



St. Bernard Parish Council

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

#23

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, AUGUST 21, 2018 AT THREE O'CLOCK P.M.

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

ORDINANCE SBPC #2087-08-18

Summary No. 3621

Planning Commission recommended **APPROVAL** on 7/24/18
Introduced by: Administration on 8/7/18
Public Hearing held on 8/21/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-3; NON-CONFORMING USES 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 22-3; Non-Conforming Uses 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.

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

YEAS: McCloskey, Gorbaty, Alcon, Lewis

NAYS: None

ABSENT: Luna, Montelongo

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



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Extract #23 continued
August 21, 2018

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And the motion was declared **adopted** on the 21st day of August, 2018.


ROXANNE ADAMS
CLERK OF COUNCIL


KERRI CALLAIS
COUNCIL CHAIR


Delivered to the Parish President 8/24/18 11:15am
Date and Time

Received by Margen Campo

Approved 

Vetoed _____

Parish President


Guy McInnis

Returned to Clerk of the Council

8/24/18 4:30pm
Date and Time

Received by

Elaine Melano

Summary No. 3621
Ordinance SBPC #2087-08-18
Exhibit "A"

CHAPTER 22 – ZONING
SECTION 22-3 – NONCONFORMING USES

Sec. 22-3. - Nonconforming uses.

22-3-9. *Discontinuance* of a legally nonconforming building or land use. Whenever a building or land used in whole or in part for a nonconforming purpose becomes and remains vacant for a continuous period of six (6) months, or when the operations normally carried on in such a building or on such land have been discontinued for a period of six (6) months, such nonconforming use shall not thereafter be re-established and any future use shall be in conformity with the provisions of this chapter.

22-3-12. *Exempt nonconforming uses.* The provisions of this section 22-3-9 and 22-3-11 shall not apply to any use defined in subsection 22-6-7, or to any building or land used for such purposes, that became nonconforming prior to April 24, 2012.

22-3-13. *Discontinuance of legally nonconforming site development standards.* Whenever an existing development does not adhere to the site development standards in the Code of Ordinances and has lost its legal nonconforming status per 22-3-9, the proposed development plan shall conform to the provisions, as reasonably achievable as determined by the director of community development, in 22-7 Site Development Standards and approved by Planning Commission. The applicant can appeal the director's decision to the BZA.