



**TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 9, 2025 AT 6PM
ABITA SPRINGS TOWN HALL
22161 LEVEL ST., ABITA SPRINGS, LA 70420**

Posted: September 8, 2025 5:15pm

CALL TO ORDER: Mayor Curtis
INVOCATION: Alderman Saussy
PLEDGE OF ALLEGIANCE: Alderman Templet

MAYOR'S ANNOUNCEMENTS

ROLL CALL:

Call for Agenda Modifications
Accept August 5, 2025, Town Council Meeting Minutes

REPORTS:

- Chairmen
- Marshal

NEW BUSINESS:

- 1.) Discussion of 2025 Budget Amendments and the formatting of the Budget Instrument
- 2.) Discussion of Instruments drafted by Alderman Boudreaux related to the Health and Sanitation Code, onsite sewerage treatment systems, and the revocation of the authority of the Clerk of the Board of Aldermen to promulgate the provisions of the referenced ordinances.
- 3.) Discussion of a Resolution drafted by Alderman Boudreaux Seeking Injunctive Relief to prevent Longbranch Recovery Center from allowing occupancy until it is connected to the Abita Springs Sewer System
- 4.) Discussion/Introduction 2025-09-001, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS TO ADOPT THE RECOMMENDATION OF THE PLANNING COMMISSION, TO APPROVE PHASE 1 OF THE ABITA MEADOWS PLANNED UNIT DEVELOPMENT (PUD) FINAL PLAT ZONING AND ASSOCIATED ZONING DISTRICT, LOCATED ON HIGHWAY 36, EAST OF HEBERT ROAD, IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT PREVIOUSLY APPROVED BY ORDINANCE No. 485. THIS APPROVAL IS PURSUANT TO THE PUD FINAL APPROVAL PROCESS OUTLINED IN SECTIONS 9-803 AND 9-804 OF THE TOWN OF ABITA SPRINGS CODE OF ORDINANCES (NOTWITHSTANDING THAT THESE SECTIONS HAVE SINCE BEEN REPEALED AND RESERVED, THEY REMAIN APPLICABLE TO THIS PUD UNDER THE TERMS OF THE ORIGINAL AGREEMENT).

OLD BUSINESS:

None

OPEN/ADJOURNMENT:

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT US AT (985) 892-0711. PLEASE CONTACT TOWN HALL AT THE SAME NUMBER FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA.



Instrument 2025-09-002

**AN ORDINANCE AMENDING ORDINANCE 551 AN OPERATING BUDGET OF
REVENUE AND EXPENDITURES FOR THE YEAR BEGINNING
JANUARY 1, 2025, AND ENDING DECEMBER 31, 2025.**

BE IT ORDAINED, by the Mayor and Board of Aldermen of the Town of Abita Springs, State of Louisiana, in general session convened that:
Lines 29 through lines 77 are deleted and amended to read as follows:

| | Existing 2025 Budget | Proposed 2025 Amendment | Difference | %Diff |
|---|-------------------------|----------------------------|-----------------------|--------------|
| 1 Section V. | | | | |
| 2 General Fund - Ad Valorem Tax Revenues | | \$ 215,000.00 | | |
| 3 General Fund - Tax & License Revenue | | \$ 656,886.00 | | |
| 4 General Fund - Other Revenues | | \$ 87,817.00 | | |
| 5 General Fund Dedicated Public Safety & Judicial Revenue & Citations | | \$ 393,000.00 | | |
| 6 General Fund Dedicated Grant Revenue | | \$ 793,997.00 | | |
| 7 Total General Fund Revenues | <u>\$ 2,234,397.34</u> | <u>\$ 2,146,700.00</u> | <u>\$ (87,697.34)</u> | <u>-3.9%</u> |
| 8 | | | | |
| 9 Section VI. | | | | |
| 10 General Fund - General Government Operations | | \$ 599,365.00 | | |
| 11 General Fund - Professional & Contracted Services | | \$ 210,050.00 | | |
| 12 General Fund - Building Maintenance & Events Expenditures | | \$ 74,371.00 | | |
| 13 General Fund - Public Safety & Judicial Expenditures | | \$ 393,000.00 | | |
| 14 General Fund Dedicated Grant Expenditures | | \$ 869,914.00 | | |

| | | | | | |
|----|--|------------------------|------------------------|------------------------|--------------|
| 15 | Total General Fund Expenditures | <u>\$ 2,234,397.34</u> | <u>\$ 2,146,700.00</u> | <u>\$ (87,697.34)</u> | <u>-3.9%</u> |
| 16 | | | | | |
| 17 | Section VII. | | | | |
| 18 | Utility Fund Operating Revenue | \$ 2,535,043.00 | | | |
| 19 | Utility Fund Operating Revenue - Gas Sales | | \$ 750,750.00 | | |
| 20 | Utility Fund Operating Revenue - Water & Sewer Sales | | \$ 1,078,900.00 | | |
| 21 | Utility Fund Operating Revenue -Garbage | | \$ 424,640.00 | | |
| 22 | Utility Fund Operating Revenue -Other Fees & Revenues | | \$ 152,510.00 | | |
| 23 | Utility Fund Dedicated Revenue for Capital Projects | <u>\$ 6,230,000.00</u> | <u>\$ 6,230,000.00</u> | | |
| 24 | Total Utility Fund Revenue | <u>\$ 8,765,043.00</u> | <u>\$ 8,636,800.00</u> | <u>\$ (128,243.00)</u> | <u>-1.5%</u> |
| 25 | | | | | |
| 26 | Section VIII. | | | | |
| 27 | Utility Fund Operating Expenditures | \$ 2,702,485.65 | | | |
| 28 | Utility Fund Operating Expenditures - Gas Expenditures | | \$ 684,250.00 | | |
| 29 | Utility Fund Operating Expenditures - Water & Sewer Expenditures | | \$ 956,060.00 | | |
| 30 | Utility Fund Operating Expenditures - Garbage Expenditures | | \$ 396,500.00 | | |
| 31 | Utility Fund Operating Expenditures - Operating Expenditures | | \$ 369,990.00 | | |
| 32 | Utility Fund - Capital Improvement Project Expenditures | <u>\$ 6,062,557.35</u> | <u>\$ 6,230,000.00</u> | | |
| 33 | Total Utility Fund Expenditures | <u>\$ 8,765,043.00</u> | <u>\$ 8,636,800.00</u> | <u>\$ (128,243.00)</u> | <u>-1.5%</u> |
| 34 | | | | | |
| 35 | Section IX. | | | | |
| 36 | Cemetery Plot Sales Revenue | | \$ 21,600.00 | | |
| 37 | Cemetery Interest Income | | \$ 10,500.00 | | |
| 38 | Total Cemetery Fund Revenue | <u>\$ 31,000.00</u> | <u>\$ 32,100.00</u> | <u>\$ 1,100.00</u> | <u>3.5%</u> |
| 39 | | | | | |
| 40 | Section X. | | | | |
| 41 | Cemetery Operating Expenditures | <u>\$ 31,000.00</u> | <u>\$ 31,000.00</u> | <u>\$ -</u> | <u>0.0%</u> |
| 42 | Total Cemetery Fund Expenditures | <u>\$ 31,000.00</u> | <u>\$ 31,000.00</u> | <u>\$ -</u> | <u>0.0%</u> |
| 43 | | | | | |
| 44 | Section XI. | | | | |
| 45 | Debt Service Fund - Ad Valorem Tax Revenue | | \$ 140,000.00 | | |
| 46 | Debt Service Fund - Interest Income | | \$ 8,000.00 | | |
| 47 | Total Debt Service Fund Revenue | <u>\$ 144,000.00</u> | <u>\$ 148,000.00</u> | <u>\$ 4,000.00</u> | <u>2.8%</u> |
| 48 | | | | | |

| | | | | | |
|----|---|------------------------|------------------------|-----------------------|---------------|
| 49 | Section XII. | | | | |
| 50 | Debt Service Fund -General Refunding Bond - Series 2014 | | \$ 45,537.50 | | |
| 51 | Debt Service Fund - General Obligation Bond - Series 2020 | | \$ 73,430.00 | | |
| 52 | Total Debt Service Fund Expenditures | <u>\$ 45,537.50</u> | <u>\$ 118,967.50</u> | <u>\$ 73,430.00</u> | <u>161.3%</u> |
| 53 | | | | | |
| 54 | Section XIII. | | | | |
| 55 | Park & Recreation Fund - Rental, Events & Interest Income | | \$ 67,152.00 | | |
| 56 | Park & Recreation Fund - Museum Income | | \$ 19,500.00 | | |
| 57 | Park & Recreation Ad Valorem Revenue | | \$ 53,200.00 | | |
| 58 | Park & Recreation Dedicated Grant Revenue | | \$ 150,000.00 | | |
| 59 | Total Park & Recreation Fund Revenue | <u>\$ 330,450.00</u> | <u>\$ 289,852.00</u> | <u>\$ (40,598.00)</u> | <u>-12.3%</u> |
| 60 | | | | | |
| 61 | Section XIV. | | | | |
| 62 | Park & Recreation Fund - Operational Expenditures | | \$ 120,352.00 | | |
| 63 | Park & Recreation Fund - Museum Expenditures | | \$ 19,500.00 | | |
| 64 | Park & Recreation Dedicated Grant Expenditures | | \$ 150,000.00 | | |
| 65 | Park & Recreation Fund Expenditures | <u>\$ 330,450.00</u> | <u>\$ 289,852.00</u> | <u>\$ (40,598.00)</u> | <u>-12.3%</u> |
| 66 | | | | | |
| 67 | Section XV. | | | | |
| 68 | Public Works Sales Tax & Other Revenues | \$ 652,130.00 | \$ 703,300.00 | | |
| 69 | Public Works Dedicated Sales Tax & Interest Revenue | \$ 425,000.00 | \$ 391,450.00 | | |
| 70 | Public Works Street Light Ad Valorem & Interest Revenue | \$ 29,000.00 | \$ 29,190.00 | | |
| 71 | Total Public Works Fund Revenue | <u>\$ 1,106,130.00</u> | <u>\$ 1,123,940.00</u> | <u>\$ 17,810.00</u> | <u>1.6%</u> |
| 72 | | | | | |
| 73 | Section XVI. | | | | |
| 74 | Public Works Operating Expenditures | | \$ 499,854.00 | | |
| 75 | Public Works Dedicated Sales Tax Expenditures | | \$ 587,836.00 | | |
| 76 | Public Works Lighting Expenditures | | \$ 36,250.00 | | |
| 77 | Total Public Works Fund Expenditures | <u>\$ 1,106,130.00</u> | <u>\$ 1,123,940.00</u> | <u>\$ 17,810.00</u> | <u>1.6%</u> |
| 78 | | | | | |
| 79 | | | | | |
| 80 | In all other respects Ordinance #551 remains in full force and effect. | | | | |



Instrument number-----

An Ordinance of the Board of Aldermen of the Town of Abita Springs

To Amend Ordinance #522 to remove wording of Ordinance 522 ,section 3-504 A B lines 195 through 229 .

Whereas ; section 3-504 A is exactly as stated in Ordinance 475 section 3-504 Community Sewerage System Required lines 97 through 108 and

Whereas ; section 3-506(B)(3) is incorrectly referenced with different wording than is stated in Ordinance 475

Be it Ordained that both references in Ordinances #522 unnecessary since the Ordinance # 475 already states the desired wording and

Be it ordained that line 195 through line 229 be removed from Ordinance #522 and returned to the appropriate place in Ordinance # 475 Section 3-504 through 3-514 of the Town of Abita Ordinance libraries.

Ordinance _____ was introduced by Alderman Boudreaux.

This ordinance was adopted on a motion of ----- seconded by-----on this ---- day of ----- 2025.

Vote was:

Yeas:

Nays:

Absent:

Abstain:

Sec. 3-503. Adoption of State Sanitary Code.

The Town of Abita Springs hereby adopts for implementation and enforcement Chapter 5 of Part XIII of Title 51 of the Louisiana Administrative Code, as it may be amended, less and except Section 511, Paragraph B(1).

(Ord. No. 475, 12-20-2016)

Editor's note(s)—Ord. No. 475, adopted December 20, 2016, amended § 3-503 in its entirety to read as herein set out. Former § 3-503 pertained to penalties for violations.

Sec. 3-504. Community sewerage system required.

- A. Municipal sewerage shall be provided in subdivisions comprised of 15 lots or more. This requirement shall apply to all new subdivision developments.

The use of individual on-site sewage disposal systems in lieu of a municipal sewerage service may be authorized and will be considered under the following circumstances:

In subdivisions comprised of less than 15 lots with a minimum lot size of two acres or greater and a minimum frontage of 125 feet, when the developer submits a comprehensive drainage plan, as well as a proposal for restrictive covenants which detail requirements for perpetual maintenance of drainage. Whenever the average lot size of a proposed subdivision is greater than five acres, the Town of Abita Springs may waive the requirement for a community sewerage system upon demonstration by the developer that the implementation of such provisions would prove to be a manifestly unreasonable financial hardship.

- B. For individual lots where the Town of Abita Springs has waived the requirement to connect to a community sewerage system as provided by section 3-506(B)(3), use of individual on-site sewage disposal systems may be approved when the lots or sites in question meet any of the following criteria:

1. Minimum area of 22,500 square feet, and a minimum frontage of 80 feet.
2. Minimum area of 16,000 square feet and a minimum frontage of 80 feet where an approved individual mechanical plant is to be utilized;
3. Minimum area of 12,000 square feet and a minimum frontage of 60 feet where an approved individual mechanical plant is utilized and is followed by 50 feet of modified absorption field.
4. Where lots of "record" (i.e., lots created by formal subdivision prior to July 28, 1967) are combined (in accord with the definition of a subdivision) to create a new, larger, single lot, and no re-subdivision of the property is involved. On July 20, 2002 and thereafter, in no case shall the newly created lots have less than 50 feet of frontage or be less than 5,000 square feet in area.
5. For individual lots remaining in substantially developed, previously established subdivisions, no minimum area is required provided the state health officer determines that a hazard to public health will not result.

(Ord. No. 475, 12-20-2016; Ord. No. 522, 7-20-2021)

Editor's note(s)—Ord. No. 475, adopted December 20, 2016, amended § 3-504 in its entirety to read as herein set out. Former § 3-504 pertained to enforcement.

Sec. 3-505. Authority of the Town of Abita Springs.

The Town of Abita Springs, in order to monitor the operation of any individual, public, profit, nonprofit, or not-for-profit sewerage system located in the Town of Abita Springs, may enter upon the premises of any such

(Supp. No. 7)

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sewerage system at a reasonable time and in a reasonable manner for the purpose of inspecting any such sewerage system in order to determine that the operation of the sewerage system is conducted in accordance or compliance with applicable law. The responsible person for the property upon which the inspection is conducted, by reason of his/her/its operation of the sewerage system to be inspected, implicitly consents to the entrance of the said authorized employee or agent upon the property, and same shall not be deemed a trespass.

(Ord. No. 475, 12-20-2016)

Sec. 3-506. Required facilities; connection to sewerage system.

- A. All new or existing premises, public or private, where people live, work, or congregate shall be provided with approved toilet facilities, including hand washing facilities. Such plumbing facilities shall be properly connected to a municipal sewerage system, whenever available, or to an individual on-site sewage disposal system which is specifically approved for the premises by the state health officer or his duly authorized representative after determining that the installation and operation of an individual on-site sewage disposal system will not create a nuisance or public health hazard. It shall be the duty of the owner, manager or agent of any occupied premises, public or private, where people live, work or congregate to provide the premises with an approved method of sewage disposal in compliance with the requirements of this article.
- B. (1) Whenever the Town of Abita Springs determines that any building or structure to be constructed is in proximity to the sewage collection or treatment facility of a qualified community sewerage system, said building or structure shall be required to connect thereto. When a qualified community sewerage system is available, and there is an approved public water supply with adequate water capacity, all plumbing fixtures within any building or structure shall be connected to such approved public water supply and community sewerage system.
- (2) For the purposes of this section, a "qualified community sewerage system" is a community sewerage system: 1) which has the actual and/or anticipated capacity which will be required to realize the peak sewage demand of the subject building or structure, and 2) the operation and maintenance of which in accordance and compliance with all regulatory requirements; all as determined by the Town of Abita Springs.
- (3) The Town of Abita Springs, at the time of its consideration of the issuance of the building permit for the subject building or structure, may waive the requirement in subsection B(1) upon the showing by the applicant that the implementation of the provisions of said subsection would prove to be a manifestly unreasonable financial hardship. In no event, however, shall a certificate of occupancy be issued or shall any other such final action on the subject building permit occur unless and until an individual on-site sewage disposal system has been specifically approved for the premises by the state health officer, or his duly authorized representative.
- C. (1) Prior to the issuance of a sewerage system inspection permit for any non-residential mobile home, permanent building or structure, the Town of Abita Springs shall inspect the premises to determine if the plumbing fixtures are properly connected to a permitted individual on-site sewage disposal system. The Town of Abita Springs shall inspect individual on-site sewage disposal systems to determine that said systems are not causing an apparent health or environmental problem prior to the issuance of any sewerage system inspection permit for the connection or transfer of electrical power service. In no event, however, shall a sewerage system inspection permit be issued or shall any other such final action occur unless and until an individual on-site sewage disposal system has been specifically approved for the premises by the state health officer or his duly authorized representative.
- (2) Prior to the issuance of a sewerage system inspection permit for any residential mobile home, permanent building or structure, the Town of Abita Springs shall inspect the premises to determine if the plumbing fixtures are properly connected to an individual on-site sewage disposal system. The

Town of Abita Springs shall inspect individual on-site sewage disposal systems to determine that said systems are not causing an apparent health or environmental problem prior to the issuance of any sewerage system inspection permit for the connection or transfer of electrical power service.

(Ord. No. 475, 12-20-2016)



Instrument number-----

An Ordinance of the Board of Aldermen of the Town of Abita Springs

To Amend Ordinance #504, #525, #522 #536 and to return the authority to decide provisions of these ordinances to the Board of Aldermen.

Whereas the Board of Aldermen of the Town of Abita Springs has relegated its authority to decide critical issues of Ordinance #504, #522, #525, #536 and

Whereas this avocation has resulted in adverse conditions concerning the infrastructure of the Town of Abita Springs and

Whereas there is not a position intitled Clerk of the Board within the Town of Abita Springs positions

Be it ordained that line 158 through 160 of Ordinance #504 that state “ that the Clerk of the Board be, and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.” Be revised to state: the Board of Aldermen only are empowered to make decisions regarding the actions of Ordinance #504.

Be it ordained that line 235 through 237 of Ordinance #522 that state “ that the Clerk of the Board be, and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.” Be revised to state: the Board of Aldermen only are empowered to make decisions regarding the actions of Ordinance #522.

Be it ordained that line 40 through 41 of Ordinance #525 that state “ that the Clerk of the Board be, is hereby authorized and empowered to take any and all actions necessary to promulgate the provisions of this ordinance.” Be revised to state: the Board of Aldermen only are empowered to make decisions regarding the actions of Ordinance #525.

Be it ordained that line 48 through 50 of Ordinance #536 that state “ that the Clerk of the Board be, and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.” Be revised to state: the Board of Aldermen only are empowered to make decisions regarding the actions of Ordinance #536.

Ordinance _____ was introduced by Alderman Boudreaux.

This ordinance was adopted on a motion of ----- seconded by-----on this ---- day of ----- 2025.

Vote was: Yeas:

Nays:

Absent:

Abstain:



A Resolution of the Board of Aldermen of the Town of Abita Springs

Seeking Injunctive Relief to prevent Longbranch Recovery Center from allowing occupancy until it is connected to the Abita Springs Sewer System

Whereas: new construction in the town limits was able to use parcel size dimensions added in section 3-504(B) using Ordinance#522 dated 7/20/2021 to construct a new addition and

Whereas: the development did not follow the correct process to approve the use of an individual sewer system since the reference in 3-506(B)(3) only allows for unreasonable financial hardship, then the criteria in 1 through 5 may be used and

Whereas: the system will discharge into the Abita River and

Whereas: individual sewer systems are known to discharge 5 times more TTS (total dissolved solids) than sewer plants and

Whereas: inspection of individual is lacking within the Parish of St tammany therefore,

Be it resolved the the Town Attorney be requested to file for Injunctive Relief with the 22nd Judicial Court until the Longbranch Recovery Center is able to attach to the system already present on the property.

This Resolution _____ was introduced by Alderman Boudreaux.

This resolution was adopted on a motion of ----- seconded by-----on this ---- day of ----- 2025.

Vote was:

Yeas:

Nays:

Absent:

Abstain:

Town of Abita Springs, La.

TOWN CLERK
CLERK OF COURT
KATHY ARMAND

FINANCIAL CLERK
NIKI MENDOW

COUNCIL CLERK
LEANNE SCHAEFER

ATTORNEY
EDWARD DEANO

CERTIFIED BUILDING OFFICIAL
DAVID CHATELAIN

PUBLIC WORKS DIRECTOR
JOHNNY CLAY



MAYOR
GREG LEMONS

ALDERMEN
GINA KILPATRICK HARPER
(MAYOR PRO-TEM)

PATRICK BERRIGAN
DANIEL J. CURTIS
RYAN MURPHY
LESLIE BLITCH WELLIVER

UTILITY MANAGER
DEBRA MACLEAN

UTILITY CLERK II
LINDA MEEKER

PLANNING & ZONING DIRECTOR
CINDY CHATELAIN

THE FOLLOWING ORDINANCE WAS BOTH INTRODUCED AND MOVED FOR ADOPTION BY
ALDERMAN BERRIGAN AND SECONDED BY ALDERMAN MURPHY

ORDINANCE# 475

**AN ORDINANCE TO PROVIDE FOR THE AMENDMENTS AND ADDITIONS TO PART 3
HEALTH AND SANITATION, CHAPTER 5 SEWER TREATMENT REQUIRED MORE
PARTICULARLY SECTIONS 3-501 THROUGH SECTION 3-515 OF THE TOWN OF
ABITA SPRINGS MUNICIPAL CODE OF ORDINANCES, AND TO PROVIDE FOR
RELATED MATTERS.**

PART 3

HEALTH AND SANITATION

CHAPTER 5 SEWERAGE TREATMENT REQUIRED

SEC. 3-501

Every sewerage system whose discharge is subject to provisions of Louisiana Environmental Quality Act, as amended, or any rules and regulations effective or promulgated under authority of said Act shall be in compliance with applicable law, and shall comply with any order or directive issued by the LA DEQ or DH&H.

SEC. 3-502 Definitions

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

1. "Applicable law" means the pertinent and appropriate provisions of the State Sanitary Code, other applicable Town of Abita Springs ordinances, or state and local regulations which pertain to sewerage systems located, or to be located within the Town.

2. "Community sewerage system" means any sanitary sewerage system, also known as a sanitary sewage treatment works, which is owned, operated, and/or maintained by a political entity or private

44 person. A community sewerage system serves multiple connections and includes any individual, public,
45 profit, nonprofit, or not-for-profit sewerage system whose effluent discharge is subject to the provisions
46 of the Louisiana Environmental Quality Act, as amended, or any Rules and Regulations effective or
47 promulgated under the authority of the Act.

48
49 3. Town of Abita Springs means the Building Inspector or other designee of the Mayor to perform the
50 tasks and duties required by this Part.

51 4. "DEQ" means the Louisiana Department of Environmental Quality, Office of Water Resources or
52 its successor.

53
54 5. "DH&H" means the Louisiana Department of Health and Hospitals, Office of Public Health or its
55 successor.

56
57 6. "Individual on-site sewage disposal system" means any or all of the various components, including
58 piping and pumping and treatment facilities, comprising a system designed for the collection and/or
59 treatment and/or disposal of sanitary sewage. An on-site sewage disposal system may be owned,
60 operated, and/or maintained by a political entity or private person.

61 7. "Owner" or "Owners" means any person or persons who alone or jointly or severally with others has:

- 62 1) Legal title to any premises, facilities or equipment affected by this Section; and/or
63 2) Actual physical control of any premises, facilities or equipment affected by this Section
64 pursuant to the operation of the law, or an agreement, expressed or implied from the circumstances, with
65 the owner or owners.

66
67 8. "Political entity" means any agency, board, commission, department or political subdivision of the
68 State of Louisiana, or of the governing authority of the Town of Abita Springs, or any agent thereof.

69
70 9. "Premises" means any structure or dwelling of any construction whatsoever in which a person may
71 live, work or congregate.

72
73 10. "Private person" means any individual, group of individuals, firm, corporation, association,
74 partnership, private entity or other legal entity, or any agent thereof.

75
76 11. "Responsible person" means the operator or operators of an on-site sewage disposal system, the
77 owners or owners of an on-site sewage disposal system, the owner or owners of the property on which an
78 on-site sewage disposal system is located, or any or all of them.

79
80 12. "Sanitary Sewage" means human, domestic, or acceptable industrial waste, except refuse, including
81 liquid from residences, businesses, buildings, industrial establishments or other places, together with such
82 ground water, surface water, storm water, and other wastes as may be present.

83
84 13. "Sewerage system" means any or all of the various components, including piping and pumping and
85 treatment facilities, comprising a system designed for the collection and/or treatment and/or disposal of
86 sanitary sewage. A sewerage system may be owned, operated, and/or maintained by a political entity or
87 private person.

88 14. "State Sanitary Code" means the rules and regulations which pertain to sewage disposal; including,
89 but not limited to those rules and regulations applicable to the collection, treatment, or disposal of sewage;
90 and which have been adopted by the LA Department of Health and Hospitals State Health Officer in
91 accordance with Title 51 of the Louisiana Administrative Code.

92

93 **SEC. 3-503 Adoption of State Sanitary Code**

94 The Town of Abita Springs hereby adopts for implementation and enforcement Chapter 5 of Part XIII
95 of Title 51 of the Louisiana Administrative Code, as it may be amended, less and except Section 511,
96 Paragraph B(1).

97 **SEC. 3-504 Community Sewerage System Required**

98 A. Municipal sewerage shall be provided in subdivisions comprised of 15 lots or more. This requirement
99 shall apply to all new subdivision developments.

100 The use of individual sewerage systems in lieu of a municipal sewerage service may be authorized and
101 will be considered under the following circumstances:

102 In subdivisions comprised of less than 15 lots with a minimum lot size of two acres or greater and a
103 minimum frontage of 125 feet, when the developer submits a comprehensive drainage plan, as well as a
104 proposal for restrictive covenants which detail requirements for perpetual maintenance of drainage.
105 Whenever the average lot size of a proposed subdivision is greater than five acres, the Town of Abita
106 Springs may waive the requirement for a community sewerage system upon demonstration by the
107 developer that the implementation of such provisions would prove to be a manifestly unreasonable
108 financial hardship.

109 **SEC. 3-505 Authority of the Town of Abita Springs**

110 The Town of Abita Springs, in order to monitor the operation of any individual, public, profit, nonprofit,
111 or not-for-profit sewerage system located in the Town of Abita Springs, may enter upon the premises of
112 any such sewerage system at a reasonable time and in a reasonable manner for the purpose of inspecting
113 any such sewerage system in order to determine that the operation of the sewerage system is conducted in
114 accordance or compliance with applicable law. The responsible person for the property upon which the
115 inspection is conducted, by reason of his/her/its operation of the sewerage system to be inspected,
116 implicitly consents to the entrance of the said authorized employee or agent upon the property, and same
117 shall not be deemed a trespass.

118 **SEC. 3-506 Required Facilities; Connection to Sewerage System**

119 A. All new or existing premises, public or private, where people live, work, or congregate shall be
120 provided with approved toilet facilities, including hand washing facilities. Such plumbing facilities shall
121 be properly connected to a municipal sewerage system, whenever available, or to an individual on-site
122 sewage disposal system which is specifically approved for the premises by the State Health Officer or his
123 duly authorized representative after determining that the installation and operation of an individual on-site
124 sewage disposal system will not create a nuisance or public health hazard. It shall be the duty of the owner,
125 manager or agent of any occupied premises, public or private, where people live, work or congregate to
126 provide the premises with an approved method of sewage disposal in compliance with the requirements
127 of this Article.

128 B. (1) Whenever the Town of Abita Springs determines that any building or structure to be constructed
129 is in proximity to the sewage collection or treatment facility of a qualified community sewerage system,
130 said building or structure shall be required to connect thereto. When a qualified community sewerage
131 system is available, and there is an approved public water supply with adequate water capacity, all
132 plumbing fixtures within any building or structure shall be connected to such approved public water supply
133 and community sewerage system.

134 (2) For the purposes of this Section, a “qualified community sewerage system” is a community
135 sewerage system: 1) which has the actual and/or anticipated capacity which will be required to realize the
136 peak sewage demand of the subject building or structure, and 2) the operation and maintenance of which
137 in accordance and compliance with all regulatory requirements; all as determined by the Town of Abita
138 Springs.

139 (3) The Town of Abita Springs, at the time of its consideration of the issuance of the building permit
140 for the subject building or structure, may waive the requirement in Subsection B(1) upon the showing by
141 the applicant that the implementation of the provisions of said Subsection would prove to be a manifestly
142 unreasonable financial hardship. In no event, however, shall a Certificate of Occupancy be issued or shall
143 any other such final action on the subject building permit occur unless and until an individual on-site
144 sewage disposal system has been specifically approved for the premises by the State Health Officer, or
145 his duly authorized representative.

146 C. (1) Prior to the issuance of a sewerage system inspection permit for any non-residential mobile home,
147 permanent building or structure, the Town of Abita Springs shall inspect the premises to determine if the
148 plumbing fixtures are properly connected to a permitted individual on-site sewage disposal system. The
149 Town of Abita Springs shall inspect individual on-site sewage disposal systems to determine that said
150 systems are not causing an apparent health or environmental problem

151 prior to the issuance of any sewerage system inspection permit for the connection or transfer of electrical
152 power service. In no event, however, shall a sewerage system inspection permit be issued or shall any
153 other such final action occur unless and until an individual on-site sewage disposal system has been
154 specifically approved for the premises by the State Health Officer or his duly authorized representative.

155 (2) Prior to the issuance of a sewerage system inspection permit for any residential mobile home,
156 permanent building or structure, the Town of Abita Springs shall inspect the premises to determine if the
157 plumbing fixtures are properly connected to an individual on-site sewage disposal system. The Town of
158 Abita Springs shall inspect individual on-site sewage disposal systems to determine that said systems are
159 not causing an apparent health or environmental problem prior to the issuance of any sewerage system
160 inspection permit for the connection or transfer of electrical power service.

161 **SEC.3-507 Manner of Inspection**

162 The Town of Abita Springs shall be authorized to inspect every sewerage system located in the Town of
163 Abita Springs. In conducting an inspection of a sewerage system, the Town of Abita Springs shall conform
164 to the relevant and appropriate practices and procedures of the DEQ and the DH&H as such practices and
165 procedures relate respectively to the inspection of said sewerage systems.

166 **SEC.3-508 Sewerage System Permit**

167 A. No sewerage system shall be used or placed in operation without approval in the form of a sewerage
168 system permit issued by the State Health Officer or his duly authorized representative. A new sewerage

169 system permit shall be required upon the initial installation of an individual on-site sewage disposal
170 system. Each time the occupancy, connection or transfer of electrical power service changes, an inspection
171 of the individual on-site sewage disposal system and the issuance of a sewerage system inspection permit
172 by the Town of Abita Springs shall be required.

173 B. The landlord, owner, manager or agent, may acquire for the period of two years on rental property,
174 an approved sewerage system permit. It shall be the duty of any of the aforementioned persons to obtain,
175 make available and provide such approved sewerage system permit to the renter of the property. It shall
176 also be the responsibility of any of the aforementioned persons to obtain renewal of such approved
177 sewerage system permit every two years thereafter.

178 **SEC. 3-509 Sewerage system inspection permit prerequisite for permanent utility service**

179 A. No electrical power utility company licensed to do or doing business in the Town of Abita Springs
180 shall install or connect permanent electrical service to any mobile home or permanent building or structure
181 until a sewerage system inspection permit has been issued. No electrical power utility company licensed
182 to do or doing business in the Town of Abita Springs shall install or connect temporary electrical service
183 to any mobile home or permanent building or structure unless a work authorization has been issued by the
184 Town of Abita Springs.

185
186 B. If an electrical service connection is made absent any authorization by the Town of Abita Springs,
187 the Town of Abita Springs may provide written notification to the appropriate electrical power utility
188 company to terminate electrical service. The electrical power company shall provide for termination of
189 unauthorized electrical service within 48 hours of receiving notification from the Town of Abita Springs.
190 If no or insufficient action is taken after proper notification, the Town of Abita Springs shall take any and
191 all steps which it is empowered to take pursuant to the Town of Abita Springs Code of Ordinances in order
192 to require compliance with this Article.

193 **SEC. 3-510 Apartment complexes, mobile home parks**

194 A. All persons who own or operate apartment complexes of four or more units and mobile home parks
195 with four or more units shall be required to obtain a sewerage system permit from the State Health Officer
196 or his duly authorized representative verifying that the sewage treatment plant associated with the complex
197 or mobile home park is an approved system and in compliance with all applicable provisions of the State
198 Sanitary Code.

199 B. All owners or operators of complexes or mobile home parks as defined in this Section shall apply to
200 the Town of Abita Springs for a sewerage system permit.

201 C. The owner or operator of complexes or mobile home parks may acquire for the period of two years
202 on rental property, an approved sewerage system permit. It shall be the duty of any of the aforementioned
203 persons to obtain, make available and provide such approved sewerage system permit to the renter of the
204 property. It shall also be the responsibility of any of the aforementioned persons to obtain renewal of such
205 approved sewerage system permit every two years thereafter.

206
207 **SEC. 3-511 Sewerage System Inspection Permit Fee**

208 In order to defray the costs associated with the inspection on-site sewage disposal systems serving all new
209 or existing buildings or structures, shall be assessed in an amount to be established by Resolution of the

210 Abita Springs Board of Aldermen, sewerage system inspection permit fee is hereby assessed for the
211 issuance of each sewerage system inspection permit. Such sewerage system inspection permit fee shall be
212 in addition to any other applicable fee collected by the Town of Abita Springs.
213

214 **SEC. 3-512 Violations – Complaints regarding violations**

215 Whenever a violation of this chapter occurs or is alleged to have occurred, any person may file a written
216 complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Clerk of the
217 Town of Abita Springs. The clerk shall record properly such complaint, immediately investigate and
218 take action thereon as provided in this chapter.

219 **SEC. 3-513 - Penalties for violations.**

220 Violations of the provisions of this chapter of failure to comply with any of its requirements shall be
221 provided ninety (90) days to become compliant and to cure any order of violation. After the Ninety (90)
222 days have expired and the violator is not compliant the Town may disconnect the services for water
223 and/or issue a misdemeanor summons and upon conviction thereof the violator shall be fined not less
224 than \$100.00 nor more than \$300.00 or imprisoned for not more than 30 days or both, and in addition
225 thereto shall pay all costs and expenses involved in the case, however, the maximum of aggregated fines
226 are not to exceed \$1,000.00. Each day, such violation continues shall be considered as a separate offense.

227 **Sec. 3-514. - Enforcement.**

228 This chapter shall be enforced by the Mayor, Town of Abita Springs, or by their designee.

229 **Sec. 3-515. - Special exceptions.**

230 If conditions exist where hardship ensues by applying minimum requirements as established by the
231 Louisiana Department of Health and Human Resources, the Mayor or the Board of Alderman of the
232 Town of Abita Springs may request additional information on the proposed use of the property by
233 requesting necessary studies by an independent consultant or institute at the expense of the applicant or
234 legal property owner. If it is determined that a hardship does exist by applying the minimum
235 requirements as approved by the Louisiana Department of Health and Human Resources, the Mayor
236 with the approval of the Board of Aldermen may grant a variance from the requirements of this
237 ordinance as carried out by whatever means they deem necessary.

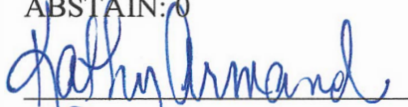
238
239 And the amendment was declared adopted this, 20th day of December, 2016. This ordinance becomes
240 effective March 1, 2017.

241
242 YEAS: 4, Alderman Berrigan, Kilpatrick-Harper, Murphy, and Blich Welliver

243 NAYS: 0

244 ABSENT: 1, Alderman Curtis

245 ABSTAIN: 0

246
247 

248 ATTEST:

249 **Kathy Armand, Clerk**



Honorable Greg Lemons, Mayor

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

ORDINANCE #504

1
2
3
4 AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND
5 SECTION 9-205 BY ADDING THERETO THE DEFINITION OF OWNER AND SHORT-TERM RENTALS
6 AND TO ADD SECTION 9-231 TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM
7 RENTALS AND TO PROVIDE FOR RELATED MATTERS.
8

9 **WHEREAS**, the short-term rental of residential units and dwellings is an increasing segment of the
10 rental market across the country; and,
11

12 **WHEREAS**, there are numerous short-term rental listings in the Town of Abita Springs; and,
13

14 **WHEREAS**, the regulation of short-term rentals is necessary to provide minimum safety requirements
15 and for the collection of applicable taxes; and,
16

17 **WHEREAS**, the regulation of short-term rentals is necessary to protect and promote the public peace
18 and the health, safety and welfare of the citizens of the Town of Abita Springs and the occupants of
19 short-term rentals; and,
20

21 **WHEREAS**, the Board of Aldermen of the Town of Abita Springs deems these amendments appropriate
22 to protect the health, safety, and welfare of the citizens of Abita Springs; and,
23

24 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its
25 regular session convened, that Section 9-205 of the Code of Ordinances of the Town of Abita Springs
26 shall be amended as follows, to wit:
27

28 **Amend SECTION 9-205- DEFINITIONS, to add a new definition for Owner and Short-Term**
29 **Rentals as outlined below.** The remainder of all other definitions, as set forth in Section 9-205 shall
30 remain in full force and effect following the amendment below.
31

32 **Sec. 9-205. -Definitions** – For the purpose of this chapter, the following terms, phrases, words, and
33 their derivations shall have the meaning given herein. When not inconsistent with the context, words
34 used in the present tense include the future, words in the plural number include the singular number,
35 and words in the singular number include the plural number. The word "shall" is always mandatory
36 and not merely directory.

37 *Owner* is a person who is named on the real property document, translative of title, recorded in the
38 St. Tammany Parish Clerk of Court's Office. In a residential district, the *owner* is one who also shows
39 proof of homestead exemption.

40
41 *Short-term Rental* is the rental of a residential dwelling unit or accessory building on a temporary
42 basis for the purpose of overnight lodging for a period of (30) thirty consecutive days or less.
43

44 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its regular
45 session convened, that Section 9-231 of the Code of Ordinances of the Town of Abita Springs shall be
46 added as follows, to wit:
47

48 **Amend PART 9, CHAPTER 2 – ZONING REGULATIONS, to add a new section as outlined below.**
49 The remainder of all other sections of zoning regulations, as set forth in Part 9, Section 2 Zoning
50 Regulations shall remain in full force and effect following the amendment below.
51

52 **Sec. 9-231 Short Term Rentals**
53

54 **(1) Applicability.** No person shall use or maintain, nor shall any person advertise the use of any
55 residential dwelling unit on any parcel in this town for short-term rental without a short-term
56 rental permit. Short-term rentals may only be allowed in the following districts:
57

- 58 (a) Residential District, as described in Sec. 9-215 of the Abita Springs Code of Ordinances;
- 59 (b) Historic District, as described in Sec. 9-222 of the Abita Springs Code of Ordinances.
- 60 (c) Commercial Districts as defined in section 9-218, 9-218.1, and 9-218.2.

61
62 **(2) Regulations.**
63

- 64 (a) The short-term rental permit shall be in the name of the Owner, who shall be an owner of
65 the real property upon which the short-term rental use is to be permitted.
 - 66 1) For permits issued in residential districts, the Owner shall provide a real property
67 document, translative of title, recorded in the St. Tammany Parish Clerk of Court's
68 Office and proof of homestead exemption.
 - 69 2) For permits issued in all remaining eligible districts, the Owner shall provide
70 verification of ownership evidenced by a real property document, translative of title,
71 recorded in the St. Tammany Parish Clerk of Court's Office.
- 72 (b) The Owner shall keep on file with the Town the name, telephone number, cell phone number,
73 and e-mail address of a local contact person who shall be responsible for responding to questions
74 or concerns regarding the operation of the short-term rental. This information shall be posted in a
75 conspicuous location within the short-term rental dwelling. The local contact person shall be
76 available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-
77 term rental within sixty (60) minutes when the short-term rental is rented and occupied."
- 78 (c) One person may hold no more than one short-term rental permit. The permit shall not be
79 transferable.
- 80 (d) Short-term rentals shall not be operated outdoors or in a recreational vehicle.
- 81 (e) Short-term rentals use shall be limited to residential dwelling units existing and constructed
82 as of the date of application for the short-term rental permit.
- 83 (f) Short-term rental dwellings shall meet all applicable building, health, fire, and related safety
84 codes at all times and shall be inspected by the fire department before any short-term rental

85 activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide
86 detector.

87 (g) A minimum of one on-site parking space shall be provided for use per bedroom used by the
88 short-term rental occupants. Vehicles shall be parked in the designated area onsite and shall
89 not be parked on the street.

90 (h) The short-term rental shall appear outwardly to be a residential dwelling. No exterior
91 signage or other exterior evidence that the property is used for short-term rental shall be
92 permitted except for a sign not more than four (4) square feet showing the name of the house.

93 (i) Use of the short-term rentals for commercial functions, ceremonies, and/or other special
94 events shall be prohibited.

95 (j) The Owner shall ensure that the occupants and/or guests of the short-term rental use do
96 not create unreasonable noise or disturbances, engage in disorderly conduct or violate
97 provisions of this code or any state law pertaining to noise, disorderly conduct, the
98 consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by
99 the city up to and including revocation of the short-term rental permit.

100 (k) The Owner, upon notification that occupants and/or guests of his or her short-term rental
101 use have created unreasonable noise or disturbances, engaged in disorderly conduct or
102 committed violations of this code or state law pertaining to noise, disorderly conduct, the
103 excessive consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such
104 conduct by those occupants or guests or be subject to fines and penalties levied by the Town
105 up to and including revocation of the short-term rental permit.

106 (l) The Owner shall maintain an occupational license and pay all occupancy taxes required by
107 law, including but not limited to state sales tax and hotel/motel occupancy tax.

108 (m) No food service shall be provided by the Owner or anyone on his behalf.

109
110 **(3) Permits.** Prospective owner-applicants of a short-term rental use shall apply for an annual
111 permit with the planning director in accordance with the provisions of this Section and on a
112 form provided by the Town. The application must be approved by the Zoning Commission. A
113 Short-term Rental Permit is a privilege, not a right, and may be revoked or not renewed based
114 on non-compliance with the requirements provided herein.

115
116 (a) The application shall be accompanied by the short-term rental permit fee as set forth herein
117 to cover the administrative costs of issuing a short-term rental permit and, but not limited to,
118 inspecting the following information:

- 119 1) The name, address, and phone number of the applicant, and verification that the
120 applicant is the Owner of the property, including proof of homestead exemption for
121 all properties located in eligible residential districts;
- 122 2) The assessor's parcel number of the lot on which the short-term rental use is
123 proposed;
- 124 3) A site and floor plan identifying the location of parking on the site and the location of
125 any bedrooms to be used for short-term rental use;
- 126 4) Evidence that the property has current, valid liability insurance of \$500,000.00 or
127 more with proof that such coverage includes use as a short-term rental property; and
- 128 5) Acknowledgment of compliance with all regulations pertaining to the operation of a
129 short-term rental.

130 (b) The permit term for all short-term rental permits shall run from January 15 to January 14
131 of each year, regardless of when issued. All permits must be renewed annually.

132 (c) There shall be no more than ten (10) short-term rental permits issued by the Town annually.

133 (d) The annual permit fee for a short-term rental permit shall be \$250.00.

134 (e) Any fraud, material misrepresentations, or false statements contained in the attestations,
135 required documentation, or correlating application materials shall be grounds for immediate
136 revocation of a short-term rental permit. Furthermore, all requirements herein shall be
137 continuously maintained throughout the duration of the permit.

138
139 **(4) Violations.** Any violation of this Section and the correlating provisions in this chapter may
140 subject a violator to any remedy, legal or equitable, available to the town. Violations include but
141 are not limited to: advertisement or rental of a short-term rental without proper permitting,
142 operation outside the scope of any of the applicable short-term rental regulations provided by law
143 and advertising a short-term rental outside the permitted scope of a short-term rental permit. The
144 Planning Director may suspend, revoke or not renew any permit issued pursuant to this Section if
145 the Planning Director determines that the permit holder has violated any provision of this Section,
146 two (2) or more times. Remedies include but are not limited to: revocation of a short-term rental
147 permit, daily fines, and property liens, as more fully provided in Section 1-108 of this Chapter.
148 Each day of violation shall be considered a separate offense. Nothing contained herein shall be
149 construed to limit the legal remedies available to any other person for the correction of violations
150 of this Section.

151
152 **BE IT FURTHER ORDAINED** that all other sections of Chapter 2 shall remain the same and in full force.

153
154 **BE IT FURTHER ORDAINED** that if any provision of this Section shall be held to be invalid, such
155 invalidity shall not affect other provisions herein which can be given effect without the invalid
156 provision and to this end the provisions of this ordinance are hereby declared to be severable.

157
158 **BE IT FURTHER ORDAINED**, that the Clerk of this Board be, and she is hereby authorized and
159 empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to
160 promulgate the provisions of this ordinance.

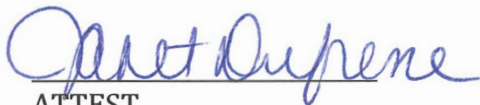
161
162 Introduced on a motion of Alderwoman Randolph, seconded by Alderman Patterson on the 16th day
163 of July 2019. Adopted on a motion of Alderman Patterson and seconded by Alderman Randolph on the
164 17th day of September 2019. The vote was:

165
166 AYES: 4, Aldermen Contois, Murphy, Patterson and Randolph

167 NAYS: 0

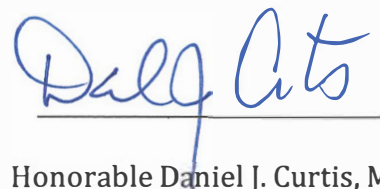
168 ABSTENTIONS: 1, Alderman Saussy

169 ABSENT: 0

170
171 

172 ATTEST

173 Janet Dufrene, Town Clerk

174 
175

Honorable Daniel J. Curtis, Mayor

55 (b) The districts are designated on the Town of Abita Springs, Louisiana, Comprehensive Zoning Plan
56 as follows:

57

58 Commercial District,

59 C1 Commercial District,

60 C2 Highway Commercial District,

61 Historic District,

62 Light Industrial District,

63 Light Industrial District II,

64 Low-Density Residential District,

65 Midtown Cultural District,

66 Mobile Home District,

67 Multi-Family District,

68 Parks District,

69 Planned Unit Development District,

70 Residential District,

71 Residential Commercial Overlay District

72 Schools District.

73 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its regular
74 session convened, that Section 9-215.1 be established as follows, to wit:

75

76 **Sec. 9-215.1 – Low Density Residential District.**

77 (a) The Low Density Residential district is primarily used for low density residential uses. It is a rural
78 residential area of the town that provides forestry resources, open space, and wildlife habitat. The
79 typical land use pattern in the district is large lots.

80 The purpose of the Low Density Residential District is to maintain Abita Springs rural character,
81 conserve natural areas, and environmental quality. The district regulations are designed to protect
82 the rural, residential character of the areas by limiting commercial activities. To preserve the rural
83 openness of the areas, certain minimum yard and lot size standards must be met.

84 (b) In the Low Density Residential District, no building or premises shall be used, and no building
85 shall be hereafter erected or structurally altered, unless otherwise provided in this chapter, except
86 for one or more of the following uses:

87 (1) One-family dwelling;

88 (2) Churches (not larger than 2,500 square feet in size);

89 (3) Accessory buildings, subject to the requirements of Sec. 9-223(c);

90 (4) Ancillary dwelling, subject to the requirements of Sec. 9-215.1 (f);

91 (5) Beauty parlors, when located in private residences;

92 (6) Home occupations;

93 (7) Gardens and agriculture (small-scale);

94 (8) Telephone and power distribution poles and lines and necessary appurtenant equipment and
95 structures such as transformers, unit substations and equipment houses (not including
96 telecommunications towers);

97 (9) Short-term rentals subject to the requirements of Sec. 9-231;

98 (10) Bed and breakfasts subject to the requirements of Sec. 9-232;

99 (11) Day care centers conducted within a residence or accessory building receiving eight or fewer
100 children for care during all or part of the day;

101 (12) Timber harvesting on parcels 6 acres or larger in size subject to the requirements of Sec. 9-
102 709;

103 (13) The following uses are permitted subject to determination by the Planning Commission that
104 water, sewer, roads, and public safety can be adequately accommodated. Additionally, the

105 following uses must comply with all regulations and requirements in the commercial district
106 for such use.

107 a. Public or private schools, (elementary or high and kindergartens, nursery schools, and
108 day care centers conducted within a residence or accessory building receiving nine or
109 more children for care during all or part of the day);

110 b. Museums, libraries, parks, playgrounds, community centers owned and operated by a
111 public agency;

112 c. Golf courses, tennis courts;

113 d. Churches (larger than 2,500 square feet in size).

114 (d) Density requirements. The minimum buildable lot size in this zoning district shall be two acres
115 with a minimum lot frontage of 125 feet, subject to the requirements of Sec. 3-504, community
116 sewerage system required.

117 (e) Yard requirements. Yard setbacks shall be in accordance with the provisions of Sec. 9-223, yards
118 and accessory buildings in residential districts.

119 (f) Any structure constructed or used as an ancillary dwelling as allowed herein shall meet the
120 following requirements:

121 (1) Comply with all setbacks requirements for accessory buildings;

122 (2) Shall comprise at least 300 square feet of living space excluding porches;

123 (3) Must be accompanied with one off-street parking space for up to 300 square feet of living
124 space (excluding porches) and one for up to each 300 feet of such thereafter;

125 (4) Only one ancillary dwelling is allowed per main residential building;

126 (5) The ancillary dwelling shall be no larger than one-half the size of the main residential
127 structure;

128 (6) All proper documents required by any governmental agency shall be required prior to the
129 tie-in to an individual sewer treatment facility.

130 (7) Upon meeting all requirements set out herein an ancillary dwelling may be allowed a
131 separate utility service.

132 (g) Appurtenant structures as allowed herein shall comply with the following restrictions:

133 (1) The total gross square footage of all appurtenant structures situated on lots of less than
134 two acres must not exceed the total gross square footage of the residence. The maximum
135 height of appurtenant structures cannot not exceed the greater of 20 feet or the height of the
136 main residence.

137 (2) On lots of two acres or more, the total square footage of appurtenant structures must not
138 exceed seven percent of the total square footage of the lot. The maximum height of
139 appurtenant structures shall not exceed 35 feet.

140 (3) No lots may be re-subdivided in a manner which violates the provisions of this subsection.

141

142 (h) District standards.

143 All uses of land and structures in the Low Density Residential District shall be subject to the following
144 standards:

145 (1) Flood zones. Construction of any structures or alteration of land which occurs in the 100-
146 year flood zone as established by the Federal Emergency Management Agency shall comply
147 with the requirements of Chapter 4 – Floodplain Management, specifically the requirements
148 of Sec. 9-464. Provisions for Flood Hazard Reduction prior to issuance of a building permit.

149 (2) Land clearing and tree preservation shall be subject to the provisions of Chapter 7 – Tree
150 Removal and Timber Harvesting.

151 (3) Utilities.

152 a. Sewer. On lots without central sewerage facilities, an individual sewer system must
153 meet department of health and human resources standards and be approved by the St.
154 Tammany Parish health department.

155 b. Water. On lots without central water facilities, any well must be 50 feet from any
156 sewer disposal unit.

157 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, that Section 9-
158 223(a)(c) and (c)(2)b. be amended as follows. The remainder of Section 9-223(a)(c)2.b shall remain in
159 full force and effect following the amendment below.

160
161 Sec. 9-223. - Yards and accessory buildings in residential districts.

162
163 (a) In the low density residential, residential, commercial, multifamily, mobile home, historic, historic
164 residential districts and townhouse district where single family residential use is sought the minimum
165 dimensions of yards shall be as follows:

166
167 (c) In areas zoned residential and low density residential, accessory buildings may be constructed
168 provided that use and construction be limited to the following:

169 (2) Limitations:

170 b. Size and height restrictions of accessory buildings shall be in accordance with section 9-
171 215 Residential district (f)(1) and (2) and section 9-215.1 Low Density Residential District
172 (g.)

173
174 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its regular
175 session convened, that Section 9-231 be amended to add section (1) d as follows. In all other respects
176 section 9-231 shall remain in full force and effect.

177
178 (d) Low Density Residential as defined in section 9-215.1.

179
180 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its regular
181 session convened, that Section 9-232 be established as follows, to wit:

182
183 Sec. 9-232 – Bed and breakfasts.

184 A bed and breakfast residence means a single-family, owner occupied dwelling unit that provides
185 guest rooms for rent where the owner resides at the residence and is on the premises during the
186 rental. Bed and breakfasts are subject to the following requirements:

187 a. One meal per day must be provided to guests.

188 b. There is a limited stay of two weeks. A longer stay may be approved by the planning director due
189 to a hardship.

190 c. The bed and breakfast must follow all code requirements.

191 d. There shall be one off-street parking spot provided per rentable bedroom.

192 e. All signs in connection with the bed and breakfast must follow historic district guidelines and be
193 approved by the historic commission.

194
195 **BE IT FURTHER ORDAINED** by the Board of Aldermen of the Town of Abita Springs, at its regular
196 session convened, that Section 3-504 A. be amended and to add subsection B. as follows. The remainder
197 of Section 3-504 shall remain in full force and effect following the amendment below.

198
199 Sec. 3-504. - Community sewerage system required.

200
201 A. Municipal sewerage shall be provided in subdivisions comprised of 15 lots or more. This requirement shall
202 apply to all new subdivision developments.

203 The use of individual on-site sewage disposal systems in lieu of a municipal sewerage service
204 may be authorized and will be considered under the following circumstances:

205 In subdivisions comprised of less than 15 lots with a minimum lot size of two acres or greater and a
206 minimum frontage of 125 feet, when the developer submits a comprehensive drainage plan, as well as a
207 proposal for restrictive covenants which detail requirements for perpetual maintenance of drainage.
208 Whenever the average lot size of a proposed subdivision is greater than five acres, the Town of Abita
209 Springs may waive the requirement for a community sewerage system upon demonstration by the
210 developer that the implementation of such provisions would prove to be a manifestly unreasonable
211 financial hardship.

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B. For individual lots where the Town of Abita Springs has waived the requirement to connect to a community sewerage system as provided by Sec. 3-506(B)(3), use of individual on-site sewage disposal systems may be approved when the lots or sites in question meet any of the following criteria:

1. minimum area of 22,500 square feet, and a minimum frontage of 80 feet.
2. minimum area of 16,000 square feet and a minimum frontage of 80 feet where an approved individual mechanical plant is to be utilized;
3. minimum area of 12,000 square feet and a minimum frontage of 60 feet where an approved individual mechanical plant is utilized and is followed by 50 feet of modified absorption field.
4. Where lots of "record" (i.e., lots created by formal subdivision prior to July 28, 1967) are combined (in accord with the definition of a subdivision) to create a new, larger, single lot, and no re-subdivision of the property is involved. On July 20, 2002 and thereafter, in no case shall the newly created lots have less than 50 feet of frontage or be less than 5,000 square feet in area.
5. For individual lots remaining in substantially developed, previously established subdivisions, no minimum area is required provided the state health officer determines that a hazard to public health will not result.

BE IT FURTHER ORDAINED that if any provision of this Section 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.

BE IT FURTHER ORDAINED, that the Clerk of this Board be, and she is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

This ordinance shall become effective upon the signature of the mayor.

Introduced on a motion of Alderwoman Contois, seconded by Alderman Patterson on the 15th day of June 2021. Adopted on a motion of Alderman Patterson and seconded by Alderman Saussy on the 20th day of July 2021.

The vote was:

- AYES: 4, Aldermen Contois, Patterson, Randolph and Saussy
- NAYS: 0
- ABSTENTIONS: 0
- ABSENT: 0

Mayor Pro Tempore Ryan Murphy served as Chairman.

ATTEST
Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor



ORDINANCE #525

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AN ORDINANCE TO AMEND THE OFFICIAL MAP OF ZONING DISTRICTS OF THE TOWN OF ABITA SPRINGS TO CHANGE THE ZONING OF A CERTAIN PARCEL OF LAND IN SECTION 6, TOWNSHIP 7 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LOUISIANA FROM HISTORIC RESIDENTIAL TO RESIDENTIAL

WHEREAS, the property owners of a certain parcel of land in Section 6, Township 7 South, Range 12 East, in Abita Springs have petitioned the Town to rezone the referenced property from Historic Residential District to Residential; and,

WHEREAS, the petition was properly certified by the Town Clerk; and,

WHEREAS, the Town of Abita Springs Planning Commission has favorably recommended the aforesaid change to the zoning classification.

THEREFORE, BE IT ORDAINED that the following described property located in the Town of Abita Springs be rezoned as Residential.

Parcel A contains 2.0 Acres more or less per Survey No. 21-140229 of John E. Bonneau, Professional Land Surveyor, dated April 19, 2021, and attached hereto and made a part of this Ordinance.

PARCEL "A" being 2.0 acres in Section 6, Township 7 South, Range 12 East, Town of Abita Springs, St. Tammany Parish, Louisiana, being more fully described as follows:

From the northwest corner of the northwest ¼ of Section 6, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana, run south for a distance of 1295.5 feet to a point; thence go south 00 degrees 16 minutes 18 seconds west for a distance of 874.45 feet; thence go south 89 degrees 58 minutes 24 seconds east for a distance of 301.36 feet; thence go south 45 degrees 05 minutes 17 seconds east for a distance of 1495.9 feet; thence go north 45 degrees 05 minutes 17 seconds west for a distance of 42.05 feet to the Point of Beginning;

From the Point of Beginning run north 45 degrees 05 minutes 01 seconds west (north 45 degrees 00 minutes 00 seconds west - title) for a distance of 590.70 feet to a point; thence go south 89 degrees 34 minutes 35 seconds east for a distance of 421.38 feet to a point; thence go south 00 degrees 26 -minutes 00 seconds west for a distance of 413.97 feet back to the Point of Beginning.

BE IT FURTHER ORDAINED that the Official Zoning Map of the Town of Abita Springs be amended to reflect the new zoning classification.

FURTHERMORE, BE IT ORDAINED that the Clerk of the Board is hereby authorized and empowered to take any and all actions necessary to promulgate the provisions of this ordinance.

This ordinance shall be effective upon signature of the Mayor.

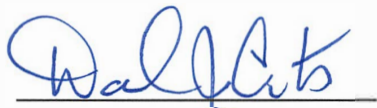
Introduced on a motion of Aldermen Member Murphy, seconded by Alderman Member Contois on the 21st day of December 2021. Adopted on a motion of Alderman Member Randolph and seconded by Alderman Member Randolph on the 18th day of January 2022.

The vote was:

AYES: 5, Aldermen Contois, Murphy, Patterson, Randolph and Saussy
NAYS: 0
ABSTENTIONS: 0
ABSENT :0



ATTEST
Janet Dufrene, Town Clerk



Honorable Daniel J. Curtis, Mayor



ORDINANCE #536

AN ORDINANCE OF THE ABITA SPRINGS BOARD OF ALDERMEN TO AMEND THE CODE OF ORDINANCES, SECTION 2-102 RELATIVE TO THE BOARD OF ALDERMEN AND SPECIAL COMMITTEES, AND SECTION 2-103 REGULAR MEETINGS; TIME AND PLACE; MEETINGS WHICH FALL ON HOLIDAYS AND TO PROVIDE FOR RELATED MATTERS.

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY ALDERMAN SAUSSY, SECONDED BY ALDERWOMAN RANDOLPH; MOVED FOR ADOPTION BY ALDERWOMAN RANDOLPH, AND SECONDED FOR ADOPTION BY ALDERWOMAN CONTOIS.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS, AT ITS REGULAR SESSION CONVENED, THAT SECTION 2-102 AND 2-103 OF THE CODE OF ORDINANCES OF THE TOWN OF ABITA SPRINGS SHALL BE AMENDED AS FOLLOWS, TO WIT:

Sec. 2-102. - Number of aldermen and special committee meetings.

- (a) The board of aldermen of the town shall have five members.
(b) The mayor pro tem or mayor with the consent of the board of aldermen may create special committees and determine their mission and composition.

Sec. 2-103. - Regular meetings; time and place; and rules of procedure.

- (a) A meeting of the board of aldermen shall be held at the Abita Springs Town Hall on the first Tuesday of each month at 6:00 p.m. A second regular council meeting shall be held at the Abita Springs Town Hall on the third Tuesday of each month at 6:00 p.m.
(b) Where the day for a meeting conflicts with a holiday, the meetings shall be rescheduled by a vote of the board.
(c) The board of aldermen meetings shall operate according to the applicable rules contained in the Town of Abita Springs Rules of Procedure and any applicable laws of the State of Louisiana with respect to membership, quorum, voting, attendance and other meeting procedures and shall be established through a resolution of the board.

BE IT FURTHER ORDAINED that all other parts of Section 2 shall remain the same and in full force and effect.

BE IT FURTHER ORDAINED that if any provision of this Section 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.

BE IT FURTHER ORDAINED, that the Clerk of this Board be, and is hereby authorized and empowered to take any and all actions which, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The Ordinance being submitted to a vote, the vote thereon was as follows:

AYES: 5, Aldermen Contois, Murphy, Patterson Randolph, and Saussy
NAYS: 0
ABSENT: 0
ABSTENTIONS: 0

The ordinance was declared adopted this the 20th, day of December 2022.

Handwritten signature of Janet Dufrene

ATTEST
Janet Dufrene, Town Clerk

Handwritten signature of Daniel J. Curtis

Honorable Daniel J. Curtis, Mayor



Instrument 2025-09-001

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS TO ADOPT THE RECOMMENDATION OF THE PLANNING COMMISSION, TO APPROVE PHASE 1 OF THE ABITA MEADOWS PLANNED UNIT DEVELOPMENT (PUD) FINAL ZONING PLAT AND ASSOCIATED ZONING DISTRICT, LOCATED ON HIGHWAY 36, EAST OF HEBERT ROAD, IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT PREVIOUSLY APPROVED BY ORDINANCE NO. 485. THIS APPROVAL IS PURSUANT TO THE PUD FINAL APPROVAL PROCESS OUTLINED IN SECTIONS 9-803 AND 9-804 OF THE TOWN OF ABITA SPRINGS CODE OF ORDINANCES (NOTWITHSTANDING THAT THESE SECTIONS HAVE SINCE BEEN REPEALED AND RESERVED, THEY REMAIN APPLICABLE TO THIS PUD UNDER THE TERMS OF THE ORIGINAL AGREEMENT).

1 Whereas, on January 18, 2018, Lonesome Development, LLC and Abita Meadows, LLC and the
2 Town of Abita Springs entered into a Development Agreement approved via Ord. No. 485 to
3 develop 167.79 acres of land located in Sections 5 and 8, Township 7 South, Range 12 East,
4 Abita Springs, in St. Tammany Parish, Louisiana as a Planned Unit Development (PUD) with
5 single-family residential, commercial and civic uses (herein after referred to as the “Meadows
6 PUD”); and

7
8 Whereas, the preliminary plat was approved, and

9
10 Whereas, Planned Unit Developments or PUDs were previously regulated in the Town’s Code
11 of Ordinances in both Part 9 – Planning, Zoning and Development, Chapter 2. – Zoning
12 Regulations, Sec. 9-212. Districts Established, and in Chapter 8. – Planned Unit Development;
13 and

14
15 Whereas, on August 20, 2024, the Board of Alderman repealed the PUD district prospectively,
16 and clarified the treatment of existing PUDs to which the repealing ordinance has no effect via
17 Ordinance No. 547, to guide future development and promote the Town’s health, safety and
18 welfare; and

19
20 Whereas, on August 28, 2025, the Abita Springs Planning Commission reviewed the subject
21 PUD Final Plat as part of a duly noticed public meeting, and after hearing public comment as
22 part of a public hearing motioned to recommend approval of the Abita Meadows Planned Unit
23 Development (PUD) Final Plat Zoning and associated Zoning District, located on Highway 36, East of Hebert
24 Road to the Town Board of Alderman by a vote of 4 to 0 with one member absent.; and

25
26 Whereas, both Final Planned Unit Development Plat and Final Subdivision Plat approval are
27 necessary to allow the sale of lots in Phase 1 to future homebuyers.

28
29 **THEREFORE, LET IT BE ORDAINED** by the Board of Alderman of the Town of Abita
30 Springs, at its regular session convened, that the Planned Unit Development (PUD) Final Plat-
31 Phase 1 & Zoning District located at Highway 36, East of Hebert Road be and is hereby approved in
32 accordance with the Development Agreement approved via Ord. No. 485, and PUD final
33 approval process repealed (but in effect for this pre-existing PUD) in Sections 9-803 and 9-804
34 (Repealed and reserved) of the Town of Abita Springs Code of Ordinances.

35
36 **BE IT FURTHER ORDAINED** that Ordinances 309, 313,476, 480, and 484 be recognized and
37 reordained and incorporated by reference herein.

38
39 **BE IT FURTHER ORDAINED** that the plat approval pursuant to Section 9-803 of the Town
40 of Abita Springs Code of Ordinances is not intended to authorize the sale of lots shown.

41
42 Introduced on a motion of _____ and seconded by _____, on
43 the _____ day of _____, 2025.

44
45 Adoption on a motion of _____ and seconded by _____,
46 adopted on the _____ day of _____, 2025.

47

Town of Abita Springs, La.

CLERK
SECRETARY-TREASURER
TAX COLLECTOR
DONNA KILPATRICK

CHIEF OF POLICE
THELMA NAQUIN

CLERK OF COURT
ROBIN MCGOURTY

ATTORNEY
EDWARD DEANO

BUILDING INSPECTOR
DAVID CHATELAIN



ALDERMEN
TROY DUGAS
(MAYOR PRO-TEM)

CALVIN COGNEVICH
JONATHAN DAVIS
PATRICIA EDMISTON
REGINA BENTON

UTILITY CLERK
AMIE WOOD

PLANNING & ZONING CLERK
CINDY MURRY

ACCOUNTS PAYABLE
JENNIFER OALMANN

MAYOR
LOUIS FITZMORRIS

ORDINANCE # 309

Introduced by Alderman Edmiston seconded by Alderman Dugas
on 20th day of June 2006.

AN ORDINANCE TO ZONE A CERTAIN PARCEL OF GROUND IN SECTIONS 5 AND 8 TOWNSHIP 7 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, STATE OF LOUISIANA AND TO PROVIDE FOR RELATED MATTERS

BE IT ORDAINED, by the Board of Alderman of the Town of Abita Springs that the following described property be and is hereby zoned a Planned Unit Development. Said property is described as follows to wit:

A certain parcel of land situated in Sections 5 and 8, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana and more fully described as follows.

Commence at the Section Corner common to Sections 5, 6, 7 and 8 Township 7 South, Range 12 East and measure South 89 degrees 30 minutes 00 seconds East a distance of 2,010.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run NORTH a distance of 481.35 feet; thence North 58 degrees 33 minutes 41 seconds East a distance of 92.94 feet; thence North 56 degrees 16 minutes 57 seconds East a distance of 143.18 feet; thence North 48 degrees 51 minutes 58 seconds East a distance of 143.34 feet; thence North 41 degrees 46 minutes 00 seconds East a distance of 186.43 feet; thence North 29 degrees 58 minutes 27 seconds East a distance of 238.81 feet; thence North 35 degrees 11 minutes 24 seconds East a distance of 209.02 feet; thence North 36 degrees 07 minutes 27 seconds East a distance of 147.54 feet; thence South 54 degrees 23 minutes 00 seconds East a distance of 293.26 feet; thence South 54 degrees 32 minutes 00 seconds East a distance of 583.50 feet; thence South 00 degrees 26 minutes 16 seconds East a distance of 1,847.84 feet; thence North 89 degrees 52 minutes 00 seconds East a distance of 520.62 feet; thence South 00 degrees 11 minutes 50 seconds East a distance of 300.86 feet; thence South 00 degrees 41 minutes 00 seconds East a distance of 1,303.60 feet; thence South 89 degrees 57 minutes 00 seconds West a distance of 1,337.00 feet; thence North 00 degrees 45 minutes 00 seconds West a distance of 1,304.70 feet; thence South 89 degrees 50 minutes 00 seconds West a distance of 202.59 feet; thence South 89 degrees 52 minutes 00 seconds West a distance of 1,010.00 feet; thence NORTH a distance of 1,305.00 feet; thence EAST a distance of 1,008.00 feet; thence NORTH a distance of 20.00 feet; thence

North 89 degrees 32 minutes 00 seconds West a distance of 466.80 feet to the POINT OF BEGINNING, and containing 137.04 acres of land, more or less.

BE IT FURTHER ORDAINED THAT said Planned Unit Development shall conform to the following restrictions:

1. The minimum sized lot shall be 90 feet X 120 feet
2. There shall be a maximum of 274 lots
3. The sole use of these lots shall be single family as provided under the Zoning Ordinance of the Town of Abita Springs.
4. The developer Kelly McHugh and Associates shall provided a hard paved surface for Hebert Road, which meets the specifications of the town engineer.
5. All town utility services shall be at the expense of the developer for the property described involved.
6. The rules and regulations, which apply to the Historical District of the Town of Abita Springs, shall apply to the above-described property. These regulations shall not only be established by this ordinance, but also shall be covenants running with the land.
7. The developer shall provide lighting, sidewalks, and recreational areas approved by the engineer of the Town of Abita Springs.
8. Certification from the Zoning Commission that all submissions required under the Planned Unit Development Ordinance have been made by the applicant.
9. Receipt of the written report in accordance with the written report section of the Planned Unit Development Ordinance which sets out the basis upon which the recommendation of the Planning and Zoning Commission in describing how the preliminary plat meets the standards and objectives set forth in that ordinance.
10. Final approval of the rezoning of the above described property shall not be completed until the requirements of 8 and 9 herein have been met.

IT IS FURTHER ORDAINED, that the appropriate authorities of the planning and zoning commission are hereby authorized to sign a preliminary plat under the terms and conditions as set out above.

Adopted as amended on motion of Alderman Dugas, seconded by

Alderman Cognovich on 15th day of August 2006.


A VOTE WAS CALLED FOR FINAL PASSAGE OF THE ORDINANCE; THE RESULTS ARE AS FOLLOWS;

YEAS: 4 Cognovich, Edmiston, Dugas + Benton

NAYS: 0

ABSENT: 1 Davis ABSTAIN: 0


DONNA KILPATRICK, CLERK


LOUIS FITZMORRIS, MAYOR

ORDINANCE McHUGH HWY 36 ZONING 08-06

Town of Abita Springs, La.

CLERK
SECRETARY-TREASURER
TAX COLLECTOR
DONNA KILPATRICK

CHIEF OF POLICE
THELMA NAQUIN

CLERK OF COURT
ROBIN MCGOURTY

ATTORNEY
EDWARD DEANO

BUILDING INSPECTOR
DAVID CHATELAIN



MAYOR
LOUIS FITZMORRIS

ALDERMEN
TROY DUGAS
(MAYOR PRO-TEM)

CALVIN COGNEVICH
JONATHAN DAVIS
PATRICIA EDMISTON
REGINA BENTON

UTILITY CLERK
AMIE WOOD

PLANNING & ZONING CLERK
CINDY MURRY

ACCOUNTS PAYABLE
JENNIFER OALMANN

ORDINANCE OF THE TOWN OF ABITA SPRINGS

ORDINANCE NO. 313

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF CERTAIN LANDS INTO THE CORPORATE LIMITS OF THE TOWN OF ABITA SPRINGS AND TO PROVIDE FOR RELATED MATTERS.

IT IS HEREBY ORDAINED by the Board of Directors of the Town of Abita Springs that the below described property be and is hereby annexed into the municipal corporate limits of the Town of Abita Springs, Louisiana. Said property is ascribed as follows, to-wit:

137 acres situated in the Parish of St. Tammany, State of Louisiana being located in Sectors 5 and 8, Township 7 South, Range 12 East.

A CERTAIN PIECE OR PARCEL OF GROUND situated in Sections 5 and 8, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows, to-wit:

Commence at the Section Corner common to Sections 5, 6, 7, and 8, Township 7 South, Range 12 East and measure South 89 degrees 30 minutes 00 seconds East a distance of 2,010.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run NORTH a distance of 1,882.00 feet; thence South 54 degrees 23 minutes 00 seconds East a distance of 1,224.80 feet; thence South 54 degrees 23 minutes 00 seconds East a distance of 583.50 feet; thence South 00 degrees 26 minutes 16 seconds East a distance of 1,847.84 feet; thence North 89 degrees 52 minutes 00 seconds East a distance of 520.62 feet; thence South 00 degrees 11 minutes 50 seconds East a distance of 300.86 feet; thence South 00 degrees 41 minutes 00 seconds East a distance of 1,303.60 feet; thence South 89 degrees 57 minutes 00 seconds West a distance of 1,337.00 feet; thence North 00 degrees 45 minutes 00 seconds West a distance of 1,304.70 feet; thence South 89 degrees 50 minutes 00 seconds West a distance of 202.59 feet; thence South 89 degrees 52 minutes 00 seconds West a distance of 1,010.00 feet; thence NORTH a distance of 1,350.00 feet; thence EAST a distance of 1,008.00 feet; thence NORTH a distance of 20.00 feet; thence North 89 degrees 32 minutes 00 seconds West a distance of 466.80 feet to the POINT OF BEGINNING, and containing 150.45 acres of land, more or less.

**THIS DOCUMENT IS CERTIFIED
TO BE A TRUE AND EXACT COPY FROM
THE RECORDS OF THE TOWN OF ABITA SPRINGS
BOARD OF ALDERMEN**

*Leanne Schaefer
Council Clerk*

The officials of the Town of Abita Springs are hereby authorized and directed to take all necessary actions that are proper in order to effect the annexation into the corporate limits of the Town of Abita Springs of the below described property.

BE IT FURTHER ORDERED that the Developmental Agreement between Abita Meadows, L.L.C. and The Town of Abita Springs dated December 19, 2006 is incorporated by reference into this ordinance.

Amendment introduced by ALDGERMAN BUGAS on this 19TH
day of DECEMBER 2006.

A vote was called with the following results:

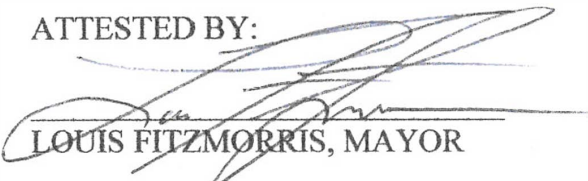
YEAS: 3 COGNEVICA, BUGAS, EDMISTON

NAYS: 0

ABSENT: 2 BENNEN & DAVIS

ABSTAIN: 0

ATTESTED BY:


LOUIS FITZMORRIS, MAYOR


DONNA KILPATRICK, CLERK

**THIS DOCUMENT IS CERTIFIED
TO BE A TRUE AND EXACT COPY FROM
THE RECORDS OF THE TOWN OF ABITA SPRINGS
BOARD OF ALDERMEN**

*Heather Schaefer
Council
Clerk*

Town of Abita Springs, La.

CLERK
SECRETARY-TREASURER
TAX COLLECTOR
DONNA KILPATRICK

CHIEF OF POLICE
THELMA NAQUIN

CLERK OF COURT
ROBIN M'GOURTY

ATTORNEY
EDWARD DEANO

BUILDING INSPECTOR
DAVID CHATELAIN



MAYOR
LOUIS FITZMORRIS

ALDERMEN
TROY DUGAS
(MAYOR PRO-TEM)

CALVIN COGNEVICH
JONATHAN DAVIS
PATRICIA EDMISTON
REGINA BENTON

UTILITY CLERK
AMIE WOOD

PLANNING & ZONING CLERK
CINDY MURRY

ACCOUNTS PAYABLE
JENNIFER OALMANN

ORDINANCE OF THE TOWN OF ABITA SPRINGS

ORDINANCE NO. 33

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF CERTAIN LANDS INTO THE CORPORATE LIMITS OF THE TOWN OF ABITA SPRINGS AND TO PROVIDE FOR RELATED MATTERS.

IT IS HEREBY ORDAINED by the Board of Directors of the Town of Abita Springs that the below described property be and is hereby annexed into the municipal corporate limits of the Town of Abita Springs, Louisiana. Said property is ascribed as follows, to-wit:

137 acres situated in the Parish of St. Tammany, State of Louisiana being located in Sectors 5 and 8, Township 7 South, Range 12 East.

A CERTAIN PIECE OR PARCEL OF GROUND situated in Sections 5 and 8, Township 7 South, Range 12 East, St. Tammany Parish, Louisiana, and more fully described as follows, to-wit:

Commence at the Section Corner common to Sections 5, 6, 7, and 8, Township 7 South, Range 12 East and measure South 89 degrees 30 minutes 00 seconds East a distance of 2,010.00 feet to the POINT OF BEGINNING.

From the POINT OF BEGINNING run NORTH a distance of 1,882.00 feet; thence South 54 degrees 23 minutes 00 seconds East a distance of 1,224.80 feet; thence South 54 degrees 23 minutes 00 seconds East a distance of 583.50 feet; thence South 00 degrees 26 minutes 16 seconds East a distance of 1,847.84 feet; thence North 89 degrees 52 minutes 00 seconds East a distance of 520.62 feet; thence South 00 degrees 11 minutes 50 seconds East a distance of 300.86 feet; thence South 00 degrees 41 minutes 00 seconds East a distance of 1,303.60 feet; thence South 89 degrees 57 minutes 00 seconds West a distance of 1,337.00 feet; thence North 00 degrees 45 minutes 00 seconds West a distance of 1,304.70 feet; thence South 89 degrees 50 minutes 00 seconds West a distance of 202.59 feet; thence South 89 degrees 52 minutes 00 seconds West a distance of 1,010.00 feet; thence NORTH a distance of 1,350.00 feet; thence EAST a distance of 1,008.00 feet; thence NORTH a distance of 20.00 feet; thence North 89 degrees 32 minutes 00 seconds West a distance of 466.80 feet to the POINT OF BEGINNING, and containing 150.45 acres of land, more or less.

The officials of the Town of Abita Springs are hereby authorized and directed to take all necessary actions that are proper in order to effect the annexation into the corporate limits of the Town of Abita Springs of the below described property.

BE IT FURTHER ORDERED that the Developmental Agreement between Abita Meadows, L.L.C. and The Town of Abita Springs dated December 19, 2006 is incorporated by reference into this ordinance.

Amendment introduced by ALDRMAN DAVIS on this 19TH
day of DECEMBER 2006.

A vote was called with the following results:


YEAS: 3 COGNATEVA, BUGAS, EDMISTON

NAYS: 0

ABSENT: 2 BENNETT & DAVIS

ABSTAIN: 0

ATTESTED BY:


LOUIS FITZMORRIS, MAYOR


DONNA KILPATRICK, CLERK

Town of Abita Springs

TOWN CLERK/
CLERK OF COURT
KATHY ARMAND

FINANCIAL DIRECTOR
NIKI MENDOW

INTERGOVERNMENTAL AFFAIRS
LEANNE SCHAEFER

ATTORNEY
EDWARD DEANO

CERTIFIED BUILDING OFFICIAL
DAVID CHATELAIN

PUBLIC WORKS DIRECTOR
JOHNNY CLAY

PUBLIC WORKS CLERK
KRISTIN TORTORICH



MAYOR
GREG LEMONS

ALDERMEN
GINA KILPATRICK HARPER
(MAYOR PRO-TEM)

PATRICK BERRIGAN
DANIEL J. CURTIS
RYAN MURPHY
LESLIE BLITCH WELIVER

UTILITY MANAGER
DEBRA MACLEAN

UTILITY CLERK II
LINDA MEEKER

PLANNING & ZONING DIRECTOR
CINDY CHATELAIN

TOWN MARSHAL
MIKE SLEMMER

ORDINANCE #476

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF THE 30.2 ACRES BEING LOT 9 SECTION 8, TOWNSHIP 7 SOUTH, RANGE 12 EAST, ST. TAMMANY PARISH, LOUISIANA AND TO PROVIDE FOR RELATED MATTERS.

BE IT ORDAINED by the Board of Aldermen of the Town of Abita Springs that the 30.2 Acres being Lot 9 Section 8, Township 7 South Range 12 East, St. Tammany Parish, more fully described as follows:

Legal Description of 30.2 Acres owned by Abita Meadows, L.L.C.

All that certain piece or portion of ground situated in St. Tammany Parish, Louisiana, in Section 8, Township 7 South, Range 12 East, bounded on the North by a 20 foot road, on the East by Lot 8, on the West by Lot 10 and on the South by the remaining portion of Section 8 and measures 1,010 feet on the North line, 1,302 feet on the West line, 1,010 feet on the South line and 1,305 feet on the East line. Said land constitutes 30.2 acres and is described as Lot 9 on a map of survey made by E. Landry, Civil Engineer and Surveyor, Gretna, Louisiana, dated March, 1922, which is recorded with the Clerk of Court, St. Tammany Parish, LA as Map 242B. Being the same property acquired by Abita Meadows, L.L.C. by act recorded with the Clerk of Court, St. Tammany Parish, La. as Instrument No. 1949392.

BE IT FURTHER ORDAINED by the Board of Alderman of the Town of Abita Springs that the above described property be annexed into the corporate limits of the Town of Abita Springs.

BE IT FURTHER ORDAINED by the Board of Alderman of the Town of Abita Springs that the above described property be classified and zoned as a Planned Unit Development.

BE IT FURTHER ORDAINED by the Board of Alderman of the Town of Abita Springs that the Mayor and the Board of Aldermen of the Town of Abita Springs is hereby authorized and directed to take all actions necessary and proper to carry out the intentions of this annexation ordinance.

BE IT FURTHER ORDAINED by the Board of Alderman of the Town of Abita Springs that the officials of the Town of Abita Springs are hereby authorized and directed to take all necessary actions that are proper in order to effect the annexation into the corporate limits of the Town of Abita Springs.

Introduced on a motion by Alderman Curtis, and seconded by Alderman Murphy, Adopted on motion of Alderman Murphy, and seconded by Alderman Curtis.

YEAS: 5 Aldermen Berrigan, Curtis, Kilpatrick-Harper, Murphy, and Blicht Welliver

NAYS: 0

ABSENT: 0

ABSTAIN: 0

Adopted on the 21st day of March 2017.

ATTEST

Kathy Armand, Town Clerk

Honorable Greg Lemons, Mayor

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Town of Abita Springs



**MAYOR
GREG LEMONS**

ORDINANCE #480

TOWN CLERK/
CLERK OF COURTY
KATHY ARPLAND

FINANCIAL DIRECTOR
NIKI MENDOW

INTRAGOVERNMENTAL AFFAIRS
LEANNE SCHAEFER

ATTORNEY
EDWARD DEANO

CERTIFIED BUILDING OFFICIAL
DAVID CHATELAIN

PUBLIC WORKS DIRECTOR
JOHNNY CLAY

PUBLIC WORKS CLERK
KRISTIN TORFORSCH

ADMINISTRATIVE
CINA KILPATRICK HARPER
(MAYOR PRO TEM)

PATRICK BERRIGAN
DANIEL J. CURTIS
RYAN MURPHY
LESLIE BUTCH WELLS

UTILITY MANAGER
DEBRA MACLEAN

UTILITY CLERK II
LINDA MEEKER

PLANNING & ZONING DIRECTOR
CINDY CHATELAIN

TOWN ASSISTANT
MIKE SLEMMER

9 **AN ORDINANCE TO AMEND ORDINANCE 309 OF THE CODE OF**
10 **ORDINANCES OF THE TOWN OF ABITA SPRINGS RELATIVE TO THE**
11 **ZONING RESTRICTIONS PLACED ON A CERTAIN PIECE OF GROUND IN**
12 **SECTIONS 5 AND 8 TOWNSHIP 7 SOUTH, RANGE 12 EAST, ST. TAMMANY**
13 **PARISH, STATE OF LOUISIANA; AND TO PROVIDE FOR RELATED**
14 **MATTERS**

15 **WHEREAS** Certain lands known as Abita Meadows Subdivision were zoned a Planned
16 Unit Development District by virtue of Ordinance 309 on August 15, 2006; and,

17 **WHEREAS**, certain restrictions were placed on that land in that ordinance; and,

18 **WHEREAS**, since that time a more comprehensive Planned Unit Development
19 Ordinance has been adopted; and,

20 **WHEREAS**, the Town of Abita Springs desires that the use of that land conform with
21 the current Planned Unit Development Ordinance provisions.

22 **NOW THEREFORE BE IT ORDAINED** that ordinance 309 of the Town of Abita
23 Springs be amended and reordained in the following manner:

24 1. On Page two the following language is deleted:

- 25 1. The minimum sized lot shall be 90 feet X 120 feet
26 2. There shall be a maximum of 274 lots
27 3. The sole use of these lots shall be single family as provided under the Zoning ordinance of the
28 Town of Abita Springs
29 4. The developer Kelly Mc Hugh and Associates shall provide a hard paved surface for Hebert Roads,
30 which meets the specifications of the town engineer.
31 5. All town utility services shall be at the expense of the developer for the property described
32 involved.

- 33 6. The rules and regulations, which apply to the Historical District of the Town of Abita Springs, shall
34 apply to the above-described property. These regulations shall not only be established by this
35 ordinance, but also shall be covenants running with the land.
36 7. The developer shall provide lighting, sidewalks, and recreational areas approved by the engineer
37 of the Town of Abita Springs.
38 8. Certification from the Zoning Commission that all submissions required under the Planned Unit
39 Development Ordinance have been made by the applicant.
40 9. Receipt of the written report in accordance with the written report section of the Planned Unit
41 Development Ordinance which sets out the basis upon which the recommendation of the
42 Planning and Zoning Commission in describing how the preliminary plat meets the standards and
43 objectives set forth in that ordinance.
44 10. Final approval of the rezoning of the above described property shall be completed until the
45 requirements of 8 and 9 herein have been met.
46

47 And in lieu thereof the following language is inserted:

48 "The lands described above shall be subject to the provisions of Sections 9-801 through
49 9-809".

50 2. In all other respects the provisions of Ordinance 309 remain in full force and
51 effect.

52
53 Ordinance introduced on motion of Alderman Berrigan, seconded by Alderman Murphy, on the
54 16th day of May, 2017.

55
56 Ordinance adopted on motion of Alderman Berrigan, and seconded by Alderman Kilpatrick-
57 Harper on the 20th day of June 2017.

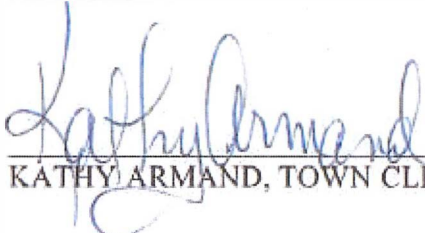
58
59 Vote was:

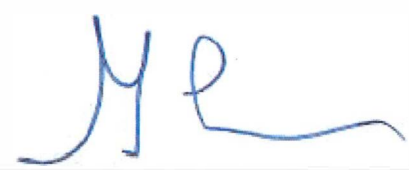
60 YEAS: 5, Berrigan, Curtis, Kilpatrick-Harper, Murphy, Blich Welliver

61 NAYS: 0

62 ABSENT: 0

63 ABSTAIN: 0

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65
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67 
68 KATHY ARMAND, TOWN CLERK
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72
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GREG LEMONS, MAYOR

Town of Abita Springs

TOWN CLERK/
CLERK OF COURT
KATHY ARMAND

FINANCIAL DIRECTOR
NIKI MENDOW

INTERGOVERNMENTAL AFFAIRS
LEANNE SCHAEFER

ATTORNEY
EDWARD DEANO

CERTIFIED BUILDING OFFICIAL
DAVID CHATELAIN

PUBLIC WORKS DIRECTOR
JOHNNY CLAY

PUBLIC WORKS CLERK
KRISTIN TORTORICH



MAYOR
GREG LEMONS

ALDERMEN
GINA KILPATRICK HARPER
(REAR SEAT POSITION)

PATRICK BERRIGAN
DANIEL J. CURTIS
RYAN MURPHY
LESLIE BLITCH WELIVER

UTILITY MANAGER
DEBRA MACLEAN

UTILITY CLERK II
LINDA MEEKER

PLANNING & ZONING DIRECTOR
CINDY CHATELAIN

TOWN MARSHAL
MIKE SLEMMER

ORDINANCE No. 484

WHEREAS, the Town of Abita Springs adopted Ordinance #313 and #476 which annexed lands described in those Ordinances into the Corporate Limits of the Town of Abita Springs; and,

WHEREAS, it has recently been discovered that there is an error in the descriptions of the lands so annexed; and,

WHEREAS, those lands are contiguous and owned in single ownership by Abita Meadows, LLC; and,

WHEREAS, Abita Meadows, LLC has petitioned the Town of Abita Springs to annex the land previously annexed under proper description.

THEREFORE, BE IT ORDAINED, that the following ordinance be adopted by the Board of Aldermen of the Town of Abita Springs.

AN ORDINANCE TO ANNEX CERTAIN LANDS IN SECTIONS 5 AND 8, TOWNSHIP 7 SOUTH, RANGE 12 EAST, PARISH OF ST. TAMMANY INTO THE MUNICIPAL CORPORATE LIMITS OF THE TOWN OF ABITA SPRINGS; AND TO AMEND ORDINANCE #313 AND #476 AND TO PROVIDE FOR OTHER RELATED MATTERS:

IT IS HEREBY ORDAINED by the Board of Aldermen of the Town of Abita Springs that the below described property be and is hereby annexed into the municipal corporate limits of the Town of Abita Springs.

BE IT FURTHER ORDAINED that the description of the property annexed in Ordinance #313 and #476 be corrected, combined and joined together in one description to read as follows:

A certain tract of land being comprised of Tracts AM-2, AM-3, AM-4 and a portion of Tract AM-1 located in Sections 5 & 8, T-7-S, R-12-E Greensburg Land District of Louisiana, Town of Abita Springs, Parish of St. Tammany, Louisiana, as shown on map titled "MAP SHOWING SUBDIVISION OF A 40+ ACRE TRACT, THE REMAINDERS OF LOTS 5,6, & 7 AND LOTS 8 & 9 INTO tract being shown thereon and being more particularly described as follows:

Commencing at the intersection of the easterly right of way of Hebert road and the southerly right of way of La. Hwy 36 being the northwesterly corner of Tract Am-1, being marked by a found ½" iron pipe; thence proceed S54°23'00"E along the southerly right of way of La Hwy 36 a distance of 930.48' to a point and corner being the POINT OF BEGINNING; thence proceed S54°23'00"E along the southerly right of way of La Hwy 36 a distance of 793.67' to a point and corner marked by a found ½" iron rod; thence proceed S0°00'32"W a distance of 1662.18' to a point and corner marked by a found ½" iron rod; thence proceed S89°57'34"E a distance of 603.95' to a point and corner marked by a found ½" iron rod; thence proceed S0°12'55"E a distance of 536.67' to a point and corner marked by a found ½" iron rod; thence proceed S0°25'50"E a distance of

61 1302.98' to a point and corner marked by a found wood stob; thence proceed
62 N89°52'01"W a distance of 1343.63' to a point and corner marked by a found
63 wood stob; thence proceed N0°12'16"W a distance 1304.70' to a point and corner
64 marked by a found ½" iron pipe; thence proceed S89°27'07"W a distance of
65 197.35' to a point and corner marked by a found ¾" iron pipe; thence proceed
66 S89°44'46"W a distance of 1010.00' to a point and corner marked by a found ¾"
67 iron pipe; thence proceed N88°51'38"W a distance of 1012.97' to a point and
68 corner marked by a found ¾" iron pipe; thence proceed N0°05'50"E a distance
69 of 1306.36' to a point and corner marked by a found ½" iron pipe; thence proceed
70 S89°47'12"E a distance of 1007.56' to a point and corner marked by a found ½"
71 iron pipe; thence proceed S89°44'10"E a distance of 541.54" to a point and corner
72 marked by a found ½" iron pipe; thence proceed N0°00'04"W a distance of
73 481.61' to a point and corner marked by a set ½" iron pipe; thence proceed
74 N58°33'41"E a distance of 92.91' to a point and corner marked by a set ½" iron
75 pipe; thence proceed N56°16'57"E a distance of 143.18' to a point and corner
76 marked by a set ½" iron pipe; thence proceed N48°51'58"E a distance of 143.34'
77 to a point and corner marked by a set ½" iron pipe; thence proceed N41°46'00"E
78 a distance of 186.43' to a point and corner marked by a set ½" iron pipe; thence
79 proceed N29°58'27"E a distance of 238.81' to a point and corner marked by a set
80 ½" iron pipe; thence proceed N35°11'24"E a distance of 358.46' to a point and
81 corner being the POINT OF BEGINNING.

82
83 Said Tract containing 167.79± acres.

84 **BE IT FURTHER ORDAINED** by the Board of Alderman of the Town of Abita Springs
85 that the above described property be classified and zoned as a Planned Unit Development."

86
87 **BE IT FURTHER ORDAINED** that in all other respects Ordinance #313 and #476
88 remain in full force and effect.

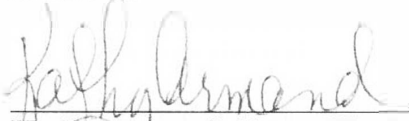
89
90 **BE IT FURTHER ORDAINED** that the Officials of the Town of Abita Springs are
91 authorized and directed to take all action necessary and proper in furtherance of this
92 ordinance.

93
94 **BE IT FURTHER ORDAINED** by the Board of Alderman of the Town of Abita Springs
95 that the officials of the Town of Abita Springs are hereby authorized and directed to take
96 all necessary actions that are proper in order to effect the annexation into the corporate
97 limits of the Town of Abita Springs.

98
99 Introduced on a motion of Alderman Murphy, and seconded by Alderman Curtis on the
100 28th day of November 2017. Adopted on motion of Alderman Murphy and seconded by
101 Alderman Kilpatrick-Harper on the 16th day of January 2018.

102
103
104 YEAS: 5 Aldermen Berrigan, Curtis, Kilpatrick-Harper, Murphy, and Blich Welliver
105 NAYS: 0
106 ABSENT: 0
107 ABSTAIN: 0
108

109
110 ATTEST:

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114 **Kathy Armand, Town Clerk**
115 Town of Abita Springs

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112 
113
114 **Honorable Greg Lemons, Mayor**
115 Town of Abita Springs