

On motion of Mr. Walker, seconded by Mr. Templet, the following ordinance was offered:

SUMMARY NO.26012 ORDINANCE NO. 26513

An ordinance amending the Code of Ordinances, Jefferson Parish, Louisiana, Chapter 30. - Sales, Article I. - In General relating to garage, rummage, yard, craft, and boutique sales and also amending Chapter 30. - Sales, Article II. - Christmas Tree Sales to transfer permitting duties from the Department of Inspection and Code Enforcement to the Department of Citizens' Affairs and to provide for other related matters. (Parishwide).

WHEREAS, permitting for garage sales and Christmas tree sales has historically been the responsibility of the Department of Inspection and Code Enforcement in Jefferson Parish; and

WHEREAS, the issuance of these permits for garage type sales or for Christmas tree sales does not involve building code reviews, but are more akin to permits issued for temporary events such as fairs, festivals, etc. which are handled by Citizens' Affairs; and

WHEREAS, compliance inspections for garage sales and for Christmas tree sales are, in practice, handled by the Department of Property Maintenance/Zoning (PMZ) rather than the Department of Inspection and Code Enforcement but the Code reflects that the latter is the responsible department; and

WHEREAS, the Administration believes that transferring the permitting duties from the Department of Inspection and Code Enforcement to the Department of Citizens' Affairs for garage sales and for Christmas tree sales is a functionally appropriate change to the responsibilities handled by the Department of Inspection and Code Enforcement and the Department of Citizens' Affairs; and

WHEREAS, the Administration likewise believes that changing the compliance function from the Department of Inspection and Code Enforcement to the Department of Property Maintenance/Zoning (PMZ) for garage sales and for Christmas tree sales is necessary to reflect the actual practice and duties of the departments; and

WHEREAS, in order to effectuate the change in permit issuance duties and in compliance responsibilities certain amendments to the Code of Ordinances, Jefferson Parish, Louisiana are necessary; and

WHEREAS, it is necessary and in the best interest of Jefferson Parish to amend the Code of Ordinances to reflect these changes in departmental duties and responsibilities in the Code.

THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS, acting as the governing authority of the Parish of Jefferson, State of Louisiana, that:

SECTION 1. That Chapter 30. - Sales, Article I. - In General relating to garage, rummage, yard, craft, and boutique sales of the Code of Ordinances, Jefferson Parish, Louisiana, be, and is hereby, amended by amending Sec. 30-1, Sec. 30-6, and Sec. 30-9 to read as follows:

Sec. 30-1. Garage, rummage, yard, craft and boutiques sales—Permit required.

Any person conducting a garage, rummage, yard, craft or boutique sale, to which the general public is invited, must first obtain a permit from the department of ~~inspection and code enforcement~~ citizens' affairs.

The permit shall be prominently displayed at the sale's location during the entire time of the sale.

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Sec. 30-6. - Same—Cancellation.

Any person conducting a garage, rummage, yard, craft or boutique sale who has to cancel the activity may apply for a reschedule by notifying the department of ~~inspection and code enforcement~~ citizens' affairs.

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Sec. 30-9. Same—Compliance inspections.

The department of property maintenance/zoning (PMZ) shall enforce the provisions of this Article.

~~Compliance inspections shall be conducted by the department at the will of the permitting officer or in response to a bona fide complaint initiated by the public.~~

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SECTION 2. That Chapter 30. - Sales, Article II. – Christmas Tree Sales of the Code of Ordinances, Jefferson Parish, Louisiana, be, and is hereby, amended by amending Sec. 30-16 and Sec. 30-17, deleting Sec. 30-18, and renumbering Sec. 30-19 to Sec. 30-18, to read as follows:

Sec. 30-16. - Permit required.

Any person desiring to sell Christmas trees to the general public must first obtain a permit for the sale of Christmas trees from the department of ~~inspection and code enforcement~~ citizens' affairs.

~~Sec. 30-17. - Clean-up required deposit.~~

Upon completion of the Christmas tree sales for the year, the operator shall clean the sales area of all debris, including signs and temporary utility infrastructure. The department of property maintenance/zoning (PMZ) shall enforce the clean up of the sales area in accordance with Chapter 19, Article III Trash, Vegetation and Property Maintenance.

~~It shall be a requirement for obtaining a permit under this article from the department of inspection and code enforcement that persons deposit with the department of inspection and code enforcement the sum of five hundred dollars (\$500.00) which sum is to ensure that the sales area and its surroundings, including signs, be properly cleaned upon completion of the Christmas tree sales for the year.~~

~~Sec. 30-18. - Inspection of sales areas; refund of deposit; clean-up by contract.~~

~~Upon completion of the Christmas tree sales for the year, the department of inspection and code enforcement shall inspect the sales area and its surroundings and if it is determined that the sales area and its surroundings have been cleaned of all debris, including signs, the deposit required by section 30-17 shall be refunded to the permittee. If the area is not properly cleaned within five (5) days of written notice to the permittee to have the area cleaned, the department of inspection and code enforcement is to contract to have the area cleaned and the contract amount shall be paid out of the funds on deposit, with the balance, if any, being refunded to the permittee.~~

Sec. 30-19 18. - Occupational licenses required; sales taxes.

All Christmas tree operators must obtain occupational licenses from the sheriffs department and be subject to sales tax laws.

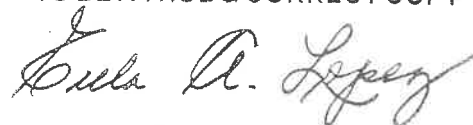
SECTION 3. That the Municipal Code Corporation is hereby authorized and directed to correct any cross-references within the code that are affected by the renumbering of sections or subparagraphs via this ordinance.

This foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 7 NAYS: None ABSENT: None

The ordinance was declared to be adopted on this the **26th day of October, 2022**, and shall become effective as follows; if signed forthwith by the Parish President, ten (10) days after adoption, thereafter upon signature by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.

THE FOREGOING IS CERTIFIED
TO BE A TRUE & CORRECT COPY



EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL