

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3911 ORDINANCE COUNCIL SERIES NO. 08-
COUNCIL SPONSOR MR. BINDER PROVIDED BY COUNCIL OFFICE
INTRODUCED BY MR. BELLISARIO SECONDED BY MR. BURKHALTER
ON THE 7TH DAY OF AUGUST, 2008

ORDINANCE TO AMEND PARISH CODE OF ORDINANCES, CHAPTER 2, ARTICLE III PARISH COUNCIL, SECTION 2-031.05 AGENDA FORMAT, TO MAKE CHANGES CONSISTENT WITH NEWLY ENACTED STATE LAW, AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, by enactment of Act 131 in the regular session of the 2008 Louisiana State Legislature, certain state laws were amended pertaining to voting requirements for governing authorities to consider matters brought before them in addition to items contained within published meeting agendas; and

WHEREAS, it is necessary to amend the Parish Code of Ordinances in order to be consistent with the new provisions of state law, and for other related matters.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS, in regular session convened, that it amends the Parish Code of Ordinances, Chapter 2, Article III, Section 2-031.05 as follows, to wit:

SEC. 2-031.05 Agenda Format

- A. Call to Order, Invocation, Pledge of Allegiance, and Roll Call.
- B. Presentations
- ~~C.B.~~ Consent Calendar:
 - 1. The Minutes of the previous month's Meetings.
 - a. Waiving of the reading of the minutes, adoption as presented and authorization to publish in the Official Journal.
 - 2. Ordinances for Introduction.
 - a. Ordinances for Introduction shall be introduced by title only, sponsored by a Council Member Juror, shall not require public reading, and be presented in full written form when considered at Committee Meetings.
 - 3. Resolutions (except those of appointments).
 - a. Resolutions shall be sponsored by a Council Member Juror and shall not require public reading.
 - 4. Licenses and Permit Applications.
 - a. Granting of licenses and permits subject to Sheriff's Office approval if applicable, and meeting all Parish requirements.
 - 5. Any item may be removed from the Consent Calendar for individual consideration

prior to the adoption of the Consent Calendar. All items shall be removed together by one motion. Any items not removed shall be introduced/adopted on consent by one motion and vote.

~~D.C.~~ The remaining Order of business shall be taken as follows:

1. Appearers.

- (1) All meetings of the Parish Council are open to the general public. Any person wishing to speak relative to an item on the agenda shall be allowed to do so upon consideration of that matter. A two (2) minute time limitation is established for each person wishing to speak for/against an item on the agenda.
- ~~(2) Appearers must be on the published Agenda which shall state the purpose for which they are appearing; said purpose shall not relate to an item previously listed on the Agenda. (Ord. No. 94-2066, adopted 04/15/94).~~
- (2) Appearers wishing to discuss items not listed on a meeting agenda shall be considered upon receiving a unanimous vote of council members present, ~~ten (10) affirmative votes of the Council~~. A three (3) minute time limitation is established for items not on the agenda.
- (3) The Council Chairman shall have the option of extending time limitations on issues when deemed necessary.

E.D. Appeals of Decisions of the Planning/Zoning Commission.

- (1) Appearers involved in the appeal process shall be allowed five (5) minutes per side (for/against), with a ~~two~~ three (2) minute rebuttal per side. Large groups shall be required to select one or more specific individuals to share the total time allocation.

F.E. Ordinances for Adoption and Public Hearing.

1. All Ordinances for adoption at the Meeting must be on the Agenda, unless qualifying as an emergency under Section 2-14 of the Home Rule Charter, ~~suspended by ten (10) [affirmative] votes of the Jury~~.
 - a. The Chairman ~~President~~ shall read the Title of each Ordinance prior to consideration.
 - b. Ordinances adopted shall state the members voting vote, members absent, and the vote cast by each [member].

G.F. Resolution of Nominations/Appointments.

1. Appointments to parish-wide boards and commissions ~~Parish-wide nominations/appointments~~ must lay over after nomination until the following council meeting for a period of ~~thirty (30) days~~, unless the rule is suspended by ten (10) votes of the Council ~~Jury~~.
2. Individual District nominations/appointments shall not require a lay over period.

H.G. ~~Requests for proposals, authorization to bid, and Award of bids.~~

~~I.H. Matters for Discussion.~~

J.H. Off-The-Floor Agenda Supplemental Agenda

a. Deadline - 10:00 a.m. on the Wednesday prior to the regular Council Thursday of the Regular Police Jury meeting shall be established as the deadline for the Off-The-Floor Supplemental Agenda.

b. Format - Items will be placed on the Off-The-Floor Agenda in the order in which they are received in final form, and must each include an administrative comment stating the reasons for their placement on the agenda consistent with the following requirements:

1. Involving an issue of public health, safety and welfare; or
2. Of a time sensitive nature; or
3. Of an emergency nature.

c. Sponsor - All items Off-The-Floor must be sponsored by a council member who has been fully apprised of the subject matter of the item.

~~The format established for the supplemental Agenda shall be the format used for the regular agenda.~~

d. Procedure - Following the hearing of matters on the regular agenda, the Council may open the Off-The-Floor agenda upon the unanimous vote of council members present. The title of each item shall be read by the Chairman prior to consideration.

K.F. Other Matters

a. Items received after agenda deadlines may be individually considered at the end of the meeting upon a unanimous vote of council members present taken on each item after the sponsoring council member having read the title of the item and provided a description of the matter and the necessity for it being presented ~~ten (10) votes of the Jury.~~

b. Ordinances presented by a council member at the end of the meeting must be in writing and in the form required for final adoption pursuant to Home Rule Charter Section 2-12.

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 immediately upon final adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

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THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. 08-

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: _____, 2008
Published adoption on: _____, 2008

Delivered to Parish President: _____, 2008 @ _____
Returned to Council Clerk: _____, 2008 @ _____

Administrative Comment

Parish Council Office

Item #5 Off-The -Floor

Act 131 of the 2008 Louisiana State Legislature makes changes to voting requirements for governing authorities. The new law becomes effective August 15, 2008. Therefore, it is necessary to amend the Parish Code of Ordinances to be consistent with state law in time for the September council meeting. An ordinance is required so this item is time sensitive.