



St. Charles Parish

Supplemental Agenda

St. Charles Parish Courthouse
15045 Highway 18
P.O. Box 302
Hahnville, LA 70057
985-783-5000
www.stcharlesparish-la.gov

Parish Council

Council Chairman Julia Fisher-Perrier
Councilmembers Wendy Benedetto, Paul J. Hogan,
Terrell D. Wilson, Mary K. Clulee, Dick Gibbs,
William Billy Woodruff, Marilyn B. Bellock, Traci A. Fletcher

Monday, December 2, 2019

6:00 PM

Council Chambers, Courthouse

Final

ORDINANCES SCHEDULED FOR PUBLIC HEARING (INTRODUCED AT PREVIOUS MEETING)

S* 1 2019-0367 An ordinance to approve and authorize the execution of an Act of Revocation to revoke and abandon a certain portion of property at 428 Wade Street in Luling, Louisiana.

Sponsors: Ms. Fisher-Perrier

Revised Version (Regular Agenda - Page 106)

Legislative History

11/18/19	Council Member(s)	Introduced
11/18/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

S* 2 2019-0368 An ordinance to amend the St. Charles Parish Code of Ordinances, by revising Chapter 13, Licenses, Taxation and Miscellaneous Business Regulations, Article IX., Clean Indoor Air, Sec. 13-653. Definitions., and to add Section 13-658. - Section 13-661. for Restrictions on smoking in a business establishment known as a bar and/or gambling facility.

Sponsors: Ms. Clulee

Revised Version (Regular Agenda - Page 115)

Legislative History

11/18/19	Council Member(s)	Introduced
11/18/19	Parish Council	Publish/Scheduled for Public Hearing to the Parish Council

Accommodations for Disabled

St. Charles Parish will upon request and with three (3) days advanced notice provide reasonable accommodation to any disabled individual wishing to attend the meeting. Anyone requiring reasonable accommodation is requested to contact the Office of the Council Secretary at (985) 783-5000 to discuss the particular accommodations needed.

REVISED VERSION

2019-0367

**INTRODUCED BY: WENDY BENEDETTO, COUNCILWOMAN-AT-LARGE, DIVISION A
ORDINANCE NO. _____**

An ordinance to approve and authorize the execution of
an Act of Revocation to revoke and abandon a certain
portion of property at 428 Wade Street in Luling,
Louisiana.

WHEREAS, on August 16, 1988 the St. Charles Parish Council adopted Ordinance
No. 88-8-12 accepting an Act of Donation by Kathleen Glisan Fisher, et al
of certain property located adjacent to the Wade Street Extension, Luling,
Louisiana; and,

WHEREAS, it has been determined that there is no longer a public need for said
property.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the certain property located adjacent to the Wade Street
Extension, Luling, Louisiana, which was dedicated to the Parish by Ordinance
No. 88-8-12 adopted on August 16, 1988 and recorded at COB 394, folio 651,
Entry No. 138644 in the official records of St. Charles Parish is hereby revoked and
abandoned.

SECTION II. That the Parish President is hereby authorized to execute the
Act of Revocation in favor of the adjacent property owner.

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

And the ordinance was declared adopted this _____ day of _____, 2019,
to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____

2019-0368

**INTRODUCED BY: MARY CLULEE, COUNCILWOMAN, DISTRICT II
ORDINANCE NO.**

An ordinance to amend the St. Charles Parish Code of Ordinances, by revising Chapter 13, Licenses, Taxation and Miscellaneous Business Regulations, Article IX., Clean Indoor Air, Sec. 13-653. Definitions., and to add Section 13-658. – Section 13-661. for Restrictions on smoking in a business establishment known as a bar and/or gaming facility.

WHEREAS, the Parish Council may enact any ordinance necessary, requisite or proper to promote, protect, and preserve the general welfare, safety, health, peace and good order of St. Charles Parish.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the St. Charles Parish Code of Ordinances, Chapter 13, Licenses, Taxation and Miscellaneous Business Regulations, Article IX. Clean Indoor Air, Section 13-653. Definitions. be hereby amended with new text underlined and deleted text in ~~striketrough~~:

Sec. 13-653. Definitions.

Bar means, an area which is devoted to the selling and serving of alcoholic beverages for consumption by patrons on the premises and in which the serving of food, if served at all, is only incidental to the consumption of such beverages. Although a bar may be contained within a larger restaurant, the term "bar" shall not include the dining area of such restaurant, even when the dining area is directly adjacent to or surrounds the bar area.

Gaming facility means any institution in which gaming operations are permitted to occur for the operation of electronic video draw poker devices, or at a wagering facility or off-track wagering facility.

Private club means an organization, whether incorporated or not, which is the owner, lessee, or occupant of a building or portion thereof used exclusively for club purposes at all times, which is operated solely for a recreational, fraternal, social, patriotic, political, benevolent, or athletic purpose, but not for pecuniary gain, and which only sells alcoholic beverages incidental to its operation. The affairs and management of the organization are conducted by a board of directors, executive committee, or similar body chosen by the members at an annual meeting. The organization has established bylaws and/or a constitution to govern its activities.

(g) Smoking material means any smoking equipment in any form, including a cigar, cigarette, pipe, electronic smoking device, weed, or plant.

SECTION II. That the St. Charles Parish Code of Ordinances, Chapter 13, Licenses, Taxation and Miscellaneous Business Regulations, Article IX. Clean Indoor Air, Section 13-658. – Section 13-661. Restrictions on smoking in a business establishment known as a bar and/or gaming facility., Exemptions., Violations and penalties., and Enforcement., be hereby added with new text underlined and deleted text in ~~striketrough~~:

Sec. 13-658. Restrictions on smoking in a business establishment known as a bar and/or gaming facility.

(a) Smoking Prohibited: The possession of lighted smoking materials is prohibited in all portions of a business establishment known as a bar and/or gaming facility.

(b) Responsibilities of Proprietors:

(1) Signs. The proprietor of each bar or gaming facility shall conspicuously post no-smoking signs clearly indicating that smoking is prohibited.

(2) Ashtrays: The proprietor of each bar or gaming facility shall remove all ashtrays, except the proprietor may place an ashtray by each entrance.

Sec. 13-659. Exemptions.

The following are exempt from and shall not be subject to the smoking restrictions contained in these regulations:

(1) Private Clubs

Sec. 13-660 Violations and penalties.

- (a) It shall be unlawful for any proprietor to fail to comply with any of the provisions of this article.
- (b) It shall be unlawful for any individual to smoke in any area restricted by this article.
- (c) Any person who violates any provision of this article is guilty of a misdemeanor.

Sec. 13-661 Enforcement.

- a) The sheriff's office shall enforce the provisions of this article.

Sec. 13-662 – 13-670. Reserved.

SECTION III. That the foregoing provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the Parish of St. Charles as an addition or amendment thereto, and the provisions shall be appropriately renumbered to conform to the uniform numbering system of the Code.

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

And the ordinance was declared adopted this _____ day of _____, 2019
The provisions of this ordinance shall become effective March 1, 2020.

2019-0368 Revised amend Chapter 13 clean indoor air act (00000004)

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____