landfall of the named tropical storm/hurricane in St. Tammany Parish by the National Weather Service.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville that:

SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon the signature of the Mayor of the City of Mandeville; and

BE IT FURTHER ORDAINED that the Clerk of this Council be, and she is hereby authorized and empowered to, take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES: 5 (Ellis, Keller, Madden, Pulaski, Sica)

NAY: 0

ABSTENTIONS: 0

ABSENT: 0

and the ordinance was declared adopted this 22nd day of August , 2019

/s/

Kristine Scherer

Clerk of Council

/s/

Lauré Sica

Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was SUBMITTED by me to the Mayor of the City of Mandeville this 23rd day of August, 2019 at 11:45 o'clock a.m.

/s/

CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby APPROVED, this 26th day of August, 2019 at 11:00 o'clock a.m.

/s/

DONALD J. VILLERE, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was RECEIVED by me from the Mayor of the City of Mandeville this 26th day of August, 2019 at 11:15o'clock a.m.

/s/

CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the 22nd day of August, 2019, at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this 23rd day of
August, 2019.

/s/

CLERK OF COUNCIL