

PUBLIC HEARING OF THE TANGIPAHOA PARISH COUNCIL ON FEBRUARY 26, 2024, AT 5:30 P.M. AT THE TANGIPAHOA PARISH GORDON A BURGESS GOVERNMENTAL BUILDING, 206 EAST MULBERRY STREET, AMITE, LOUISIANA Mr. Vial made it known a public hearing was being held on the following:

T.P. Ordinance 24-03 – no one from the public asked to speak on this matter

**MINUTES OF THE TANGIPAHOA PARISH COUNCIL  
FEBRUARY 26, 2024 MEETING**

The Tangipahoa Parish Council met on the 26<sup>th</sup> day of February 2024 in Regular Session and was called to order by Mr. David Vial, Chairman following the public hearing at 5:30pm. The Chair asked that all cell phones be muted or turned off.

The Invocation was given by Councilwoman Hyde and the Pledge of Allegiance was led by Councilman Ingraffia.

The following members were PRESENT: Darrell Sinagra, John Ingraffia, Louis Joseph, Joseph Havis, Joey Mayeaux, Lionell Wells, David Vial, Brigitte Hyde, Strader Cieutat ABSENT: Buddy Ridgel

**ADOPTION OF MINUTES** Motion by Mrs. Hyde, seconded by Mr. Wells to adopt the minutes of the regular meeting dated February 12, 2024. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

**PUBLIC INPUT** – No one from the public asked to speak.

**PARISH PRESIDENT’S REPORT**

1. **FINANCIAL REPORT** – Mr. Miller made it known monthly financial reports were emailed to the council.

The Chair noted the language on Item 2 needed to be corrected therefore amending the agenda was required.

Motion by Mr. Joseph, seconded by Mr. Ingraffia to amend the agenda to read Item #2 for Approval of Request for Proposal. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

2. **APPROVAL OF REQUEST FOR PROPOSALS** – Motion by Mrs. Hyde, seconded by Mr. Joseph to approve the request for proposal by DRC for Debris Removal and Disposal Services. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

3. **APPROVAL TO SEEK BIDS** – Motion by Mr. Joseph, seconded by Mr. Wells to approve to seek bids for (1) Tilting Floor Kettle for the Jail Kitchen. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

4. **APPROVAL TO SEEK BIDS** – Motion by Mr. Joseph, seconded by Mr. Sinagra to approve to seek bids for (2) Convection Ovens B-Series for the Jail Kitchen. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

5. **APPROVAL OF BID** – Motion by Mr. Joseph, seconded by Mr. Mayeaux to approve the bid by Environmental Specialties International, Inc. in the amount of \$1,273,375.00 for Installation of Geosynthetic Materials part of construction of Cell 16 at Landfill. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

**REGULAR BUSINESS**

**ADOPTION OF ORDINANCE**

6. **ADOPTION of T.P. Ordinance No. 24-03** - An Ordinance amending and enacting Chapter 26-Licenses and Miscellaneous Business Regulations, Article IX-Halfway Houses, Addictive Disorder Treatment Facilities, Juvenile Detention Facilities and Live-In Mental Health Facilities - The following ordinance which was previously introduced in written form required for adoption at a regular meeting of the Tangipahoa Parish Council on February 12, 2024, a summary thereof having been published in the Official Journal together with a notice of public hearing, which was held in accordance with said public notice, was brought up for final passage on February 26, 2024. Motion by Mr. Joseph, seconded by Mr. Mayeaux to adopt T.P. Ordinance No. 24-03 as follows: Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

T. P. Ordinance No. 24-03

AN ORDINANCE AMENDING AND ENACTING CHAPTER 26-LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS, ARTICLE IX-HALFWAY HOUSES, ADDICTIVE DISORDER TREATMENT FACILITIES, JUVENILE DETENTION FACILITIES AND LIVE-IN MENTAL HEALTH FACILITIES  
Chapter 26 LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS  
**ARTICLE IX. HALFWAY HOUSES, ADDICTIVE DISORDER TREATMENT FACILITIES, JUVENILE DETENTION FACILITIES, ~~AND~~ LIVE-IN MENTAL HEALTH FACILITIES, SOBER-LIVING HOMES, AND HOMELESS SHELTERS**

Sec. 26-298. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Addictive disorder treatment facility* **Substance abuse treatment facility** means a residential type facility or institution to rehabilitate persons diagnosed as being addicted to and being treated for the compulsive use of habit-forming drugs, specifically including, but not limited to, alcohol, narcotic drugs, prescription medication and/or illegal drugs. **Also known as Rehab/Detox/Treatment Centers. Persons could be transferred from a hospital.**  
**Emergency Shelter** means a facility opened temporarily that is granted operation as part of specific circumstances like extreme weather or disaster management scenarios. This facility shall only be opened with the direction from Tangipahoa Parish Emergency Operations Center, the Parish President, and/or City Mayor’s. This use is exempt from Article IX.

*Halfway house/Restitution Center* means a residential type facility or institution designed to offer rehabilitation services (or not) that is offered for persons who have left a hospital or prison. Where one or more persons are provided with care, meals, and lodging. Persons could be admitted from a hospital or prison.

*Homeless Shelter* means a facility that provides temporary housing for homeless individuals and/or families, with or without charge, and with or without meals. This facility could offer bedding in a shared space or individual rooms. Not to be considered an emergency shelter. Homeless individuals include indigent, needy, or transit individuals but it is not limited to.

*Juvenile detention facility* means a residential type facility or institution to rehabilitate young persons less than 18 years of age, who have committed crimes and/or who have been diagnosed as being addicted to and being treated for the compulsive use of habit-forming drugs, specifically including, but not limited to, alcohol, narcotic drugs, prescription medication and/or illegal drugs.

*Live-in mental health facility* means a residential type facility or institution designed to rehabilitate persons who have left a mental health hospital or who are undergoing continued mental health treatment and require a structured residential facility outside of their normal family structure.

*Transition House* means a facility for children up to the age 18 or that are still in school that are transitioning from foster care or placed by DCFS. The children could stay until permanent housing is provided. The care shall not exceed five to eight children. Lodging, meals, education, and any additional support are provided. 24-hour care and supervision must be provided and must meet all State and Federal regulations. This use shall be approved by the TRC (Technical Review Committee) and this use is exempt from Article IX.

*Sober Living Home* means a residential facility designed specifically to house individuals who are diagnosed with an addictive disorder and are in recovery. This facility is to maintain a sober and drug free lifestyle after completing rehab or detox.

Sec. 26-299. Parish approval permit.

In addition to meeting the requirements of state and federal laws and regulations and to better ensure that these requirements are met, prior to the commencing of the operation of any type of halfway house, addictive disorder treatment facility, juvenile detention facility, ~~and/or~~ live-in mental health facility, homeless shelter, sober living home, in the parish, each such facility must first request and obtain an approval permit from the parish council-president government. In order to obtain this approval permit, the owner and/or operator of the facility must send a written request for an approval permit to operate the facility to the parish council through its clerk at P.O. Box 215, Amite, Louisiana 70422, and therein shall set forth the location of the proposed facility and include therein both its street address and property description, its mailing address and telephone number, a written statement outlining the nature of the proposed facility, the number of persons that the facility is seeking an approval permit to house, a written description as to how the facility will address its occupants' health care needs, detailed architectural plans for the building structure to be utilized in connection with the operations of the facility and a certification that all requirements of federal, state and parish governmental regulations have been or will be fully and completely complied with. As to any regulation to be complied with at a later date, a time table for full compliance shall also be included. This request for an approval permit shall also include a copy of all necessary federal and state licenses and/or permits and/or approvals, along with a certification that the facility is fully handicapped accessible and complies with all requirements of the state fire marshal's office. Thereafter the request/application shall be received reviewed by the clerk of the parish council and presented to the TRC (Technical Review Committee) to determine if the requested information is acceptable, has been provided. Thereafter, if the clerk of the parish council believes that the information has been provided, The TRC will notify the clerk once the request has been reviewed and accepted. The clerk shall put together a packet of the materials provided by the applicant and shall forward a copy of this packet each councilmember, then place this approval permit-request on the next agenda of the parish council for initial review. Thereafter, if the approval permit request appears to be in order, the parish council shall set a public hearing date as set forth in this article and direct the subsequent drafting of an ordinance to grant the requested approval permit.

Sec. 26-300. Requirements.

(a) Facilities requesting approval requiring a permit under this article shall provide supervisory personnel on a 24-hour basis. These supervisory personnel shall consist of one live-in/full-time supervisor for a facility housing one to 20 persons; two live-in/full-time supervisors for a facility housing 21 to 40 persons; three live-in/full-time supervisors for a facility housing 41 to 60 persons; and one additional supervisor who lives at the facility and works there as his full-time occupation for each additional person, up to 20 persons housed at the facility after 60. All such supervisors shall have clean criminal records. No supervisor shall have ever been convicted of a felony grade offense in any jurisdiction. An average of one or more full-time live-in staff person/supervisor shall be on staff for each 20 persons housed at the facility.

(b) Facilities requesting approval requiring a permit under this article shall provide its residents, patients and/or occupants with regular access to health care providers.

(c) Facilities requesting approval requiring a permit under this article shall be fully handicapped accessible and shall comply with all federal and state requirements for equal access to the handicapped.

(d) Facilities requesting approval requiring a permit under this article shall be inspected and approved by the state fire marshal prior to opening and on a regular basis thereafter.

(e) Facilities requesting approval requiring a permit under this article shall be maintained in a clean and sanitary condition and shall be inspected and approved by the parish sanitarian or an assistant sanitarian as the representative of the state department of health and hospitals, department of public health, prior to opening and on a regular basis thereafter.

~~(f) No facility requesting approval requiring a permit under this article shall be constructed in a federally designated flood zone without first obtaining the approval of the United States Corps of Engineers.~~

~~(g)~~(f) The owner and any operator of a facility requesting approval requiring a permit under this article shall at all times maintain general liability insurance coverage with an insurance company licensed to do and doing business within the state in the minimum amount of \$1,000,000.00 per incident and \$5,000,000.00 in aggregate coverage.

~~(h)~~(g) The owner and any operator of a facility requesting approval requiring a permit under this article having facilities capable of housing 20 or more persons under his care must provide a security fence around the facility. This fence shall consist of chain-link construction at least eight feet in height, shall be completely lighted and shall have a open security zone of 100 feet on each side of the fencing. No shrubs, trees, obstructions or impediments to vision shall be located within this security zone. Lighting for the security fence and the security zone must be provided from dusk until dawn.

~~(i)~~(h) The owner and any operator of a facility requesting approval requiring a permit under this article having facilities capable of housing 20 or more persons under his care shall provide 24-hour security guard services for the facility.

~~(j)~~(i) If the facility houses any persons convicted of sex offenses or violent crimes such as murder, attempted murder, manslaughter or armed robbery, a sign shall be posted at each entrance to the facility on at least a four-foot by six-foot surface with four-inch lettering so as to notify and inform the public of this fact. This signage shall be in addition to any other signage required under state or federal law.

~~(k)~~(j) The owner and any operator of a facility requesting approval requiring a permit under this article shall maintain his facility in such a manner as to curtail any criminal activity by the persons housed at the facility.

~~(l)~~(k) The owner and any operator of a facility requesting approval requiring a permit under this article shall construct the physical structures housing its occupants in the center of the property where it is located.

Sec. 26-301. Issuance of approval and permit.

(a) Prior to the issuance of a approval and permit permit hereunder, the parish council shall first set a public hearing and in connection therewith publish a notice of the public hearing in its official journal. This public notice shall include the municipal address of the proposed facility, the voting district of the proposed facility and the date and time of the hearing. Permits as required herein shall be issued only after a public hearing and thereafter the introduction and passage of an ordinance of the parish council-president government at which there will be a second public hearing.

(b) Permits issued pursuant to this article shall be for a period of five years. Within six months of the permit's expiration, a permit renewal must be sought by the owner of any facility operating under a permit issued pursuant to this article. The process for this renewal of the permit shall be the same as the original permit.

(c) Any permits previously issued pursuant to this article are hereby declared to be for a period of five years from the date of issuance.

Sec. 26-302. Prohibition against treatment of sexual disorders.

(a) No facility operating under this article shall be engaged in the treatment of deviant sexual disorders.

(b) No persons having been diagnosed with a deviant sexual disorder or having been designated as a sex offender and required to register as a convicted sex offender under state law shall receive treatment at an addictive disorder treatment facility licensed under this article.

(c) It is the intention of the parish government to prohibit any inpatient treatment facility within the rural and unincorporated areas of the parish from treating or housing persons diagnosed with deviant sexual disorders or convicted as sex offenders.

Sec. 26-303. Grounds for revocation of approval and/or permit.

(a) Any facility operating with a permit or approval issued pursuant to this article that fails to meet the requirements of this article shall have its permit or approval revoked by the parish council-president government by an ordinance duly passed by the parish council-president government and provided that, before the introduction of any such ordinance to revoke a permit or approval issued pursuant to this article, there shall first be a duly noticed hearing on this issue. The holder of the permit or approval shall be provided with notice of this hearing at least ten days in advance of the hearing and this notice shall clearly state therein the requirements of this article that are alleged to have been breached by or at the facility. The permit or approval holder and the parish council-president government shall each present sworn testimony and documents at this hearing in support of that party's position. This hearing shall be open to the public.

(b) If any occupant of the facility is convicted of a criminal offense or there is evidence that criminal activity has resulted and this criminal conduct or criminal activity has resulted due to a breach of the permit holder's duties and responsibilities as provided in this article, then the facility is subject to have its permit revoked as outlined in this section.

Sec. 26-304. Penalty.

In addition to civil sanctions as provided by law any person, corporation, company, partnership or entity, who owns or operates a facility required to be permitted pursuant to this article shall be guilty of a separate criminal offense for each day of operation and shall be subject to punishment as provided for in section 1-13.

Secs. 26-305—26-326. Reserved.

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President. This ordinance, having been submitted in writing, having been introduced at a public meeting of the Tangipahoa Parish Council, discussed at a public hearing of said council and was submitted to an official vote of the Tangipahoa Parish Council.

#### INTRODUCTION OF ORDINANCES

7. INTRODUCTION of T.P. Ordinance No. 24-04 - An Ordinance to abandon the dedication of a Public Roadway encompassing 1.505 acres more or less, situated in Section 5, Township 7 South, Range 8 East, located in District 8, Tangipahoa Parish, State of Louisiana – Motion by Mr. Joseph, seconded by Mr. Sinagra to introduce T.P. Ordinance No. 24-04 and set public hearing for Monday, March 11, 2024, at 5:30pm for the purpose of receiving input on the adoption thereof. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel
8. INTRODUCTION of T.P. Ordinance No. 24-05 - An Ordinance to place a Maximum 90 day Moratorium on the consideration and/or approval of all Developments on Construction and Demolition Debris sites within Tangipahoa Parish  
Jeremy Anthony, 11210 Hwy 40 West, Independence spoke opposing the proposed Construction & Debris site on Highway 40  
Motion by Mr. Havis, seconded by Mr. Joseph to introduce T.P. Ordinance No. 24-05 and set public hearing for Monday, March 11, 2024, at 5:30pm for the purpose of receiving input on the adoption thereof. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

#### BOARD APPOINTMENT

9. RECREATION DISTRICT NO. 39A (INDEPENDENCE) – Motion by Mr. Havis, seconded by Mr. Joseph to approve new appointment Joe V. Giacone, 1st term, expires April 2029, District 4 to the Recreation District No. 39A (Independence) Board. Roll call vote as follows: YEA: Mr. Sinagra, Mr. Ingraffia, Mr. Joseph, Mr. Havis, Mr. Mayeaux, Mr. Wells, Mr. Vial, Mrs. Hyde, Mrs. Cieutat ABSENT: Mr. Ridgel

**BEER, WINE, AND LIQUOR PERMITS** - None

**LEGAL MATTERS** - None

#### **COUNCILMEN'S PRIVILEGES**

Mrs. Cieutat thanked the council, administration and the council clerk for all the help provided with being newly elected.

Mr. Joseph thanked everyone for their thoughts and prayers for his wife while she was sick and asked for prayer for Mr. Buddy's wife as she is recovering from pneumonia.

#### **ADJOURN**

With no further discussion, Motion by Mr. Wells to adjourn the meeting. No opposition.

S/Jill DeSouge, Council Clerk  
Tangipahoa Parish Council

S/David P. Vial, Chairman  
Tangipahoa Parish Council