

Tangipahoa Parish Council
Tangipahoa Parish Gordon A Burgess Governmental Building
206 East Mulberry Street, Amite, LA 70422
Regular Meeting Immediately Following Public Hearing
February 26, 2024

PUBLIC NOTICE Is Hereby Given That The Tangipahoa Parish Council Will Meet In Regular Session on Monday, February 26, 2024 Immediately Following the Public Hearing at 5:30 PM at the Tangipahoa Parish Gordon A Burgess Governmental Building, 206 East Mulberry Street, Amite, Louisiana, contact number (985)748-3211 on the following:

PUBLIC HEARING

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

CALL TO ORDER

CELL PHONES - Please Mute or Turn Off

INVOCATION

PLEDGE OF ALLEGIANCE (All Veterans and active military, please render the proper salute) Mr. Ingraffia

ROLL CALL

ADOPTION OF MINUTES regular meeting dated February 12, 2024

PUBLIC INPUT - Anyone Wishing to Address Agenda Items Which Were Not on Public Hearing

PARISH PRESIDENT'S REPORT

1. FINANCIAL REPORT
2. APPROVAL TO SEEK PROPOSALS for Debris Removal and Disposal Services
3. APPROVAL TO SEEK BIDS for (1) Tilting Floor Kettle for the Jail Kitchen
4. APPROVAL TO SEEK BIDS for (2) Convection Ovens B-Series for the Jail Kitchen
5. APPROVAL OF BID for Installation of Geosynthetic Materials part of construction of Cell 16 at Landfill

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

INTRODUCTION OF ORDINANCES

PUBLIC HEARING on Introduced Ordinance: Monday, March 11, 2024, at 5:30 pm

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
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

BOARD APPOINTMENT

9. RECREATION DISTRICT NO. 39A (INDEPENDENCE) Approve New Appointment Joe V. Giacone, 1st term, expires April 2029, District 4

BEER, WINE, AND LIQUOR PERMITS

LEGAL MATTERS

COUNCILMEN'S PRIVILEGES

ADJOURN

Jill DeSouge
Clerk of Council

Daily Star
Please Publish February 22, 2024

Published on Tangipahoa Parish Government website at www.tangipahoa.org and posted @ T.P. Gordon A. Burgess Governmental Building February 22, 2024

In Accordance with the Americans with Disabilities Act, If You Need Special Assistance, please contact Jill DeSouge at 985-748-2290 prior to 12:00pm (cst) on meeting day describing the Assistance that is necessary.

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 a 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 a 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 a 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 a 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.~~
- ~~(f)~~ (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.
- ~~(h)~~ (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.
- ~~(h)~~ (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.
- ~~(h)~~ (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.
- ~~(h)~~ (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.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 26th day of February 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 12, 2024

PUBLISHED: February 22, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: February 26, 2024

DELIVERED TO PRESIDENT: _____ day of February, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of February, 2024 at _____

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

WHEREAS, a request has been made by Hudson Industrial Park, LLC to the Tangipahoa Parish Council that the dedication of said property be revoked and abandoned; and

WHEREAS, Hudson Industrial Park, LLC owns Lots A and B located at 42391 South Airport Road, Hammond, described in Survey No. 2019263A dated July 3, 2019, revised September 28, 2021 and September 30, 2021 by John Bonneau; and

WHEREAS, the public roadway encompassing 1.505 acres more or less previous dedicated as a parish roadway connects on the north, south and west of the property owner Hudson, and on the east by S. Airport Road serves as parking and entrance to Hudson Industrial Park, LLC warehouse, requesting that the dedication of said property, not needed for public use, be hereby abandoned:

A CERTAIN PIECE OR PARCEL OF GROUND, situated in the Parish of Tangipahoa, State of Louisiana, in Section 5, Township 7 South, Range 8 East, being hereby dedicated to the Parish of Tangipahoa for use as a Public Roadway and being more fully described as follows, to wit:

COMMENCING at the northeast corner of Section 5, Township 7 South, Range 8 East; thence South 00 degrees 26 minutes 58 seconds East, a distance of 985.88 feet to a point; thence South 89 degrees 38 minutes 04 seconds, a distance of 341.36 feet to a point; thence South 00 degrees 30 minutes 22 seconds West, a distance of 276.95 feet to the POINT OF BEGINNING;

Thence from said Point of Beginning South 89 degrees 29 minutes 38 seconds East, a distance of 103.13 feet to a point;

Thence North 79 degrees 38 minutes 11 seconds East, a distance of 186.45 feet to a point;

Thence North 46 degrees 38 minutes 25 seconds East, a distance of 48.21 feet to a point on the westerly right-of-way line of South Airport Road;

Thence along the said westerly right-of-way line of South Airport Road South 01 degrees 18 minutes 31 seconds East, a distance of 118.62 feet to a point;

Thence North 55 degrees 01 minutes 51 seconds West, a distance of 57.27 feet to a point;

Thence South 79 degrees 38 minutes 11 seconds West, a distance of 171.85 feet to a point;

Thence North 89 degrees 29 minutes 38 seconds West, a distance of 1,064.13 feet to a point;

Thence North 00 degrees 30 minutes 22 seconds West, a distance of 50.00 feet to a point;

Thence South 89 degrees 29 minutes 38 seconds East, a distance of 956.25 feet to the POINT OF BEGINNING.

The above description encompasses 65,574.7 square feet, or 1.505 Acres, more or less.

WHEREAS, the Tangipahoa Parish Council is of the opinion that the abandonment of public roadway encompassing 1.505 acres more or less in District 8, Tangipahoa Parish, State of Louisiana is not needed for public purposes

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council-President Government, governing authority of Tangipahoa Parish, State of Louisiana, acting in accordance with LA R.S. 33:4718, that the dedication of public roadway encompassing 1.505 acres more or less in its entirety as described above, is hereby abandoned and will no longer be maintained by the Tangipahoa Parish Council-President Government.

BE IT FURTHER ORDAINED that the public roadway encompassing 1.505 acres, more or less, in its entirety as described above shall revert to adjacent property owner, Hudson Industrial Park LLC.

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 TPC.

On motion by_ and seconded by _, the foregoing ordinance was hereby declared adopted on this 11th day of March, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 26, 2024

PUBLISHED: March 7, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: March 11, 2024

DELIVERED TO PRESIDENT: _____ day of March, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2024 at _____

T.P. Ordinance No. 24-05

AN ORDINANCE TO PLACE A MAXIMUM 90 DAY MORATORIUM ON THE CONSIDERATION AND/OR APPROVAL OF ALL DEVELOPMENTS OF CONSTRUCTION AND DEMOLITION DEBRIS SITES WITHIN TANGIPAHOA PARISH

WHEREAS, the Tangipahoa Parish Council seeks to protect and preserve the health, safety, welfare, and property interest of all citizens of Tangipahoa Parish; and

WHEREAS, the Tangipahoa Parish Council has the authority and responsibility to provide for the orderly and safe development of property in the Parish of Tangipahoa; and

WHEREAS, a moratorium is needed to have sufficient time to assess and study the need for additional regulations and standards protecting the public health, safety and welfare; and

WHEREAS, the Tangipahoa Parish Council-President Government desires to establish further regulations so as to ensure that these types of operations are well regulated, safe and properly maintained; and

THEREFORE BE IT ORDAINED by the Tangipahoa Parish Council, the governing authority of Tangipahoa Parish, State of Louisiana, hereby adopts a resolution and contemporaneously introduces this ordinance ordering a moratorium, on the consideration, approval or permitting of any new Construction and Demolition Debris sites in Tangipahoa Parish until such time as the pending studies and ordinances are complete;

BE IT FURTHER ORDAINED that this moratorium shall expire in maximum 90 days from the adoption of this ordinance unless extended by Resolution of the Tangipahoa Parish Council;

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by _ and seconded by __, the foregoing ordinance was hereby declared adopted on this 11th day of March, 2024 by the following roll-call vote:

YEAS:

NAYS:

ABSENT:

NOT VOTING:

ATTEST:

Jill DeSouge
Clerk of Council
Tangipahoa Parish Council

David P. Vial
Chairman
Tangipahoa Parish Council

INTRODUCED: February 26, 2024

PUBLISHED: March 7, 2024 OFFICIAL JOURNAL Hammond Daily Star

ADOPTED BY TPC: March 11, 2024

DELIVERED TO PRESIDENT: _____ day of March, 2024 at _____

APPROVED BY PRESIDENT: _____
Robby Miller Date

VETOED BY PRESIDENT: _____
Robby Miller Date

RECEIVED FROM PRESIDENT: _____ day of March, 2024 at _____

stions
General's



P.O. BOX 215 L AMITE, LA 70422
(985) 748-3211 L FAX (985) 748-8994
www.tangipahoa.org

BOARD / COMMITTEE NEW APPOINTEE

Name: JOE V. GIACOMO
Board of Interest: Recreation District No 39A (Independence)

APPOINTED BY: Joseph Havis - District 4

Mailing Address _____ Physical Address _____
P.O. BOX 394 Independence LA 70443 51339 MONTROVIA LA

Home Phone NONE Cell Phone 985-974-2150

Email Address NONE Occupation: RETIRED

Years of Residence in Tangipahoa Parish: 76

Have you served on any Parish board/committee previously? YES NO

If Yes, what board/committee(s): JNDY Rec BOARD

By signing below, I certify that the foregoing information is true and correct

Joseph V. Giacomo _____
Signature Date

- | | | | | |
|------------------------------------|------------------------------|-----------------------------------|-----------------------------|-----------------------------------|
| COUNCIL | | | | |
| DARRELL SINAGRA
DISTRICT 1 | JOHN INGRAFFIA
DISTRICT 2 | LOUIS "NICK" JOSEPH
DISTRICT 3 | JOSEPH HAVIS
DISTRICT 4 | H.G. "BUDDY" RIDGEL
DISTRICT 5 |
| EMILE "JOEY" MAYEAUX
DISTRICT 6 | LIONELL WELLS
DISTRICT 7 | DAVID P. VIAL
DISTRICT 8 | BRIGETTE HYDE
DISTRICT 9 | STRADER CIEUTAT
DISTRICT 10 |