

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5200

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. BELLISARIO

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 5 DAY OF JUNE, 2014

ORDINANCE TO AMEND THE CODE OF ORDINANCES
APPENDIX C, UNIFIED DEVELOPMENT CODE, ARTICLE 2,
DEFINITIONS, RELATIVE TO COMMUNITY HOME

WHEREAS, St. Tammany Parish has adopted a Unified Development Code as Appendix C to the Code of Ordinances; and

WHEREAS, included in said Appendix is a list of definitions to be used in the interpretation of said Code; and

WHEREAS, the term Community Home needs to be amended to conform with federal law to also include the definition of a Shelter Care Home as per Title 48, Chapter 88, of the State of Louisiana Administrative Code.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Code of Ordinances, Appendix C, Unified Development Code, Article 2, Definitions, is hereby amended to read as follows:

Community Home:

Residential living options that are certified, licensed, or monitored by the Louisiana Department of Health and Human Resources ("DHHR") to provide residential services to six or fewer persons who are disabled (see Disabled Person). Community homes that provide for six or fewer persons who are mentally retarded or developmentally disabled shall have twenty-four hour supervision including at least one but not more than two twenty-four hour attendants. Such a residential facility shall be considered a single family unit. Notwithstanding the foregoing, in accordance with federal law, the definition (including the interpretation and application) of the term "Community Home" in the Unified Development Code shall also include the definition of "Shelter Care Home" as per Title 48, Chapter 88, of the State of Louisiana Administrative Code (in current form and as hereafter amended), but in no event shall said "Community Home" have more than ten (10) residents under any circumstances (or such lesser amount as allowed by the DHHR license).

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

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

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 10 DAY OF JULY , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: May 29 , 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

ADMINISTRATIVE COMMENT

The proposed amendment to the definition would allow a Shelter Care Home (duly licensed by the Louisiana Department of Health and Human Resources “DHHR”) to exist via an Administrative Permit “through” the Community Home definition as found in the Unified Development Code.