

NOTE: A unanimous vote of members present is needed to open the off-the-floor agenda.

**JULY 13, 2023 ITEMS OFF-THE-FLOOR**

**ORDINANCE FOR INTRODUCTION**

OTF #1. Ordinance to amend the 2023 Capital Improvement Budget and Capital Assets - Amendment No. 45 Justice Center Capital Projects. (Lorino/Cooper)

OTF #2. Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 26 - Nuisances, Section 26-3 - Fires for yard debris, Paragraph (D) to include the area of Hillcrest Subdivision that is within the response area of Fire Protection District No. 8, prohibiting the burning of leaves and yard debris within those boundaries (Wards 6 & 10, District 6). (Tanner)

ADJOURN

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. OTF #1

ORDINANCE COUNCIL SERIES NO.: \_\_\_\_\_

COUNCIL SPONSOR: LORINO/COOPER

PROVIDED BY: FINANCE/FACILITIES

INTRODUCED BY:

SECONDED BY:

ON THE 13TH DAY OF JULY, 2023

ORDINANCE TO AMEND THE 2023 CAPITAL IMPROVEMENT BUDGET AND CAPITAL ASSETS - AMENDMENT NO. 45  
JUSTICE CENTER CAPITAL PROJECTS

WHEREAS, St. Tammany Parish has prepared a capital improvement budget and capital asset list in accordance with the Home Rule Charter.

WHEREAS, St. Tammany Parish has identified additional capital improvements, capital assets, and/or grant-funded improvements for Fiscal Year 2024.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the 2023 Capital Improvement Budget and Capital Assets List is amended as follows:

SECTION II: CAPITAL IMPROVEMENTS - FACILITIES

<u>Project Title</u>	<u>Amendment</u>
<b>CAPITAL PROJECTS - 206-2406 - JUSTICE CENTER COMPLEX</b>	
Justice Center Cooling Tower	\$ 74,000.00

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective upon adoption and execution.

MOVED FOR ADOPTION BY:

SECONDED BY:

WHEREUPON, THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAINING:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A MEETING OF THE PARISH COUNCIL ON THE 3RD DAY OF AUGUST, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_.

ATTEST:

KATRINA L. BUCKLEY, CLERK OF COUNCIL

JACOB "JAKE" A. AIREY, COUNCIL CHAIRMAN  
ST. TAMMANY PARISH COUNCIL

MICHAEL B. COOPER, PARISH PRESIDENT  
ST. TAMMANY PARISH GOVERNMENT

Published Introduction: \_\_\_\_\_, 2023

Published Adoption: \_\_\_\_\_, 2023

Delivered to Parish President: \_\_\_\_\_, 2023 at \_\_\_\_\_

Returned to Council Clerk: \_\_\_\_\_, 2023 at \_\_\_\_\_

ADMINISTRATIVE COMMENT  
AMENDMENT NO. 45 - 2023 CAPITAL IMPROVEMENTS - JULY 2023 OFF-THE-FLOOR

SECTION II: CAPITAL IMPROVEMENTS - FACILITIES

CAPITAL PROJECTS - 206-2406 - JUSTICE CENTER COMPLEX

Justice Center Cooling Tower

Scope: It was noted during an inspection, cooling tower #2 at the Justice Center has structural cracks that support large fan motors on top of the cooling tower. The structural cracks have caused structural integrity issues, which makes the cooling tower unsafe for operations. The following is required for repair: Remove and replace the existing stainless steel support beam, stainless steel end plates and hardware, motor sheave and bushing, fan shaft sheave and bushing, stainless steel motor mount, and belt.

Status: This repair is an immediate necessity in order to have appropriate cooling tower capacity for the Justice Center and available back up should a cooling tower fail.

Budget including work completed to date:	Current Budget	Amendment	Revised Budget
Parish Funds - 206-2406 - Justice Center Complex	-	74,000.00	74,000.00
	-	74,000.00	74,000.00

This Ordinance is presented off-the-floor due to the emergency nature of the project.

ST. TAMMANY PARISH COUNCIL  
ORDINANCE

ORDINANCE CALENDAR NO. OTF #2

ORDINANCE COUNCIL SERIES NO. \_\_\_\_\_

COUNCIL SPONSOR: MS. TANNER

PREPARED BY: COUNCIL OFFICE

INTRODUCED BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ON THE 13<sup>TH</sup> DAY OF JULY, 2023

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 26 - NUISANCES, SECTION 26-3 - FIRES FOR YARD DEBRIS, PARAGRAPH (D) TO INCLUDE THE AREA OF HILLCREST SUBDIVISION THAT IS WITHIN THE RESPONSE AREA OF FIRE PROTECTION DISTRICT NO. 8, PROHIBITING THE BURNING OF LEAVES AND YARD DEBRIS WITHIN THOSE BOUNDARIES (WARDS 6 & 10, DISTRICT 6).

WHEREAS, Fire Protect District No. 8 has received a vastly increased amount of calls in the Hillcrest Subdivision located within Council District 6 as depicted on the attached exhibit A regarding burning of debris; and

WHEREAS, these calls have ranged from large piles of unattended burning debris to the spreading of fires from the piles of burning debris to adjacent properties leading to the threatened burning of structures; and

WHEREAS, in densely populated and developed areas of the Parish, the potential risk of fires caused by airborne embers from burning yard debris and the spreading of those fires present a danger to life and property; and

WHEREAS, pursuant to the provisions of La. R.S. 30:2057(C)(3) and La. R.S. 33:1236(31), St. Tammany Parish is authorized to enact ordinances to prohibit or otherwise regulate the burning of leaves and yard debris.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Chapter 26 - Nuisances, Section 26.3 - Fires for yard debris, Paragraph (D), is hereby amended and reenacted to provide as follows:

**Sec. 26-3. - Fires for yard debris.**

(a) Except as provided in subsection (d) of this section, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber shall not be a violation of this chapter, provided that:

- (1) The fire area shall not be greater than eight feet in diameter;
- (2) The height of burning materials shall not be greater than four feet;
- (3) Burning shall only occur between sunrise and one hour before sunset;
- (4) The fire site shall not be unattended;
- (5) A functional water hose shall be located next to the fire site;
- (6) The fire site shall be located at least ten feet from the nearest property line;
- (7) There shall be no more than one fire site per homesite or parcel of land;
- (8) The fire site shall be located at least 50 feet from any structure, if nearer than 50 feet from a structure, a container must be used;
- (9) The fire shall not emit dense smoke, noxious fumes, gas, soot or cinders in unreasonable quantities so as to violate section 26-1.

A violation of any of the above restrictions may result in the fire site being considered a nuisance under this chapter.

- (b) The restrictions listed in subsection (a) of this section that are set forth in subsections (a)(1) through (8) of this section shall not apply in the event that the controlled fire or open burning of leaves and yard debris, as stated herein, is located a distance of 1,000 feet or more from the nearest dwelling. However, such controlled fire or open burning of leaves shall not present a fire hazard and, as provided in subsection (a)(9) of this section, shall not

emit dense smoke, noxious fumes, gas, soot or cinders in unreasonable quantities so as to violate section 26-1.

(c) The provisions of this section are not intended nor shall they lessen the responsibility of all persons to abide by other ordinances of this parish, and laws of this state governing the matters herein addressed.

(d) Prohibited:

(1) Notwithstanding the provisions of subsection (a) of this section, the provisions of section 14-26 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber in the following areas is strictly prohibited to-wit:

a. Those areas of Council District 4 that are located east of the Tchefuncte River. Accordingly, and for clarification, those areas of Council District 4 situated west of the Tchefuncte River, which areas are currently within the boundaries of voting precincts MD1 and 102, are not included within the prohibition.

b. The area bounded on the north by Interstate 12, on the south by the north bank of Ponchitolawa Creek, on the west by the eastern bank of the Tchefuncte River and on the east by the western right-of-way of U.S. Highway 190, which area was formerly within the boundaries of Council District 4 and comprises the area within the current boundaries of voting precinct 306.

c. Those areas of Hillcrest Subdivision that are within the response area of Fire Protection District No. 8, more geographically defined as Hillcrest Boulevard and all areas to the west of Hillcrest Boulevard within the Hillcrest Subdivision.

(2) Notwithstanding the provisions of subsection (a) of this section, the provisions of section 14-26 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber on any lot or parcel of land less than 12,600 square feet in size within any parish approved subdivision is strictly prohibited.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall be effective upon adoption and signature of the Council Chairman and Parish President.

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

MOVED FOR ADOPTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3<sup>RD</sup> DAY OF AUGUST, 2023, AND BECOMES ORDINANCE COUNCIL SERIES NO.\_\_\_\_.

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JACOB “JAKE” A. AIREY, COUNCIL CHAIR

ATTEST:

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KATRINA L. BUCKLEY, COUNCIL CLERK

\_\_\_\_\_  
MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: \_\_\_\_\_, 2023  
Published Adoption: \_\_\_\_\_, 2023  
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Returned to Council Clerk: \_\_\_\_\_, 2023 at\_\_\_\_\_

