



# *St. Bernard Parish Council*

8201 West Judge Perez Drive Chalmette, Louisiana, 70043  
(504) 278-4228 Fax (504) 278-4209  
[www.sbpq.net](http://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*

**#30**

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 THURSDAY, FEBRUARY 18, 2016 AT THREE O'CLOCK P.M.

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

## **ORDINANCE SBPC #1731-02-16**

### **Summary No. 3314**

Planning Commission recommended **APPROVAL** on 10/27/15

Introduced by: Administration on 11/4/15

Public hearing held on 11/17/15

Tabled on 11/17/15

Tabled on 1/26/16 until 2/18/16

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

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** The Parish Council hereby amends Chapter 22; Zoning, Section 2; Interpretation, Subsection 4; Definitions 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.



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February 18, 2016

**SECTION 4. 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 5. 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 of this Ordinance with the invalid portions omitted.

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 Chairman, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 18<sup>th</sup> day of February, 2016.

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

Delivered to the Parish President

2/22/2016 10:15am  
Date and Time

Approved



Vetoed





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**Richard "Richie" Lewis**  
*Councilmember  
at Large*

Parish President

  
Guy McInnis

**Gillis McCloskey**  
*Councilmember  
District A*

Returned to Clerk of the Council

2/22/2016 11:05am  
Date and Time

**Nathan Gorbaty**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

Received by



**Wanda Alcon**  
*Councilmember  
District D*

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

**Roxanne Adams**  
*Clerk of Council*

**EXHIBIT "A"**  
**SUMMARY NO. 3314**  
**ORDINANCE SBPC #1731-02-16**

Chapter 22 – Zoning  
Section 2 – Interpretation  
Subsection 4 – Definitions

**22-2-4. Definitions.**

Accessory building and accessory uses:

(a) Accessory building. A structurally detached building, except by roof, subordinate to the principal building on a lot, the use of which is customarily incidental to that of the principal building and not used as a place of habitation.

(b) Accessory use. A subordinate use which is incidental to and customary or necessary in connection with the principally permitted use of a building or a principally permitted use, and which is located on the same lot with such principal building or use.

*.... Omitted for brevity....*

District: Any section of the Parish of St. Bernard in which these zoning regulations are uniform.

Dock: A structure built over or floating upon the water and used as a landing place for both commercial and non-commercial boats and other marine transport, fishing, swimming and other recreational uses.

Dockside Stand (Seafood): A temporary, open-air stand or place for the immediate retail sale or display of fresh seafood. A dockside stand is located directly adjacent to public water ways and operate on the dock for which the marine vessel is moored. Structures associated with dockside sales shall be portable and capable of being dismantled or removed from the sales site.

Dwelling: Any structure or portion thereof, which is designed or used for residential purposes.

*.... Omitted for brevity....*

Institution: A building or group of buildings designed or used for the nonprofit, charitable or public service purposes of providing board, lodging or health care for persons aged, indigent or infirm, or for the purpose of performing educational or religious services and offering board and lodging to persons in residence.

Itinerant Market (Seasonal): The retail sale of any products (including seafood, farmers and pop-up markets as well as snoball/ice-cream stands etc.) for a period of not more than six (6) months of any one (1) calendar year that are not housed in permanent structures (building with permanent foundations or pilings); excluding produce.

Junkyard (Automobile): The use of more than two hundred (200) square feet of the area of any lot, whether inside or outside a building, or the use of any portion of that half of any lot that joins any street for the storage of dismantled, demolished or abandoned automobiles or other vehicles or machinery or parts thereof. Junkyards can be used for commercial or non-commercial purposes on a non-temporary basis.

*.... Omitted for brevity....*

Lodginghouse: A building other than a hotel or apartment hotel where lodging for three (3) but not more than twenty (20) persons is provided for definite periods for compensation pursuant to previous arrangement.



Lot: A portion of land with fixed boundaries, that is developed or that may be developed with a main building and any accessory structures, together with open space and parking areas, and having its principal frontage upon an officially approved street or access servitude.

Lot lines: The lines bounding a lot.

.... *Omitted for brevity*....

Mobile home park: See "trailer park."

Mobile Vendor (Temporary): The retail sale of any products for a period not to exceed five (5) days (with option for one (1) five (5) day extension) for any one (1) calendar year from a mobile vehicle. Permissible food products shall be limited to pre-packaged, non-perishable food items such as popcorn, packaged snacks, confections or other foods not prepared at the mobile vending site.

Motel: See "tourist court."

.... *Omitted for brevity*....

Outdoor advertising signs: See section 22-7-4.

Parcel: A contiguous group of lots in single ownership or under single control.

Parking lot: An open, hard-surfaced area, other than a street or public way, used for the storage of operable passenger or commercial motor vehicles for limited periods of time. Parking may be available for residents, visitors, employees, clients, customers, or similar users whether for compensation or at no charge.

.... *Omitted for brevity*....

Riverboat gaming establishment: Water craft licensed and/or authorized by the State of Louisiana to be used for gaming operations.

Roadside: Privately owned property located adjacent to a roadway but not including any or all parts of a public rights-of-way.

Roadside Stand (Produce): A temporary, open-air stand or place for the retail sale or display of and limited to fresh produce. A produce stand is portable and capable of being dismantled or removed from the sales site. The retail sale of produce may occur on a seasonal or semi-seasonal basis, not within public rights-of-way and the produce is generally grown off-premises from which the stand is located.

Roominghouse: See "lodginghouse."

.... *Omitted for brevity*....

Scrap or salvage yard: Outdoor establishment primarily engaged in assembling, breaking up, sorting, and temporary storage and distribution of recyclable or reusable scrap and waste materials.

Seafood Market: The offering for sale of raw, processed, packaged, or prepared seafood (fish, shellfish, edible crustacean) on pre-established dates directly to retail customers in a covered or uncovered open-air setting. The individual sellers need not be the same each time the market is in operation.