

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

SUMMARY NO. 26114 ORDINANCE NO. 26608

An ordinance amending Chapters 2, 4, 16, 17, 17.5, 18.5, 19, 20, 22, 26, 27, 29, 32, 36, and 38, of the Jefferson Parish Code of Ordinances, relative to changing the name of the Department of Inspection and Code Enforcement to Department of Building Permits; changing the name of the Department of Property Maintenance Zoning/Quality of Life to Department of Code Compliance and Enforcement; clarifying and updating permitting and regulatory responsibilities of parish departments, including but not limited to the departments of Building Permits, Code Compliance and Enforcement, Citizens Affairs, Engineering, Planning, and Parkways; and providing for related matters. (Parishwide)

THE JEFFERSON PARISH COUNCIL HEREBY ORDAINS:

SECTION 1. That Chapter 2 Administration, Article 5 Departments, Division 1. – Generally, Sec. 2-131. is hereby amended to read as follows:
Sec. 2-131. - Reports to council.

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(b) Department directors shall coordinate with the parish council, through the research and budget analysis staff, to provide the following monthly organizational reports:

- (1) Inventory of parish assets and surplus property;
- (2) ~~Department of inspection and code enforcement~~ statistics on building permits;
- (3) Statistics on properties in disrepair, including high grass, tagged vehicles, and dangerous building abatement violations, blighted properties, notices of violations issued and the status of the same;

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SECTION 2. That Chapter 2 Administration, Article 5 Departments, Division 31. – Office of Blight Eradication and Community Liaison, Sec. 2-515.4. - Office of blight eradication and community liaison created; composition. is hereby amended to read as follows:

Sec. 2-515.4. - Office of blight eradication and community liaison created; composition. There is hereby created the office of blight eradication and community liaison to serve the parish and to assist the department of ~~property maintenance, zoning, and quality of life (PMZ/QOL), the department of code enforcement, code compliance and enforcement,~~ the council, and the parish attorney in enforcing quality of life issues. The office is to be composed of two (2) positions of blight eradication & community liaison, wherein one (1) liaison shall serve the east bank of the parish and one (1) liaison shall serve the west bank of the parish.

SECTION 3. That Chapter 2 Administration, Article 5 Departments, Division 31. – Office of Blight Eradication and Community Liaison, Sec. 2-515.6. Duties of blight eradication and community liaison. is hereby amended to read as follows:

Sec. 2-515.6. Duties of blight eradication and community liaison.

The blight eradication & community liaison shall:

- (1) Work with ~~PMZ/QOL and code enforcement~~ the department of code compliance and enforcement regarding quality of life concerns in the parish;
- (2) Accept, on behalf of ~~PMZ/QOL and code enforcement~~ the department of code compliance and enforcement, complaints from the community regarding blighted/abandoned properties and/or quality of life issues; and assist with and direct complaints to the proper departments and appropriate departmental clerks for processing;
- (3) Assist directors and participate in sweeps with local utility companies;
- (4) Work within the parish computer management system to view, save, and print status updates and photos of violations;
- (5) Ascertain number of vacant/abandoned properties and their locations in the parish;
- (6) Perform mortgage and conveyance research to determine foreclosure status and ownership of blighted/vacant properties;

(7) Work with the parish attorney's office in obtaining civil search warrants to enter vacant properties with inspectors; and report structural damage to the demolition and building abatement department;

(8) Serve as liaison, in coordination with ~~PMZ/QOL and code enforcement~~ the department of code compliance and enforcement, between the council and community and attend, as necessary, civic association meetings to update residents on quality of life issues;

(9) Attend bureau of administration and adjudication meetings and all other required meetings;

(10) Provide updates/reports to the council, parish president, parish attorney, director of ~~PMZ/QOL, director of code enforcement,~~ code compliance and enforcement, et al.; and

(11) Carry out any and all duties as assigned by the parish.

SECTION 4. That Chapter 4 Alcoholic Beverages, Article 2 Dealer Permits, Sec. 4-34. - Procedure for and effect of suspension, revocation, and other penalties for violations. is hereby amended to read as follows:

Sec. 4-34. - Procedure for and effect of suspension, revocation, and other penalties for violations.

Upon violation of any offense enumerated in chapter 4, article II, a hearing may be had as follows:

(1) Committee. There is hereby created a committee to be known as the alcoholic beverage permit review committee; the committee shall be composed of the council chairman or his/her designee, the district council person or his/her designee, one (1) of the directors of the office of research and budget analysis or their designee, the director of the community justice agency, and the director of the department of ~~inspection and code enforcement~~ code compliance and enforcement. The committee shall have the authority to conduct all public hearings, as provided in this article, regarding the suspension or revocation of alcoholic beverage permits including certificates of qualification to dispense alcoholic beverages, the denial of a renewal application, and/or the imposition of other penalties as authorized herein for violation of any of the provisions enumerated in chapter 4.

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(3) Notice. A notice or summons shall be served upon the holder of the permit stating the time and place of the hearing, which shall not be less than forty-eight (48) hours from the date and time such notice is given. If the holder of the permit is not the owner of the property on which the business operates, a copy of the notice or summons shall also be served upon the owner of said property. Notices may be mailed by registered, certified, or delivery-confirmed mail to the holder of the permit to the address of his place of business, as given in his application for the permit, and, if applicable, to the owner of the property on which the business operates to the address listed in the assessor's office of the parish or the address obtained from other reliable sources upon verifying ownership with the mortgage and conveyance office. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the permit-holder and, if applicable, by the owner of the property. In addition to the above method of service, the notice or summons may be served on the permit-holder and, if applicable, on the owner of the property by personal or domiciliary service by a deputy sheriff or an employee of the department of ~~inspection and code enforcement~~ code compliance and enforcement. Any person to be served with a notice or summons through any of the aforementioned methods of service may also be sent a copy of said notice or summons via electronic mail (e-mail) to the e-mail address provided in the application for the permit; said electronic notice is not mandatory and shall not be in lieu of the aforementioned methods of service.

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(12) Effect of revocation, suspension. When an alcoholic beverage permit is revoked or renewal is denied for any legal cause, by any lawful authority, no parish permit shall be issued consistent with the existing use at the time of the revocation or the denial of the renewal covering the premises for a minimum of one (1) year and one (1) day after the date of the revocation, except under director declared emergency by the director of ~~inspection and code enforcement~~ building permits. When a permit has been suspended by the parish council or their lawful authorities, no new permit shall be issued for the same premises for a period of fourteen (14) days beginning from the last day of the suspension. A suspension shall be executed in and apply to the

licensed premises in which or in the vicinity of which the violation occurred, regardless of whether such establishment has been sold or otherwise transferred to a new owner, permit-holder, or applicant for a permit prior to the term of the suspension.

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SECTION 5. That Chapter 4 Alcoholic Beverages, Article 3 Certificate to Dispense Beverages, Sec. 4-59. - Cause for denial, suspension, revocation or imposition of other penalties; procedure. is hereby amended to read as follows:

Sec. 4-59. - Cause for denial, suspension, revocation or imposition of other penalties; procedure.

(c) Procedure. Any person possessing a certificate of qualification to dispense alcoholic beverages who is subject to the suspension or revocation of the certificate to dispense or subject to the imposition of other penalties for violations of this chapter shall be entitled to a hearing before the alcoholic beverage permit review committee following the procedures for such hearings as specified in section 4-34 of this chapter. A notice or summons shall be served upon the holder of certificate of qualification to dispense alcoholic beverages stating the time and place of the hearing, which shall not be less than forty-eight (48) hours from the date and time such notice is given. Notice may be mailed by registered, certified, or delivery-confirmed mail to the certificate-holder to the address of his place of domicile as given in his application for the certificate. When so addressed and mailed, notices or summonses shall be conclusively presumed to have been received by the certificate-holder. In addition to the above method of service, the notice or summons may be served on the certificate-holder by personal or domiciliary service by a deputy sheriff or an employee of the department ~~inspection and code enforcement~~ code compliance and enforcement. Any person to be served with a notice or summons through any of the aforementioned methods of service may also be sent a copy of said notice or summons via electronic mail (e-mail) to the address provided in the application for the certificate to dispense; said electronic notice is not mandatory and shall not be in lieu of the aforementioned methods of service.

SECTION 6. That Chapter 6 Amusements and Entertainment, Article 5 Carnival/Mardi Gras and other Parades, Division 4 – Parade Regulations, Sec. 6-85. - Inspections. is hereby amended to read as follows:

Sec. 6-85. - Inspections.

Representatives of the fire department shall inspect each parade for which a permit has been issued to ascertain whether the provisions of this chapter have been observed. Additionally, if at any time during the parade, the fire department, sheriff's office, carnival and special events office or department of ~~inspection and code enforcement~~ code compliance and enforcement determine that the physical or safety requirements of this chapter are not being observed, the particular float, truck-float, piece of equipment, other apparatus, group(s) or individual(s), may be removed from the parade.

SECTION 7. That Chapter 6 Amusements and Entertainment, Article 5 Carnival/Mardi Gras and other Parades, Division 5 – Public Safety, Sec. 6-101. - Outdoor concessions during Carnival Parade Season. is hereby amended to read as follows:

Sec. 6-101. - Outdoor concessions during Carnival Parade Season.

(a) Any property owner or business owner or lessee may apply to operate an outdoor concession during the Carnival Parade Season provided they have the proper facilities which pass inspection by the department of ~~inspection and code enforcement~~ building permits and, if required, by the State Department of Health. Also, any property owner or business owner or lessee may apply to operate an outdoor concession during the Carnival Parade Season, provided they have the proper facilities which pass inspection by a Jefferson Parish Fire Department. The director of the department of ~~inspection and code enforcement~~ building permits is hereby granted full authority to make inspections and to pass upon each place as to whether they meet the requirements or not, and is hereby given authority to close any business that does not comply.

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(c) It shall be a ~~requisition~~ requirement that the department of ~~inspection and code enforcement~~ building permits and a Jefferson Parish Fire Department inspect all food and beverage stands to ascertain if they meet code regulations, and, if required, by the state department of health.

(d) The following requirements shall be adhered to:

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(3) A department of ~~inspection and code enforcement~~ citizen's affairs peddler's permit is required for all concessions stands;

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SECTION 8. That Chapter 16 Garbage and other Solid Waste Article I In General Sec. 16-4 Solid waste storage is hereby amended to read as follows:
Sec. 16-4 Solid waste storage

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(d) Bulk waste containers. Bulk waste containers normally used with mechanical collection equipment shall be of a type and design specified in section 6-2, definitions, of this chapter.

(1) No bulk waste container shall be placed on any premises unless the owner or leaseholder of the property has made application for a permit with the director of the department of ~~inspection and code enforcement~~ building permits. A placard or other permit certification, ~~provided by the department of inspection and code enforcement,~~ shall be kept continuously and conspicuously posted on each container; ~~each container cover shall retain other permit documentation on the premises and produced same~~ upon request of the director or his designee.

(2) No bulk waste container shall be provided, placed or maintained upon any premises by a bulk waste container service company unless the customer has obtained a permit or can furnish evidence that he has applied for the permit required herein. A permit applicant will be given thirty (30) days from the date the container is first delivered to the premises within which to receive final approval from the director of department of ~~inspection and code enforcement~~ building permits. If a bulk waste container service company does not receive evidence of the issuance of permit within forty-five (45) days from the date the container is first delivered, the company shall remove the container from the premises. Failure to remove by the bulk waste container service company shall result in a fine to the bulk waste container service company. Each day in violation shall constitute a separate offense punishable by a fine of one hundred dollars (\$100.00) per day.

(3) Bulk waste containers used during construction and placed on private property do not require a permit; ~~however, a permit is required for these containers if placed in streets or on public property.~~

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(5) For each premises with no more than three (3) bulk waste containers and no record of violations to this section there shall be an annual permit fee of twelve dollars and fifty cents (\$12.50) collected ~~by the director~~ every two (2) years in advance. For each premises with more than three (3) bulk waste containers and no record of violations to this section there shall be an annual permit fee of twenty-five dollars (\$25.00) collected ~~by the director~~ each two (2) years in advance. The ~~director~~ parish shall keep a permanent, accurate account of all fees collected and received pursuant to this section, the names of the person upon whose account the same were paid, the date and amount thereof, together with the location of the buildings or premises to which they relate. A modified permit is needed to request change of location of the bulk waste container on the premises and to request an increase in the number of containers used on the premises. The fees for issuance of modified permits shall be the same as the issuance of a new permit with the applicant receiving credit for any funds remaining on deposit if the modified permit is issued within the two (2) years of the payment of the biannual fee. Notwithstanding that the permit fee is paid two (2) years in advance, the permit shall be valid only for the calendar year in which it is issued; the owner or leaseholder of the premises shall annually file for a renewal of the permit. Delinquent applications shall be subject to a ten dollar (\$10.00) delinquent fee. In addition to any other penalties or fines provided herein, failure to comply with the bulk waste provisions of this article shall result in the imposition of an additional fee for the annual renewal of the permit as follows: ten dollars (\$10.00) for the first violation per bulk waste container, and twenty dollars (\$20.00) for subsequent violations per bulk waste container thereafter.

(6) Property owners or leaseholders may obtain a special events temporary permit from the department of ~~inspection and code enforcement~~ building permits for a period of three (3) months, e.g. Mardi Gras, at a permit fee of six dollars (\$6.00). All conditions stated within this section shall also apply to the temporary use of bulk waste containers.

(7) Bulk waste container service companies or operators shall place containers in the locations designated on the permit application and ultimately to the permit issued to the property owner or leaseholder of the property. Any company servicing bulk waste

containers shall provide the department of ~~inspection and code enforcement~~ code compliance and enforcement with a list of all active service accounts and locations within the unincorporated areas of Jefferson Parish. This list shall be amended annually for clients added or removed from service. Service accounts lists must be submitted by the company/contractor to the department of ~~inspection and code enforcement~~ code compliance and enforcement by November 15th of each year.

(8) Enclosures required. All users of bulk waste containers shall provide an on-site enclosure, unless there are either garages or other enclosed areas suitable for storage of waste containers, or the dumpster is located in the rear of the property and blocked from public view by opaque fencing around the property. The dumpster enclosure must be completely enclosed on four (4) sides. The height of each enclosure shall be twelve (12) inches greater than the highest part of any dumpster or container contained therein, but not less than six (6) feet in height. A building permit must be obtained with the department of ~~inspection and code enforcement~~ building permits prior to the construction and/or installation of the enclosure and subject to the design regulations in this section. The permit for the dumpster enclosure will also include a permit for the dumpster.

Exception. The enclosure requirements of section 16-4(d)(8), shall not apply to industrial properties zoned M1 or less restrictive if the solid waste storage container is not visible from, adjacent to or located directly across the right of way from a more restrictive zoning district. This exception shall not apply to those containers placed in the front yard area of any property or the street side yard area of a corner lot.

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(10) Pads.

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b. New construction. New construction of bakeries, meat processing food plants or any business establishment where the department of ~~inspection and code enforcement~~ building permits determines that the bulk waste containers will receive garbage, liquid waste or food from handling operations shall have a raised concrete slab, a drain and cleaning water facilities for the receptacles and containers. The enclosures for said bulk waste containers shall include a drain and the drain shall be covered so that storm water does not enter the drain. The drain shall connect into the interceptor which shall be tied into the sanitary sewer system. If the director of ~~inspection and code enforcement~~ building permits determines that tying into the drain is unfeasible due to location of the bulk waste container, then the director of ~~inspection and code enforcement~~ building permits may require the installation of an interceptor with a minimum capacity of forty (40) pounds for the container.

(11) Location. The proper location of each bulk waste container and enclosure on each property will be determined by the director of the department of ~~inspection and code enforcement~~ building permits.

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c. Hardship. The director of the department of ~~inspection and code enforcement~~ building permits shall determine if a hardship exists in locating bulk containers and enclosures, or complying with other provisions of this chapter for new and existing sites. The director shall determine a feasible and the least obtrusive solution to the hardship, and shall not be limited to the solutions detailed in this section. "Hardship" is hereby defined as conditions and circumstances existing which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings; and the special conditions and circumstances do not result from the intentional actions of the applicant or any other person who may have or had interest in the property, and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

(i) Appeal. If the applicant wishes to appeal the decision of the director, that appeal must be made to the bureau of administrative adjudication as set forth in section 2-5-4 of the Jefferson Parish Code of Ordinances.

(ii) Filing fee. At the time notice of appeal to the bureau is filed, a fee shall be paid to the department of ~~inspection and code enforcement~~ building permits in the amount of one hundred fifty dollars (\$150.00) per variance per lot, not to exceed five thousand dollars (\$5,000.00). All fees collected shall be credited to the general fund.

(12) Materials and construction methods. Enclosures shall be constructed of walls or fences of wood or plastic lumber, (finished) masonry units, (finished) concrete or any combination of these elements. The materials used shall be compatible with those of adjacent or surrounding buildings or structures and may be used in any combination of the enclosure materials referenced above. Gates shall be constructed of opaque materials in the manner provided in subsection (8) above.

a. Wood lumber. Wood fences shall be of durable species, of a quality and design acceptable to the director of the department of ~~inspection and code enforcement~~ building permits or his/her designee. In making this determination, the director or his/her designee shall consider the following:

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b. Plastic lumber. Lumber shall be plastic members of new or recycled materials able to withstand the climatic and ultraviolet conditions of the region and of a quality and design acceptable to the director of the department of ~~inspection and code enforcement~~ building permits or his/her designee. In making this determination, the director or his/her designee shall consider the following:

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(13) Maintenance.

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e. If a person is found to have violated this subsection: on two (2) occasions within a sixty-day period or for three (3) continuous days then the department of ~~inspection and code enforcement~~ code compliance and enforcement may require the person to obtain additional or larger capacity bulk waste containers and enclosures or increase the frequency of pickup in order to eliminate the overflow problem.

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(16) The directors of the departments of ~~inspection and code enforcement~~ building permits and code compliance and enforcement shall have authority to administer this section. The directors of the departments of ~~inspection and code enforcement~~ building permits and code compliance and enforcement shall promptly establish the regulations and specifications herein required and such other regulations as are necessary for the effective administration of this section. This section shall apply equally to all users and operators, whether public or private, of bulk waste containers.

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(e) Special containers required.

(1) Apartments.

a. All owners of multifamily structures containing five (5) or more single-family residences shall provide bulk waste containers for the storage and disposal of solid wastes generated by the occupants of said residences. Owners of structures which cannot accommodate bulk waste containers may petition the director of the department of ~~inspection and code enforcement~~ building permits for a hardship special permit for alternative solid waste storage and collection as provided for in this section. Hardship is defined in section 16-11 (c) above.

Owners of multifamily structures greater than five (5) units may petition the director of ~~inspection and code enforcement~~ building permits to receive curbside garbage collection through the parish's municipal collection contract. The director of ~~code enforcement~~ building permits will confer with the director of environmental affairs regarding the existing conditions at the site; only after joint concurrence between both departments can permission to utilize curbside collection be approved.

b. All owners of multifamily structures containing five (5) or more single-family residences that have obtained a hardship special permit from the director of the department of ~~inspection and code enforcement~~ building permits for alternative solid waste storage and collection as provided in section 16-4(e)(1) apartments, subsection a., shall be responsible for furnishing and maintaining in good condition, at least one (1) container for each dwelling unit in the structure for the storage and curbside collection of garbage and other putrescible solid wastes. Said containers shall be in acceptable condition for the storage of waste without spillage, and shall have the following physical characteristics:

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(i) With the exception of the responsibilities reserved herein to the Jefferson Parish departments of ~~inspection and code enforcement~~ building permits and code compliance and enforcement relative to bulk waste containers in section 16-4(d) and the bulk waste

container requirement for apartments in section 16-4(e)(1) a., all provisions of this section may be enforced by the parish department of environmental affairs.

SECTION 9. That Chapter 16 Garbage and other Solid Waste Article I In General Sec. 16-9.4. - Unauthorized use of bulk waste containers. is hereby amended to read as follows:

Sec. 16-9.4. - Unauthorized use of bulk waste containers.

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(c) This section may be enforced by inspectors from the parish departments of inspection and code enforcement building permits, code compliance and enforcement, or officers, ~~Jefferson Parish Department of Environmental Affairs, Jefferson Parish Sheriff's Deputies, and/or state or federal enforcement officials.~~

SECTION 10. That Chapter 16 Garbage and other Solid Waste, Article I In General, Sec. 16-12. - Authority to issue and adjudicate citations and summons; penalties. is hereby amended to read as follows:

Sec. 16-12. - Authority to issue and adjudicate citations and summons; penalties.

(a) With the exception of the responsibilities reserved herein to Jefferson Parish ~~Departments of inspection and code enforcement~~ building permits and code compliance and enforcement relative to Bulk Waste Containers in section 16-4(d) and the bulk waste container requirement for apartments in section 16-4(e)(1)a., and with the exception of the enforcement authority specifically and exclusively granted to Jefferson Parish Sheriff's Deputies and state or federal enforcement officials, all provisions in this chapter may be enforced by the Jefferson Parish Department of Environmental Affairs.

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SECTION 11. That Chapter 16 Garbage and other Solid Waste, Article III Fees, Sec. 16-42. - Exemption for certain apartment complexes. is hereby amended to read as follows:

Sec. 16-42. - Exemption for certain apartment complexes.

(a) Those apartment complexes with five (5) or more units at a single location which do not or cannot use the garbage and trash collection services provided by the parish are hereby exempt from the payment of the monthly garbage service charge under the following conditions:

(1) The owner or his agent provides the director of environmental affairs with: 1) a current contract for private waste service at that location; and 2; the owner/agent can document that a current permit has been issued by ~~the department of inspection and code enforcement~~ Jefferson Parish for the placement of a dumpster on the property;

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SECTION 12. That Chapter 16 Garbage and other Solid Waste, Article IV Incinerators, Sec. 16-65. - Permit required; fees. is hereby amended to read as follows:

Sec. 16-65. - Permit required; fees.

(a) An annual permit shall be obtained from the department of ~~inspection and code enforcement~~ building permits for the operation of each incinerator or incineration device.

SECTION 13. That Chapter 17 Health and Sanitation, Article III. Air Pollution Control, Sec. 17-32. Emission of dense smoke—Prohibited. is hereby amended to read as follows:

Sec. 17-32. Emission of dense smoke—Prohibited.

It shall be unlawful for any person to permit the emission of any smoke from any source whatever of a density equal to or greater than that density described as No. 2 on the Ringelmann chart, published by the United States Bureau of Mines, the standards of which are hereby fully adopted by the enactment of this article. The emission of such dense smoke is declared to be a public nuisance and may be summarily abated by the director of ~~inspection and code enforcement~~ building permits, or by anyone whom he may designate for such purpose; provided, however that this section shall not be applicable to the circumstances set forth in section 17-33.

SECTION 14. That Chapter 17 Health and Sanitation, Article III. Air Pollution Control, Sec. 17-34. Escape of soot, cinders, noxious acids, fumes and gases declared nuisance; abatement authorized. is hereby amended to read as follows:

Sec. 17-34. Escape of soot, cinders, noxious acids, fumes and gases declared nuisance; abatement authorized.

It shall be unlawful for any person to permit or cause the escape of such quantities of soot, cinders, noxious acids, fumes, and gases in any such place or manner as to be detrimental to any person or to the public or to endanger the health, comfort and safety of any such person or of the public, or in any such manner as to cause or have a tendency

to cause injury or damage to property or business. The escape of such matter is declared to be a public nuisance and may be summarily abated by the director of ~~inspection and code enforcement~~ building permits, or by anyone whom he may designate for such purpose.

SECTION 15. That Chapter 17 Health and Sanitation, Article III. Air Pollution Control, Sec. 17-35. Duties of the department of inspection and code enforcement in smoke prevention. is hereby amended to read as follows:

Sec. 17-35. Duties of the department of ~~inspection and code enforcement~~ building permits in smoke prevention.

The duties of the department of ~~inspection and code enforcement~~ building permits shall be:

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SECTION 16. That Chapter 17 Health and Sanitation, Article III. Air Pollution Control, Sec. 17-37. Fees for operating, enforcing article provisions. is hereby amended to read as follows:

Sec. 17-37. Fees for operating, enforcing article provisions.

The director of ~~inspection and code enforcement~~ building permits is authorized to establish a fee schedule to recover the actual costs of operating and enforcing this article.

SECTION 17. That Chapter 17 Health and Sanitation, Article V. Regulations for Clean Indoor Air, Division 4.1 Tobacco dealer permits, Sec. 17-100.11. Acts prohibited on retail dealer's premises; cause for suspension or revocation. is hereby amended to read as follows:

Sec. 17-100.11. Acts prohibited on retail dealer's premises; cause for suspension or revocation.

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(b) No holder of a retail dealer's permit issued under the provisions of this chapter, or any servant, agent, employee or subcontractor of the permittee, shall do any of the following upon the licensed premises:

(3) Operate as a business without obtaining proper permits, including but not limited to a ~~use and occupancy certificate by the Jefferson Parish Department of Inspection and Code Enforcement and/or a final zoning clearance~~ zoning clearance form in accordance with Sec. 8-1-104.8.2 and/or a certificate of completion in accordance with Sec. 8-1-104.8.3;

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SECTION 18. That Chapter 17 Health and Sanitation, Article V. Regulations for Clean Indoor Air, Division 4.1 Tobacco dealer permits, Sec. 17-100.13. Procedure for and effect of suspension, revocation. is hereby amended to read as follows

Sec. 17-100.13. Procedure for and effect of suspension, revocation.

Upon violation of any offense enumerated in this division, a hearing may be had as follows:

(1) Committee. There is hereby created a committee to be known as the tobacco products permit review committee; the committee shall be composed of the council chairman or his/her designee, the district council person or his/her designee, one (1) of the directors of the office of research and budget analysis or their designee, the director of the community justice agency and the director of the department of ~~inspection and code enforcement~~ code compliance and enforcement. The committee shall have the authority to conduct all public hearings, as provided in this article, regarding the suspension or revocation of tobacco products permits or the denial of a renewal application.

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SECTION 19. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-4. Inspection of facilities. is hereby amended to read as follows:

Sec. 17.5-4. Inspection of facilities.

~~PMZ~~ The department of code compliance and enforcement and the Jefferson Parish Sheriff's Office shall be authorized to conduct inspections of all bed and breakfasts, hotels, motels, or short-term rentals subject to the regulations in this Code.

SECTION 20. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-5. License required for a bed and breakfast, hotel, motel, or short-term rental; annual renewals. is hereby amended to read as follows:

Sec. 17.5-5. License required for a bed and breakfast, hotel, motel, or short-term rental; annual renewals.

(a) No bed and breakfast, hotel, motel, or short-term rental shall engage in the business of rental of room or rooms, and facilities without first filing application, initial or

renewal, with ~~ICE~~ the department of code compliance and enforcement and obtaining a lodging accommodation license ~~from ICE to engage in such business~~. Where this Code allows a bed and breakfast or short term rental that is in operation at the time of the effective date of [the ordinance from which this chapter derives], the bed and breakfast or short term rental shall have until six (6) months from the effective date of [the ordinance from which this chapter derives] to submit a completed application for a lodging accommodation license, or face penalty as provided in this chapter. All current licenses in good standing previously issued as a hotel/motel license shall be recognized as a valid lodging accommodations license.

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(c) ~~ICE~~ The department of code compliance and enforcement shall refuse a lodging accommodation license or renewal thereof to any establishment that has an outstanding notice of violation of the Code of Ordinances, in excess of forty-five (45) days.

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SECTION 21. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-6. Application, fees and requirements. is hereby amended to read as follows:
Sec. 17.5-6. Application, fees and requirements.

(a) Any person desiring to operate a bed and breakfast, hotel, motel, or short-term rental shall obtain an initial lodging accommodation license or renew a previously issued and unrevoked license and shall submit an application along with a nonrefundable processing fee annually to ~~ICE~~ the department of code compliance and enforcement in the form prescribed by ~~ICE~~ the department. The processing fee for hotels and motels shall be fifty dollars (\$50.00). The processing fee for bed and breakfast or short-term rental establishments shall be seven hundred and fifty dollars (\$750.00). The Director of ~~ICE~~ the department of code compliance and enforcement is authorized to adjust the fee for bed and breakfast or short-term rental establishments annually based upon the consumer price index (CPI) as ascertained on the first business day of July of each calendar year. The application and all supporting documents shall be retained by ~~ICE~~ the department of code compliance and enforcement. All applications shall include:

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(2) Authorization to apply and related documents, based on the following categories:

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d. If the establishment is a short-term rental, the operator shall provide the following documents:

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6. Proof that the owner or operator has current, valid, general liability coverage of five hundred thousand dollars (\$500,000.00) or more, verified with a current insurance certificate, for the proposed short-term rental property and shall adhere to the following expiration terms:

* * *

ii. Companies shall furnish ~~ICE~~ the department of code compliance and enforcement with satisfactory evidence of required legal liability coverage for each lodging accommodation prior to the expiration of the first seven (7) days of the ten (10) days' notice of cancellation by the respective insurance company. Upon the second notice of cancellation within a period of twelve (12) months: the company shall take action to prevent any future lapse of insurance and shall provide the details of such action in writing; and, regardless of any company action or writing, the company license may still be subject to revocation.

* * *

(b) *Requirements for issuance of lodging accommodation license.* ~~ICE~~ The department of code compliance and enforcement shall issue the lodging accommodation license hereunder upon receipt of the completed application and all associated affidavits, the application fee, and the written approval of the Jefferson Parish Sheriff's Office, and the parish attorney's office, PMZ in accordance with the following:

* * *

- (3) The applicant must pass an inspection of the property for compliance with the provisions of this chapter; such inspection is conducted by the department of code compliance and enforcement.
- (c) Failure to renew a lodging accommodation license prior to its expiration date renders the expired license immediately invalid. A bed and breakfast, hotel, motel, or short-term rental operator who timely files for an application for a lodging accommodation license or renewal shall be considered to be in compliance provided that the applicant/owner/operator has submitted to the criminal background investigation within seven (7) business days of filing the application and that the operator is otherwise acting in good faith to obtain the required approvals. ~~ICE~~ The department of code compliance and enforcement shall provide written renewal notice to each operator no later than sixty (60) days prior to expiration of the lodging accommodation license. In the event ~~ICE~~ the department of code compliance and enforcement fails to timely send the renewal notice, then the operator shall have sixty (60) days from the date notice is sent to apply for renewal. In the event ~~ICE~~ the department of code compliance and enforcement fails to send a renewal notice, then the operator shall have sixty (60) days from the expiration date to apply for renewal.

SECTION 22. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-7. Display of license. is hereby amended to read as follows:
Sec. 17.5-7. Display of license.

Any lodging accommodation license issued by ~~ICE~~ Jefferson Parish shall be conspicuously displayed in the office or lobby, or other conspicuous location, of the licensed establishment. In the case of short-term rental, the license number shall be shown clearly on the face of any advertisement, including on-line listings, or act of drawing the public's attention to the short-term rental in order to promote the availability of the short-term rental.

SECTION 23. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-8. Lodging accommodation license—Suspension or revocation. is hereby amended to read as follows:

Sec. 17.5-8. Lodging accommodation license—Suspension or revocation.

The lodging accommodation license shall be subject to suspension or revocation upon good cause shown at a hearing conducted by either the lodging accommodation review committee or the parish council, within one hundred and eighty (180) days from the date of the last qualifying occurrence, as documented by ~~ICE~~ the departments of building permits or ~~PMZ~~ code compliance and enforcement, or the parish sheriff's office, that the bed and breakfast, hotel, motel, or short-term rental has engaged in any of the following since issuance of its current lodging accommodation license:

* * *

SECTION 24. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-9. Procedure for and effect of suspension, revocation. is hereby amended to read as follows:
Sec. 17.5-9. Procedure for and effect of suspension, revocation.

* * *

(g) *Effect of revocation, suspension.*

(1) When a lodging accommodation license is revoked for any legal cause, by any lawful authority:

* * *

b. To the maximum extent practical given existing site constraints, the bed and breakfast, hotel, motel, or short-term rental shall be required to meet all applicable provisions of the Code of Ordinances and ~~ICE~~ the department of building permits and/or ~~PMZ~~ department of code compliance and enforcement shall make an inspection of the property prior to issuance or reissuance of a lodging accommodation license.

* * *

SECTION 25. That Chapter 17.5 Lodging Accommodations, Sec. 17.5-13 Definitions. is hereby amended to delete two definitions, to read as follows:
Sec. 17.5-13 Definitions.

For the purposes of this chapter, unless otherwise expressly stated, the following words and phrases shall have the meanings respectively ascribed to them by this section:

* * *

~~ICE shall mean the Jefferson Parish Department of Inspection and Code Enforcement.~~

* * *

~~PMZ shall mean the Jefferson Parish Department of Property Maintenance and Zoning/Quality of Life.~~

* * *

SECTION 26. That Chapter 18.5 Massage Establishments, Article I. In General, Sec. 18.5-4. Operation. is hereby amended to read as follows:

Sec. 18.5-4. Operation.

Every massage establishment and every massage technician shall comply with the following operating requirements. These requirements shall be prominently and publicly displayed in a conspicuous place upon every premises licensed under the provisions of this chapter:

* * *

(7) For purposes of ascertaining violations of this chapter and conducting routine inspections, police officers, health inspectors and code enforcement ~~inspectors~~ officers shall have the right of entry onto the premises of any massage establishment during the hours such establishment is open for business;

SECTION 27. That Chapter 18.5 Massage Establishments, Article II. Permits, Sec. 18.5-16 Massage Establishment Permits. is hereby amended to read as follows:
Sec. 18.5-16. Massage establishment permit.

* * *

(b) *Application.*

(1) *Fee.* Any person desiring to obtain a permit to operate a massage establishment shall make application to the department of ~~inspection and code enforcement~~ code compliance and enforcement. A fee of three hundred dollars (\$300.00), made payable to the finance department, shall accompany the submission of the application to defray the costs of administration and investigation. If the applicant is not granted a permit under the provisions of this article, one hundred fifty dollars (\$150.00) of the application fee shall be returned to the applicant.

(2) *Contents.* Any person desiring a massage establishment permit shall file a written application with the department of ~~inspection and code enforcement~~ code compliance and enforcement on a form to be provided by the department of ~~inspection and code enforcement~~ code compliance and enforcement. If the applicant is a corporation, the name of the corporation shall be set forth exactly as set forth in its articles or incorporation, together with the names and addresses of each of its officers, directors and each stockholder of the corporation; and the application shall be verified by an officer of the corporation. If the applicant is a partnership, the application shall set forth the name and residence address of each of the partners, including limited partners; and the application shall be verified by each partner. If one (1) or more of the partners is a corporation, the provisions of this section pertaining to a corporate application shall apply to the corporate partner. If the applicant is neither a corporation nor a partnership, the application shall set forth the full name and address of the applicant and be verified by the applicant. The application for massage establishment license shall set forth the proposed place of business and the facilities therefor, together with a detailed description of the nature and scope of the proposed business operation. In addition to the foregoing, the following information shall be furnished concerning the applicant if an individual; and concerning each individual stockholder of the corporation, each officer and director if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership:

* * *

(c) *Investigation.* Applications for permits under this article shall be referred to the sheriff and the parish health unit within forty-eight (48) hours of the application being filed. The sheriff and the parish health unit shall cause an investigation and/or inspections to be made and report their findings to the department of ~~inspection and code enforcement~~ code compliance and enforcement. The department of ~~inspection and code enforcement~~ code compliance and enforcement shall also have authority to conduct an inspection of the establishment. Applicants shall cooperate with any inspection and/or investigation conducted pursuant to the provisions of this article and shall permit access to the proposed place of business and facilities therefor in conjunction with any such inspection and/or investigation.

(d) *Granting of permit.* Within sixty (60) days of the receipt of an application, the department of ~~inspection and code enforcement~~ code compliance and enforcement shall either grant or deny a massage establishment permit. The sheriff, the parish health unit and the applicant shall be notified within forty-eight (48) hours of the denial or acceptance of the application. In the event of denial, the applicant shall have thirty (30) days from the date of notice of the denial to appeal to the review committee in accordance with the procedure outlined in section 18.5-18. The department of ~~inspection and code enforcement~~ code compliance and enforcement shall grant a massage establishment permit only if it finds:

* * *

SECTION 28. That Chapter 18.5 Massage Establishments, Article II. Permits, Sec. 18.5-17. Massage technician permit. is hereby amended to read as follows:
Sec. 18.5-17. Massage technician permit.

* * *

(b) *Application.*

(1) *Fee.* Any person desiring to obtain a permit to act as a massage technician shall make application to the department of ~~inspection and code enforcement~~ code compliance and enforcement for a massage technician permit. A fee of fifty dollars (\$50.00), made payable to the director of finance, shall accompany the submission of a application to defray the costs of an investigation and administration.

* * *

(c) *Investigation.* Applications for permits under this section shall be referred to the sheriff and the parish health unit, who shall cause a investigation to be made of the applicant and report their findings to the department of ~~inspection and code enforcement~~ code compliance and enforcement.

(d) *Granting of permit.* Within sixty (60) days of receipt of the application, the department of ~~inspection and code enforcement~~ code compliance and enforcement shall either grant or deny a massage technician permit. The sheriff's office, the parish health unit and the applicant shall be notified within forty-eight (48) hours of the denial or acceptance of the application. In the event of denial, the applicant shall have thirty (30) days from the date of notice of the denial to appeal to the review committee in accordance with the procedure outlined in section 18.5-18. The department of ~~inspection and code enforcement~~ code compliance and enforcement shall grant a massage technician permit only if it finds that:

* * *

(7) The applicant has furnished to the department of ~~inspection and code enforcement~~ code compliance and enforcement an acceptable diploma or certificate of graduation from a "recognized school," or a certified photocopy of applicant's grade record, reflecting successful completion of a course in anatomy or anatomy and physiology at an institution of higher education which is authorized to confer degrees under R.S. 17:2050 et seq.; any college or university under R.S. 17:3201 et seq.; or any recognized educational facility under R.S. 17:1991 et seq.;

* * *

SECTION 29. That Chapter 18.5 Massage Establishments, Article II. Permits, Sec. 18.5-18. Suspension or revocation. is hereby amended to read as follows:
Sec. 18.5-18. Suspension or revocation.

* * *

(b) If there is an appeal from a denial of the issuance of a permit under this article by the department of ~~inspection and code enforcement~~ code compliance and enforcement, the review committee shall have the authority to grant such a permit.

SECTION 30. That Chapter 19 Nuisances, Article II. Railroad Rights-of-Way., Sec. 19-9. Notification to owner of violation; procedure. is hereby amended to read as follows:
Sec. 19-9. Notification to owner of violation; procedure.

The director of ~~public utilities~~ code compliance and enforcement shall notify the owner, or his agent, of any railroad right-of-way on which grass, weeds, trash, debris, refuse or other noxious matter may be located in violation of this chapter, by certified mail or delivery confirmation, to cut, destroy or remove such weeds, grass, or deleterious, unhealthful growths, trash, debris, refuse, discarded or noxious matter from the premises involved, which notice shall be sent to the owner of such railroad right-of-way or his agent and shall state the estimated cost of the work which must be done to accomplish the cutting,

destruction or removal of such matter, giving the owner or his agent fifteen (15) days to perform the necessary work at his own expense. Said notice shall be sent once every calendar year.

SECTION 31. That Chapter 19 Nuisances, Article III. Trash, Vegetation and Property Maintenance., Sec. 19-21. Abatement by order of parish Sec. 19-21. Abatement by order of parish. is hereby amended to read as follows:
Sec. 19-21. Abatement by order of parish.

* * *

(b) (1) *Abatement of weeds by parish.* Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this chapter, and except for those, circumstances addressed in subsection (b)(2) herein, if the violation consists of weeds, grass or other vegetation on property and is not abated within five (5) days of date on notification (which may be via U.S. First Class Mail or posting of the property), with said notice only being required to be sent to the property owner once every calendar year, the Parish, through the Department of ~~Inspection and Code Enforcement~~ code compliance and enforcement, is hereby authorized to cut, destroy and remove all such grass, weeds and other deleterious or unhealthy growths of vegetation on an as needed basis in accordance with this code, and the property owner, as shown on the latest property assessment rolls and/or conveyance records, shall be assessed a charge for the cutting, destruction and removal. If the costs to the parish for the cutting, destruction and/or removal exceed the amount of one hundred dollars (\$100.00), the owner of the property shall be assessed the actual cost, plus a surcharge equal to one hundred (100) percent of the costs to cover inspection and administrative costs.

(2) *Emergency abatement of weeds by parish.* Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this chapter, if the violation consists of weeds, grass or other vegetation exceeding fifty-four (54) inches in height on property, except any vegetation that is part of an approved stormwater management plan, the parish, through the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement, shall post a violation notice on the property or otherwise attempt to notify the property owner. If the violation is not corrected within twenty-four (24) hours, the parish is hereby authorized to immediately cut, destroy and remove all such grass, weeds and other deleterious or unhealthy growths of vegetation, and the property owner, as shown on the latest property assessment rolls and/or conveyance records, shall be assessed the same fee and surcharge as described in section 19-21(b)(1).

* * *

(c) *Abatement of junk, trash, etc.* Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this chapter, if the violation consists of any prohibited activity or condition specified in this chapter and is not abated within five (5) days of date on notification (which may be via U.S. First Class Mail or posting of the property) unless otherwise noted herein, with said notice only being required to be sent to the owner once every calendar year, the parish, through the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement, is hereby authorized to clear, destroy and remove all such offending materials and/or take any action necessary to abate the nuisance; and the property owner, as shown on the latest property assessment rolls and/or conveyance records, shall be assessed a charge for the clearing, destruction and removal and/or other corrective action in accordance with the following schedule:

* * *

(d) *Abatement of a neglected structure.* Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this chapter, if the violation consists of any prohibited activity or condition specified in this chapter and is not abated within five (5) days of date on notification (which may be via U.S. First Class Mail or posting of the property), with said notice only being required to be sent to the owner once every calendar year, the parish, through the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement, is hereby authorized to abate such nuisance when the structure has been neglected, whether minor or major repairs are required for compliance, or otherwise vacant, deemed dangerous or unsecured; and the property owner, as shown on the latest property assessment rolls and/or conveyance records, shall be cited and upon failure to comply, forwarded to the parish attorney's office for enforcement. Neglected structures shall include but not be limited to a building or

house, canopy, shed, sign, trailer or camper which has not been maintained according to code and requires minor or major repairs or demolition.

(e) *Work to be done by parish employee or independent contractor.* In connection with any work performed pursuant to this section, the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement may proceed to have the necessary work done either by its own employees or by an independent contractor.

* * *

SECTION 32. That Chapter 19 Nuisances, Article III. Trash, Vegetation and Property Maintenance., Sec. 19-26. Collection of outstanding invoices. is hereby amended to read as follows:

Sec. 19-26. Collection of outstanding invoices.

* * *

(e) The department of ~~Inspection and Code Enforcement~~ code compliance and enforcement shall monitor and give monthly reports to the office of research and budget and the finance department as to the success of collections for these charges.

SECTION 33. That Chapter 19 Nuisances, Article III. Trash, Vegetation and Property Maintenance., Sec. 19-28. Enforcement department. is hereby amended to read as follows:

Sec. 19-28. Enforcement department.

The department responsible for the enforcement of this article and section 27-117 et seq. shall be the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement.

SECTION 34. That Chapter 19 Nuisances, Article IV Swimming Pools and Excavations., Sec. 19-31. Definitions. is hereby amended to read as follows:

Sec. 19-31. Definitions.

* * *

(c) Any defect deemed to be "dangerous" shall constitute a public and/or attractive nuisance allowing the parish to access the property and cause the swimming pool or open excavation to be drained and drilled, fenced or secured by the parish at the expense of the owner if deemed an emergency by the director of ~~Inspection and Code Enforcement~~ code compliance and enforcement. Said action may be taken without notice or a hearing.

SECTION 35. That Chapter 19 Nuisances, Article IV Swimming Pools and Excavations Sec. 19-32. Inspections. is hereby amended to read as follows:

Sec. 19-32. Inspections.

The director of the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement may designate appropriate personnel to:

* * *

SECTION 36. That Chapter 19 Nuisances, Article IV Swimming Pools and Excavations, Sec. 19-33. Hearing; placarding of building or structure. is hereby amended to read as follows:

Sec. 19-33. Hearing; placarding of building or structure.

* * *

(c) If the persons having an interest in the property fail to comply with the order of the hearing officer within the time specified in the order for compliance, the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement shall cause such swimming pool to be secured or demolished pursuant to the order of the hearing officer.

(d) If any instance in which an order has been issued pursuant to subsection (b) above, and the owner complies with the order by securing, repairing and maintaining the swimming pool or open excavation, the hearing officer's case file shall, nevertheless, remain active for a period of three (3) years from the date of signature of the order. The department of ~~Inspection and Code Enforcement~~ code compliance and enforcement may request that the hearing officer reconvene the hearing if he receives evidence that the swimming pool or open excavation has not remained secured, repaired and maintained and is in contravention of this Code. Upon notice to the owner, lien holders, occupants and other persons having an interest in the property, the hearing officer shall reconvene the hearing. If the hearing officer finds that the building remains a dangerous building notwithstanding the owner's efforts to secure it, he may issue a revised order that the building be demolished.

* * *

SECTION 37. That Chapter 19 Nuisances, Article IV Swimming Pools and Excavations, Sec. 19-34. Fees; costs; billing; payment; imposition of lien; addition of costs to ad valorem tax bill. is hereby amended to read as follows:

Sec. 19-34. Fees; costs; billing; payment; imposition of lien; addition of costs to ad valorem tax bill.

(a) The parish council hereby finds and declares that the general administrative expenses of inspecting swimming pools, locating owners, conducting hearings, issuing notices and orders, together with all associated administrative functions, require the reasonable charge of five hundred dollars (\$500.00) for each lot, adjacent lots under common ownership, or tract of land, and such minimum charge is hereby established and declared to be the charge for such administrative expenses to be assessed in each instance where the parish demolishes or contracts for the demolition or securing of a swimming pool or open excavation thereon. Notwithstanding any tabulation of recorded costs, a charge of five hundred dollars (\$500.00) is hereby expressly stated to be a minimum charge. Further, the costs of securing or filing a swimming pool or open excavation either by the parish or by persons doing so under contract with the parish shall be separately calculated and assessed in each instance where the parish causes such work to be performed pursuant to this article.

The department of ~~Inspection and Code Enforcement~~ code compliance and enforcement shall certify all administrative expenses and costs of securing or filling a swimming pool or open excavation by the parish or by persons doing so under contract with the parish, as a charge which shall be assessed the owners thereof. Such charge shall bear interest at the rate of ten (10) percent per annum until paid.

Provided, further, if an order has been issued pursuant to this article for the securing or filing a swimming pool or open excavation and the parish has let a contract for such work, and the premises subsequently brought into compliance by the owners prior to completion of the contract let by the parish, the administrative expenses and all costs for cancellation of the contract shall be certified as a charge which shall be assessed as against the owners thereof. Such charges shall bear interest at the rate of ten (10) percent per annum until paid.

* * *

(d) Upon full payment of the charge assessed against any property, or in the event the lien is placed on the property through error, the director of ~~Inspection and Code Enforcement~~ code compliance and enforcement is hereby authorized to execute, for and on behalf of the parish, a written release approved in each case by the legal department.

(e) Upon compliance with an order of the hearing officer to secure, repair and maintain a swimming pool or open excavation, the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement shall be and is hereby authorized to execute a written "notice of compliance" setting forth the date the notice of compliance is issued, the date the parish found such premises was found to be in compliance with the order

* * *

SECTION 38. That Chapter 19 Nuisances, Article VI Dangerous Buildings, Sec. 19-48. Inspectors; jurisdiction. is hereby amended to read as follows:

Sec. 19-48. Inspectors; jurisdiction.

The director of the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement shall designate inspectors whose duties shall be as follows:

* * *

SECTION 39. That Chapter 19 Nuisances, Article VI Dangerous Buildings, Sec. 19-52. Execution of written release upon payment of charges or where lien placed on property through error; execution of written notice of compliance. is hereby amended to read as follows:

Sec. 19-52. Execution of written release upon payment of charges or where lien placed on property through error; execution of written notice of compliance.

(a) Upon full payment of the charge assessed against any property, or in the event the lien is placed on the property through error, the director of ~~Inspection and Code Enforcement~~ code compliance and enforcement is hereby authorized to execute, for and on behalf of the parish, a written release approved in each case by the legal department.

* * *

SECTION 40. That Chapter 19 Nuisances, Article VI Dangerous Buildings, Sec. 19-55. Emergencies. is hereby amended to read as follows:
Sec. 19-55. Emergencies.

(a) In cases where it reasonably appears that there is immediate danger to the health, life or safety of any person unless a "dangerous building," as defined herein, is immediately repaired, vacated, demolished or secured, or where said dangerous building is within one thousand (1,000) feet of a school placing school children in danger, the inspector shall report such facts to the director or assistant director ~~or the regulatory manager~~ of the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement. If the director or assistant director ~~or the regulatory manager~~ finds that there is in fact an immediate danger to the health, life or safety of any person unless the building is immediately repaired, vacated, demolished or secured, or where said dangerous building is within one thousand (1,000) feet of a school placing school children in danger, he/she shall cause the immediate repair, vacation, demolition or securing of such building, without any requirement for notice to the owner or interested parties in advance.

(b) Whenever the director causes a building to be repaired, vacated, demolished or secured pursuant to this section, he/she shall cause a notice, as described in this article, to be posted on the building.

Further, whenever the director causes a building to be repaired, vacated, demolished or secured pursuant to this section, he/she shall also cause notice to be given to the owners and lien holders of the building, all persons having possession of any portion thereof, and all other persons who may have an interest in the building that a hearing will be held concerning the orders issued in connection therewith, and whether the building constitutes a "dangerous building." The notice shall set forth the specific conditions which render the building a dangerous building within the standards set forth in this article, the date, time and place of such hearing, that all persons having an interest in the building may appear in person and/or be represented by an attorney, and may present testimony and may cross-examine all witnesses. The notice shall comply with the provisions set out in section 2.5-7 of this Code, however, the hearing shall be held as soon as it is reasonably possible, but in no case later than ten (10) days after the director of the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement has caused the building to be repaired, vacated, demolished or secured, unless all persons having either an ownership interest or a possessory interest in the building request a continuance of the hearing. At such a hearing, the burden shall be upon the parish to show that there was an immediate danger to health, life or safety, or said dangerous building is within one thousand (1,000) feet of a school placing school children in danger, necessitating immediate action, and whether the building constitutes a dangerous building within the provisions of this article at the time of the hearing. After completion of the presentation of the testimony by all parties appearing, the hearing officer shall make written findings of fact as to whether or not the dangerous building is within one thousand (1,000) feet of a school placing school children in danger, or the building was an immediate danger to health, life or safety necessitating the action taken by the director of the department of ~~Inspection and Code Enforcement~~ code compliance and enforcement, and whether the building was a dangerous building within the provisions of this article. If the hearing officer finds that the dangerous building is within one thousand (1,000) feet of a school placing school children in danger or there was an immediate danger to public health, life or safety that required the action that was taken, all administrative expenses and any cost of repair or demolition shall be calculated and assessed the owners of the building, and shall constitute a lien and privilege on the land on which the building stands or stood, which shall bear interest as provided in this article. If the hearing officer finds that the building, at the time of the hearing, constitutes a dangerous building within the provisions of this article, he shall issue an order for its abatement as set out in this article. The provisions in this article shall be applicable to any such order.

SECTION 41. That Chapter 19 Nuisances, Article VIII Distribution of Printed Matter, Sec. 19-66. "Do not toss" list. is hereby amended to read as follows:
Sec. 19-66. "Do not toss" list.

(a) ~~PMZ~~ The department of code compliance and enforcement shall maintain a "do not toss" list of addresses where the respective proprietary parties of such residential properties have requested that the distribution of unsolicited printed matter upon said properties be prohibited except by those methods delineated in subsection (a) of section 19-65 above.

(1) When the department of ~~inspection and code enforcement~~ code compliance and enforcement deems a property to be abandoned, vacant, or blighted (as respectively defined in this chapter), ~~PMZ the department~~ may include the address of said property on the "do not toss" list.

(b) ~~PMZ~~ The department of code compliance and enforcement shall update the parish website on a regularly scheduled basis so as to make readily available to the public an accurate and current list of addresses associated with the "do not toss" list; and, upon request, ~~PMZ the department of code compliance and enforcement~~ shall distribute a date-referenced copy of the "do not toss" list to any publisher or distributor of printed matter.

SECTION 42. That Chapter 20 Offenses and Miscellaneous Provisions, Article I In General, Sec. 20-4. Charitable bingo and/or keno session limit, supervision, and penalties. is hereby amended to read as follows:

Sec. 20-4. Charitable bingo and/or keno session limit, supervision, and penalties.

(a) The total amount of prizes offered during the conduct of live bingo and/or keno shall not exceed thirty-five hundred dollars (\$3,500.00) in value (cash or prizes) per session, except as specifically provided in R.S. 4:707(A)(1) and (5), 4:710, 4:724, 4:725, 4:725.1 and 4:732. The value of any thing offered as a prize shall be calculated using the method established by the state charitable gaming office. This session limit shall not apply to winner-take-all games and early bird and/or intermission special games.

* *

(2) Organizations may conduct early bird and/or intermission special games. The total amount of prizes paid shall not exceed three hundred dollars (\$300.00). The prize payout(s), type of game(s), and cost per sheet(s) shall be submitted in writing to the department of ~~inspection and code enforcement~~ code compliance and enforcement. Written approval from the department of ~~inspection and code enforcement~~ code compliance and enforcement must be obtained prior to the conduct of this game(s). Prize payouts of regular scheduled games excluding specialty games shall not exceed three thousand five hundred dollars (\$3,500.00). The total amount of prizes paid including any special games shall not exceed four thousand five hundred dollars (\$4,500.00) as permitted by state law.

(b) Investigators from the department of ~~inspection and code enforcement~~ code compliance and enforcement shall conduct periodic compliance inspections of all organizations and locations where games of chance are conducted to ensure compliance with the provisions contained herein. Said investigator shall have the right of entry at all times onto any premises where any games of chance shall be held, operated and conducted for the purpose of inspecting same. He shall have authority to examine the books and records of any person, organization or association which is conducting bingo and/or keno, so far as such books and records may relate to any transactions connected with the holding and conducting of any game of chance, or the proceeds therefrom and, further, to examine any manager, officer, director, agent, member or employee thereof, in relation to the conduct of any such games of chance or the proceeds therefrom, and issue a citation(s) for any violations.

(c) On bona fide complaint of any person, business or governmental agency, or when there is reason to believe a violation has occurred or is occurring under this section by any entity or establishment, the department of ~~inspection and code enforcement~~ code compliance and enforcement shall conduct an investigation.

* * *

SECTION 43. That Chapter 20 Offenses and Miscellaneous Provisions, Article I In General, Sec. 20-18. Same—Impoundment of abandoned carts; redemption by owner. is hereby amended to read as follows:

Sec. 20-18. Same—Impoundment of abandoned carts; redemption by owner.

(a) Any shopping cart found to be on any public property or private property outside the premises or parking area of a retail establishment shall be considered abandoned and therefore subject to immediate removal and disposal by the departments of environmental affairs; or public works ~~or inspection and code enforcement~~.

(b) *Removal, redemption, destruction and notice.* Any such carts abandoned or otherwise located outside the premises or parking area of a retail establishment on public streets, public property, or on private property, may be seized and impounded by personnel of the Jefferson Parish Departments of Environmental Affairs; or Public Works ~~or Inspection and Code Enforcement~~ after the passage of two (2) hours from the first observation of the abandoned cart. Any cart not reclaimed by the owner or his or her

agent after a period of thirty (30) days, shall become the property of Jefferson Parish and shall be sold at public auction, or otherwise disposed of, unless the merchant claims them from the parish within such period and pays the sum of fifteen dollars (\$15.00) for each such cart to cover retrieval costs and administrative fees. Upon passage of this ordinance, the parish shall notify affected merchants in the parish who provide shopping carts via mail to the corporate office of its passage. A warning letter will also be sent to the affected merchants that shall serve as notice that a shopping cart owned by the recipient of the letter is in the possession of Jefferson Parish. A storage fee in the amount of one dollar (\$1.00) per day shall begin to accrue upon arrival of abandoned cart at a parish storage facility.

(c) *Retrieval and storage fees.* All retrieval and storage fees shall be earmarked for use by the departments of environmental affairs, or public works ~~or inspection and code enforcement~~ to offset the costs of administering and enforcing this section.

(d) *Carts without identification.* Whenever the Jefferson Parish Departments of Environmental Affairs, or Public Works ~~or Inspection and Code Enforcement~~ shall take any cart without identification of ownership into its possession, said cart shall become the property of Jefferson Parish and shall be sold at public auction, or otherwise disposed of.

* * *

SECTION 44. That Chapter 20 Offenses and Miscellaneous Provisions, Article II Offenses Against Public Administration, Sec. 20-23. Definitions. is hereby amended to read as follows:

Sec. 20-23. Definitions.

For the purposes of this article, the following terms, phrases, words and derivations shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended:

(1) *Code enforcement officer* shall mean any employee of the Parish of Jefferson or any of its districts, agencies and/or departments who is authorized to make inspections, issue violation notices or summons and/or otherwise authorized to enforce the ordinances of Jefferson Parish. The term "code enforcement officer" shall include, but not be limited to: inspectors of the department of ~~inspection and code enforcement~~, building permits, inspectors of the department of ~~property maintenance, zoning, and quality of life~~, code compliance and enforcement, landscape architect of the planning department, Humane Officer of the Jefferson Protection and Animal Welfare Services, inspectors of the department of environmental affairs, inspectors of the department of fire and emergency services and any empowered Officer or Deputy of the Jefferson Parish Sheriff's Office. The term "code enforcement officer" shall also mean any duly qualified and authorized independent contractor, and its authorized employees, retained by and under contract with the parish to assist the parish or any of its districts, agencies and/or departments in making inspections, issuing violation notices or summons and/or otherwise assisting in the enforcement of the ordinances of Jefferson Parish.

* * *

SECTION 45. That Chapter 20 Offenses and Miscellaneous Provisions, Article V Offenses Against Public Peace, Sec. 20-102. Noise. is hereby amended to read as follows:

Sec. 20-102. Noise.

* * *

(h) *Specific prohibitions.* In addition to the general prohibitions set out above, the following specific acts are declared to be in violation of this section:

* * *

(6) *Construction and demolition.* The operating of any equipment used in construction work within three hundred (300) feet of any residential or noise-sensitive area between the hours of 9:00 p.m. to 7:00 a.m. on weekdays and Saturdays and 9:00 p.m. to 8:00 a.m. on Sundays and holidays, except for emergency work. The construction firm shall report any use of construction equipment for emergency work within three hundred (300) feet of any residential or noise-sensitive area during the restricted hours as stated herein shall be reported before such work begins or as soon as possible thereafter to the department of ~~inspection and code enforcement~~ building permits. The report shall state with sufficient details the nature of the emergency requiring the use of construction equipment.

* * *

SECTION 46. That Chapter 20 Offenses and Miscellaneous Provisions, Article VI Offenses Against Public Safety, Division 2. Pyrotechnics Sec. 20-134. Exceptions.is hereby amended to read as follows:

Sec. 20-134. Exceptions.

Nothing in this division shall be held to apply:

* * *

(5) *Industrial and construction handling.* To the loading, unloading, handling and transportation of any explosive materials, including ammonium nitrate for industrial or construction use provided a permit for such loading, unloading, handling and/or transportation is first obtained from the department of ~~inspection and code enforcement~~ building permits. In the case where these materials are being transported within the parish, the party so transporting is required to receive an authorized route and escort from the sheriffs office.

* * *

SECTION 47. That Chapter 20 Offenses and Miscellaneous Provisions, Article VI Offenses Against Public Safety, Division 3. Weapons Sec. 20-150. Discharge of slingshots, arrows, air rifles, firearms and other weapons.is hereby amended to read as follows:

Sec. 20-150. Discharge of slingshots, arrows, air rifles, firearms and other weapons.

* * *

(c) *Exceptions.* The provisions of this section shall not apply to the following:

* * *

(3) To the use and discharge of blank pistols and blank cartridges only where the use and discharge thereof is conducted in formal ceremonies conducted by recognized organizations, such as the V.F.W. and American Legion, and for athletic events and in connection with the training of hunting dogs; and further, provided a permit, in advance, is obtained from the department of ~~inspection and code enforcement~~ building permits; to pound keepers and/or their helpers pursuant to their duties in rounding up stray or wild animals during performance of such duties;

* * *

SECTION 48. That Chapter 22 Peddlers and Solicitors, Article III. Sale from Temporary Stands or Vehicles, Division 1. Generally, Sec. 22-49. Outdoor sales on private property not conducted by adjacent business. is hereby amended to read as follows:

Sec. 22-49. Outdoor sales on private property not conducted by adjacent business.

* * *

(b) Any person who wishes to engage in the sale of any merchandise, wares, goods, plants, flowers, paintings, mirrors, or any artifact or saleable product, except food, food products, seafood of any kind, or beverages, from any truck, automobile, motor vehicle, mobile unit, cart, stand, table, temporary building, portable or moveable container or display case, whether closed or enclosed, or operating on a permanent, temporary or seasonal basis, where the sale is conducted from privately-owned property but is not conducted by an adjacent business must first obtain a permit as provided below and meet all other applicable provisions of this article.

(1) Application. Application must be made with the Jefferson Parish Sheriff's Office for a sales from temporary stands or vehicle registration under this division to conduct the sale of any merchandise, wares, goods, plants, flowers, paintings, mirrors, or any artifact or saleable product whatsoever, except food, food products, seafood of any kind, or beverages. The application must include the following:

* * *

c. A zoning clearance ~~from by the department of inspection and code enforcement, or the planning department if the property is located in a special district or overlay zoning district, showing that the property is properly zoned for the intended use by the applicant~~ form in accordance with Sec. 8-1-104.8.2.

* * *

SECTION 49. That Chapter 22 Peddlers and Solicitors, Article III. Sale from Temporary Stands or Vehicles, Division 3. Sale of Food, Food Product, Beverages, Sec. 22-76. Definitions. is hereby amended to amend one definition and delete Illustration No. 1, to read as follows:

Sec. 22-76. Definitions.

* * *

Permit placard means a permit placard issued by the department of ~~inspection and code enforcement citizens' affairs~~ noting an annual mobile food dispensing vehicle registration for special events for the specified mobile food dispensing vehicle as shown in Illustration No. 1.

Illustration No. 1



SECTION 50. That Chapter 22 Peddlers and Solicitors, Article III. Sale from Temporary Stands or Vehicles, Division 3. Sale of Food, Food Product, Beverages, Sec. 22-78. Permit required. is hereby amended to read as follows:
Sec. 22-78. Permit required.

(a) *Temporary operation.* Prior to the conducting of sales by a mobile food dispensing vehicle and/or mobile catering vehicle, at a single location for no more than thirty (30) minutes, application must be made with the Jefferson Parish Sheriff's Office for a sales from temporary stands or vehicle registration under this division to conduct the sale of any food, food products, seafood of any kind, or any beverages.

(1) The application must be accompanied by the following:

e. A zoning clearance ~~for a home occupation from by the department of inspection and code enforcement, or the planning department if the property is located in a special district or overlay zoning district, showing that the property is properly zoned for the intended use by the applicant~~ form in accordance with Sec. 8-1-104.8.2;

f. Any fees as required by the Jefferson Parish Sheriff's Office, the Jefferson Parish Department of ~~Inspection and Code Enforcement citizens' affairs~~ and the Jefferson Parish Planning Department.

(b) *Special events registration.* Prior to the conducting of sales by a mobile food dispensing vehicle and/or mobile catering vehicle, at permitted special events, each vendor shall register for an annual mobile food dispensing vehicle registration and obtain a permit placard from the department of ~~inspection and code enforcement citizens' affairs~~ as provided below and meet all other applicable provisions of this division:

(2) Each vendor shall pay the annual permit fee required by the department of ~~inspection and code enforcement citizens' affairs~~.

(c) *Mobile catering and/or food dispensing vehicle event.* A special event permit approved by the Jefferson Parish Council is required for a mobile catering and/or food dispensing vehicle event, and the permit is subject to the following requirements:

(4) The permit placard issued by the department of ~~inspection and code enforcement citizens' affairs~~ must be prominently displayed in the windshield at all times during operation.

SECTION 51. That Chapter 26 Special Events, Article I Fairs, Circuses and Festivals Sec. 26-1. Definitions. is hereby amended to delete one definition, to read as follows:

Sec. 26-1. Definitions.

As used in this article, unless otherwise indicated:

~~Certificate of inspection means a certificate issued by the department of inspection and code enforcement, subsequent to an inspection by the department.~~

* * *

SECTION 52. That Chapter 27 Water, Sewerage and drainage, Article V. Water, Division 1. generally, Sec. 27-181. Threat to health and safety; contempt. is hereby amended to read as follows:

Sec. 27-181. Threat to health and safety; contempt.

(a) [*Authorized representative.*] For purposes of this section, an "authorized representative" shall include the director of the department of water, the director of ~~inspection and code enforcement~~ building permits, the director of ~~code compliance and enforcement~~, the director of the department of environmental affairs, the local fire chief, or the safety director, representatives of the health department, and/or representatives of the parish attorney.

* * *

(g) *Sufficient proof of repairs.* Any of the following shall constitute sufficient proof of the date of commencement of necessary repairs: (i) A certified copy of contract between owner/occupant and contractor to begin work, so long as the date upon which work is to commence is stated therein; (ii) A certified copy of an invoice from a contractor, so long as the date upon which work is to commence is stated therein; (iii) the issuance of a permit by the department of ~~inspection and code enforcement~~ building permits, so long as permit is issued for all of the necessary repairs which would bring the property into compliance and all work performed within thirty (30) days of issuance.

* * *

SECTION 53. That Chapter 29 Roads and Bridges, Article I. In General, Sec. 29-1. Excavating or obstructing roads. is hereby amended to read as follows:

Sec. 29-1. Excavating or obstructing roads.

* * *

(c) Whenever any person commences such work without such a permit or continues any work, excavation, or activity that interferes with the operation or maintenance of streets, public utilities or other public works, or is in violation of this chapter or of the conditions of a permit issued under this chapter, either the parish department of streets or the parish department of ~~inspection and code enforcement~~ building permits is authorized to issue and enforce an order to cease and desist from said work, excavation, or activity. Said order shall be subject to review and all of the procedures related to said order shall be conducted in the same manner as is provided for a "cease and desist" order for violation of the parish building code.

* * *

SECTION 54. That Chapter 29 Roads and Bridges, Article II. Road and Street Lighting, Division 3. Electrical Code for Street Lighting, Sec. 29-51. Permit—Required. is hereby amended to read as follows:

Sec. 29-51. Permit—Required.

(a) No wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment for transmission, distribution or utilization of electrical energy for any purpose shall be installed within the unincorporated areas of the parish, nor shall any alterations or additions be made in any such existing wiring, poles, duct lines, guy anchors, apparatus, devices, appliances, fixtures or equipment, without first securing a permit therefor from the department of ~~inspection and code enforcement~~ engineering.

* * *

(c) Any person operating under such a permit, shall before placing any raceway, duct, conduit or tubes under the public places, alleys and streets of the unincorporated areas of the parish, secure permission from the governing authority of the unincorporated areas of the parish for such installation and shall submit to the ~~parish engineer~~, department of ~~inspection and code enforcement~~ engineering, parish water district and the local utility company for approval a plot showing where such installations are to be made and the type and character of the work to be done.

(d) The approval of the ~~parish engineer~~, department of ~~inspection and code enforcement~~ engineering, water district and the local utility company shall be secured prior to submitting the plans to the parish council and the department of ~~inspection and code enforcement~~ engineering for the permit necessary to make such installation. A copy of the approved plot, showing all details required by the parish engineer and the department of ~~inspection and code enforcement~~ engineering shall be kept in their files.

SECTION 55. That Chapter 29 Roads and Bridges, Article II. Road and Street Lighting, Division 3. Electrical Code for Street Lighting, Sec. 29-55. Concealed wiring; requirements. is hereby amended to read as follows:
Sec. 29-55. Concealed wiring; requirements.

(a) When any part of a wiring installation is to be buried or concealed from view, the person supervising and installing the duct or wiring shall notify the department of ~~inspection and code enforcement engineering~~ and such parts of the wiring installation shall not be concealed until they have been inspected and approved by the department; provided that on such installation as the concealment of parts of the wiring must in the discretion of the electrical inspector, necessarily proceed continuously, the persons supervising and installing the wiring shall give the department due notice and inspections shall be made periodically during the progress of the work.

(b) Where, in the discretion of the inspector, it is necessary, he shall post notice upon the premises stating that work is approved and may be covered; or is not approved and may not be covered until such further inspection as is necessary has been made. Any person removing, destroying, altering or defacing the notice without the consent of the department of ~~inspection and code enforcement engineering~~ shall be deemed guilty of an offense, and any work described in the notice shall be stayed pending the further necessary inspection.

SECTION 56. That Chapter 29 Roads and Bridges, Article II. Road and Street Lighting, Division 3. Electrical Code for Street Lighting, Sec. 29-62. Street light standards. is hereby amended to read as follows:
Sec. 29-62. Street light standards.

(a) *Aluminum.* Street light standards shall be fabricated of a spun aluminum pole approximately twenty (20) feet in length with seven (7) inches diameter at bottom and four (4) inches diameter at top. The pole shall be furnished with a pole cap, anchor base bottom and a six-foot continuous rise single bracket for one and one-fourth (1¼) inches slip fitter mounting. No scroll brace or truss arm shall be used with the arm. The pole shall be designed for mounting on concrete base with anchor bolts. For locations where there exist similar light standards, standards shall match those existing in the street, upon approval by the department of ~~inspection and code enforcement engineering~~.

* * *

SECTION 57. That Chapter 29 Roads and Bridges, Article II. Road and Street Lighting, Division 3. Electrical Code for Street Lighting, Sec. 29-63. Spacing of standards. is hereby amended to read as follows:
Sec. 29-63. Spacing of standards.

There shall be one (1) standard installed at each intersection and spacing of standards shall not exceed two hundred (200) feet and shall not be less than one hundred fifty (150) feet, except by special permission of the department of ~~inspection and code enforcement engineering~~.

SECTION 58. That Chapter 29 Roads and Bridges, Article V. Construction of Sidewalks, Sec. 29-147. Building permits. is hereby amended to read as follows:
Sec. 29-147. Building permits.

(a) Sidewalks must appear on plans submitted to the parish as part of the application for permits to the department of ~~inspection and code enforcement building permits~~. Final building inspection will not be released unless sidewalks are in place.

(b) Any property owner or person that violates the provisions of this article by altering sidewalk construction or configuration after receiving approval from the directors of ~~inspection and code enforcement building permits and engineering~~ shall, in addition to other penalties provided in this section, be made to return the sidewalks to that construction and configuration as was approved on site plans, at his expense.

SECTION 59. That Chapter 29 Roads and Bridges, Article VI. Driveways, Sec. 29-166. Installation, removal, curbing; permit required; application for permit. is hereby amended to read as follows:
Sec. 29-166. Installation, removal, curbing; permit required; application for permit.

* * *

(b) *Applications.* Applications for such permits shall be made on printed forms furnished by the director, which forms shall provide for the description of the property involved by lot, square, subdivision and street boundaries, and such other information as the director may require. Such forms shall also show the name and address of the applicant for the permit and the dimensions and location of the driveway. A copy of this

application form shall be furnished to the director of ~~inspection and code enforcement building permits~~.

SECTION 60. That Chapter 29 Roads and Bridges, Article VI. Driveways, Sec. 29-175. Approval, disapproval of application; noncompliance with regulations; notice. is hereby amended to read as follows:

Sec. 29-175. Approval, disapproval of application; noncompliance with regulations; notice.

If the director approves the application for the removal, curbing or installation of a driveway hereunder, such approval shall be signed by the director or a duly authorized officer of the department of public works. If such application is not approved, or if the driveway was not installed in accordance with the specifications of this article, the director shall notify the applicant of the reasons why he has not complied with the article, and the director of ~~inspection and code enforcement building permits~~ shall be notified to withhold or revoke the building permit or use and occupancy certificate. In such cases, no part of the deposit shall be returned to the depositor.

SECTION 61. That Chapter 29 Roads and Bridges, Article VII. Beautification Areas, Sec. 29-195. Signs; warning or other. is hereby amended to read as follows:

Sec. 29-195. Signs; warning or other.

The parish council may direct the department of ~~inspection and code enforcement parkways~~ to erect appropriate signs, including warning signs, on areas designated in section 29-192.

SECTION 62. That Chapter 32 Signs, Article I. In General, Sec. 32-1. Signs along rights-of-way, etc. is hereby amended to read as follows:

Sec. 32-1. Signs along rights-of-way, etc.

* * *

(b) *Authority for removal.*

(1) Any sign, marker, light, signal light, poster, placard, handbill, warning or direction sign or any sign bearing any commercial advertising that is erected or maintained on any curb, gutter, flagstone, tree, lamppost, awning post, telephone pole, public utility pole, public garbage bin, bus shelter, bridge abutment, parish highway, highway fence, parking meter, mail box, vehicle, traffic signal stanchion, bench, traffic barrier, hydrant, public pay phone, public building, wooden or iron railing of a public building, or other such item or structure in any right-of-way, servitude, street, roadway, emergency lane, median, neutral ground, shoulder of a road in violation of the foregoing section shall be considered abandoned and therefore subject to immediate removal and disposal by the department of ~~inspection and code enforcement code compliance and enforcement~~ or by the department of parkways or by the department of public works, including drainage, water, sewerage, pump stations, capital projects, streets and engineering, as soon as possible after any of these departments is made aware of the location of such signs on public property.

(2) The parish, through the department of ~~inspection and code enforcement code compliance and enforcement~~, shall give due process notice by certified letter to all political candidates who qualify for an election that will take place within the unincorporated areas of Jefferson Parish that signs illegally placed on any public right-of-way, shall be considered abandoned property subject to immediate removal and disposal by the parish without further notice.

* * *

SECTION 63. That Chapter 32 Signs, Article II. Permanent Signs, Sec. 32-14. Removal of signs. is hereby amended to read as follows:

Sec. 32-14. Removal of signs.

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be taken down, or removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found within fifteen (15) days after written notification from the department of ~~inspection and code enforcement code compliance and enforcement~~ and, upon failure to comply with such notice within the time specified in such order, the department of ~~inspection and code enforcement code compliance and enforcement~~ is hereby authorized to cause removal of such sign and collect the cost, therefore, in accordance with sections 19-13 through 19-19.

SECTION 64. That Chapter 32 Signs, Article III. Mobile Signs, Division 1. Generally, Sec. 32-21. Enforcement. is hereby amended to read as follows:

Sec. 32-21. Enforcement.

If ~~the building inspector~~ the department of code compliance and enforcement shall find that any mobile sign regulated by this Code is unsafe or insecure, is a menace to the public, or has been placed on public property to a greater extent than is permitted by this Code, he shall give written notice to the holder of the permit. If the permittee fails to remove or alter the sign so as to comply with the standards set forth within ten (10) days after the notice, the sign shall be removed or altered to comply with this Code by the ~~inspector~~ department of code compliance and enforcement at the expense of the permittee.

SECTION 65. That Chapter 32 Signs, Article III. Mobile Signs, Division 1. Generally, Sec. 32-24. Location. is hereby amended to read as follows:
Sec. 32-24. Location.

(a) No unauthorized person shall erect or maintain upon any parish highway, right-of-way, servitudes, streets, public buildings or parish property any mobile sign without obtaining a resolution from the parish council authorizing such signs and obtaining all requisite permits and approval from the departments of public works and ~~inspection and code enforcement~~ building permits.

* * *

(e) Any advertising sign located on the parish highways rights-of-way, servitudes, streets and public buildings may, after due notice to the owner thereof to remove it, be removed by the department of ~~inspection and code enforcement~~ code compliance and enforcement at the expense of the owner.

* * *

SECTION 66. That Chapter 36 Traffic and Motor Vehicles, Article I, In General, Sec. 36-5. Parking, storing, driving and/or riding a motor vehicle upon servitudes, etc., prohibited. is hereby amended to read as follows:

Sec. 36-5. Parking, storing, driving and/or riding a motor vehicle upon servitudes, etc., prohibited.

* * *

(b) Any motor vehicle which is parked or stored unlawfully in violation of this section may be tagged by the department of ~~inspection and code enforcement~~ code compliance and enforcement, and such motor vehicle may be subject to the same processes as junked, wrecked and/or abandoned vehicles, in accordance with Article V, Division 3 of this chapter. Alternatively, any motor vehicle which is parked or stored unlawfully in violation of this section and is deemed to be a recurring or multiple violation (defined as more than one (1) occurrence), may be issued a violation under this section and be subject to hearing and penalties pursuant to the provisions of Chapter 2.5 of the Code of Ordinances.

* * *

SECTION 67. That Chapter 36 Traffic and Motor Vehicles, Article IV. Weight Restrictions, Sec. 36-72. Operating vehicles on levees. is hereby amended to read as follows:

Sec. 36-72. Operating vehicles on levees.

* * *

(b) *Removal by parish.* Any motor vehicle exceeding one thousand (1,000) pounds in weight found parked or stored upon the levees of the Mississippi River on the west bank of the parish shall be removed from the levee by authorized personnel of the sheriffs department and stored on parish property designated by the director of ~~inspection and code enforcement~~ code compliance and enforcement as an automobile pound.

* * *

SECTION 68. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-99. Parking areas at public buildings. is hereby amended to read as follows:

Sec. 36-99. Parking areas at public buildings.

* * *

(e) The following parish owned and/or operated buildings with parking areas for members of the public shall designate a minimum of 1 (one) parking space for veterans of the United States Armed Forces visiting the buildings: Joseph S. Yenni Building, West Bank ~~Inspection and Code Enforcement Office~~ Building Permits and Code Compliance and Enforcement Offices, West Bank Water Department Office, Alario Center, Jefferson Parish Health Unit-Marrero, parks and recreation facilities in unincorporated Jefferson, library facilities in unincorporated Jefferson, community centers operated by Jefferson Community Action Programs (JEFFCAP), and the Jefferson, Metairie, Bridge City, and

Marrero/Harvey Senior Centers. Parking spaces designated for veterans shall be identified by a sign or other designation as the department of general services deems appropriate. These specially designated parking spaces shall be used on an honor system and shall not require a military license plate, tag or other form of visible military identification.

SECTION 69. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-100. Unauthorized parking on private property. is hereby amended to read as follows:
Sec. 36-100. Unauthorized parking on private property.

* * *

(c) Abandoned, junked or derelict vehicles discarded, parked, offered for sale or lease, or left standing on private property without the consent of the owner, lessee or person in control of the property shall, at the request of the owner, lessee, person in control of the property or their agent, be removed immediately from private property by authorized personnel of the sheriff or the Jefferson Parish Department of ~~Inspection and Code Enforcement~~ code compliance and enforcement and impounded at a designated place or places to be released or disposed of pursuant to the requirements and procedures under sections 36-129 through 36-134.

* * *

SECTION 70. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-100.5. Towing or booting by owner. is hereby amended to read as follows:
Sec. 36-100.5. Towing or booting by owner.

* * *

(d) The signs required by this section shall be of sufficient number and conspicuously posted and maintained by the owner of the property in the form, manner and location prescribed by the department of ~~inspection and code enforcement~~ code compliance and enforcement and this section.

* * *

SECTION 71. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-100.6. Regulations regarding booting by private operators for unauthorized parking on private property. is hereby amended to read as follows:
Sec. 36-100.6. Regulations regarding booting by private operators for unauthorized parking on private property.

(a) No motor vehicle shall be booted on private property unless a sufficient number of signs are posted and maintained in accordance with section 36-100.5(c) and paragraph (b) of this section. In addition to any other requirements, such signs shall be yellow and shall contain such information as the director of the department of ~~inspection and code enforcement~~ code compliance and enforcement ("director") shall prescribe in such rule including, but not limited to, the word "warning," and the phrase "parking only for customers, guests (or similar appropriate wording); all others will be booted," plus the name, business telephone number of the booting service operator(s) authorized by the private property owner to boot the unauthorized vehicle, and the fee for removal of the boot. The words "warning" and the amount of the removal fee on such signs shall be in letters not less than three (3) inches high and shall be in the color red. All other lettering on such signs shall be in letters not less than one and one-half (1½) inches high and shall be in the color black.

* * *

SECTION 72. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-104. Licenses, permits and certificates, generally. is hereby amended to read as follows:
Sec. 36-104. Licenses, permits and certificates, generally.

* * *

(d) The following definitions shall govern in the use and interpretation of this division unless the context clearly indicates otherwise:

Certificate means any authorization issued by the department of ~~inspection and code enforcement~~ code compliance and enforcement, pursuant to this chapter, to a person to act as booting service vehicle attendant.

License means any authorization issued by the department of ~~inspection and code enforcement~~ code compliance and enforcement to any person or company to provide booting services in the parish.

Permit means any authorization issued by the department pursuant to this chapter for a vehicle used in the operation as a booting service vehicle.

SECTION 73. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-107. Certificates; application procedures and standards for personnel. is hereby amended to read as follows:
Sec. 36-107. Certificates; application procedures and standards for personnel.

(a) No person shall act or attempt to act as a booting vehicle attendant unless that person holds a currently valid certificate issued by the department of ~~inspection and code enforcement~~ code compliance and enforcement.

(b) Any person desiring certification as a booting vehicle attendant shall make application to the department of ~~inspection and code enforcement~~ code compliance and enforcement on forms provided by the department. The department shall determine whether the applicant meets the prescribed qualifications as set forth in this division.

* * *

SECTION 74. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-109. Inspections and investigations. is hereby amended to read as follows:
Sec. 36-109. Inspections and investigations.

(a) The department of ~~inspection and code enforcement~~ code compliance and enforcement shall make all investigations and inspections necessary to enable the enforcement of this article.

(b) These inspections may be made of any person or company providing booting services and may include all their personnel, vehicles, facilities, and communications equipment. Inspections and investigations may be made on a regular or special basis and at such times and places as the department of ~~inspection and code enforcement~~ code compliance and enforcement deem necessary.

SECTION 75. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 1. Generally, Sec. 36-110. Contract inspection. is hereby amended to read as follows:
Sec. 36-110. Contract inspection.

(a) The department of ~~inspection and code enforcement~~ code compliance and enforcement shall, upon request, be immediately furnished a copy of any booting service contract required by section 36-103.

* * *

SECTION 76. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 3. Junked, Wrecked and Abandoned Vehicles, Sec. 36-130. Status determination. is hereby amended to read as follows:
Sec. 36-130. Status determination.

(a) For the purposes of determining the status of any abandoned, inoperable, junked, or derelict vehicle the department of ~~inspection and code enforcement~~ code compliance and enforcement shall appoint inspectors, who may be any of the personnel of that department at the discretion of the director, who shall inspect any such vehicle, record the location, the type, make, color, and license registration, of the vehicle, if there be any, and shall tag, number and photograph such vehicles.

* * *

SECTION 77. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 3. Junked, Wrecked and Abandoned Vehicles, Sec. 36-131. Tagging; notice; request for hearing; emergency removal and storage. is hereby amended to read as follows:
Sec. 36-131. Tagging; notice; request for hearing; emergency removal and storage.

(a) *Tagging.* Whenever any vehicle is found to have an apparent violation or is found to be abandoned, junked, derelict, including vehicles offered for sale or lease, by the department of ~~inspection and code enforcement~~ code compliance and enforcement by reason of illegal parking or storing of such vehicle on public or private property, streets, ways, roads, or highways within the parish, or upon any canal servitude, levees or levee rights of way, public drainage servitudes, neutral grounds, medians, and/or rights of way between the paved portion of a dedicated street and the property line of the adjacent landowner within the parish, the parish through said inspectors shall immediately post a notice on the windshield of the vehicle directing the vehicle be removed from said location within twenty-four (24) hours if parked on streets, roads, highways, canal servitude, levees or levee rights of way, public drainage servitudes, neutral grounds, or medians, and within seventy-two (72) hours, exclusive of weekends and/or legal holidays, if parked

on private property and/or rights of way between the paved portion of a dedicated street and the property line of the adjacent landowner within the parish.

* * *

(c) *Emergency removal and storage.* In those circumstances where the location of vehicle or its condition presents an immediate safety concern as determined in writing by an inspector and approved by the director or regulatory officer of the department of ~~inspection and code enforcement~~ code compliance and enforcement, the department of ~~inspection and code enforcement~~ code compliance and enforcement may forego tagging and/or notice to the owner and immediately tow the vehicle. The vehicle must be stored and applicable provisions adhered to per this chapter prior to disposal of the vehicle.

SECTION 78. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 3. Junked, Wrecked and Abandoned Vehicles, Sec. 36-133. Vehicle removal and disposal. is hereby amended to read as follows:
Sec. 36-133. Vehicle removal and disposal.

(a) The department of ~~inspection and code enforcement~~ code compliance and enforcement, through its inspectors, shall remove or cause to be removed any accessible vehicle with apparent violations, or any inoperable, junked, derelict or abandoned vehicle from any public or private property, which is not enclosed in a building or so located upon the premises as not to be readily visible from any public place or surrounding property, neutral ground, street, or sidewalk following the expiration stated in section 36-131(1), or any motor vehicle parked or stored upon any canal servitude, levee or levee right-of-way, public drainage servitude, neutral ground, median, and/or right-of-way between the paved portion of a dedicated street and the property line of the adjacent landowner within the parish in violation of section 36-5(a), if the vehicle is not removed or if there is no request made for a hearing within the compliance period. The time for compliance begins on the date of the receipt of notice which is tagging of the vehicle. Said vehicles shall be destroyed or sold to defray the cost of removal.

* * *

(c) The department of ~~inspection and code enforcement~~ code compliance and enforcement is authorized to use whatever means and methods it has available at its disposal for vehicle removals, and it may proceed to have this accomplished either by its own employees or by an independent contractor.

(d) If a parish hearing is timely requested and scheduled, an order will be rendered whether the owner or his representative is present or not. The department of ~~inspection and code enforcement~~ code compliance and enforcement shall remove or cause to be removed all vehicles following the expiration provided in section 36-131(1) whether or not a hearing has been requested. All vehicles subject to a hearing by the Jefferson Parish Administrative Hearing Officer shall remain in storage pending an order of the hearing officer.

* * *

SECTION 79. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 3. Junked, Wrecked and Abandoned Vehicles, Sec. 36-134. Redemption by owner. is hereby amended to read as follows:
Sec. 36-134. Redemption by owner.

The owner of an inoperable, junked, derelict, abandoned or otherwise unlawfully parked or stored motor vehicle seized or impounded by the department of ~~inspection and code enforcement~~ code compliance and enforcement under the provisions of this chapter may redeem such vehicle at any time after its removal but prior to an order of sale or destruction thereof, upon proof of ownership and:

- (1) By paying all accrued storage and towing fees and penalties; or
- (2) By posting bond in accordance with the provisions of section 36-146(a)(2).

Such persons shall be issued a notice of hearing by the department of ~~inspection and code enforcement~~ code compliance and enforcement.

* * *

SECTION 80. That Chapter 36 Traffic and Motor Vehicles, Article V. Parking, Stopping and Standing, Division 4. Impounded Vehicles, Sec. 36-144. Sheriff to remove and impound vehicles. is hereby amended to read as follows:
Sec. 36-144. Sheriff to remove and impound vehicles.

* * *

(b) Any vehicles removed shall be impounded at a place or places designated by the sheriff as approved by the director of ~~inspection and code enforcement~~ code compliance and enforcement.

SECTION 81. That Chapter 38 Vehicles for Hire, Article I General Provisions Sec. 38-4. Assistance by departments, sheriff, and courts. is hereby amended to read as follows:

Sec. 38-4. Assistance by departments, sheriff, and courts.

(a) When so requested by PMZ code compliance and enforcement, the department of ~~inspection and code enforcement~~ building permits, the department of transit administration, and/or any other duly appointed agent(s) may collaborate to perform, on behalf of PMZ code compliance and enforcement, those duties related to the provisions of this chapter.

(b) When so requested, all officers, members, and personnel of the Jefferson Parish Sheriff's Office, first parish court, second parish court, and Twenty-Fourth Judicial District Court shall assist PMZ code compliance and enforcement and its agents in the necessary performance of duties.

SECTION 82. That Municode 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.

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

YEAS: 7 NAYS: None ABSENT: None

This ordinance was declared to be adopted on the **26th day of April, 2023**, 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 of 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**