



PUBLIC COMMITTEE MEETING AGENDA
Tuesday, June 4, 2019 at 6:00PM
Abita Springs Town Hall
22161 Level St., Abita Springs, LA 70420

Posted: May 31, 2019 4:30pm

CALL TO ORDER AND OPENING OF AGENDA: Mayor Pro Tem Murphy

PLEDGE OF ALLEGIANCE: Alderwoman Randolph

MAYOR'S ANNOUNCEMENTS:

FINANCE COMMITTEE:

Committee Chair: Alderwoman Contois

Committee Member: Mayor Pro Tem Murphy

Acceptance of Minutes (May)

1.) Financial Report. Jay Hawkins

2.) Discussion and amendment of INSTRUMENT 2019-005, AN ORDINANCE TO AMEND ORDINANCE #483 ADJUSTING THE OPERATING BUDGET OF REVENUE AND EXPENDITURES FOR THE YEAR BEGINNING JANUARY 01, 2018 AND ENDING DECEMBER 31, 2018. Jay Hawkins

GOVERNMENTAL COMMITTEE:

Committee Chair: Alderman Saussy

Committee Member: Mayor Pro Tem Murphy

Acceptance of Minutes (May)

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. Dan Curtis

2.) Discussion of Instrument 2019-008, Short-Term Rental Regulation and Resolution Relative to Permitting

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 OTHER RELATED MATTERS. Dan Curtis

4.) A RESOLUTION BY THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS SELECTING THE ST TAMMANY FARMER AS THE TOWN'S OFFICIAL JOURNAL. Dan Curtis

INFRASTRUCTURE COMMITTEE:

Committee Chair: Alderman Patterson

Committee Member: Alderman Saussy

Acceptance of Minutes (May)

ECONOMIC DEVELOPMENT COMMITTEE:

Committee Chair: Alderwoman Randolph

Committee Member: Alderwoman Contois

Acceptance of Minutes (May)

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 - Account Balances

Fund	QB ACCT	Purpose	Class	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
General	110101 C	Gen'l Exp	U			\$ 324,585	\$ 410,621	26.5%							
	110101 L	Gen'l Exp	U												
	113020&30 I	Gen Fund Inv	U			\$ 55,334	\$ 55,334	0.0%							
	110105 C	Farmer's Mkt	U**			\$ 529	\$ 529	0.0%							
	110106 C	Projects	U			\$ 379	\$ 379	0.0%							
	110106 L	Projects	U			\$ 204,604	\$ 205,036	0.2%							
	110107 C	Floor -Fed/St				\$ 515	\$ 515	0.0%							
	110108 C	Emergency	U			\$ 87,099	\$ 100	-99.9%							
	110108 L	Emergency	U			\$ -	\$ 87,172	#DIV/0!							
	110250 C	Museum	U**			\$ 31,061	\$ 31,739	2.2%							
	110500 C	Water Fest	U			\$ 7,052	\$ 7,053	0.0%							
	110701 C	Grants	R			\$ 485	\$ 485	0.0%							
		Sub-Total	U			\$ 711,158	\$ 798,478	12.3%							
		Sub-Total	R			\$ 485	\$ 485	0.0%							
		Total				\$ 711,643	\$ 798,963	12.3%							
Utility	210005 C	UAF	R			\$ 5,033	\$ 5,033	0.0%							
	210020 C	Water Tower	R			\$ 1,060	\$ 2,447	130.8%							
	210020 L	Water Tower	R			\$ 85,070	\$ 85,243	0.2%							
	210031 C	Meter Deposit	R			\$ 106,790	\$ 8,617	-91.9%							
	210031 L	Meter Deposit	R			\$ -	\$ 100,198	#DIV/0!							
	213310&20 I	Meter Dep Inv	R			\$ 80,027	\$ 80,027	0.0%							
	210040 C	Reserve	U			\$ 105,595	\$ 2,741	-97.4%							
	210040 L	Reserve	U			\$ -	\$ 104,205	#DIV/0!							
	210050 C	Contingency	U			\$ 80,224	\$ 3,975	-95.0%							
	210050 L	Contingency	U			\$ -	\$ 78,154	#DIV/0!							
	210060 C	Sinking Fund	R			\$ 29,157	\$ 56,362	93.3%							
	210060 L	Sinking Fund	R			\$ 425,348	\$ 426,217	0.2%							
	210070 C	Debt Svc	R			\$ 19,303	\$ 21,555	11.7%							
	213400 I	Cap'l Add'ns	R			\$ 38,311	\$ 38,311	0.0%							
	213800 I	Bond Res	R			\$ 7,175	\$ 7,175	0.0%							
		Sub-Total UF	U			\$ 185,819	\$ 189,075	1.8%							
		Sub-Total UF	R			\$ 797,274	\$ 831,185	4.3%							
		Total UF				\$ 983,093	\$ 1,020,260	3.8%							
	310602 C	Cemetery	R			\$ 3,899	\$ 5,500	41.1%							
	310602 L	Cemetery	R			\$ 160,131	\$ 160,458	0.2%							
	313601 I	Cemetery Inv	R			\$ 4,306	\$ 4,306	0.0%							
		Total CF				\$ 168,336	\$ 170,264	1.1%							

Town of Abita Springs - Account Balances

	410000 C	Sinking Fund	R		\$ 81,867	\$ 8,197	-90.0%							
	410000 L	Sinking Fund	R		\$ -	\$ 75,148	#DIV/0!							
	413000 I	Investment SF	R		\$ 17,847	\$ 17,847	0.0%							
		Total SF			\$ 99,714	\$ 101,192	1.5%							
							#DIV/0!							
ighting	710000 C	Lighting	R		\$ 17,788	\$ 18,051	1.5%							
arks	810000 C	Parks	R		\$ 20,570	\$ 21,098	2.6%							
arks	810000 C	Parks 2010 SF	R		\$ 11	\$ 11	0.0%							
							#DIV/0!							
ST	610000 C	Sink Fund-Sts	R		\$ 29,866	\$ 34,370	15.1%							
							#DIV/0!							
ST	910950 C	SSTax	R***		\$ 214,876	\$ 229,875	7.0%							
	910050 L	SSTax	R***		\$ -		#DIV/0!							
		Ttl SST			\$ 244,742	\$ 264,245	8.0%							
		Total	U		\$ 896,977	\$ 987,553	10.1%							
			R		\$1,348,920	\$ 1,406,531	4.3%							
			Total		\$2,245,897	\$ 2,394,084	6.6%							
			Ttl C		\$1,167,744	\$ 869,253	-25.6%							
			Ttl L		\$ 875,153	\$ 1,321,831	51.0%							
			Ttl I		\$ 203,000	\$ 203,000	0.0%							
					\$2,245,897	\$ 2,394,084	6.6%							

* Organization approval to spend.

* Organization approval to spend.

** Roads & Drainage only

General Comments: Balances have increased by 17.7% or \$331K since December 2018.										
April had \$148,189 or 6.6% increase over March.										
Unrestricted/Unassigned cash increased \$90,576 or 10.1% in April.										
27,205 added to Sinking Fund for Sewer loan each month. Most held in LAMP account. Interest will supplement repairs or used for debt service.										

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

INSTRUMENT 2019-005

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY ALDERMAN _____, SECONDED BY ALDERMAN _____, MOVED FOR ADOPTION BY ALDERMAN _____, AND SECONDED FOR ADOPTION BY ALDERMAN _____.

AN ORDINANCE AMENDING ORDINANCE #483 OF THE TOWN OF ABITA SPRING ADOPTING AN OPERATING BUDGET OF REVENUE AND EXPENDITURES FOR THE YEAR BEGINNING JANUARY 01, 2018 AND ENDING DECEMBER 31, 2018, ADJUSTMENT TO SECTIONS VII. IX. AND TO PROVIDE FOR RELATED MATTERS

BE IT ORDAINED by the Board of Aldermen of the Town of Abita Springs that Budget Ordinance No. 483 for fiscal year 2018 is hereby amended in that budget adjustment regarding the Sections as set forth hereinafter be adopted for the 2018 Fiscal Year Budget.

IT IS FURTHER ORDAINED, that in Section VI. that the figures be changed to read as follows:

- On page 2, line 44, delete the dollar amount "\$1,015,402.00" and in lieu thereof insert "\$1,065,402.00."

IT IS FURTHER ORDAINED, that in Section VII. that the figures be changed to read as follows:

- On page 2, line 48, delete the dollar amount "\$52,670.00" and in lieu thereof insert "\$56,000.00."

IT IS FURTHER ORDAINED, that in Section VII. that the figures be changed to read as follows:

- On page 2, line 52, delete the dollar amount "\$1,015,402.00" and in lieu thereof insert "\$1,068,732.00."

IT IS FURTHER ORDAINED, that in Section IX. that the figures be changed to read as follows

- On page 2, line 61, delete the dollar amount "\$215,000.00" and in lieu thereof insert "\$232,000.00."

IT IS FURTHER ORDAINED, that in Section IX. that the figures be changed to read as follows:

- On page 2, line 63, delete the dollar amount "\$195,700.00" and in lieu thereof insert "\$215,000.00."

IT IS FURTHER ORDAINED, that in Section IX. that the figures be changed to read as follows:

- On page 2, line 65, delete the dollar amount "\$175,000.00" and in lieu thereof insert "\$255,000.00."

IT IS FURTHER ORDAINED, that in Section IX. that the figures be changed to read as follows:

- On page 2, line 66, delete the dollar amount "\$1,991,081.00" and in lieu thereof insert "\$2,107,381.00."

IT IS FURTHER ORDAINED, that in Section X. that the figures be changed to read as follows:

- On page 2, line 69, delete the dollar amount "\$25,158.00" and in lieu thereof insert "\$15,000.00."

IT IS FURTHER ORDAINED, that in Section X. that the figures be changed to read as follows:

- On page 2, line 70, delete the dollar amount “\$80,000.00” and in lieu thereof insert “\$0.00.”

IT IS FURTHER ORDAINED, that in Section X. that the figures be changed to read as follows:

- On page 2, line 71, delete the dollar amount “\$105,158.00” and in lieu thereof insert “\$15,000.00.”

IT IS FURTHER ORDAINED, that in Section XI. that the figures be changed to read as follows:

- On page 2, line 74, delete the dollar amount “\$105,158.00” and in lieu thereof insert “\$15,000.00.”

IT IS FURTHER ORDAINED, that in Section XI. that the figures be changed to read as follows:

- On page 2, line 75, delete the dollar amount “\$105,158.00” and in lieu thereof insert “\$15,000.00.”

IT IS FURTHER ORDAINED, that in Section XII. that the figures be changed to read as follows:

- On page 2, line 78, delete the dollar amount “\$48,515.00” and in lieu thereof insert “\$46,000.00.”

IT IS FURTHER ORDAINED, that in Section XII. that the figures be changed to read as follows:

- On page 2, line 79, delete the dollar amount “\$48,515.00” and in lieu thereof insert “\$46,000.00.”

IT IS FURTHER ORDAINED, that in Section XIII. that the figures be changed to read as follows:

- On page 2, line 82, delete the dollar amount “\$48,515.00” and in lieu thereof insert “\$53,000.00.”

IT IS FURTHER ORDAINED, that in Section XIII. that the figures be changed to read as follows:

- On page 2, line 83, delete the dollar amount “\$48,515.00” and in lieu thereof insert “\$53,000.00.”

IT IS FURTHER ORDAINED, that in Section XIV. that the figures be changed to read as follows:

- On page 2, line 86, delete the dollar amount “\$26,012.00” and in lieu thereof insert “\$24,000.00.”

IT IS FURTHER ORDAINED, that in Section XIV. that the figures be changed to read as follows:

- On page 2, line 87, delete the dollar amount “\$26,012.00” and in lieu thereof insert “\$24,000.00.”

IT IS FURTHER ORDAINED, that in Section XV. that the figures be changed to read as follows:

- On page 2, line 90, delete the dollar amount “\$26,012.00” and in lieu thereof insert “\$31,000.00.”

IT IS FURTHER ORDAINED, that in Section XV. that the figures be changed to read as follows:

- On page 2, line 91, delete the dollar amount “\$26,012.00” and in lieu thereof insert “\$31,000.00.”

IT IS FURTHER ORDAINED, that in Section XVI. that the figures be changed to read as follows:

- On page 2, line 94, delete the dollar amount “\$305,150.00” and in lieu thereof insert “\$263,000.00.”

IT IS FURTHER ORDAINED, that in Section XVI. that the figures be changed to read as follows:

- On page 2, line 95, delete the dollar amount “\$305,150.00” and in lieu thereof insert “\$263,000.00.”

IT IS FURTHER ORDAINED, that in Section XVII. that the figures be changed to read as follows:

- On page 3, line 98, delete the symbol “-“ and in lieu thereof insert “\$21,000.00.”

IT IS FURTHER ORDAINED, that in Section XVII. that the figures be changed to read as follows:

- On page 3, line 102, delete the dollar amount “\$305,150.00” and in lieu thereof insert “\$326,150.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 109, delete the dollar amount “\$159,000.00” and in lieu thereof insert “\$183,000.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 110, delete the dollar amount “\$2,000.00” and in lieu thereof insert “\$3,000.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 112, delete the dollar amount “\$39,000.00” and in lieu thereof insert “\$50,000.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 115, delete the dollar amount “\$12,000.00” and in lieu thereof insert “\$19,000.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 116, delete the dollar amount “\$7,200.00” and in lieu thereof insert “\$7,600.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 119, delete the dollar amount “\$9,000.00” and in lieu thereof insert “\$11,000.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 121, delete the dollar amount “\$1,500.00” and in lieu thereof insert “\$3,400.00.”

IT IS FURTHER ORDAINED, that in Section XIX. that the figures be changed to read as follows:

- On page 3, line 122, delete the dollar amount “\$295,000.00” and in lieu thereof insert “\$342,300.00.”

IT IS FURTHER ORDAINED, that in Section XX. that the figures be changed to read as follows:

- On page 3, line 125, delete the dollar amount “\$1,500,000.00” and in lieu thereof insert “\$600,000.00.”

IT IS FURTHER ORDAINED, that in Section XX. that the figures be changed to read as follows:

- On page 3, line 126, delete the dollar amount “\$1,500,000.00” and in lieu thereof insert “\$600,000.00.”

IT IS FURTHER ORDAINED, that in Section XX1. that the figures be changed to read as follows:

- On page 3, line 129, delete the dollar amount “\$30,000.00” and in lieu thereof insert “\$151,900.00.”

IT IS FURTHER ORDAINED, that in Section XXI. that the figures be changed to read as follows:

- On page 3, line 130, delete the dollar amount “\$50,000.00” and in lieu thereof insert “\$389,800.00.”

IT IS FURTHER ORDAINED, that in Section XXI. that the figures be changed to read as follows:

- On page 3, line 131, delete the dollar amount “\$1,420,000.00” and in lieu thereof insert “\$0.00.”

IT IS FURTHER ORDAINED, that in Section XXI. that the figures be changed to read as follows:

- On page 3, line 132, delete the dollar amount “\$1,500,000.00” and in lieu thereof insert “\$541,700.00.”

NOW THEREFORE BE IT ORDAINED, that in all other respects Ordinance # 483 remains in full force and effect.

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

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

And this Ordinance was declared adopted this _____ day of _____, 2019.

Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor

Sec. 9-215. - Residential district.

- (a) In the residential district no building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this chapter, except for one or more of the following uses:
 - (1) One-family dwelling;
 - (2) Churches;
 - (3) Public or private schools, (elementary or high and kindergartens, nursery schools and day care centers);
 - (4) Museums, libraries, parks, playgrounds, community centers owned and operated by a public agency;
 - (5) Golf courses, tennis courts;
 - (6) Accessory buildings, including private garages;
 - (7) Beauty parlors, when located in private residences;
 - (8) Municipal utility offices and electric transformer stations;
 - (9) Fire stations;
 - (10) Home occupations; or
 - (11) Apartments, which is an ancillary building situated on a lot upon which a main residence is located, used for residential purposes; and is owner occupied.
- (b) Except as provided in subsection (c) of this section, no mobile home, modular home or trailer shall be located within the residential district, except those presently located in the residential district, or moved into the residential district to replace a mobile home, modular home or trailer located therein or [there]on prior to the date of this chapter. This prohibition shall not apply to unoccupied trailers located adjacent to, or in close proximity to a fixed residential structure which structure is owned by or is in the possession of the owner of said trailer.
- (c) Modular homes may be constructed in the town, upon approval of the town building inspection and the director of the planning and zoning department.
 - (1) Such approval shall include the following considerations:
 - a. The destruction of trees or other vegetation necessary in the delivery and/or the erection of component parts;
 - b. The ability to establish necessary town infrastructure to the site of the modular home;
 - c. The likelihood of damage to public property occasioned in the transport of component parts.
 - (2) Modular homes must meet the requirements of all building codes enacted by the town.
 - (3) Accompanying an application for such permit the following documentation shall be submitted:
 - a. A mapped plan route of delivery;
 - b. Height and width dimensions of the transport and cargo;
 - c. Proof of engagement of police detail, and traffic escort for delivery of the modular units to its site;
 - d. A copy of the Louisiana Department of Transportation and Development permit;
 - e. A road bond in the amount approved by the planning and zoning commission posted as security to pay for any damages caused to public or private property by transport or erection of the modular home.

- (4) The permits department shall collect the sales and use tax levied by the town relative to the sale and use of the modular home and may collect such tax lawfully levied by other jurisdictions when properly authorized to do so.
- (5) Modular homes are prohibited in the residential district.
- (d) Density requirements. The minimum buildable lot size in this zoning district shall be 90 feet of width by 120 feet in depth with alleyways, 90 feet in width by 150 feet in depth without alleyways. Except on squares previously platted lots-of-records which are smaller than 90 feet by 120 feet in which case the following shall apply:
 - (1) On squares with lots-of-record originally platted at a width of 50 feet or less, the minimum buildable lot size shall be 75 feet in width and 120 feet in depth and the yard setbacks shall be in accordance with the provisions of section 9-223, yards and accessory buildings in residential districts, for lots 75 feet in width or less.
 - (2) On squares with lots-of-record originally platted at a width of 60 feet, the minimum buildable lot size shall be 90 feet in width and 120 feet in depth and the yard setbacks shall be in accordance with the provisions of section 9-223, yards and accessory buildings in residential districts.
- (e) Any structure constructed or used as an apartment as allowed herein shall meet the following requirements:
 - (1) Comply with all setbacks requirements for accessory buildings;
 - (2) Shall comprise at least 300 square feet of living space excluding porches;
 - (3) Must be accompanied with one off-street parking space for up to 300 square feet of living space (excluding porches) and one for up to each 300 feet of such thereafter;
 - (4) Only one apartment allowed per main residential building;
 - (5) The apartment shall be no larger than one-half the size of the main residential structure;
 - (6) All proper documents required by any governmental agency shall be required prior to the tie-in to an individual sewer treatment facility.

Upon meeting all requirements set out herein an apartment may be allowed a separate utility service.

(Ord. No. 108, § 19.23, 9-4-79; Ord. No. 188, § II, 9-18-96; Ord. No. 310, 10-17-06; Ord. No. 318, 3-26-07; Ord. No. 323, 8-21-07; Ord. No. 336, 6-17-2008; Ord. No. 337, 7-15-2008; Ord. No. 430, 8-21-2012)

Sec. 9-215.1. - Brookforest Residential District.

- (a) The Brookforest Residential District is hereinafter created to affect property with the Town of Abita Springs more fully described as follows, to-wit:

From the intersection of the western boundary line of Section 38, Township 6 South, Range 12 East and the eastern right-of-way line of Highway 435 proceed along the eastern boundary of Highway 435 to its intersection with the section line common to Section 31, 32 and 38, Township 6 South, Range 12 East; thence proceed along the northern boundary line of Section 38 to the point at which it intersects with the beginning of First Avenue in the Second Paillet Subdivision in the Town of Abita Springs; proceed southeast along the western subdivision line of the Second Paillet Subdivision to a point at which said line intersects with the northern boundary of property belonging to Allan; thence proceed in a northeasterly direction along the northern boundary line of the property belonging to Allan and which separates it from the Second Paillet Subdivision to the northeast corner of the property belonging to Allan; thence proceed in a southeasterly direction along the eastern boundary of property belonging to Allan to a point at which it intersects with the extension of the southern boundary line of the First Paillet Subdivision; thence proceed northeasterly along the extension of the southern boundary line of the First Paillet Subdivision to the northeast corner of the property

belonging to Underwood; thence proceed in a southeasterly direction along the eastern boundary of the property belonging to Underwood to the intersection with the line known as the eastern boundary line of the town limits of the Town of Abita Springs; thence proceed in a southerly direction along the eastern boundary of the Town of Abita Springs to its intersection with the Abita River; thence proceed in a westerly direction along the meanderings of the Abita River to a point at which the Abita River intersects with the section line of Section 38, Township 6 South, Range 12 East; thence proceed in a northwesterly direction along the section line of Section 38, Township 6 South, Range 12 East in a northwesterly direction to the point of beginning. All as is more fully highlighted on the attached map or plat of the Brookforest Residential District, a copy of which is attached hereto and made a part hereof, and is on file in the Town Hall for the Town of Abita Springs.

- (b) All regulations and restrictions contained in section 9-215 of the Code of Ordinances for the Town of Abita Springs shall apply to the property comprising the Brookforest Residential District. The following additional requirements apply to property located within the Brookforest Residential District:
- (1) *Lot size.* The minimum lot size shall be three acres.
 - (2) *Dwelling and related matters.* Only one single-family dwelling raised at least 24 inches above ground level with a minimum of 2,000 square feet of heated and cooled living area shall be constructed per minimum lot.
 - (3) *Guest cottages.* One guest cottage or cabana may be constructed per minimum lot, provided that any such guest cottage or cabana so constructed shall have the same electrical meter and power source as the main dwelling on said lot, shall contain no more than 1,200 square feet of heated and cooled living area.
 - (4) *Accessory buildings.* In addition to guest cottage or cabana, as described above, one or more accessory buildings, defined as barns, stables, sheds, storage lockers, and like structures, not designed for residential use or occupancy, may also be constructed per minimum lot, provided that any such accessory buildings shall also have the same electrical meter and power source as the main dwelling on said lot, and shall not be used for residential purposes.

(Ord. No. 192, 8-20-96; Ord. No. 318, 3-26-07)

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

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 N BREAKFASTS IN THE RESIDENTIAL DISTRICT AND TO PROVIDE FOR RELATED MATTERS.

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

Section 9-215 (a)

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

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

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

An Ordinance introduced by _____ and seconded by _____ on this ____ day of
_____, 2019.

This Ordinance was adopted on a motion of Alderman _____, seconded by Alderman
_____, on this ____ day of _____, 2019.

YEAS: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

HONORABLE DANIEL J. CURTIS, MAYOR

JANET DUFRENE, TOWN CLERK

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

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

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.

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 9-231 Short Term Rentals

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

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

(2) Regulations.

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

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

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

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

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

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

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

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

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

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

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

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.

Introduced on a motion of Alderman _____, seconded by Alderman _____ on the ____ day of _____ 2019. Adopted on motion of Alderman _____ and seconded by Alderman _____ on the ____ day of _____ 2019. The vote was:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

Janet Dufrene, Town Clerk

Honorable Daniel J. Curtis, Mayor

Town of Abita Springs



**MAYOR
DANIEL J. CURTIS**

A RESOLUTION BY THE BOARD OF ALDERMEN OF THE TOWN OF ABITA SPRINGS SELECTING THE ST TAMMANY FARMER AS THE TOWN'S OFFICIAL JOURNAL

WHEREAS, the Board of Aldermen of the Town of Abita Springs shall select a newspaper as the Town's Official Journal at their first meeting in June of each year; and

WHEREAS, qualifying newspapers shall have been published in an office physically located in the parish in which the body is located for a period of five years preceding the selection; and

WHEREAS, The St. Tammany Farmer is the sole newspaper with its primary office physically located in St. Tammany Parish for the five years preceding the date of this resolution; and

THEREFORE, BE IT RESOLVED, by the Board of Aldermen of the Town of Abita Springs, selection is made of The St. Tammany Farmer as the Town's Official Journal for the term commencing June 18, 2019 until the first regular meeting of the Board of Alderman in June 2020.

The resolution having been adopted on motion of Alderman _____, seconded by Alderman _____; the vote was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the resolution was declared adopted on this ____ day of ____, 2019.

ATTEST

Janet Dufrene, Town Clerk

Res – Official Journal 2019



St. Tammany's hometown newspaper since 1874

May 22, 2019

Ms. Leanne Schaefer
Director of Intergovernmental Affairs
Town of Abita Springs
P.O. Box 461
Abita Springs, LA 70420

Dear Ms. Schaefer:

We are happy to serve as the Official Journal for the Town of Abita Springs for the period of July 1, 2019 through June 30, 2020.

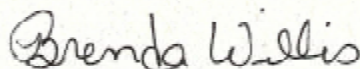
The *St. Tammany Farmer* meets all requirements to serve as an official journal, as specified under Louisiana R.S. 43:142, Qualifications of Newspaper.

The rate to be charged shall be \$3.85 per column inch, which includes the cost of one affidavit and/or tear sheet for each notice.

Also included at no additional cost is the posting of the Town of Abita Springs notices online. The postings can be accessed through the *St. Tammany Farmer* website (sttammanyfarmer.net/public-notice) or directly at publicnoticeads.com.

Thank you for the opportunity to respond to the bid request.

Sincerely,


Brenda Willis