



**PUBLIC COMMITTEE MEETING AGENDA**  
**Tuesday, July 2, 2019 at 6:00PM**  
**Abita Springs Town Hall**  
**22161 Level St., Abita Springs, LA 70420**

**Posted:** June 28, 2019 4:30pm

**CALL TO ORDER AND OPENING OF AGENDA:** Mayor Pro Tem Murphy  
**PLEDGE OF ALLEGIANCE:** Alderman Saussy

**MAYOR'S ANNOUNCEMENTS:** Sheriff's Office Contract

**FINANCE COMMITTEE:**

Committee Chair: Alderwoman Contois

Committee Member: Mayor Pro Tem Murphy

Acceptance of Minutes (June)

1.) Financial Reports, April - May 2019 - Jay Hawkins

2.) Discussion of the Authorizing the Incurring of Debt and Issuance of General Obligation Bonds – Dan Curtis

**GOVERNMENTAL COMMITTEE:**

Committee Chair: Alderman Saussy

Committee Member: Mayor Pro Tem Murphy

Acceptance of Minutes (June)

1.) Discussion of INSTRUMENT 2019-006, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-215(a) BY ADDING THERETO TO PROVIDE FOR AND REGULATE THE USE OF BED AND BREAKFASTS IN THE RESIDENTIAL DISTRICT AND TO PROVIDE FOR RELATED MATTERS.

2.) Discussion of Instrument 2019-008, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND SECTION 9-205 BY ADDING THERETO THE DEFINITION OF OWNER AND SHORT-TERM RENTALS AND TO ADD SECTION 9-231 TO PROVIDE FOR AND REGULATE THE USE OF SHORT-TERM RENTALS AND TO PROVIDE FOR RELATED MATTERS.

3.) Discussion of INSTRUMENT 2019-007, AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO REPEAL SECTION 9-215.1 OF THE TOWN OF ABITA SPRINGS CODE OF ORDINANCES RELATIVE TO THE BROOK FOREST ZONING DISTRICT AND TO PROVIDE FOR RELATED MATTERS.

**INFRASTRUCTURE COMMITTEE:**

Committee Chair: Alderman Patterson

Committee Member: Alderman Saussy

Acceptance of Minutes (June)

**ECONOMIC DEVELOPMENT COMMITTEE:**

Committee Chair: Alderwoman Randolph

Committee Member: Alderwoman Contois

Acceptance of Minutes (June)

**ADJOURNMENT:**

If you have any questions pertaining to this agenda or in accordance with the Americans with Disabilities Act, if you need special assistance, please call (985) 892-0711.

# Town of Abita Springs



**MAYOR  
DANIEL J. CURTIS**

INSTRUMENT 2019 - 006

1  
2  
3 AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS; TO AMEND  
4 SECTION 9-215(A) BY ADDING THERETO TO PROVIDE FOR AND REGULATE THE USE OF  
5 BED N BREAKFASTS IN THE RESIDENTIAL DISTRICT AND TO PROVIDE FOR RELATED MATTERS.  
6

7 **IT IS HEREBY ORDAINED** by the Board of Aldermen of the Town of Abita Springs that Section 9-215  
8 (a) of the Code of Ordinances of the Town of Abita Springs be amended by adding thereto Subsection  
9 (12) to read as follows:  
10

11 Section 9-215 (a)

12  
13 (12) Bed N Breakfasts, when the owner resides at the residence, not more than 20% of the  
14 structure may be rented. Additional requirements are as follows:  
15

- 16 a. One meal per day must be provided to guests  
17 b. There is a limited stay of two weeks. A longer stay may be approved by the Planning Director  
18 due to a hardship.  
19 c. The Bed N Breakfast must be approved by the State Fire Marshal.  
20 d. There shall be one (1) parking spot provided per rentable rooms  
21 e. All signs in connection with the Bed n Breakfast must follow Historic District Guidelines and be  
22 approved by the Historic Commission.  
23

24 **BE IT FURTHER ORDAINED** that in all other respects Section 9-215(a) shall remain in full force and  
25 effect.  
26

27 An Ordinance introduced by \_\_\_\_\_ and seconded by \_\_\_\_\_ on this \_\_\_ day of  
28 \_\_\_\_\_, 2019.  
29

30 This Ordinance was adopted on a motion of Alderman \_\_\_\_\_, seconded by Alderman  
31 \_\_\_\_\_, on this \_\_\_ day of \_\_\_\_\_, 2019.  
32

33 YEAS: \_\_\_\_\_

34 NAYS: \_\_\_\_\_

35 ABSENT: \_\_\_\_\_

36 ABSTAIN: \_\_\_\_\_  
37  
38

39 \_\_\_\_\_  
HONORABLE DANIEL J. CURTIS, MAYOR

40 \_\_\_\_\_  
JANET DUFRENE, TOWN CLERK  
41  
42

# Town of Abita Springs



**MAYOR  
DANIEL J. CURTIS**

## **INSTRUMENT 2019-008**

1  
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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 the person who possesses ownership of the real property containing a residential dwelling  
38 unit subject to a short-term rental as evidenced by a deed and proof of homestead exemption.  
39

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

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

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

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

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

- 57 (a) Residential District, as described in Sec. 9-215 of the Abita Springs Code of Ordinances;
- 58 (b) Brook Forest Residential District, as defined in Sec. 9-215.1 of the Abita Springs Code  
59 of Ordinances;
- 60 (c) Midtown Cultural District, as described in Sec. 9-218.3 of the Abita Springs Code of  
61 Ordinances; and
- 62 (d) Historic District, as described in Sec. 9-222 of the Abita Springs Code of Ordinances.
- 63 (e) Commercial Districts as defined in section 9-218, 9-218.1, and 9-218.2.  
64

65 **(2) Regulations.**  
66

- 67 (a) The short-term rental permit shall be in the name of the Owner, who shall be an owner of  
68 the real property upon which the short-term rental use is to be permitted.
- 69 (b) The Owner shall occupy the dwelling and be present during any short-term rental  
70 occupancy.
- 71 (c) One person may hold no more than one short-term rental permit, unless that person is the  
72 owner of a residential dwelling unit on a parcel immediately adjacent to and sharing an  
73 adjoining property line to an already permitted short-term rental, in such case that person may  
74 hold two short term rental permits. The permit shall not be transferable.
- 75 (d) Short-term rentals shall not be operated outdoors or in a recreational vehicle.
- 76 (e) Short-term rentals use shall be limited to residential dwelling units existing and constructed  
77 as of the date of application for the short-term rental permit.
- 78 (f) Short-term rental dwellings shall meet all applicable building, health, fire, and related safety  
79 codes at all times and shall be inspected by the fire department before any short-term rental  
80 activity can occur. Each bedroom shall contain a smoke detector and a carbon monoxide  
81 detector.
- 82 (g) A minimum of one on-site parking space shall be provided for use per bedroom used by the  
83 short-term rental occupants. Vehicles shall be parked in the designated area onsite and shall  
84 not be parked on the street.

- 85 (h) The short-term rental shall appear outwardly to be a residential dwelling. No exterior  
86 signage or other exterior evidence that the property is used for short-term rental is permitted.
- 87 (i) Use of the short-term rentals for commercial functions, ceremonies, and/or other special  
88 events shall be prohibited.
- 89 (j) The Owner shall ensure that the occupants and/or guests of the short-term rental use do  
90 not create unreasonable noise or disturbances, engage in disorderly conduct or violate  
91 provisions of this code or any state law pertaining to noise, disorderly conduct, the  
92 consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by  
93 the city up to and including revocation of the short-term rental permit.
- 94 (k) The Owner, upon notification that occupants and/or guests of his or her short-term rental  
95 use have created unreasonable noise or disturbances, engaged in disorderly conduct or  
96 committed violations of this code or state law pertaining to noise, disorderly conduct, the  
97 excessive consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such  
98 conduct by those occupants or guests or be subject to fines and penalties levied by the Town  
99 up to and including revocation of the short-term rental permit.
- 100 (l) The Owner shall maintain an occupational license and pay all occupancy taxes required by  
101 law, including but not limited to state sales tax and hotel/motel occupancy tax.
- 102 (m) No food service shall be provided by the Owner or anyone on his behalf.
- 103

104 **(3) Permits.** Prospective owner-applicants of a short-term rental use shall apply for an annual  
105 permit with the planning director in accordance with the provisions of this Section and on a  
106 form provided by the Town. A Short-term Rental Permit is a privilege, not a right, and may be  
107 revoked or not renewed based on non-compliance with the requirements provided herein.

108

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

112

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

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

125 (c) There shall be no more than fifty (50) short-term rental permits issued by the Town  
126 annually.

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

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

132

133 **(4) Violations.** Any violation of this Section and the correlating provisions in this chapter may  
134 subject a violator to any remedy, legal or equitable, available to the town. Violations include but  
135 are not limited to: advertisement or rental of a short-term rental without proper permitting,  
136 operation outside the scope of any of the applicable short-term rental regulations provided by law  
137 and advertising a short-term rental outside the permitted scope of a short-term rental permit. The  
138 Planning Director may suspend, revoke or not renew any permit issued pursuant to this Section if  
139 the Planning Director determines that the permit holder has violated any provision of this Section,  
140 two (2) or more times. Remedies include but are not limited to: revocation of a short-term rental  
141 permit, daily fines, and property liens, as more fully provided in Section 9-228 of this Chapter.  
142 Each day of violation shall be considered a separate offense. Nothing contained herein shall be  
143 construed to limit the legal remedies available to any other person for the correction of violations  
144 of this Section.

145  
146 **BE IT FURTHER ORDAINED** that all other sections of Chapter 2 shall remain the same and in full force.  
147

148 **BE IT FURTHER ORDAINED** that if any provision of this Section shall be held to be invalid, such  
149 invalidity shall not affect other provisions herein which can be given effect without the invalid  
150 provision and to this end the provisions of this ordinance are hereby declared to be severable.  
151

152 **BE IT FURTHER ORDAINED**, that the Clerk of this Board be, and she is hereby authorized and  
153 empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to  
154 promulgate the provisions of this ordinance.  
155

156 Introduced on a motion of Alderman \_\_\_\_\_, seconded by Alderman \_\_\_\_\_ on the \_\_\_\_  
157 day of \_\_\_\_\_ 2019. Adopted on motion of Alderman \_\_\_\_\_ and seconded by Alderman \_\_\_\_\_ on the  
158 \_\_\_\_ day of \_\_\_\_\_ 2019. The vote was:

159  
160 AYES:  
161 NAYS:  
162 ABSTENTIONS:  
163 ABSENT:

164  
165  
166 \_\_\_\_\_  
167 Janet Dufrene, Town Clerk

164  
165  
166 \_\_\_\_\_  
167 Honorable Daniel J. Curtis, Mayor

168

# Town of Abita Springs



**MAYOR  
DANIEL J. CURTIS**

INSTRUMENT 2019-007

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS;  
TO REPEAL SECTION 9-215.1 OF THE TOWN OF ABITA SPRINGS CODE OF  
ORDINANCES RELATIVE TO THE BROOK FOREST ZONING DISTRICT AND TO  
PROVIDE FOR OTHER RELATED MATTERS.

**IT IS HEREBY ORDAINED** by the Board of Aldermen of the Town of Abita Springs that the  
Code of Ordinance of the Town of Abita Springs be amended as follows:  
Section 9-215.1 is hereby repealed.

An Ordinance introduced by \_\_\_\_\_ and seconded by \_\_\_\_\_ on this  
\_\_\_\_ day of \_\_\_\_\_, 2019.

An Ordinance adopted by Alderman \_\_\_\_\_ and seconded by Alderman  
\_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

The vote was:

YEAS:

NAYS:

ABSENT:

ABSTAIN

\_\_\_\_\_  
HONORABLE DANIEL J. CURTIS, MAYOR

\_\_\_\_\_  
JANET DUFRENE, TOWN CLERK