



St. Bernard Parish Council

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

#40

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 19, 2016 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #1757-04-16

Summary No. 3366

Introduced by: Administration on 4/5/16
Public hearing held on 4/19/16

AN ORDINANCE AUTHORIZING THE EXEMPTION OF THE PROVISIONS OF ST BERNARD PARISH COUNCIL, LOUISIANA – CODE OF ORDINANCES FOR RESIDENTIAL PROPERTIES ENTERED INTO THE ST BERNARD PARISH GOVERNMENT RESIDENTIAL ELEVATION PROJECT (PERMISSIBLE OFF-STREET PARKING LOCATION ONLY).

WHEREAS, the purpose of this ordinance is to exempt the provisions of the Code of Ordinances for residential properties entered into the St. Bernard Parish Government Residential Elevation Project with regard to permissible off-street parking locations only. The St. Bernard Parish Council finds that the need to elevate repetitive loss structures outweighs any requirement of providing permissible off-street parking location(s) which may be forfeited as a result of such elevation. The St. Bernard Parish Council also finds the St. Bernard Parish Government Residential Elevation Project will promote or benefit the public health, safety and welfare of the people of St. Bernard Parish in the following ways:

- a. It will promote the comprehensive master plan of elevating structures.
- b. It is funded through FEMA & the Governor's Office of Homeland Security and Emergency Preparedness utilizing federal Hazard Mitigation Funds allocated to St. Bernard Parish as a result of Hurricane Katrina.
- c. It will focus on existing slab on grade residential developments; thereby, reducing the amount of repetitive loss structures in St Bernard Parish.
- d. It will elevate residential structures to meet or exceed BFE/ABFE/DFIRM requirements in an effort to maintain compliance with FEMA flood maps.
- e. It will aid in the prevention and elimination of repetitive loss conditions to existing residential slab on grade developments.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:



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Extract #40 continued
April 19, 2016

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SECTION 1. The St. Bernard Parish Council, as the Governing Authority of the Parish, does hereby authorize the St. Bernard Parish Government to exempt any residential property entered in the St. Bernard Parish Government Residential Elevation Project from the provisions of the Code of Ordinances as it relates to the forfeiture of permissible off-street parking areas as a result of such elevation actions established by this ordinance.

SECTION 2. St. Bernard Parish Government Residential Elevation Project program shall be administered by the Department of Recovery – Office of Hazard Mitigation Grant Program (HMGP), which shall seek the cooperation of FEMA, the Governor's Office of Homeland Security and Emergency Preparedness and the property owners' representative of Hunt, Guillot and Associates (HGA).

SECTION 3. St. Bernard Parish Government Residential Elevation Project program shall observe the following minimum standards with regard to elimination of permissible off-street parking areas as a result of structural elevation:

1. The property shall be entered into the St. Bernard Parish Government Residential Elevation Project at the time of the elevation.
2. The property shall be of slab on grade construction.
3. The property may utilize existing conditions on the site for off-street parking areas such as a durable, impermeable, all-weather material driveway(s).
4. The property, property owner or any other party with interest in the property shall not attempt development of any new off-street parking area(s) on the site which does not meet the development standard requirements of the Code of Ordinances.
5. If an attached garage is elevated with the main residential structure, then the former attached garage shall be enclosed by the removal of any doorway associated with its former use as an automotive garage and replaced with materials comparable to the existing façade of the main residential structure.
6. If an attached garage is not elevated with the main residential structure, then the former attached garage may retain any doorway associated with a former use as an attached automotive garage to promote structural access or storage.
7. The property owner may be required to provide guard rails on elevated areas formally utilized as parking pads, with or without an attached carport structure, subject to the requirements of the International Building Code.
8. The property owner may locate automobiles associated with the affected property within approved areas of the adjacent streets (rights-of-way not including sidewalk areas), where permissible.
9. These site conditions shall run in perpetuity of the property with the existence affected elevated structure.



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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 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, Montelongo, Lewis

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 19th day of April, 2016.

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
COUNCIL CHAIR

Delivered to the Parish President 4/22/2016 12:00pm
Date and Time

Approved ✓

Vetoed _____

Parish President

Guy McInnis

Returned to Clerk of the Council 4/22/2016 12:37pm
Date and Time

Received by Jennifer Lemoine