

Ord 26-01

THE FOLLOWING ORDINANCE WAS SPONSORED BY CITY COUNCIL MEMBER _____; MOTIONED FOR ADOPTION BY COUNCIL MEMBER _____ AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

ORDINANCE NO. 26-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING A CONDITIONAL USE PERMIT FOR ACCESSORY OUTDOOR SEATING WITHIN THE LAFITTE STREET RIGHT-OF-WAY IN ACCORDANCE WITH THE USE DESIGNATED UNDER CLURO SECTION 6.8.4. ACCESSORY USE - OUTDOOR DINING, LOCATED AT 449 LAFITTE STREET, BEING A PORTION OF GROUND LOCATED IN SQUARE 18, LOT 2-A, ZONED AS B-3 OLD MANDEVILLE BUSINESS DISTRICT, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the owners of Cilantros (“applicant”), a business located at 449 Lafitte Street, which is located on the corner of Lafitte Street and Monroe Street, on Lot 2-A in Square 18, made application for Conditional Use approval to allow for accessory outdoor dining in the City of Mandeville right-of-way located on Lafitte Street; and

WHEREAS, CLURO Section 4.3.3.5 requires the Planning Commission to review the application for Conditional Use Permit, and the Planning Commission held a work session on November 18, 2025, and a public hearing on December 9, 2025; and

WHEREAS, Public Works has reviewed the request made by the applicant and has made the following recommendations:

1. Allow up to 30” depth tables as shown in Revision 1
2. Planters set at 7’ offset from edge of Lafitte St. (2’ Wide Planters)
3. The 5’ Access Path remains.
4. Plantings in the two boxes closest to Monroe St. be a ground cover or “ground-hugging” type for better sight when approaching the intersection.
5. If future sidewalk improvements are implemented to the south on Lafitte either by the neighboring property or the City. The City has the option to rescind any standing approval for outdoor seating.
6. A Hold Harmless is executed for the planters and more importantly the intended use of serving and dining activates located within the ROW (Ordinance 22-25 (d)); and

WHEREAS, the Planning Commission reviewed and evaluated the application for Conditional Use Permit, using the criteria set forth in CLURO Section 4.3.3.8, and after the work session and public hearing on the application, recommended to approve the request with the following conditions:

1. Revised layout 2 was accepted with the recommendations from Public Works
2. No tables be located within 20’ of Monroe St. in accordance with sight triangle regulations; and

WHEREAS, the Planning Commission examined the use of the right of way sought by the applicant and concluded that the use is compatible to the Purpose of the B-3 Old Mandeville Business District, which is to acknowledge the historic character of the area and pedestrian orientation of the neighborhood by combining a mix of small scale residential, civic, commercial, service and office establishments that are compatible with the residential uses within and abutting the district; and

WHEREAS, the City Council has received a favorable recommendation from the Planning Commission of the City of Mandeville on this request; and

WHEREAS, in accordance with CLURO Section 4.3.3 Procedures for Conditional Use Permits, the City Council finds that the proposed use and site plan will serve the best interests of the City of Mandeville by providing a greater variety of opportunities for residents and visitors of the City while still maintaining the character and culture of the neighborhood, and the public health, safety, and welfare of the surrounding community.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mandeville that the City Council does hereby approve the Conditional Use Permit in accordance with CLURO Section 4.3.3 for the use defined under CLURO Section 6.8.4. Accessory Use – Outdoor Dining located at 449 Lafitte Street, Square 18, Lot 2-A so long as the conditions set forth by the Planning Commission set forth below are met and the applicants properly execute a Cooperative Endeavor Agreement with the City as required by Section 8.2.3.1 that assures indemnification and adequate insurance coverage;

BE IT FURTHER ORDAINED, that the Conditional Use Permit is approved subject to the following conditions at all times:

1. Allow up to 30” depth tables as shown in Revision 1
2. Planters set at 7’ offset from edge of Lafitte St. (2’ Wide Planters)
3. The 5’ Access Path remains.
4. Plantings in the two boxes closest to Monroe St. be a ground cover or “ground-hugging” type for better sight when approaching the intersection.
5. If future sidewalk improvements are implemented to the south on Lafitte either by the neighboring property or the City. The City has the option to rescind any standing approval for outdoor seating.
6. A Hold Harmless is executed for the planters and more importantly the intended use of serving and dining activates located within the ROW (Ordinance 22-25 (d))
7. No tables be located within 20’ of Monroe St. in accordance with sight triangle regulations; and

BE IT FURTHER ORDAINED, by the City Council of the City of Mandeville that this ordinance shall become effective immediately upon the signature of the Mayor.

BE IT FURTHER ORDAINED that the Clerk of this Council 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.

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

AYES:

NAYS:

ABSENT:

ABSTENTIONS:

and the ordinance was declared adopted this ____ day of _____ 2026

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman



MANDEVILLE

A Historic Lakefront Community

Planning and Zoning Commission

CLAIRE DURIO, CHAIRWOMAN
PLANNING COMMISSION

BRIAN RHINEHART, CHAIRMAN
ZONING COMMISSION

CARA BARTHOLOMEW, AICP
DIRECTOR, DEPT. OF PLANNING & DEVELOPMENT

MEMBERS:
SCOTT QUILLIN
ANDREA FULTON
NICHOLAS CRESSY
KAREN GAUTREUX
PATRICK ROSENOW

CITY OF MANDEVILLE PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL REGARDING CONDITIONAL USE APPROVAL TO CONDUCT OUTDOOR DINING WITHIN THE RIGHT-OF-WAY AT 449 LAFITTE STREET

Miranda Cruz, acting on behalf of the owners of Cilantros, submitted an application to the Planning Department on October 15, 2025, to allow for accessory outdoor dining in the City of Mandeville right-of-way. As part of the procedure for Conditional Use Approval, any Conditional Use Permit is required to go before the Planning Commission for recommendation.

The Planning Commission held a work session on Tuesday, November 18, 2025, and a voting meeting on Tuesday, December 9, 2025, for case CU25-11-07. The applicants are requesting to utilize the Lafitte St. right-of-way for accessory outdoor seating for the restaurant they operate at 449 Lafitte St. The Commission recommends approval of the proposed Conditional Use Permit to the City Council with the following conditions:

1. Revised layout 2 was accepted with the recommendations from Public Works
2. No tables be located within 20' of Monroe St. in accordance with sight triangle regulations.

The Commission liked the idea of outdoor dining at the location; they were just concerned with the amount of space available. They did note that people would already be slowing down as they approached the stop sign at the intersection of Monroe and Lafitte. The idea of barriers or posts being erected with the planters was brought up, but it was decided that they would impede the sidewalk from a safety standpoint.

As part of the procedure for Conditional Use Approval, the Commission is required to submit its recommendation and report to the City Council. The Commission voted 7-0 in favor approving the requested Conditional Use Permit.

Attachments:

Case Packet

PowerPoint Presentation

CASE SUMMARY SHEET**CASE NUMBER: CU25-11-07****DATE RECEIVED: October 14, 2025****DATE OF MEETING: November 18, 2025 and December 9, 2025****Address: 449 Lafitte****Subdivision: Old Town of Mandeville, Square 18 Lot 2-A****Zoning District: B-3 - Old Mandeville Business District****Property Owner: Warren J. Salles, Jr. Family Trust**

REQUEST: CU25-11-07—Warren J. Salles, Jr. Family Trust, represented by Miranda Cruz, requests Conditional Use Approval for Outdoor Dining pursuant to CLURO Section 8.2.3.1, Old Town of Mandeville, Square 18 Lot 2-A, B-3 - Old Mandeville Business District, 449 Lafitte

CASE SUMMARY: Allow outdoor dining in the Lafitte St Right-of-Way

The applicant owns the property at 449 Lafitte St., located on the corner of Monroe St. and Lafitte St. The property measures 44' x 67' and contains 2,959 sqft per a survey prepared by Randall Brown & Associates and dated 2.20.2024. The property is improved with a commercial business, Cilantros.

The applicant is requesting to have outdoor dining located within the Lafitte Street right-of-way. A drawing was submitted by the applicant showing there is 16' from the building to the edge of the street. The plan shows three tables with two chairs at each table, along with four planters to serve as a barrier between the tables and the street. There is 7' space between the planters and the street.

Regulations state that the outdoor dining shall not be located within the sight triangle for the intersection of Lafitte and Monroe. This intersection is between an arterial street and a collector or local street. Monroe St. is designated as an arterial street while Lafitte St. is designated as a local street. As such, there cannot be any seating located along Lafitte St. within 20' from the edge of Monroe St.

In order to conduct outdoor dining the applicant will have to enter into a cooperative endeavor agreement with the City. This agreement will have to recognize the true value of the right-of-way and adequately address indemnification of the City and the City's minimum insurance requirements.

Public Works has reviewed the request and stated that *"The outdoor dining would have to allow 5' minimum of clearance between the proposed tables and the planters for pedestrian access. In addition to the 5' clearance, there may be site line issues concerning the planter boxes when approaching the intersection. We do not have true dimensions of the tables or site line alignment to scale from the submitted drawing. The measurements from the street to the wall of the building indicate 16', but when dimensions are added it equals a sum of 18'. We do not recommend the proposed layout as submitted. The applicant should modify the layout and submit for further review."*

Since the last meeting, the applicant has submitted two revised layouts. The first layout is arranged so that there are three 2'x2' tables along the building, with a 1' gap between them and then a row of six 2'x4' planters and 11' to the edge of the street. The second layout is arranged so that there are three 3'x3' tables along the building, with a 6' gap between the tables and planter row, and then 5' to the edge of the street.

Public Works reviewed the revised submittals and had the following comments: *Revised layout 1 is not a preferred option for outdoor seating. The Planters force pedestrian traffic closer to the street and intersection. Revised layout 2 would be acceptable with the following exceptions:*

1. *Allow up to 30" depth tables as shown in Revision 1*
2. *Planters set at 7' offset from edge of Lafitte St. (2' Wide Planters)*
3. *The 5' Access Path remains.*
4. *Plantings in the two boxes closest to Monroe St. be a ground cover or "ground-hugging" type for better sight when approaching the intersection.*
5. *If future sidewalk improvements are implemented to the south on Lafitte either by the neighboring property or the City. The City has the option to rescind any standing approval for outdoor seating.*
6. *A Hold Harmless is executed for the planters and more importantly the intended use of serving and dining activates located within the ROW (Ordinance 22-25 (d))*

CLURO SECTIONS:**6.8.6. Accessory Use – Outdoor Dining**

Outdoor seating and tables for a restaurant that is otherwise allowed within the applicable zoning district and complies with applicable district regulations.

8.2.3.1. Outdoor Dining

Outdoor dining may be authorized subject to the conditions and procedures established in this section and any additional zoning district standards.

1. Outdoor dining behind the front building setback may be allowed pursuant to approval of a Special Use Permit in the B-1, B-2, B-3 and B-4 zoning districts provided that:
 - a. Outdoor dining seating and operations shall not obstruct sidewalks, building entries or driveways; and
 - b. Outdoor dining shall not be located within the sight triangle designated for intersection and driveway visibility as established in section 8.1.1.8 of this CLURO.
2. Outdoor dining may be allowed in required front setback areas within the B-3 zoning district subject to issuance of a Special Use Permit and compliance with the criteria in paragraph 1 and the B-3 district standards established in section 7.5.10.5 of this CLURO.
3. Outdoor dining may be allowed within the public right-of-way subject to approval of a Conditional Use Permit that satisfies the criteria established in paragraphs 1 and 2 of this section, section 4.3.3.8 and the following criteria:
 - a. Seating areas shall be located to minimize the risks from traffic on abutting streets through the use of on-street parking, plantings, planter boxes or other barriers between traffic lanes and seating areas;
 - b. Operator enters into a cooperative endeavor agreement with the City that recognizes the true value of the right-of-way and adequately addresses indemnification of the City and the City's minimum insurance requirements.

7.5.10.2. B-3 Permitted Uses

The uses permitted in this zoning district, including signage, shall be in accordance with those uses listed under this district in the Table of Permitted Uses By Zoning District found at the end of this Article and shall be subject to all applicable provisions of this Land Use Regulations Ordinance including any supplemental or special use criteria provided in Article 8 and the Sign Code in Article 10. Unless it is part of a mixed use development, no new townhouse, condominium, or other multi-family residence shall be established

2. **Outdoor Dining.** Subject to compliance with the standards established in sections 7.5.10.5 and 8.2.3:
 - a. On-site outdoor dining shall be allowed by right upon issuance of a Special Use Permit.
 - b. Outdoor dining within the right-of-way may be allowed subject to approval of a Conditional Use Permit.

4.3.3.8. Review and Evaluation Criteria (Conditional Use)

The Planning Director, the Planning Commission and the City Council shall review and evaluate and make the following findings before granting a Conditional Use Permit or Planned District zoning using the following criteria:

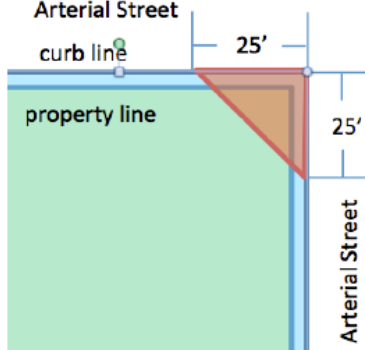
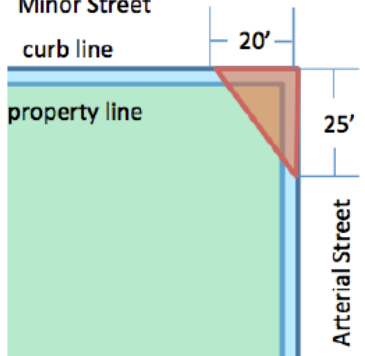
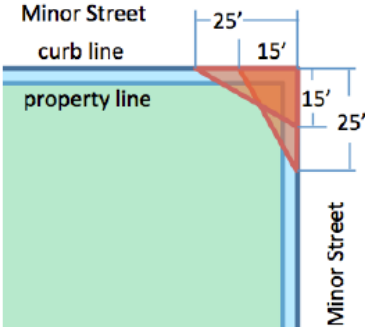
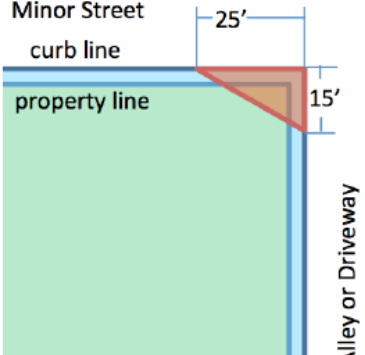
1. Comparison with applicable regulations and standards established by the Comprehensive Land Use Regulations applicable to the proposed use and site.
2. Compatibility with existing or permitted uses on abutting sites, in terms of building height, bulk and scale, setbacks and open spaces, landscaping and site development, and access and circulation features.
3. Potentially unfavorable effects or impacts on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed these which reasonably may result from use of the site by a permitted use.
4. Modifications to the site plan which would result in increased compatibility, or would mitigate potentially unfavorable impacts, or would be necessary to conform to applicable regulations and standards and to protect the public health, safety, morals, and general welfare.
5. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and land uses in the area.
6. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
7. Location, lighting, and type of signs; and relation of signs to traffic control and adverse effect on adjacent properties.
8. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
9. Conformity with the objectives of these regulations and the purposes of the zone in which the site is located.
10. Compatibility of the proposed use and site development, together with any modifications applicable thereto, with existing or permitted uses in the vicinity.
11. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
12. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or community aesthetics, or materially injurious to properties or improvements in the vicinity.

8.1.1.8. Sight Triangles Required

Visibility of and between pedestrians, bicyclists, and motorists shall be assured at all intersections in accordance with this section.

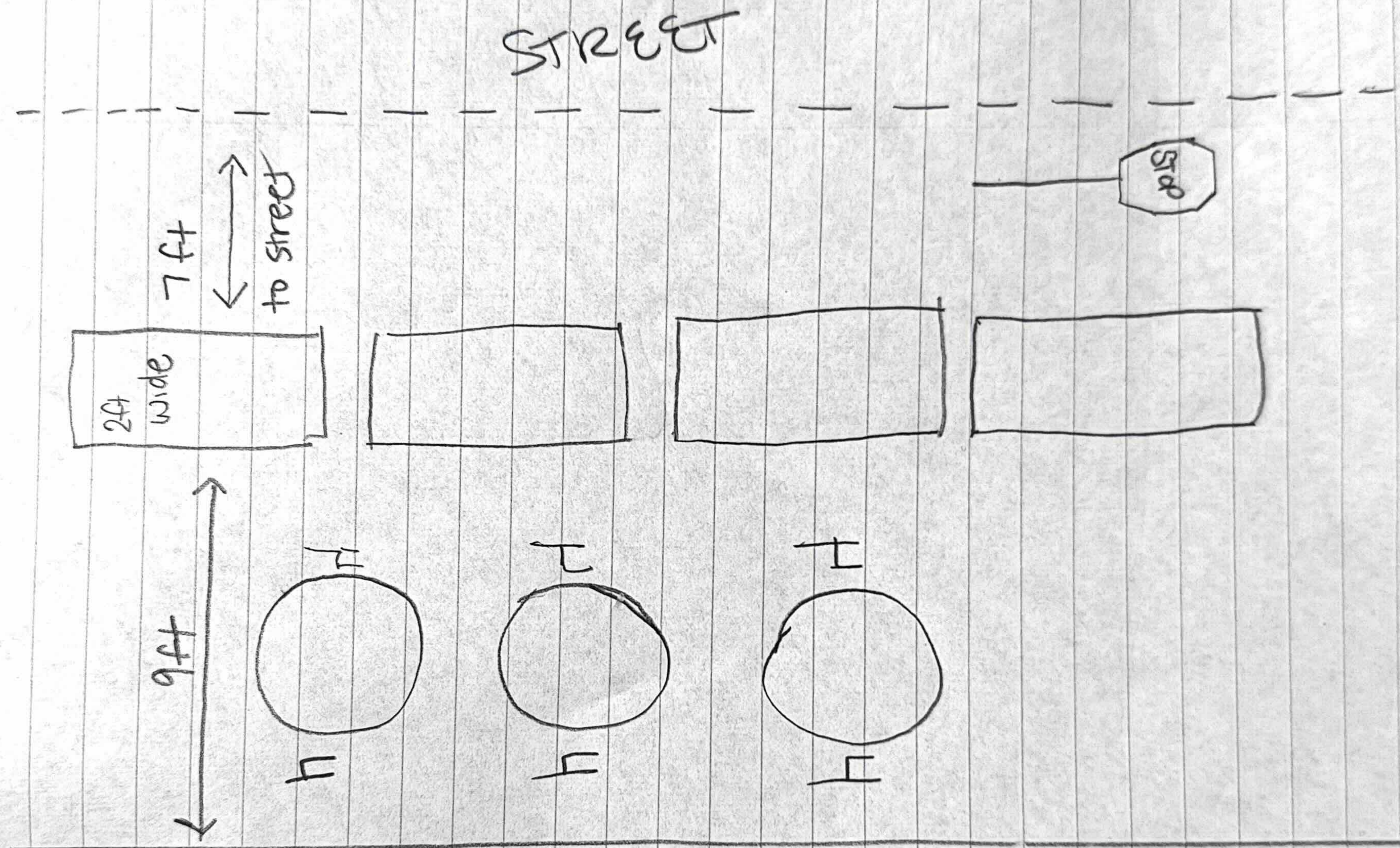
- a. Measurement of Sight Triangles. The legs of sight triangles involving arterial streets shall be measured from the projected intersection of curb lines or edges of pavement.
- b. Sight Triangles to be Free From Visual Obstructions. Sight visibility triangles shall be maintained free of visual obstructions to between the height of three (3) and seven (7) feet above street grade. No building, fence, wall, hedge or other structure or planting more than three (3) feet in height other than posts, columns or trees separated by not less than six (6) feet from each other, shall be erected, placed or maintained these areas.
- c. Dimensions of Sight Triangles. Sight triangles shall be based on the dimensions shown in Table 8-1-1 unless the City Engineer or Public Works Director finds that greater sight distances are called for due to traffic speeds or other intersection characteristics at intersections involving arterials.

Exhibit 8-1-1: Sight Triangle Design

Intersection Type	Dimensions	Diagrams
Two Arterials	At least 25 feet along each arterial street	
Arterial and Collector or Local Street	At least 25 feet along the arterial street and 20 feet along the local or collector (minor) street	
Intersection Type	Dimensions	Diagrams
All Other Street Intersections, including all intersections in the B-3 and T-C districts	Two overlapping triangles measuring 15 feet by 25 feet	
Intersection of Alleys or Driveways with Streets	25 feet along the minor street and 15 feet along the alley or driveway	
Intersections of streets with driveways from multi-occupancy centers	To be determined by the Public Works Director based on projected traffic loads and intersection design	



10ft from building to street



STREET

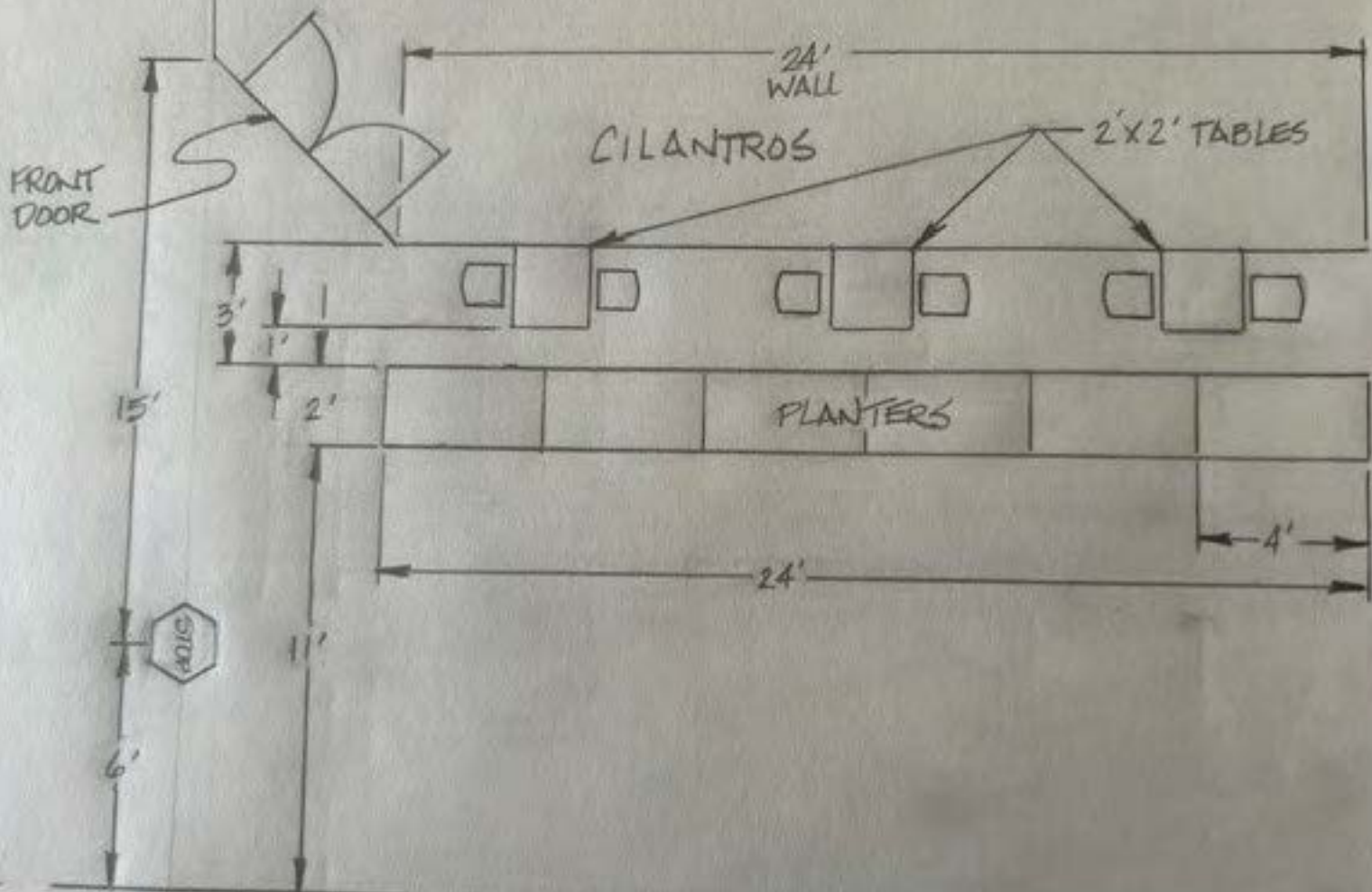
2ft wide

7ft to street

9ft

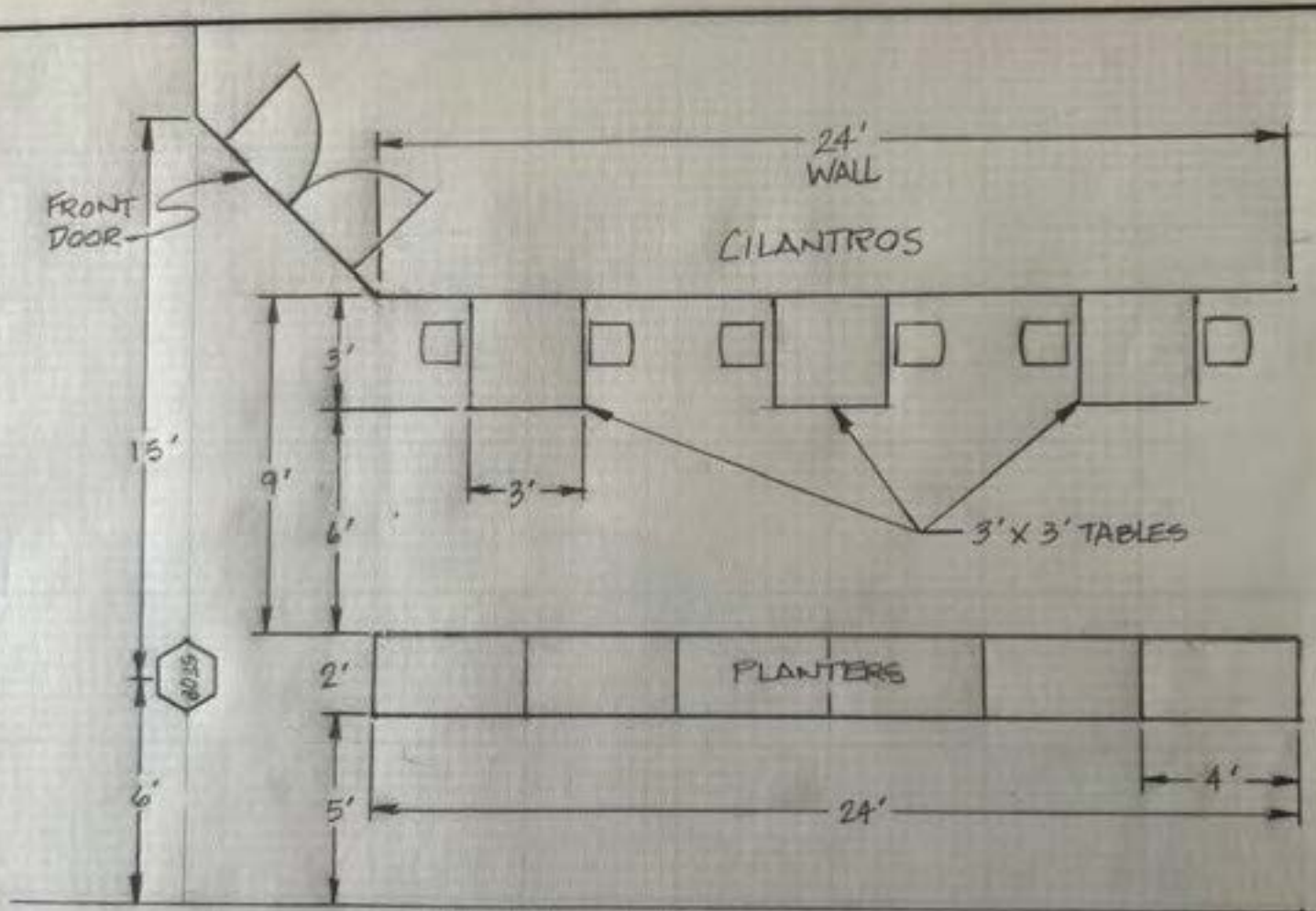
STOP

Cilantros 24ft Wall



LAFITTE ST.

SCALE: 1/4" = 1'



LAFITTE ST.

CLANROS MEXICAN CUISINE

Happy Hour
4pm - 7pm
NOW OPEN
SUNDAY

49



From: [Clifton Siverd](#)
To: [Alex Weiner](#)
Subject: RE: 449 Lafitte
Date: Friday, December 5, 2025 3:01:51 PM
Attachments: [image001.png](#)
[image002.png](#)

Alex,

Revised layout 1 is not a preferred option for outdoor seating. The Planters force pedestrian traffic closer to the street and intersection. Revised layout 2 would be acceptable with the following exceptions

1. Allow up to 30” depth tables as shown in Revision 1
2. Planters set at 7’ offset from edge of Lafitte St. (2’ Wide Planters)
3. The 5’ Access Path remains.
4. Plantings in the two boxes closest to Monroe St. be a ground cover or “ground-hugging” type for better sight when approaching the intersection.
5. If future sidewalk improvements are implemented to the south on Lafitte either by the neighboring property or the City. The City has the option to rescind any standing approval for outdoor seating.
6. A Hold Harmless is executed for the planters and more importantly the intended use of serving and dining activates located within the ROW (Ordinance 22-25 (d))

From: Alex Weiner <aweiner@cityofmandeville.com>
Sent: Wednesday, December 3, 2025 1:53 PM
To: Clifton Siverd <csiverd@cityofmandeville.com>
Subject: FW: 449 Lafitte

Hi Clif,

Attached is the revised layouts for Cilantros.



Alex Weiner, CFM

Planner I

Notary Public | Arborist

Department of Planning & Development | City of
Mandeville

Office: (985) 624-3103

Direct: (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448

From: Alex Weiner
Sent: Monday, December 1, 2025 11:55 AM
To: Clifton Siverd <csiverd@cityofmandeville.com>
Subject: FW: 449 Lafitte

Hey Clif,

Hope you had a good Thanksgiving! Just wanted to follow up on this and see if you had any comments on the proposed revised layouts. If you could provide any comments by this Thursday that would be great as we have to send out the packets to the commission on Friday.

Thanks,



Alex Weiner, CFM

Planner I

Notary Public | Arborist

Department of Planning & Development | City of
Mandeville

Office: (985) 624-3103

Direct: (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448

From: Alex Weiner <aweiner@cityofmandeville.com>

Sent: Thursday, November 20, 2025 3:39 PM

To: Clifton Siverd <csiverd@cityofmandeville.com>

Cc: Tina Myers <tmyers@cityofmandeville.com>

Subject: RE: 449 Lafitte

Hi Clif,

Cilantros submitted two versions of a revised layout for the outdoor dining they are requesting. When you get a moment could you look them over and provide any comments you might have. They are on the agenda for next Planning and Zoning meeting on December 9th.

Thanks,



Alex Weiner, CFM

Planner I

Notary Public | Arborist

Department of Planning & Development | City of
Mandeville

Office: (985) 624-3103

Direct: (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448

From: Clifton Siverd <csiverd@cityofmandeville.com>

Sent: Friday, November 14, 2025 9:14 AM

To: Alex Weiner <aweiner@cityofmandeville.com>

Cc: Tina Myers <tmyers@cityofmandeville.com>

Subject: RE: 449 Lafitte

Alex,

The outdoor dining would have to allow 5' minimum of clearance between the proposed tables and the planters for pedestrian access. In addition to the 5' clearance, there maybe site line issues concerning the planter boxes as approaching the intersection. We do not have true dimensions of the tables or site line alignment to scale from the submitted drawing. The measurements from the street to the wall of the building indicate 16', but when dimensions are added it equals a sum of 18'. We do not recommend the proposed layout as submitted. The applicant should modify the layout and submit for further review.

From: Alex Weiner <aweiner@cityofmandeville.com>

Sent: Monday, November 10, 2025 10:18 AM

To: Clifton Siverd <csiverd@cityofmandeville.com>

Cc: Tina Myers <tmyers@cityofmandeville.com>

Subject: FW: 449 Lafitte

Hi Clif,

Just following up on this. Cilantros is requesting to have outdoor dining located in the Lafitte St ROW and are on the Planning and Zoning agenda for November 18th and December 9th. Let me know if Public Works has any comments.

Thanks,



Alex Weiner, CFM

Planner I

Notary Public | Arborist

Department of Planning & Development | City of
Mandeville

Office: (985) 624-3103

Direct: (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448

From: Tina Myers <tmyers@cityofmandeville.com>

Sent: Thursday, November 6, 2025 9:56 AM

To: Clifton Siverd <csiverd@cityofmandeville.com>

Cc: Alex Weiner <aweiner@cityofmandeville.com>

Subject: 449 Lafitte

Good morning,

Please see the attached documents and send me any feedback you have. This case will be heard on November 18th.

Respectfully,

Tina Myers

Planning Technician

City of Mandeville

3101 East Causeway Approach

Mandeville, LA 70448

(985) 624-3103



THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER ZUCKERMAN; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER JILL MCGUIRE.

ORDINANCE NO. 22-25

AN ORDINANCE FOR THE CITY OF MANDEVILLE AMENDING THE CODE OF ORDINANCE, CITY OF MANDEVILLE, BY AMENDING SEC. 13-3, OBSTRUCTION OF STREET GENERALLY, AND AMENDING SEC. 13-4, OBSTRUCTION OF WALK, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Mandeville seeks to maintain the safety of its streets for emergency services and the public use, whether vehicular, pedestrian or bike traffic, by establishing a prohibition of the placement of certain objects within the street right-of-way fronting both public and private property such that emergency services and the public use, whether vehicular, pedestrian or bike traffic, do not encounter landscaping materials placed in the street right-of-way or setback areas fronting the streets of the City;

WHEREAS, the Comprehensive Land Use Regulation Ordinance of the City of Mandeville (the "CLURO") concerning street traffic and ease of passage provides regulations that have been established to lessen congestion in the streets, secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land to avoid undue concentration of population; and to facilitate the adequate provision of vehicular and pedestrian circulation, water, sewerage, storm drainage, schools, parks, open space and other public requirements;

WHEREAS, pursuant Code of Ordinance, City of Mandeville, § 13-3 and § 13-4, it is unlawful to obstruct highway commerce by placement of anything on the street right-of-way which renders movement thereon more difficult, and it is unlawful to obstruct the free, convenient and normal use of any public street by impeding, hindering, stifling, retarding or restraining traffic or passage thereon;

WHEREAS, Code of Ordinance, City of Mandeville, § 9-41 requires the removal of certain enumerated items from the public right-of-way adjacent to developed lots but, by specific mention, does not include landscaping materials as it more generally refers to trash and litter; and

WHEREAS, the City of Mandeville desires to amend the applicable ordinances to address the safety of its streets for emergency services and public use and in the interest of governmental efficiency in the administration and enforcement of the provisions of the CLURO.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville, that Code of Ordinance, City of Mandeville Sec. 13-3, Obstruction of Street Generally, is hereby amended to read as follows:

- (a) It shall be unlawful to obstruct a highway of commerce intentionally or in a criminally negligent manner by the placing of anything or performance of any act on any railway, railroad, navigable waterway, road, street, right-of-way, highway or thoroughfare, which will render movement thereon more difficult.
- (b) The right-of-way is held by the City primarily for the purpose of pedestrian and vehicular passage and for the City's provision of essential public safety services, including police, fire and emergency medical response services, and public health services, including sanitary sewer, water and storm drainage. The purpose of this section is to provide standards in order to maintain the safety and the visual character of the City's right-of-way, and to maintain a greenbelt area of land within the property line and encompassing the street right-of-way such that the area is free from such non-living, durable landscaping materials that pose a danger to both vehicular and pedestrian travel.

It shall be unlawful for any person to place or cause to be placed any type of obstruction within ten (10) feet of the edge of any City street or as may be permitted by the City within the property lot line, whichever is less, except for the following:

- (1) A pole mounted curbside mailbox provided it is in the roadside portion of the right-of-way and:
- a. it conforms to the rules and regulations of the U.S. Postal Service for construction and installation as well as to standards established in this section; and
 - b. it is erected contiguous to the privately owned property which it serves, unless prior written approval is obtained from the Department of Public Works; and
 - c. it is not erected in such a manner as to obstruct a free and clear vision of passing motorists and is not closer than twenty-five (25) feet from an intersection, measured from the nearest right-of-way line of the intersecting street; and
 - d. it is not designed or installed, by reason of the position, shape or color, to interfere with, obstruct the view of, or be confused with any authorized traffic control device; and
 - e. it does not have any attachments, not required or permitted by United States Postal regulations, which would constitute a prohibited sign under Article 10 of the CLURO; and
 - f. it is installed on a breakaway support post; a breakaway support means a supporting post which shall be no larger than a four-inch by four-inch wood post, four and one-half (4½) inch diameter wood post or a metal post with a strength no greater than a two-inch diameter schedule 40 steel pipe and which is buried no more than twenty-four (24) inches deep. Such a support post shall not be set in concrete unless specifically designed as a breakaway support system as defined in "A Guide for Erecting Mailboxes on Highways" published by ASHTO, May 24, 1984.

- (2) Plants and shrubs subject to the following:
- a. None shall be placed in the right-of-way of any interstate (freeway), arterial streets, and collector streets as designated by the City unless specifically approved by the department of public works or shown on a site plan approved by the City in accordance with the procedures of this Code, including but not limited to Article 9 of the CLURO.
 - b. All plants and shrubs shall be placed in such a manner as to avoid obstruction of traffic control devices and shall be placed to provide a window of view between two and one-half (2½) feet from the surface of the roadway at its edge and seven (7) feet, so as not to obstruct the view of vehicular or pedestrian traffic. In addition, all plants and shrubs shall be placed in such a manner as to avoid interference with any public utility, facility, or infrastructure.
- (3) The owner of private non-residential property that abuts the City right-of-way may request to establish or expand the use of City right-of-way for parking.
- (4) Any materials used pursuant to a permitted culvert pursuant to CLURO Section 5.2.6.1 or as otherwise regulated by the CLURO of Code of Ordinances.
- (5) Any object placed within the right-of-way which is in any way associated with a public utility or City agency, including but not limited to City equipment.
- (c) Any object placed within the right-of-way pursuant to subsections (b)(1) through (5) above shall be done so at the risk of the owner, who shall be fully responsible for the maintenance of same and shall not be due any compensation for the destruction or removal of said object by the City for any public reason whatsoever. Except in emergency situations, the City will give notice within ten (10) days of the removal or destruction by the City of any object placed within the right-of-way pursuant to subsections (b)(1) through (5) above which is deemed to be an obstruction by the department of public works.
- (d) Notwithstanding any of the provisions of this section, the department of public works may permit the placement of curbside mailboxes, decorative piping, plants, shrubs, or other similar structures which do not meet the requirements of this section, by hardship variance in the event bringing new or existing curbside mailboxes, decorative piping, plants, shrubs, or other similar structures is not possible, provided that the person placing or causing placement of any such obstruction executes a "hold-harmless" agreement with the City, which agreement shall be in a form prescribed by the City Attorney and which shall include at a minimum an assumption by the person placing or causing the placing of the obstruction of all risks and damages which may result from said placement, including the payment of the City's attorney's fees should it be made party to any litigation or claim as a result of such obstruction; and an agreement by the person placing or causing the placement of the obstruction to allow the City to remove the obstruction at any time and for any reason without notice to said person.

Permits granted under the provision of this section shall not be transferable. Any person owning property adjacent to a City right-of-way having thereon an obstruction which does not meet the requirements of section (b) herein shall obtain a permit for said obstruction under this subsection or shall remove said obstruction. The department of public works shall not be required to issue a permit for an otherwise illegal obstruction on a City right-of-way to the owner of the adjacent property, even if the department had issued such a permit to the previous property owner. The provisions of this section (d) do not apply to non-living, durable landscaping materials, or to structures linked together in any manner, which are not included in the exceptions listed in subsections (b)(1) through (5) above.

(e) As set forth in Section 1.9.1-1.9.3 of the CLURO, the City is authorized to utilize City police deputies and/or may institute any appropriate action or proceedings to prevent such unlawful construction other violations, to restrain, to correct or to prevent any illegal act in or about such premises. Except as modified herein, the procedure for notice of violation and the assessment of penalty for violations of this Section shall be administered pursuant to CLURO Sections(s) 1.9.4 and 1.9.5

(f) Whoever commits this crime shall be punished as provided in section 1-9 of this Code.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville, that Code of Ordinance, City of Mandeville Sec. 13-4, Obstruction of Walk, be amended to read as follows:

(a) It shall be unlawful to willfully obstruct the free, convenient and normal use of any public sidewalk, street, right-of-way, alley, road or other passageway, or the entrance, corridor or passage of any public building, structure, watercraft or ferry, by impeding, hindering, stifling, retarding or restraining traffic or passage thereon or therein.

(b) The right-of-way is held by the City primarily for the purpose of pedestrian and vehicular passage and for the City's provision of essential public safety services, including police, fire and emergency medical response services, and public health services, including sanitary sewer, water and storm drainage. The purpose of this section is to provide standards in order to maintain the safety and the visual character of the City's right-of-way, and to maintain a greenbelt area of land within the property line and encompassing the street right-of-way such that the area is free from such non-living, durable landscaping materials that pose a danger to both vehicular and pedestrian travel.

It shall be unlawful for any person to place or cause to be placed any type of obstruction within ten (10) feet of the edge of any City street or as may be permitted by the City within the property lot line, whichever is less, except as outlined in Sec. 13-3 of this Code.

(c) Whoever commits this crime shall be punished as provided in section 1-9 of this Code.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon the signature of the Mayor; and

BE IT FURTHER ORDAINED that the Clerk of this Council 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.

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

AYES: 5 (Zuckerman, McGuire, Danielson, Bush, Kreller)

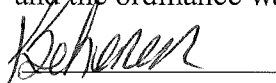
NAYS: 0

ABSENT: 0

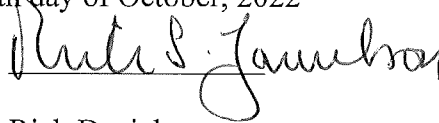
ABSTENTIONS: 0

:

and the ordinance was declared and adopted this 13th day of October, 2022



Kristine Scherer
Clerk of Council



Rick Danielson
Council Chairman

SUBMITTAL TO MAYOR

The foregoing Ordinance was **SUBMITTED** by me to the Mayor of the City of Mandeville this 14th day of October, 2022 at 10:30 o'clock a.m.



CLERK OF COUNCIL

APPROVAL OF ORDINANCE

The foregoing Ordinance is by me hereby **APPROVED**, this 19 day of October, 2022 at 10:30 o'clock a.m.


CLAY MADDEN, MAYOR

VETO OF ORDINANCE

The foregoing Ordinance is by me hereby **VETOED**, this _____ day of _____, 2022, at _____ o'clock a.m.

CLAY MADDEN, MAYOR

RECEIPT FROM MAYOR

The foregoing Ordinance was **RECEIVED** by me from the Mayor of the City of Mandeville this 19 day of October 2022, at 11:30 o'clock a.m.

K. Scherer
CLERK OF COUNCIL

CERTIFICATE

I, THE UNDERSIGNED Clerk of the City Council of the City of Mandeville do hereby certify that the foregoing is a true and correct copy of an ordinance adopted by the City Council of the City of Mandeville at a duly noticed, called and convened meeting of said City Council held on the 13th day of October, 2022 at which a quorum was present and voting. I do further certify that said Ordinance has not thereafter been altered, amended, rescinded, or repealed.

WITNESS MY HAND and the seal of the City of Mandeville this 14th day of October, 2022.

K. Scherer
Kristine Scherer, CLERK OF COUNCIL

From: [Clifton Siverd](#)
To: [Alex Weiner](#)
Cc: [Tina Myers](#)
Subject: RE: 449 Lafitte
Date: Friday, November 14, 2025 9:13:33 AM
Attachments: [image002.png](#)
[image003.png](#)

Alex,

The outdoor dining would have to allow 5' minimum of clearance between the proposed tables and the planters for pedestrian access. In addition to the 5' clearance, there maybe site line issues concerning the planter boxes as approaching the intersection. We do not have true dimensions of the tables or site line alignment to scale from the submitted drawing. The measurements from the street to the wall of the building indicate 16', but when dimensions are added it equals a sum of 18'. We do not recommend the proposed layout as submitted. The applicant should modify the layout and submit for further review.

From: Alex Weiner <aweiner@cityofmandeville.com>
Sent: Monday, November 10, 2025 10:18 AM
To: Clifton Siverd <csiverd@cityofmandeville.com>
Cc: Tina Myers <tmyers@cityofmandeville.com>
Subject: FW: 449 Lafitte

Hi Clif,

Just following up on this. Cilantros is requesting to have outdoor dining located in the Lafitte St ROW and are on the Planning and Zoning agenda for November 18th and December 9th. Let me know if Public Works has any comments.

Thanks,



Alex Weiner, CFM

Planner I

Notary Public | Arborist

Department of Planning & Development | City of
Mandeville

Office: (985) 624-3103

Direct: (985) 624-3132

3101 E. Causeway Approach, Mandeville, LA 70448

From: Tina Myers <tmyers@cityofmandeville.com>
Sent: Thursday, November 6, 2025 9:56 AM
To: Clifton Siverd <csiverd@cityofmandeville.com>
Cc: Alex Weiner <aweiner@cityofmandeville.com>
Subject: 449 Lafitte

Good morning,

Please see the attached documents and send me any feedback you have. This case will be heard on November 18th.

Respectfully,

Tina Myers

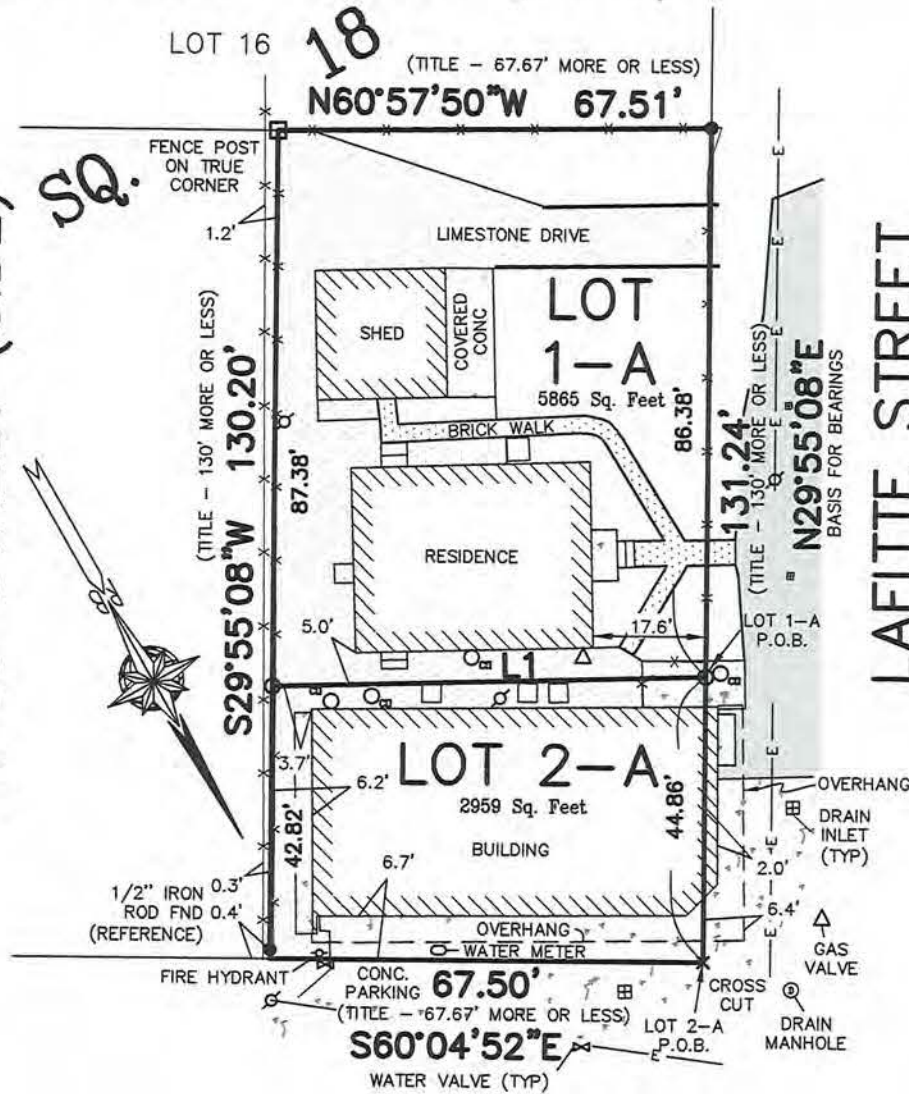
Planning Technician
City of Mandeville
3101 East Causeway Approach
Mandeville, LA 70448
(985) 624-3103



MADISON STREET (SIDE)

NOTE:
BEARINGS SHOWN HEREON ARE REFERENCED TO LOUISIANA STATE PLANE COORDINATES. LA SOUTH ZONE 1702.

GIROD STREET (SIDE)



LEGAL DESCRIPTION LOT 1-A:
COMMENCING FROM THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF LAFITTE STREET AND THE SOUTHERN RIGHT OF WAY LINE OF MONROE STREET, THENCE GO S29°55'08"W A DISTANCE OF 44.86' TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO S61°49'37"E A DISTANCE OF 67.53'; THENCE S29°55'08"W A DISTANCE OF 87.38'; THENCE N60°57'50"W A DISTANCE OF 67.51'; THENCE N29°55'08"E A DISTANCE OF 86.38' BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.135 ACRES OF GROUND MORE OR LESS.

LEGAL DESCRIPTION LOT 2-A:
COMMENCING FROM THE INTERSECTION OF THE EASTERN RIGHT OF WAY LINE OF LAFITTE STREET AND THE SOUTHERN RIGHT OF WAY LINE OF MONROE STREET, ALSO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING GO S60°04'52"E A DISTANCE OF 67.50'; THENCE S29°55'08"W A DISTANCE OF 42.82'; THENCE N61°49'37"W A DISTANCE OF 67.53'; THENCE N29°55'08"E A DISTANCE OF 44.86' BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.068 ACRES OF GROUND MORE OR LESS.

LINE	BEARING	DISTANCE
L1	S61°49'37"E	67.53'

MONROE STREET

NOTE:
OWNER OR BUILDER RESPONSIBLE FOR OBTAINING SETBACKS BEFORE DESIGN OR CONSTRUCTION BEGINS.

- DENOTES 1/2" IRON ROD TO BE SET UNLESS OTHERWISE NOTED
- DENOTES 1/2" IRON ROD FND UNLESS OTHERWISE NOTED

REFERENCE 1:
SURVEY By Kelly J. McHugh, PLS
Job No.: 89-461
Dated: 10-3-1983

REFERENCE 2:
SURVEY By Ned R. Wilson, PLS
Dated: 11-28-1988

Note: I have consulted the Federal Insurance Administration Flood Hazard Boundary Maps and found the property described IS located in a special flood hazard area, it is located in Flood Zone AE.

FIRM Panel# 2202020427D Rev. 5-16-2012

APPROVED:

[Signature]
MAYOR OF THE CITY OF MANDEVILLE

[Signature]
CHAIRMAN OF PLANNING COMMISSION

[Signature]
CITY ENGINEER OR PUBLIC WORKS DIRECTOR

[Signature]
PLANNING DIRECTOR

[Signature]
Dawn K. Mendow, Deputy Clerk

08-02-2024
DATE FILED

6328 A
FILE NO.

Resubdivision of
A PARCEL OF GROUND SITUATED IN
SQUARE 18 * TOWN OF MANDEVILLE * CITY OF MANDEVILLE
ST. TAMMANY PARISH, LOUISIANA
INTO
LOTS 1-A & 2-A

NO ATTEMPT HAS BEEN MADE BY RANDALL W. BROWN & ASSOC., INC. TO VERIFY TITLE, ACTUAL LEGAL OWNERSHIP, SERVITUDES, EASEMENTS, SUBSURFACE UTILITIES, RIGHTS OF WAY, DEED RESTRICTIONS, WETLANDS OR ENVIRONMENTAL ISSUES OR OTHER ENCUMBRANCES ON THIS PROPERTY OTHER THAN THOSE FURNISHED BY THE CLIENT.

SURVEYED IN ACCORDANCE WITH THE LOUISIANA "APPLICABLE STANDARDS FOR PROPERTY BOUNDARY SURVEYS" FOR A CLASS C SURVEY.

REG. NO. 04586
REGISTERED PROFESSIONAL

Randall W. Brown & Associates, Inc.
Professional Land Surveyors

Date: FEBRUARY 20, 2024
Survey No. 24283
Project No. (CR5) A24042.TXT

Scale: 1" = 30' ±
Drawn By: J.E.D.
Revised:

Randall W. Brown, P.L.S.
Professional Land Surveyor
LA Registration No. 04586

228 W. Causeway Approach, Mandeville, LA 70448
(985) 624-5368 FAX (985) 624-5309
info@brownsurveys.com

City of Mandeville Planning & Zoning Commission

December 9, 2025



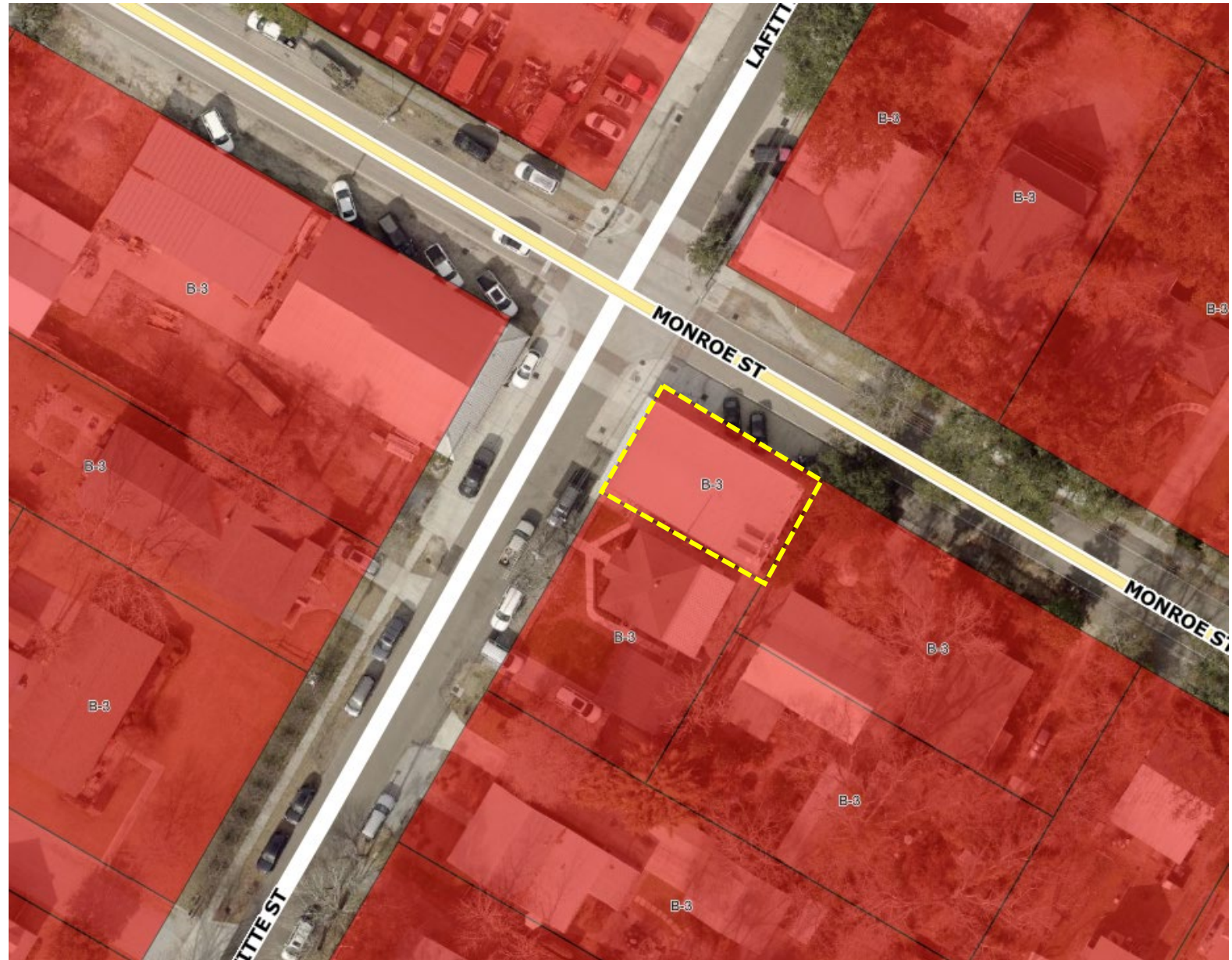
CU25-11-07

Applicant requests Conditional Use Approval for Outdoor Dining pursuant to CLURO Section 8.2.3.1, Old Town of Mandeville, Square 18 Lot 2-A, B-3 - Old Mandeville Business District, 449 Lafitte

CU25-11-07

The applicant owns the property at 449 Lafitte St., located on the corner of Monroe St. and Lafitte St. The property measures 44' x 67' and contains 2,959 sqft per a survey prepared by Randall Brown & Associates and dated 2.20.2024.

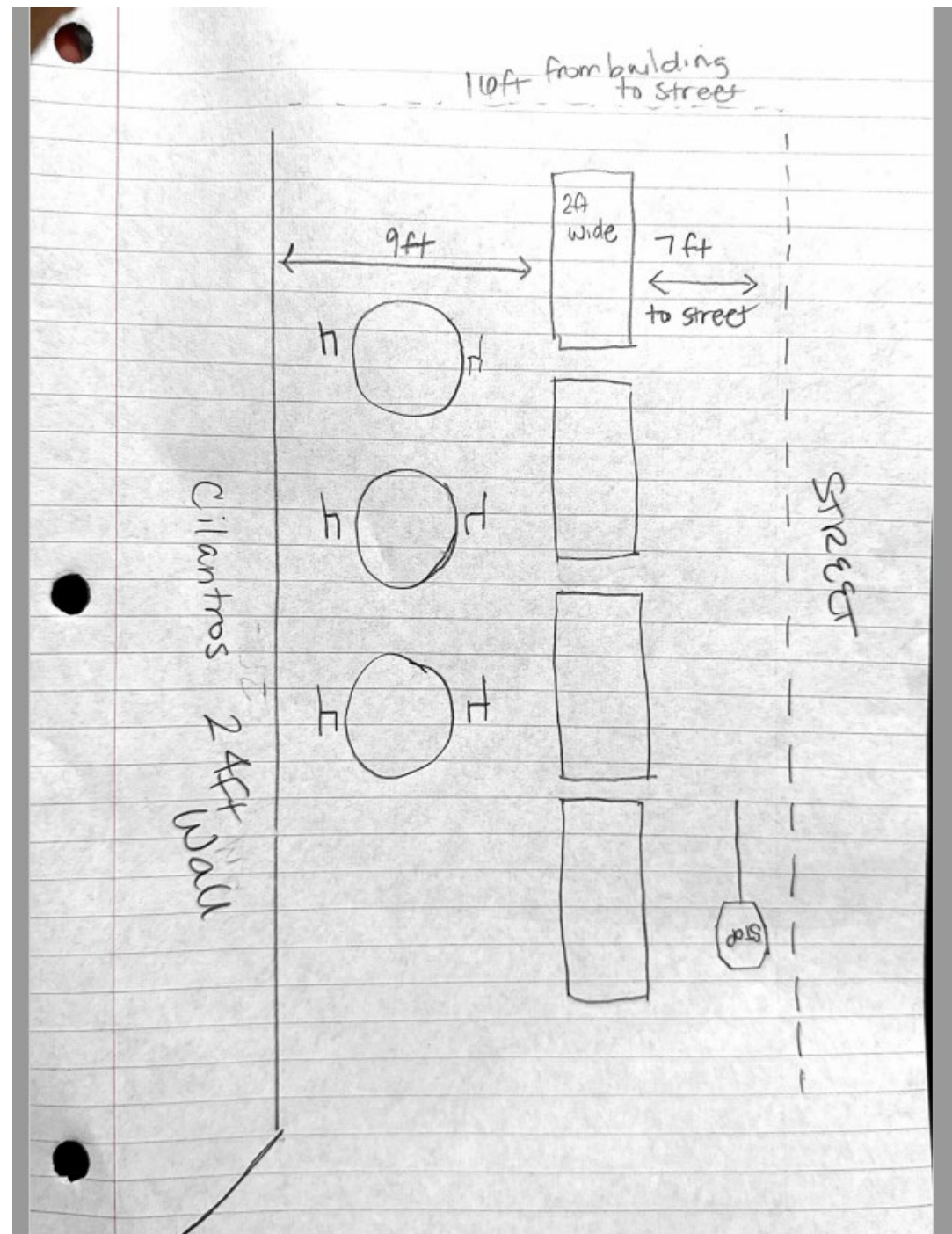
The property is improved with a commercial business, Cilantros.



CU25-11-07

The applicant is requesting to have outdoor dining located within the Lafitte Street right-of-way.

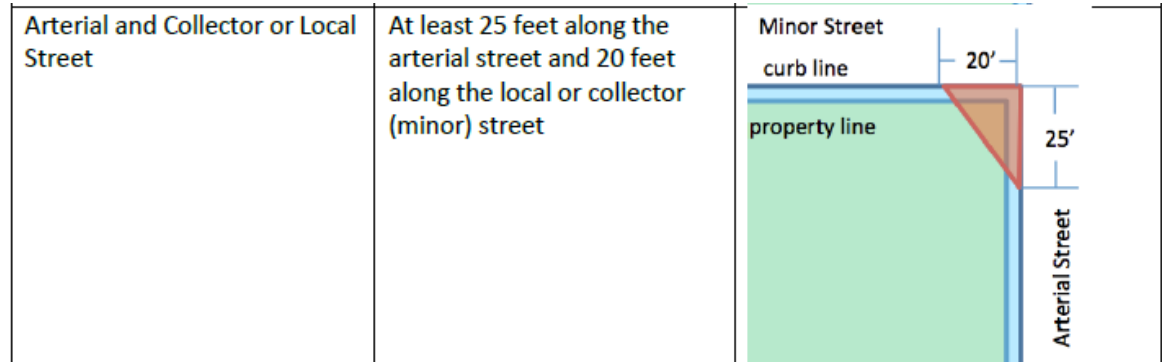
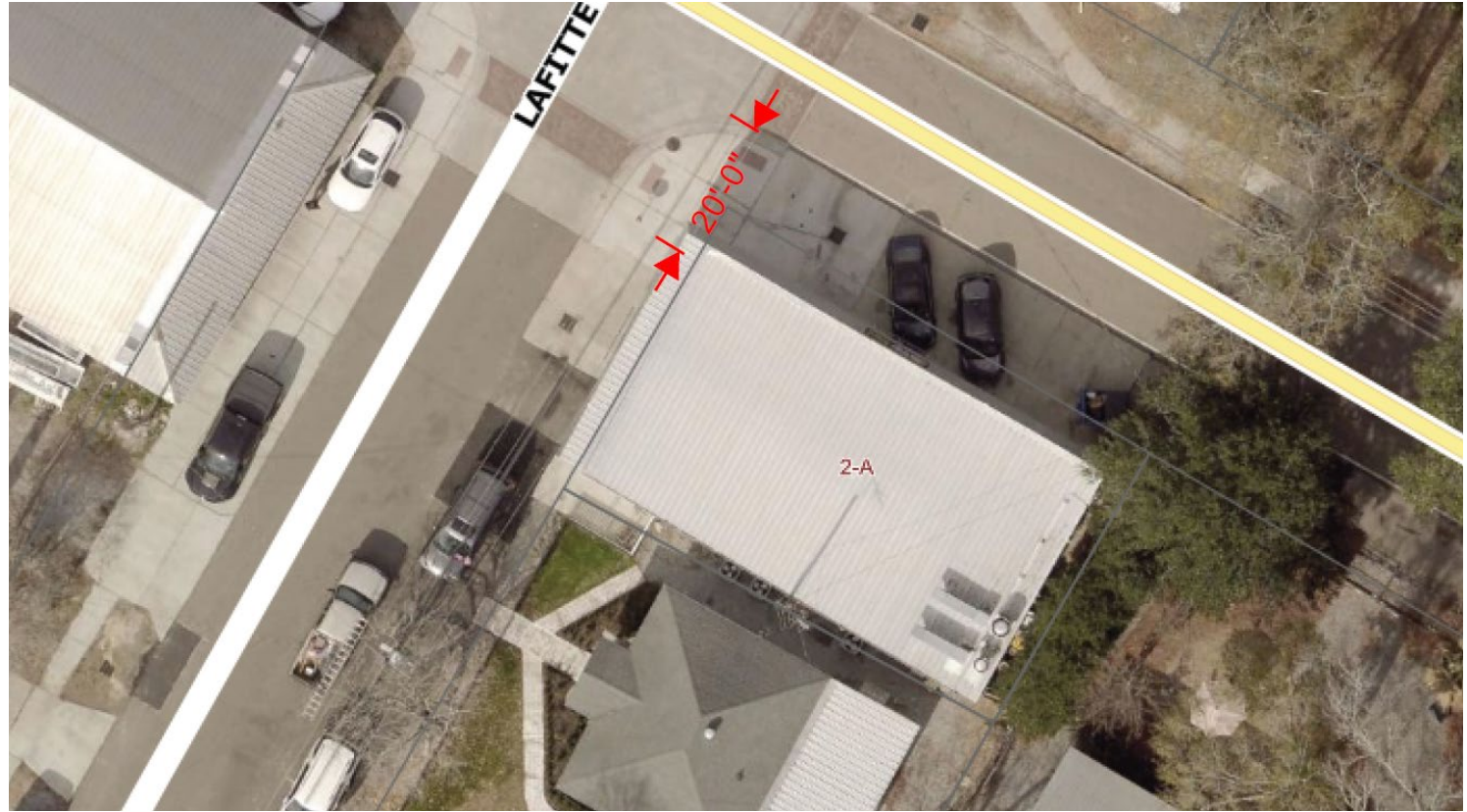
A drawing was submitted by the applicant showing there is 16' from the building to the edge of the street. The plan shows three tables with two chairs at each table, along with four planters to serve as a barrier between the tables and the street. There is 7' space between the planters and the street.



CU25-11-07

Regulations state that the outdoor dining shall not be located within the sight triangle for the intersection of Lafitte and Monroe.

This intersection is between an arterial street and a collector or local street. Monroe St. is designated as an arterial street while Lafitte St. is designated as a local street. As such, there cannot be any seating located along Lafitte St. within 20' from the edge of Monroe St.



CU25-11-07

In order to conduct outdoor dining the applicant will have to enter into a cooperative endeavor agreement with the City. This agreement will have to recognize the true value of the right-of-way and adequately address indemnification of the City and the City's minimum insurance requirements.



CU25-11-07

Public Works has reviewed the request and stated that *“The outdoor dining would have to allow 5’ minimum of clearance between the proposed tables and the planters for pedestrian access. In addition to the 5’ clearance, there may be site line issues concerning the planter boxes when approaching the intersection. We do not have true dimensions of the tables or site line alignment to scale from the submitted drawing. The measurements from the street to the wall of the building indicate 16’, but when dimensions are added it equals a sum of 18’. We do not recommend the proposed layout as submitted. The applicant should modify the layout and submit for further review.”*

From: [Clifton Siverd](#)
To: [Alex Weiner](#)
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Subject: RE: 449 Lafitte
Date: Friday, November 14, 2025 9:13:33 AM
Attachments: [image002.png](#)
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Alex,

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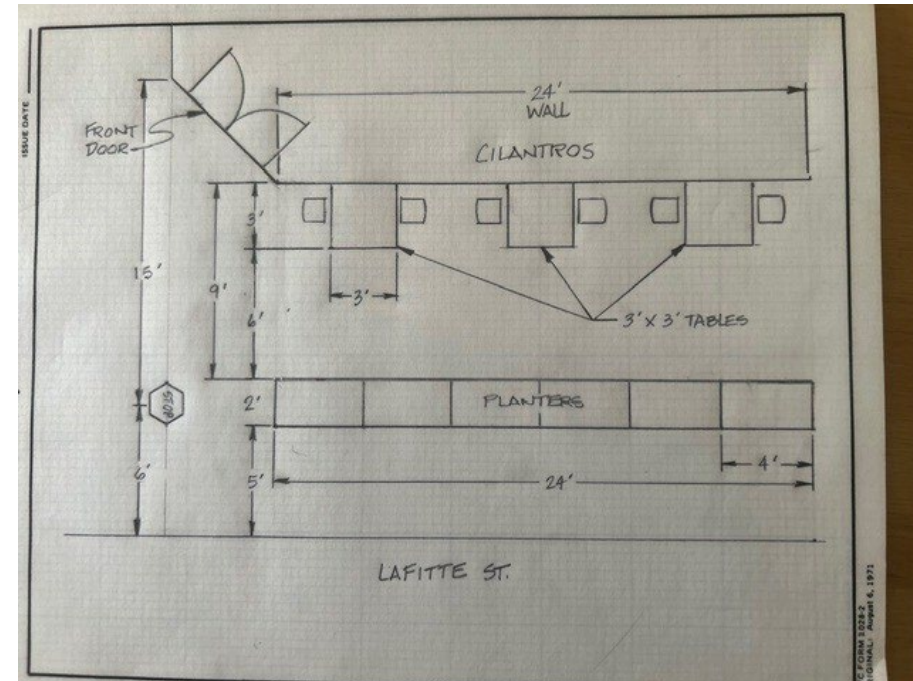
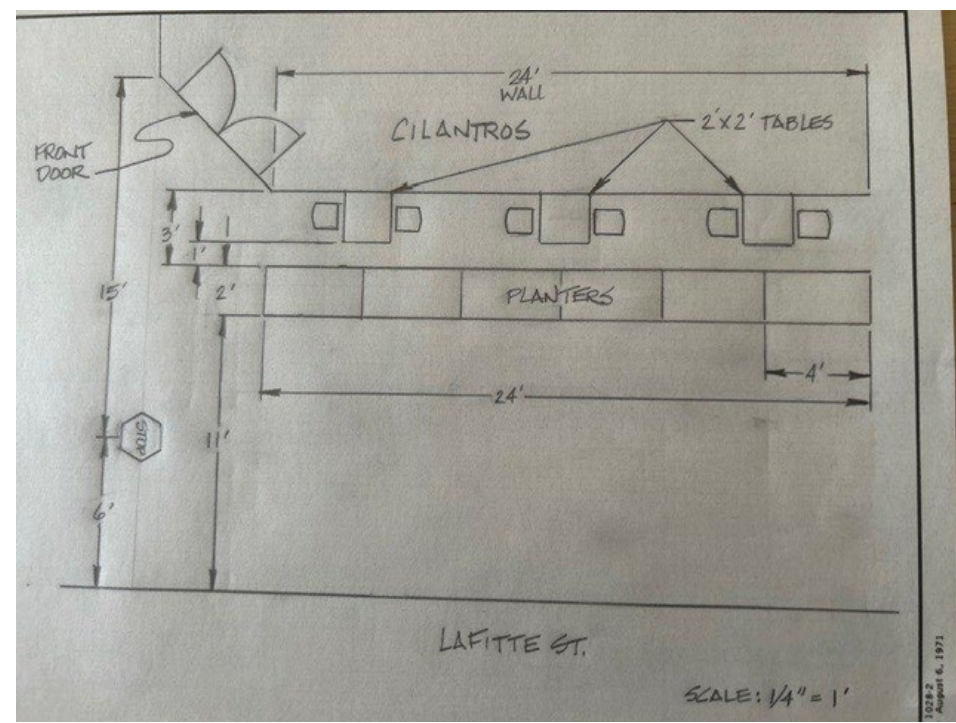


CU25-11-07

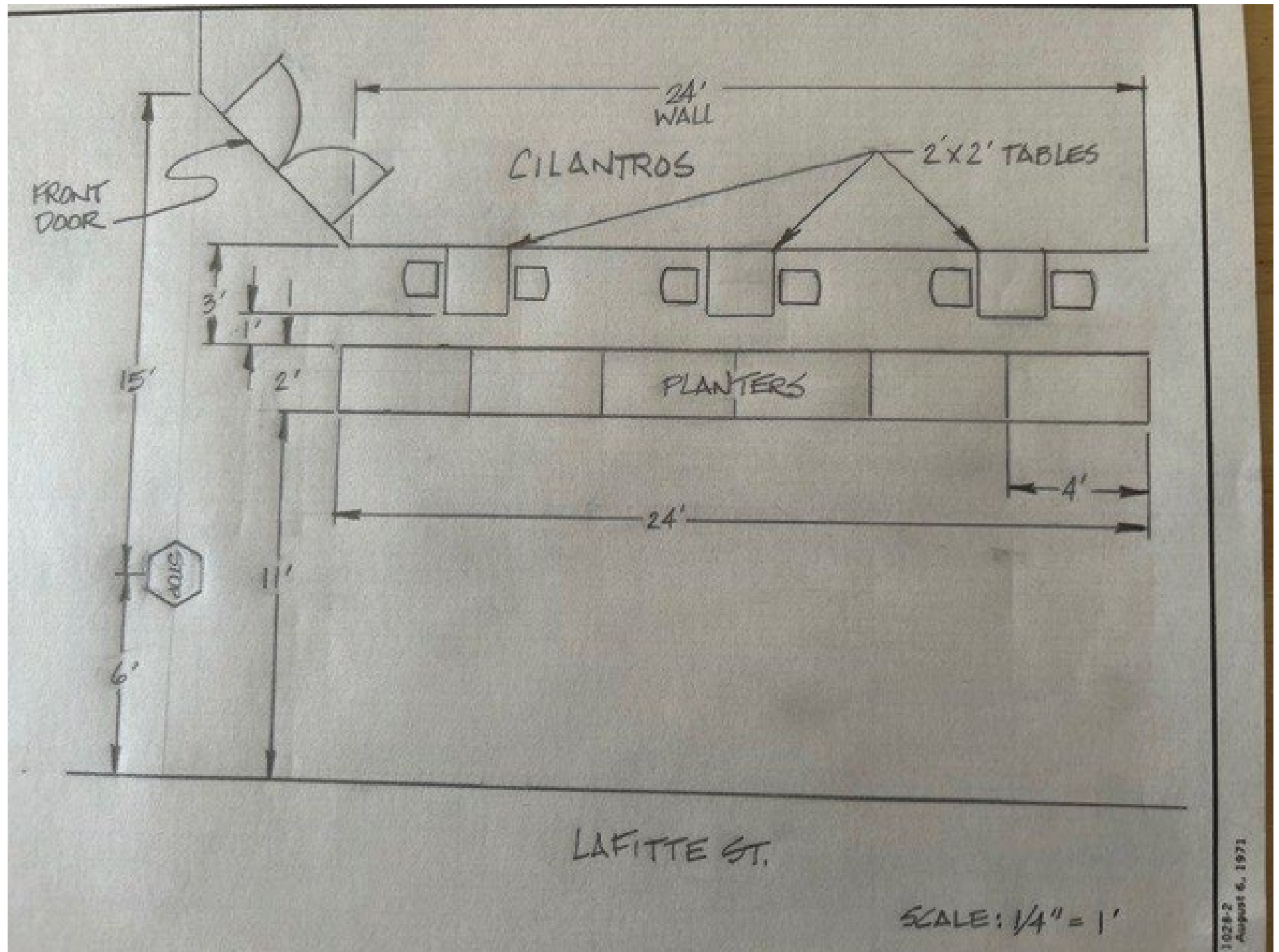
Since the last meeting, the applicant has submitted two revised layouts.

The first layout is arranged so that there are three 2'x2' tables along the building, with a 1' gap between them and then a row of six 2'x4' planters and 11' to the edge of the street.

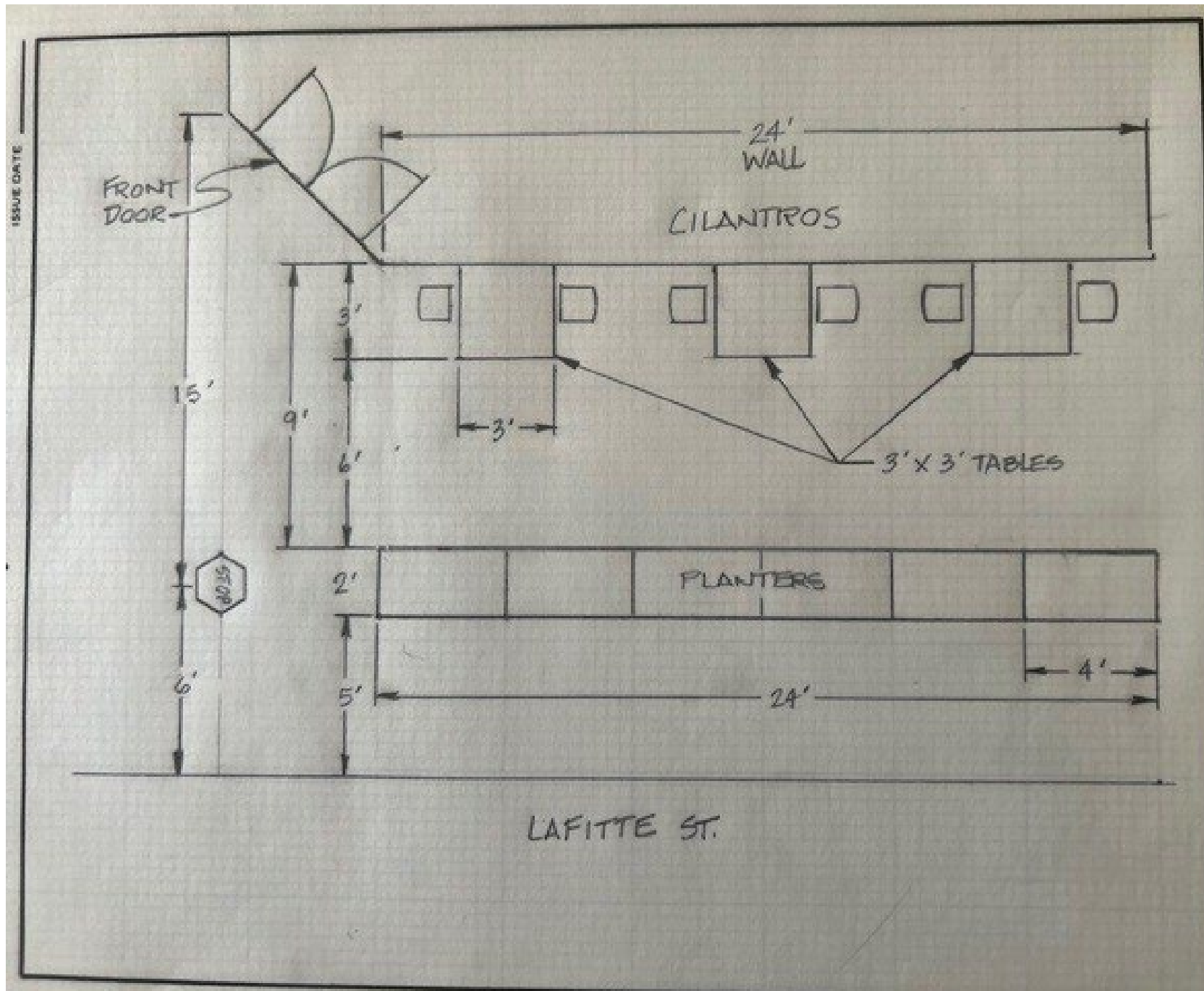
The second layout is arranged so that there are three 3'x3' tables along the building, with a 6' gap between the tables and planter row, and then 5' to the edge of the street.



Revised Layout 1



Revised Layout 2



FC FORM 1028-2
ORIGINAL August 6, 1971



CU25-11-07

Public Works reviewed the revised submittals and had the following comments: *“Revised layout 1 is not a preferred option for outdoor seating. The Planters force pedestrian traffic closer to the street and intersection. Revised layout 2 would be acceptable with the following exceptions”*

- Allow up to 30” depth tables as shown in Revision 1
- Planters set at 7’ offset from edge of Lafitte St. (2’ Wide Planters)
- The 5’ Access Path remains.
- Plantings in the two boxes closest to Monroe St. be a ground cover or “ground-hugging” type for better sight when approaching the intersection.
- If future sidewalk improvements are implemented to the south on Lafitte either by the neighboring property or the City. The City has the option to rescind any standing approval for outdoor seating.
- A Hold Harmless is executed for the planters and more importantly the intended use of serving and dining activates located within the ROW (Ordinance 22-25 (d))

(d) Notwithstanding any of the provisions of this section, the department of public works may permit the placement of curbside mailboxes, decorative piping, plants, shrubs, or other similar structures which do not meet the requirements of this section, by hardship variance in the event bringing new or existing curbside mailboxes, decorative piping, plants, shrubs, or other similar structures is not possible, provided that the person placing or causing placement of any such obstruction executes a "hold-harmless" agreement with the City, which agreement shall be in a form prescribed by the City Attorney and which shall include at a minimum an assumption by the person placing or causing the placing of the obstruction of all risks and damages which may result from said placement, including the payment of the City’s attorney’s fees should it be made party to any litigation or claim as a result of such obstruction; and an agreement by the person placing or causing the placement of the obstruction to allow the City to remove the obstruction at any time and for any reason without notice to said person. Permits granted under the provision of this section shall not be transferable. Any person owning property adjacent to a City right-of-way having thereon an obstruction which does not meet the requirements of section (b) herein shall obtain a permit for said obstruction under this subsection or shall remove said obstruction. The department of public works shall not be required to issue a permit for an otherwise illegal obstruction on a City right-of-way to the owner of the adjacent property, even if the department had issued such a permit to the previous property owner. The provisions of this section (d) do not apply to non-living, durable landscaping materials, or to structures linked together in any manner, which are not included in the exceptions listed in subsections (b)(1) through (5) above.





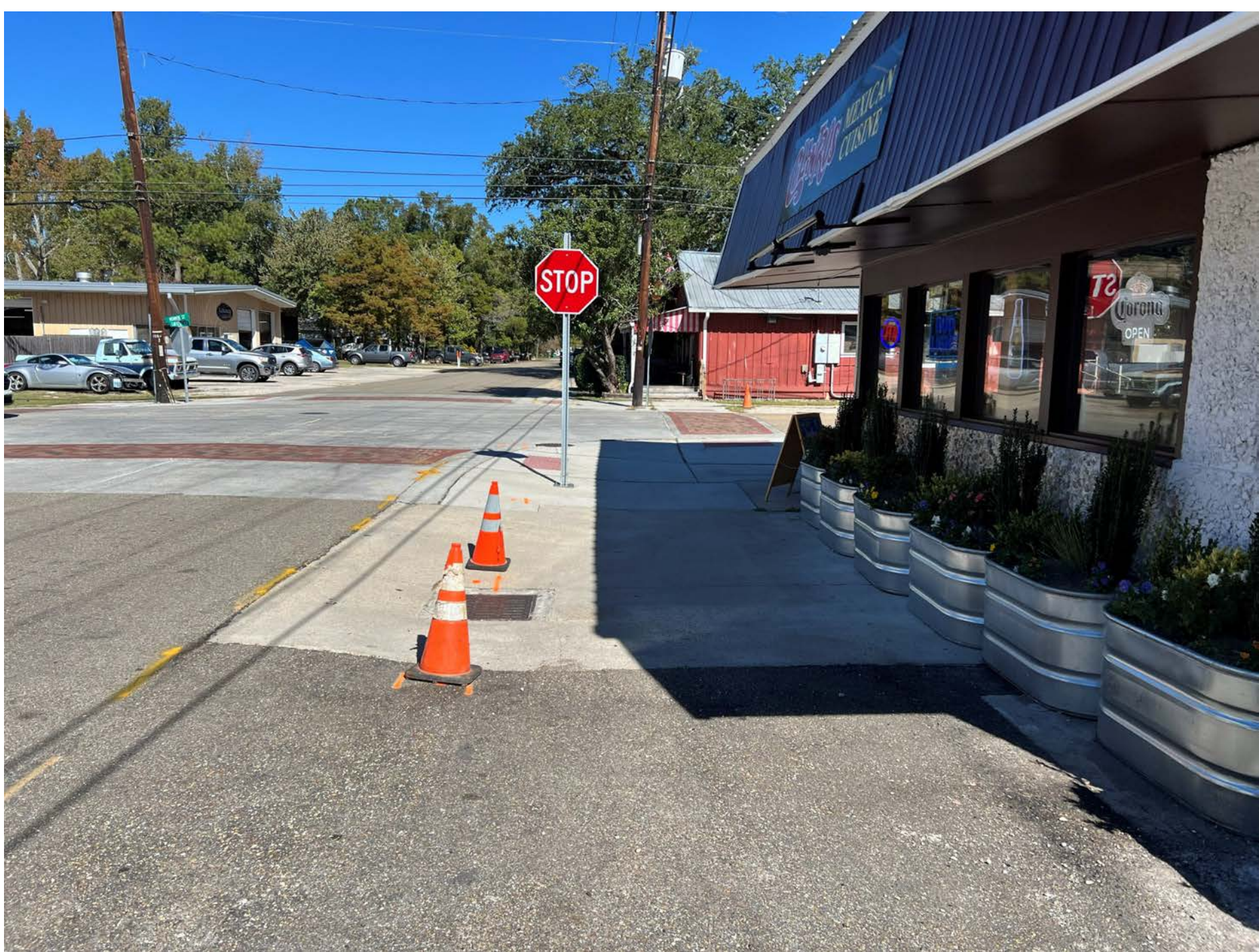
MANDEVILLE
Planning & Zoning
Commission



MANDEVILLE
Planning & Zoning
Commission

Monroe Street Side





MANDEVILLE
Planning & Zoning
Commission

Request

The applicant is requesting permission to allow outdoor dining in the Lafitte Street right-of-way.

Ord 26-02

THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBERS JASON ZUCKERMAN AND KEVIN VOGELTANZ; MOVED FOR ADOPTION BY COUNCIL MEMBER _____, SECONDED FOR ADOPTION BY COUNCIL MEMBER _____.

ORDINANCE NO. 26-02

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING ARTICLE 4, SECTION 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11 PROCEDURES AND FEES FOR CONDITIONAL USE PERMITS AND PLANNED DISTRICT ZONING, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of Mandeville is vested by Section 2-1 of the Mandeville Charter with the legislative power of the city government and has the authority to enact ordinances which have the force of law;

WHEREAS, the City Council of Mandeville is empowered by Section 2-10 (A)(14-15) of the Mandeville Charter to utilize its policing power to adopt or modify the zoning plan, maps and regulations and amend or repeal any ordinance previously adopted;

WHEREAS, the City of Mandeville's Comprehensive Land Use Regulations Ordinance (CLURO) was adopted on June 25, 2015, rev. through October 23, 2025, and provides for procedures and fees for Conditional Use Permits and Planned District Zoning in Article 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11;

WHEREAS, the City of Mandeville desires to ensure adequate public notice of any requests for conditional use permits or Planned District zoning that are considered by the Planning and Zoning Commissions for recommendations to the City Council, and desires to require that all applications reviewed by the Planning and Zoning Commissions be accompanied by a proposed Ordinance for City Council consideration outlining the details of the applicant's requested development plan and proposed uses as well as any variances required for each proposed use within the development site, such that the City Council is presented with a proposed ordinance that contains information, applicant requests, and application details and criteria that was provided to the Planning and Zoning Commissions for the allowance of adequate review and public comment.

WHEREAS, the City of Mandeville desires that any recommendations made by the Planning and Zoning Commission regarding Conditional Use Permits and Planned District applications be provided to the City Council with a proposed ordinance for the purpose of eliminating any potential circumstance where recommendations made by the Commissions are not also wholly contained in an ordinance presented to the Council.

WHEREAS, the City of Mandeville desires to provide full transparency in the enactment of all ordinances for Conditional Use Permits and Planned District Zoning by providing that the City Council first publish a proposed ordinance, introduced by the Council Member of the district of the subject property and seconded by the Council Chair, so that all applications that meet the application requirements are procedurally introduced by the City Council before being reviewed

and evaluated by the Planning Commission who will make a recommendation of action to be taken by the City Council following the public hearing.

WHEREAS, the City of Mandeville also desires to confirm that an application will only need to be resubmitted to the City Council for original introduction and resubmission to the Planning Commission in the circumstance where an amendment to the proposed ordinance made by the applicant or the Planning Commission during the consideration of the application and proposed ordinance nullifies the purpose of the proposed ordinance or adds an additional use or variance request that was not subject to Planning Commission consideration, evaluation and public notice and review.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 4.3.3.5, 4.3.3.7, 4.3.3.9, 4.3.3.10, and 4.3.3.11 be amended as follows:

4.3.3.2. *Jurisdiction*

The Planning Director shall be responsible for administration of the Conditional Use and Zoning Amendment Procedures and for reviewing the application to ensure adherence to the application requirements. An application, in the form of a proposed ordinance, shall be placed on the agenda of the City Council following notice from the Planning Director that the applicant has met the application requirements of Article 4.3.3.4. The Council Clerk shall prepare a proposed ordinance for introduction based on the zoning and variance requests of the applicant and shall publish a City Council agenda containing the proposed ordinance to be introduced. At the meeting of the City Council, the proposed ordinance shall be introduced by the Council member from the Council District of the subject property, and such introduction shall be seconded by another Council Member or the, in the event it is not seconded by another Council Member, the Council Chair shall second the introduction. After introduction of the proposed ordinance, the City Council shall notify the Planning Commission of the introduction and the proposed ordinance shall be placed on the agenda of the Planning Commission. The Planning Commission shall be responsible for review, evaluation, and recommendation of action to be taken to the City Council on all applications for a Conditional Use Permit.

4.3.3.3. *Concurrent Applications*

Application for a Conditional Use Permit and for Rezoning or Planned District zoning for the same property may be made concurrently, subject to the fees applicable to a rezoning or Planned District zoning only. Following introduction of the proposed ordinance that includes the details of the zoning and variance requests of the applicant by the City Council, the Planning Commission and Zoning Commission may hold the public hearing on the Rezoning and the Conditional Use Permit at the same meeting and may combine the two hearings. The City Council likewise may hold the two public hearings in combination and may approve both the Conditional Use and Zoning Amendment or Planned District zoning by one ordinance.

...

4.3.3.5. *Public Hearing and Notice*

At the regularly scheduled meeting following the City Council's introduction of a proposed ordinance, the Planning Commission shall hold a public hearing on each application for a

Planned District zoning or amendment or for a Conditional Use Permit. Public notice shall be given as required for zoning amendments. At the public hearing, the Commission shall review the application and shall receive pertinent evidence concerning the proposed use and the proposed conditions under which it would be operated or maintained, with respect to the findings prescribed herein. An amendment to the proposed ordinance made by the applicant or the Planning Commission that does not nullify the purpose of the proposed ordinance nor add an additional use or variance request will not require resubmission to the Planning Commission or reintroduction of the proposed ordinance.

...

4.3.3.7. Action by the Planning Commission

The Planning Commission shall act on the application not more than twenty (20) days following the closing of the public hearing on a Planned District zoning or Conditional Use Permit application. The Commission may recommend granting a Conditional Use Permit or approve a Planned District zoning or amendment as applied for or in a modified form or subject to conditions, or may recommend denial of the application to the City Council. If the Commission recommends a permit be granted as applied for or in modified form, the Commission may, but is not required to, provide proposed language for any condition or modification as part of its recommendation report to the City Council . The Commission shall notify the applicant of its recommendation by mail.

...

4.3.3.9. Conditions of Approval

The Planning Commission may recommend, and the City Council may establish, conditions of approval. Conditions may include, but shall not be limited to, requirements for special yards, open spaces, buffers, fences, walls, and screening; requirements for installation and maintenance of landscaping and erosion control measures; requirements for street improvements and dedications, regulation of vehicular ingress and egress, and traffic circulation; regulation of signs; regulation of hours or other characteristics of operation; requirements for maintenance of landscaping and other improvements; establishment of development schedules or time limits for performance or completion; and such other conditions as the Commission or City Council may deem necessary to insure compatibility with surrounding uses to preserve the public health, safety, and welfare, and to enable the Commission to make the findings required by the preceding Section. Any conditions of approval recommended by the Planning Commission shall be fully set forth in the proposed ordinance provided to the City Council contemporaneously with the recommendation of the Planning Commission.

4.3.3.10. Planning Commission Recommendations to the City Council

The recommendations of the Planning Commission, as well as the proposed language setting forth all uses, variances, and other planning considerations in the event of a recommendation of approval as applied for or in modified form, shall be forwarded to the City Council within 10 days after the date on which action is announced.

4.3.3.11. Enactment by Ordinance

The recommendation of the Planning Commission on an application for a Zoning Amendment, Conditional Use Permit, or Planned District shall be forwarded to the City Council as a recommendation to grant or deny after the Planning Commission holds a public

hearing thereon. In the event the Planning Commission recommends an application be granted as applied for or granted with conditions of modification, the details of the conditions or modifications, or proposed language, shall accompany the Commission's recommendation on the application in the form of proposed ordinance being submitted to the City Council. The City Council shall hold a public hearing on said application in the form of proposed ordinance. Notice of the public hearings before the Planning Commission and City Council shall be given in the same manner as the notice required for zoning amendments. In the event the application for a Conditional Use Permit Planned District is made for property that is contiguous to any property that is zoned for Residential uses, then such ordinance approving the Conditional Use or Planned District shall not be passed except by an affirmative vote of four-fifths majority of the Council membership. In the event the decision of the Planning Commission on the application for a Planned District or Conditional Use Permit is adverse thereto, or in the event a protest against the proposed Planned District or Conditional Use Permit is presented, in writing, to the City Council, duly signed and acknowledged by the owners of at least twenty (20) percent of the property situated in the area bounded by lines two hundred (200) feet in each direction and one each side of the area included in such proposed Planned District, such ordinance approving the Planned District shall not be passed except by an affirmative vote of a four-fifths (4/5) majority of the members of the City Council.

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and is hereby and 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.

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

AYES:

NAY:

ABSTENTIONS:

ABSENT:

And the ordinance was declared adopted this ____ day of _____, 2026.

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman

Ord 26-03

THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBERS JASON ZUCKERMAN AND KEVIN VOGELTANZ; MOVED FOR ADOPTION BY COUNCIL MEMBER _____, SECONDED FOR ADOPTION BY COUNCIL MEMBER _____.

ORDINANCE NO. 26-03

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING ARTICLE 3, SECTION 3.3 GENERAL DEFINITIONS, AND AMENDING ARTICLE 7, SECTION 7.5.13 PM-1 MARINA DISTRICT – WATERFRONT LOTS, AND AMENDING SECTION 7.5.14 PM-2 MARINA DISTRICT – NON-WATERFRONT LOTS, AND AMENDING SECTION 7.5.15 PD – PLANNED DISTRICT, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of Mandeville is vested by Section 2-1 of the Mandeville Charter with the legislative power of the city government and has the authority to enact ordinances which have the force of law;

WHEREAS, the City Council of Mandeville is empowered by Section 2-10 (A)(14-15) of the Mandeville Charter to utilize its policing power to adopt or modify the zoning plan, maps and regulations and amend or repeal any ordinance previously adopted;

WHEREAS, the Mandeville Thrives 2045 Comprehensive Plan, adopted December 9, 2025, recognizes the numerous issues faced by the City when considering a mixed-used development site on properties concerning zoning regulations, permitted uses, land use compatibility, dimensions, and traffic and density concerns;

WHEREAS, the City of Mandeville’s Comprehensive Land Use Regulations Ordinance (CLURO) was adopted on June 25, 2015, rev. through October 23, 2025, and provides for regulations over mixed-use development sites;

WHEREAS, in the case of mixed-use development in zoning districts for Planned Marina and Planned District, the existing CLURO regulations refer to site development regulations for those specific uses to be applied to mixed used developments when proposed;

WHEREAS, the site development regulations for mixed-use developments, including, but not limited to allowable building areas, number of units, density calculations, parking requirements, open space requirements, and any other site development regulations, are applied and enforced dependent on the site area of the mixed-use development specifically designated for that use and not the entire site area which, in the case of a mixed use development, contains other potential uses;

WHEREAS, the purpose of the site development regulations for individual zoning uses within the mixed-use development site is to ensure sites contain sufficient open space for the use proposed and, in the case where multiple uses are proposed on a development site, that overall site size cannot be used to increase the density, allowable units, or other development criteria proposed

on a designated portion of the site by considering the entire site area consumed by other uses in those calculations;

WHEREAS, the City of Mandeville also desires to make clear that the site development regulations of Article 7.4(3) applicable to the issuance of a development permit currently provide that areas of the site that are subject to frequent site inundation, as defined in the CLURO at Article 3.3 (12), or extend into Lake Pontchartrain or any other water body, are not included in the calculations of lot area or required buildable area.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Mandeville that CLURO Section 3.3, 7.5.13, 7.5.14, and 7.5.15 be amended as follows:

3.3 GENERAL DEFINITIONS OF THE LAND USE REGULATIONS

...

122. **Lot Area.** The net horizontal area within bounding lot lines, but excluding any portion of a flag (panhandle) lot providing access to a street and excluding any public or private easement or right-of-way providing access to another lot. For properties or development sites with more than one permitted or proposed use, the lot area shall be only the area of the site designated for each specific use.

...

7.5.13.3. *PM-1 Site Development Regulations*

Each development site in the PM-1 Marina District shall be subject to the following site development regulations in addition to any other applicable regulations under the provisions of this Land Use Regulations Ordinance or any other laws of the City, state or federal government. The Planning Director may grant exceptions to the following standards pursuant to section 4.3.5.

1. Non-Residential Uses Site Development

a. Minimum lot area	10,000 Square feet
b. Minimum lot width and depth	75' x 133.34'
c. Minimum yard setback requirements	
d. Front Yard	25' or Required depth of greenbelt, whichever greater
e. Street Side or Rear Yard	15' or Required depth of greenbelt, whichever greater
f. Interior Side or Rear Yard	
(1) Adjacent to Residential Uses	20'
(2) Adjacent to Other Uses	5'
g. Maximum Height of Structures	35'
h. Maximum Impervious Site Coverage	60%

2. **Residential Site Development Regulations.** Residential site development regulations shall be in accordance with the site development regulations of the R-2 - Two-Family Residential District as provided under section 7.5.3.

3. Area Considerations and Combined Use on Development Site. Whether the proposed use on the site is permitted or subject to a special use permit or conditional use pursuant to the Table of Permitted Uses at Article 7.7, in calculating the allowable number of units, building area, and required parking for the development site, only the area of the site designated for each use may be used in calculations based on site area. For the purposes of area calculations for a specific use within the development site, areas of the site designated for other uses on the site, areas of the site that are either under water, extend into Lake Pontchartrain or any other water body, or are subject to periodic inundation as defined in 3.3.12, and areas of the site that are wetlands as defined in 3.3 (258), are not to be used in area calculations in this section.

...

7.5.14.3. PM-2 Site Development Regulations

Each development site in the PM-2 Marina District shall be subject to the following site development regulations in addition to any other applicable regulations under the provisions of this Land Use Regulations Ordinance or any other laws of the City, state or federal government. The Planning Director may grant exceptions to the following standards pursuant to section 4.3.5.

1. Non-Residential Uses Site Development Regulations

a. Minimum lot area	10,000 Square feet
b. Minimum lot width and depth	100'
c. Minimum Yard Setback Requirements	
(1) Front Yard	25' or Required depth of greenbelt, whichever greater
(2) Street Side or Rear Yard	15' or Required depth of greenbelt, whichever greater
(3) Interior Side or Rear Yard	
(a) Adjacent to Residential Uses	20'
(b) Adjacent to Other Uses	5'
d. Maximum Height of Structures	35'
e. Maximum Impervious Site Coverage	60%

2. **Residential Site Development Regulations** - Residential site development regulations shall be in accordance with the site development regulations of the R-2 - Two-Family Residential District as provided under section 7.5.3.

3. Area Considerations and Combined Use on Development Site. Whether the proposed use on the site is permitted or subject to a special use permit or conditional use pursuant to the Table of Permitted Uses at Article 7.7, in calculating the allowable number of units, building area, and required parking for the development site, only the area of the site designated for each use may be used in calculations based on site area. For the purposes of area calculations for a specific use within the development site, areas of the site designated for other uses on the site, areas of the site that are either under water, extend into Lake Pontchartrain or any other water body, or subject to periodic inundation as defined in 3.3 (12), and areas of the site that are wetlands as defined in 3.3 (258), are not to be used in area calculations in this section.

...

7.5.15.4. Flexible Site Planning

1. When considering a Planned District application, the unique nature of each proposal may require, under proper circumstances, the departure from the strict enforcement of certain present codes and ordinances, included but not limited to the width and surfacing of streets and highways, alleyways and street lights, public parks and playgrounds, school sites, storm drainage, water supply and distribution, sanitary sewers, sewage collection and treatment, lot and area regulations, landscaping and parking requirements. Final approval of a Planned District Development by the City Council shall constitute authority for such flexible planning to the extent that the Planned District as approved, departs from existing codes and ordinances.

2. Notwithstanding the flexible site planning justifications stated above, all uses within a Planned District must still submit applications for Conditional Use Permits for each proposed use pursuant to Article 4.3.3. Further, in calculating the allowable number of units, building area, and required parking for the development site, or any other site development criteria within the site plan and found on the application submitted pursuant to Article 4.3.3.4 (5)-(6), only the area of the site specifically designated for each use may be used in calculations based on site area. For the purposes of area calculations for a specific use within the development site, areas of the site designated for other uses on the site, areas of the site that are either under water, extend into Lake Pontchartrain or any other water body, or subject to periodic inundation as defined in 3.3.12, and areas of the site that are wetlands as defined in 3.3 (258), are not to be used in area calculations in this section.

...

7.5.15.5

[end of chart]

Combined Uses: In applying the provisions of this section to site plans proposing a mixed or combined use of property, only the area of the site specifically designated for each use may be used in calculations based on site area. For the purposes of area calculations for each use within the development site, areas of the site designated for other uses on the site, areas of the site that are either under water, extend into Lake Pontchartrain or any other water body, or subject to periodic inundation as defined in 3.3 (12), and areas of the site that are wetlands as defined in 3.3 (258), are not to be used in area calculations in this section.

NOW, THEREFORE, BE IT FURTHER ORDAINED that the Clerk of this Council be and is hereby and 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.

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

AYES:

NAY:

ABSTENTIONS:

ABSENT:

And the ordinance was declared adopted this ____ day of _____, 2026.

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman

Change Order

No.1

SECTION 00650
CHANGE ORDER

No. 1

Date of Issuance: 12/26/2025

Effective Date: 12/30/2025

Owner: City of Mandeville	Owner's Contract No.: 700.26.004
Contract: Antibes Lane West Drainage Repairs	Date of Contract: 9/11/2025
Contractor: Command Construction, LLC	Engineer's Project No.: 576-2003.01

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

Change order no. 1 is to add 56 additional calendar days to the contract time due to delays with scheduling the cured-in-place (CIPP) lining subcontractor for the pre-lining video inspection, in addition to the anticipated time needed for the procurement & installation of the CIPP liner materials (4-6 weeks) and to perform the post-lining inspection for the existing CMP upstream drainage line within the TopsL property to the north. The upstream drainage line is planned to be rehabilitated by CIPP lining to an existing drainage structure beyond the TopsL property paved parking area. This CIPP lining inspection and installation work was not able to take place until the downstream drain line segment was replaced and tied into the existing drainage structure at 245 Antibes West.

Attachments (list documents supporting change):

N/A

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$485,471.00

[Increase] [Decrease] from previously approved Change Orders No. N/A to No. N/A:

N/

\$0.00

Contract Price prior to this Change Order:

\$485,471.00

[Increase] [Decrease] of this Change Order:

\$0.00

Contract Price incorporating this Change Order:

\$485,471.00

Original Contract Times: Working days Calendar days

Substantial completion (days or date): 30 days - 12/31/2025

Ready for final payment (days or date): 60 days - 1/30/2026

[Increase] [~~Decrease~~] from previously approved Change Orders No. N/A to No. N/A:

Substantial completion (days): 0 days - 12/31/2025

Ready for final payment (days): 0 days - 1/30/2026

Contract Times prior to this Change Order:

Substantial completion (days): 30 days - 12/31/2025

Ready for final payment (days): 60 days - 1/30/2026

[Increase] [~~Decrease~~] of this Change Order:

Substantial completion (days): 86 days - 2/25/2026

Ready for final payment (days): 116 days - 3/27/2026

Contract Times with all approved Change Orders:

Substantial completion (days): 86 days - 2/25/2026

Ready for final payment (days): 116 days - 3/27/2026

RECOMMENDED:

By: _____

Engineer (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____

Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____

Contractor (Authorized Signature)

Date: _____

Date: _____

Lift Stations

A and 27

The following documents are attached to and made part of this Certificate:

Punch List of Items to be Completed Prior to Final Completion – dated December 18, 2025

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

 12/18/25
Executed by Engineer Date

 12/19/25
Accepted by Contractor Date

Accepted by Owner Date

City of Mandeville Project No. 212.24.002

Lift Stations 27 & A Improvements

Punch List of Items to be Completed Prior to Final Completion

Issued 12/18/25

Revised 12/22/25

- | | |
|--|----------------|
| 1. LS 27 – Install freeze protection over BFP. | Value: \$500 |
| 2. LS 27 – Remove remaining equipment and materials from site. | Value: \$500 |
| 3. LS 27 – Complete generator start-up once gas service is established. | Value: \$2,500 |
| 4. LS A – Install freeze protection over BFP. | Value: \$500 |
| 5. LS A – Dress area around back side of back flow preventer/Hydrant slab. | Values: \$500 |
| 6. Both Stations – Provide as-built redlines. | Values: \$500 |
| 7. Both Stations – Provide O&M Documents for pumps/controls/generator. | Value: \$500 |

Ord 25-32

THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBER _____, MOVED BY COUNCIL MEMBER _____; SECONDED BY COUNCILMEMBER _____

ORDINANCE 25-32

AN ORDINANCE OF THE CITY OF MANDEVILLE TO AMEND SECTION 10-38(b) OF THE MANDEVILLE CODE OF ORDINANCES TO PROVIDE FOR ONE WAY TRAFFIC ON THE 800 BLOCK OF PENN STREET.

WHEREAS, per CLURO Section 13.3.4.4. Street Construction Specifications, the general design criteria for a “local” street type includes a 60-foot-wide right-of-way with a minimum of two (2) lanes of travel. Furthermore, CLURO specifies a minimum pavement width of 22 feet for a local street without curbs, with each lane having a minimum width of 10 feet;

WHEREAS, Mandeville Code of Ordinances Section 10-38 grants the Mayor and the City Council the power to designate streets or portions of streets for one-way traffic only in accordance with Louisiana Revised Statute 32:78(B);

WHEREAS, the 800 block of Penn Street has an approximate pavement width of 11 feet with a total right-of-way of 21.1 feet and currently operates as a two way street.

WHEREAS, due to safety concerns raised by residents along the 800 block of Penn Street, including reports of significant cut-through traffic originating from Florida Street, the City has conducted an engineering review of the related area on Penn Street and finds that performing any work to widen the 800 block area to meet the standard 22 foot pavement would be cost prohibitive and converting this block to a northbound one-way street would allow for more efficient use of the limited roadway width, improve traffic flow, and eliminate potential conflicts between vehicles;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville, that the Mandeville Code of Ordinances Section 10-38 (b) be amended to add the following text:

14. *Penn Street* from Montgomery Street to Highway 190 (Florida Street) shall be restricted to one-way traffic in a northerly direction.

BE IT FURTHER ORDAINED, all other portions of Section 10-38 (b) remain in effect with no changes.

BE IT FURTHER ORDAINED, that the City Council of the City of Mandeville hereby adopts and amends the provisions of this ordinance to be effective upon the Mayor’s signature.

BE IT FURTHER ORDAINED, that the Mandeville Police Department be authorized and empowered to create, install, and maintain necessary and proper signage in furtherance of this Ordinance and as set forth in Proposed Signage Layout.

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

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

and the Ordinance was declared adopted this _____ day of _____, 2025.

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman

In response to safety concerns raised by residents along the 800 block of Penn Street, a traffic review was conducted to identify existing issues and develop mitigation measures to improve safety and operations. This block is bounded by Highway 190 (Florida Street) to the north, Girod Street to the west, Montgomery Street to the south, and Marigny Street to the east.

The 800 block of Penn Street has an approximate pavement width of 11 feet within a total right-of-way of 21.1 feet (see attached plat). The street does not include curbs, shoulders, or sidewalks on either side. It currently operates as a two-way local street with STOP control at both Florida Street and Montgomery Street. The street primarily serves residential properties, including two multi-unit developments located near the south end of the block. Based on residential feedback, Penn Street also appears to attract a notable amount of cut-through traffic.

Per CLURO Section 13.3.4.4. *Street Construction Specifications*, the general design criteria for a “local” street type includes a 60-foot-wide right-of-way with a minimum of two (2) lanes of travel. Furthermore, CLURO specifies a minimum pavement width of 22 feet for a local street without curbs, with each lane having a minimum width of 10 feet.

Based on engineering judgement, widening the 800 block to meet the minimum standard 22-foot pavement width would be cost prohibitive. The necessary property acquisition to obtain additional right-of-way, combined with the relocation of existing utilities, including power poles, drainage systems, and water and sewer appurtenances (such as fire hydrants, meters, and cleanouts) would result in significant costs. Reconstruction of private driveways and walkways would further increase project expenses.

Converting this block to a northbound one-way street would allow for more efficient use of the limited roadway width, improve traffic flow, and eliminate potential conflicts between vehicles traveling in opposite directions. The conversion would also discourage southbound cut-through traffic originating from Florida Street. It should be noted that a commercial property located at the southwest corner of Florida Street and Penn Street has secondary driveway access along Penn Street that serves as additional parking. The primary entrances and customer access points to the business are located on Florida Street, with direct driveway access from Florida Street.

If the one-way conversion is approved, the City will install the appropriate regulatory signage and implement any necessary pavement marking modifications to establish the new traffic pattern.

Proposed Signage Layout – Penn St One-Way Conversion



*Refer to MUTCD 11th Edition for signage specifications.

Ord 25-33

THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBER _____; MOTIONED FOR ADOPTION BY COUNCIL MEMBER _____ AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____.

ORDINANCE NO. 25-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NO. 25-26, THE CAPITAL BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. (JACKSON AVE. BULKHEAD REPAIRS)

WHEREAS, Article V, Section D Financial Procedures of the Home Rule Charter provides that amendments to the adopted budget may be made by ordinance; and,

WHEREAS, an amendment to the Capital Budget adopted for fiscal year 2025-2026, Ordinance Number 25-26, is required due to expenditures that will exceed the current authorized appropriated funds budgeted for 2025-2026 City of Mandeville Capital Budget; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mandeville that the Capital Budget ordinance for fiscal year 2025-2026, Ordinance Number 25-26, is hereby amended to include the budget amendments as set forth on the attached Exhibit A – FY 2026 Budget Amendment #1, Jackson Avenue Bulkhead Repairs incorporated as a part hereof, and be adopted for the 2025-2026 Fiscal Year Capital Budget.

BE IT FURTHER ORDAINED, that in all other respects the 2025-2026 Capital Budget adopted shall remain in full force and effect.

With the above resolution having been properly introduced and duly seconded, the vote was as follows:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

and the ordinance was declared adopted this _____ day of _____, 2026.

Alicia Watts
Clerk of Council

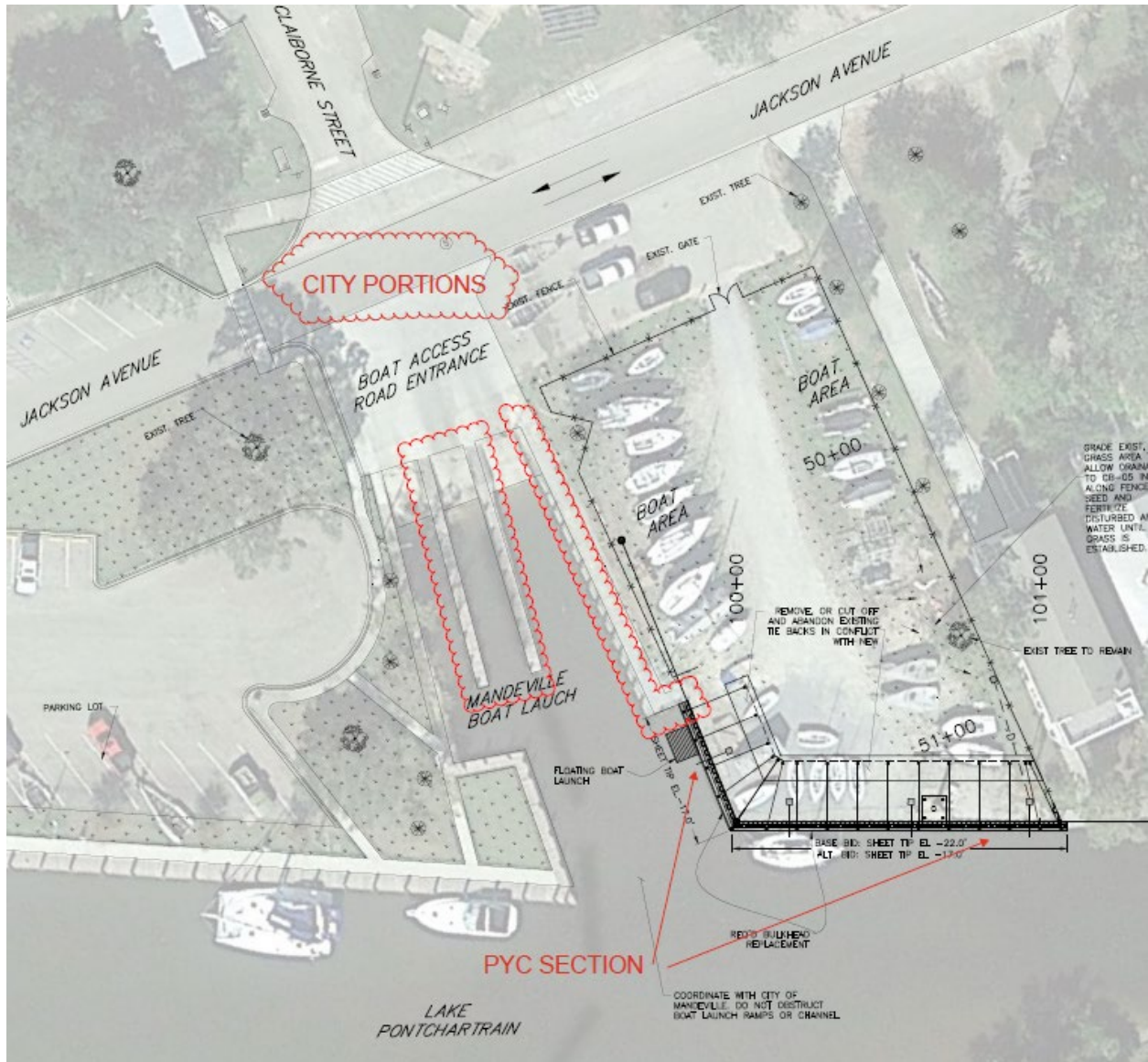
Jason Zuckerman
Council Chairman

FY 2026 Budget Amendment #1
 Capital Budget
 Exhibit A

		Project Number	Project Name	Current Year Budget	Proposed Change	Revised Current Year Budget	Prior Year Appropriations	Total Project Budget Appropriations	Funding Source
<u>GENERAL GOVERNMENT</u>									
<i>Expenditures</i>									
10100-88000	Capital Outlay	100.26.001	Jackson Ave Bulkhead Repairs	-	430,000	430,000	-	430,000	Special Sales Tax

Project Scope:

The project is to reconstruct the City's portion of the bulkhead on the north side of the Jackson Avenue Boat Launch, in addition to the two timber finger piers at the launch. The work will consist of the demolition of existing structures and the installation of new vinyl sheeting & timber piling, decking, framing, and hardware as needed to reconstruct the bulkhead and finger piers.



Ord 25-34

THE FOLLOWING ORDINANCE WAS MOVED FOR INTRODUCTION BY COUNCIL MEMBER ZUCKERMAN; SECONDED FOR INTRODUCTION BY COUNCIL MEMBER _____

ORDINANCE NO. 25-34

AN ORDINANCE AMENDING ARTICLE V. "PARADES, FESTIVALS AND OTHER SPECIAL EVENTS" OF THE CITY OF MANDEVILLE CODE OF ORDINANCES AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of Mandeville is vested by Section 2-1 of the Mandeville Charter with the legislative power of the city government and has the authority to enact ordinances which have the force of law;

WHEREAS, the City Council of Mandeville is empowered by Section 2-10 (A)(15) of the Mandeville Charter to utilize its policing power to amend or repeal any ordinance previously adopted;

WHEREAS, the City Council of Mandeville desires to update the special events provisions of the Code of Ordinances to address needed adjustments to adequately reflect the cost-neutral economic policy of the City of Mandeville concerning special events taking place on public property not hosted by the City;

WHEREAS, the City Council of Mandeville desires to assist the Mandeville Police Department in ensuring the special events regulations provide for appropriate staffing and services for the hosting of special events in order to safeguard the citizens, visitors, and organizers from potential threats to safety, both vehicular and pedestrian, and to ensure that special events are organized and conducted in a manner that best promotes the health, safety, welfare and property concerns for all citizens;

WHEREAS, in response to national and local concerns over crowd safety and, in particular, parade safety, the City Council of Mandeville desires to enact enforceable traffic safety regulations for parades and other special events; and,

WHEREAS, the City Council of Mandeville desires to assist citizens and potential applicants of a definitive application procedure concerning minimum criteria, costs and locations for special events in order to encourage responsible administration of special events between the City of Mandeville and special event organizers;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Mandeville, that the Code of Ordinances of the City of Mandeville, Louisiana, Part II, Chapter 11, Article V, Sections 11-132 through Section 11-149 is hereby amended in multiple parts to now provide as follows:

Sec. 11-132. Definitions.

For the purpose of this article, the following terms are defined:

- (a) *Band* is any organization of musicians whose music represents the generally accepted sound of a marching band.
- (b) *Carnival/Mardi Gras parade* is a parade staged on a public right-of-way during the carnival/Mardi Gras parade season conducted by a nonprofit carnival organization consisting of floats, mini-floats, bands and marching organizations including auxiliary and supply vehicles.
- (c) *Carnival/Mardi Gras parade season* is designated as that period beginning with the second Wednesday before Mardi Gras (fourteen (14) days prior to Mardi Gras) and continuing through Mardi Gras, both inclusive. No carnival/Mardi Gras parade may be staged other than during the official carnival parade season.
- (d) Reserved.
- (e) *Festival* is a social gathering, private or public, sponsored by a not-for-profit organization at which entertainment and refreshments are provided.
- (f) *Float* is defined as a vehicle with four (4) or more wheels without brakes or an engine for its own propulsion, upon which is constructed artistic designs and which carries costumed and masked riders, and is pulled by a tractor, mules or horses, or other vehicle presenting a full view of the operator. Floats cannot be pulled by truck, SUV or another traditional automobile.
- (g) *Float lieutenant* refers to a person designated by the captain of the krewe of a Mardi Gras organization who shall be responsible for maintaining acceptable conduct and decorum on the float in accordance with the City of Mandeville ordinances relative to carnival/Mardi Gras parades.
- (h) *Horse group* [is] an organization which promotes education in horsemanship and the care of horses and engages in parades.
- (i) *Mardi Gras parade organization* is a parade organization that is organized as a nonprofit corporation with a membership of at least one hundred fifty (150) costumed riders in good standing and organized under the laws of the State of Louisiana. Its sole purpose is to stage a parade during the carnival/Mardi Gras parade season which primarily uses a number of floats with riders.
- (j) *Marching club* is an organization which was formed for the purpose of parading in costume and on foot during an official parade.
- (k) *Mardi Gras parade route* is the route the parade will travel, over the public rights-of-way, as predetermined by the parade organization and which will only use the following public rights-of-way within the City of Mandeville unless otherwise directed by the city council:
 - (1) West Causeway Approach;
 - (2) East Causeway Approach; and

- (3) Highways 22 and 190 from its intersection with West Causeway Approach to the intersection of Highway 190 and one (1) block east of Asbury Road.

The parade route will specify the assembly area of the parade and the route the parade will take to the disbanding area.

- (l) Reserved.
- (m) *Parade (other than Carnival/Mardi Gras parade)* is an event wherein the city public rights-of-way are used singularly or collectively by marching club groups, horse or other domestic animal groups and floats, including auxiliary and supply vehicles for a public procession along the Public Parade Route.
- (n) *Parade marshal* shall refer to a person designated by each parade organization, who shall be responsible for the orderly assembly, conduct and disbandment of the parade within the guidelines set down by the City of Mandeville Code of Ordinances.
- (o) *Parade novelties* shall refer to units in a parade, other than the usual units, that may, in some instances, be horse drawn.
- (p) *Picnic* is the eating of any food or drinking of any beverage by members of a group as otherwise allowed by Sec. 11-88 undertaken between the hours provided by current City ordinance.
- (q) *Public Assembly* means an organized public gathering or group of persons, of any number, which is reasonably anticipated to obstruct the normal flow of vehicular or pedestrian traffic upon a public way or the normal use of a public place because those assembled will not comply with the traffic regulations or controls, or with other public place use laws or policies. A public assembly permit shall be applied for to provide notice to the City for the purpose of conducting activities which are protected by the United States or Louisiana Constitution. Any use of public streets or obstruction of vehicular traffic by the Public Assembly shall require designation of a Public Parade Route coinciding with the application for a Public Assembly permit.
- (r) *Public Parade Route* is the route to be utilized by any parade (other than carnival/Mardi Gras parade). This route shall be chosen by the applicant from all or some selected portion of either of the following routes:
- (1) a. A staging area on Marigny Ave. at its intersection with Lakeshore Drive and north to Clairborne St. or potentially further northern extension along Marigny Ave. as determined by the City Council based upon applicant request;
- b. The parade commencement point on Lakeshore Drive at its intersection with Marigny Ave.;
- c. The parade shall travel east along Lakeshore Drive to the intersection of Lakeshore Drive and Girod St., and then turn northerly on Girod St.; and
- d. The parade termination point at the Mandeville Trailhead, which may be utilized as an offloading area or a transition area to further permitted activities at the Mandeville Trailhead; or

- (2) a. A staging area on Jackson Ave. at its intersection with Lakeshore Drive and north to Clairborne St. or potentially further northern extension along Jackson Ave. as determined by the City Council based upon applicant request;
 - b. The parade commencement point on Lakeshore Drive at its intersection with Jackson Ave.;
 - c. The parade shall travel east along Lakeshore Drive; and
 - d. The parade termination point on Lakeshore Drive at its intersection with Carroll St., which may be utilized as an offloading area or a transition area to further permitted activities at the Lakeshore Gazebo or other permitted areas.
- (s) *Race* is a contest of speed, especially in running, walking, riding, driving, sailing, rowing, etc., in which the participants may or may not be in competition and conducted on an approved course submitted at the time of application for a special event permit.
 - (t) *Reviewing stand* shall refer to any structure or platform erected or placed along a parade route upon which people stand or sit to view the parade.
 - (u) *Seasonal display* is any arrangement of lights, animation, animated figures or structures, located on public or private property which occupies at least five thousand (5,000) square feet of display area per parcel and can be reasonably expected to attract unusually large numbers of motoring or pedestrian visitors from outside the immediate neighborhood as a sightseeing attraction during seasonal, religious, political, historical or other periods of celebration requiring police supervision for hazard protection, crowd control, and/or traffic flow.
 - (v) *Special event* is any parade, picnic, public assembly, festival, race, concert or other public function involving more than twenty-five (25) individuals which employs the use of public rights-of-way or the Special Event Area property for its production.
 - (w) *Special Event Area* is portions of public land designated by the City of Mandeville as available for use for Special Events. Special Event Area specifically includes the Mandeville Trailhead, Sunset Point Park, Lakeshore Park, and any public land so designated as available for public use for Special Events by the Department of Cultural Arts.
 - (x) *Unit* is a float, marching club, band, horse group, motor vehicle group, auxiliary and supply vehicle.

Sec. 11-133. Parade route.

- (a) *Parade routes.* A Carnival/Mardi Gras parade organization which desires to use the public rights-of-way for a Mardi Gras parade in the City of Mandeville shall submit an application for a special event permit. The application shall include a request for a special parade route using the public rights-of-way designated in section 11-132(m) above and permit application must be received by the mayor's office annually on or before April 1 of the preceding year. The Mandeville Police, Fire Protection District #4 and Public Works Department may recommend to the mayor and the city council any change in the routes when it is clear that the proposed route cannot be used at the same time anticipated due to road damage or repair which makes the road impassable or other reason believed to be valid for council consideration.

- (b) *Other parades and events.* Any organization which desires to use the public rights-of-way for an event other than a Carnival/Mardi Gras parade shall submit to the mayor's office an application for a special events permit at least sixty (60) days prior to the event. The application shall designate the organization's desired race route, or indicate a parade route from all or some of the two options for parade route that comprise the Public Parade Route. The organization shall designate on the application any additional Special Event Areas it wishes to use and outline the transition between race or parade route and the Special Event Area. The Mandeville Police Department, Department of Public Works, and Fire Protection District #4 reserve the right to recommend to the mayor and the city council any change in the location(s) or route(s) when it is deemed to be in the best interest of the citizen of the City of Mandeville.
- (c) *Reviewing stand.* Only one (1) reviewing stand shall be erected on any public area for any parade, and its location shall be determined by the police department, fire district #4 and the public works department.

Sec. 11-134. Carnival/Mardi Gras float regulations.

- (a) Float size shall be as follows:
 - (1) A regular float shall be not less than twenty-three (23) feet in length, not more than twelve (12) feet in width and not more than seventeen (17) feet, six (6) inches in height from the street level.
 - (2) An auxiliary float shall be any float that is smaller than a regular float as defined above.
- (b) Each float shall depict the theme, color, design and overall composition as dictated by the captain of the krewe.
- (c) Every float must have at least one (1) ten-pound or two (2) five-pound Underwriter's Listed ABC Fire Extinguisher(s) or in compliance with State of Louisiana Fire Safety Code, whichever is more restrictive.
- (d) Every float, except for an auxiliary float, shall have at least one (1) ladder for accessing the float.
- (e) Every float shall have an appropriately designed and placed safety chain between it and the vehicle pulling it.
- (f) Every float, except auxiliary floats, which carries riders, shall contain an approved sanitary facility sufficient to accommodate the number of riders thereon. All waste contents must be disposed of in a proper manner at the expense of the parade organization.
- (g) Every float in a night parade shall be well illuminated in such a way as to not cause a safety hazard. Direct lighting shall not be focused toward the spectators.
- (h) Every carnival/Mardi Gras parade shall have a minimum of ten (10) regular floats. No more than one (1) auxiliary float shall be permitted for each regular float. There shall be no more than a total of thirty-five (35) floats in each parade unless approved by the city council.
- (i) All decorations and attachments of every float shall be securely fastened with no sharp, pointed or cornered objects on the exterior.

- (j) Every float shall be pulled by a mule, horse, tractor, or other vehicle presenting a full view of the operator. Floats cannot be pulled by truck, SUV or another traditional automobile. The operator must have visible access to the front and side of the vehicle in his control.
- (k) Generators shall be utilized in conformance with the prevailing fire department requirements.

Sec. 11-135. Marching clubs and bands.

Marching clubs.

- (a) Every marching club shall have at least twenty-five (25) and no more than one hundred (100) marchers.
- (b) Every marching club shall be permitted to march on foot in front of or behind any float along the designated parade route, provided they have written consent of the parade organization.
- (c) A marching club shall not in any manner impede or delay the progress of a parade. If a marching club impedes or delays a parade, it may be ordered by the parade organization or the Mandeville Police Department to disband. Failure to comply with this order shall be grounds to deny a permit in the future and proper prosecution under this Code.

Bands.

- (a) Every carnival/Mardi Gras parade shall have no fewer than five (5) marching bands participating in the parade.
- (b) Every band, marching club or other marching participation group unit that contains at least one (1) person under the age of eighteen (18) shall provide a minimum of one (1) adult chaperone per every ten (10) participants, regardless of age. Every band chaperone must be at least twenty-one (21) years old and be recognized by wearing some form of identification.

Sec. 11-136.1. Horse groups.

- (a) Adequate spacing shall be maintained between horses during the parade.
- (b) For safety purposes horse's heads shall be faced to the crowd when parade is stopped.
- (c) All horses must be fitted with appropriate saddles, bridles and any other safety equipment which will provide adequate control of the animal. Tack must be in good condition allowing rider to maintain control of his or her horse.
- (d) Riders are forbidden to move out of line formation for other than emergency conditions and riders are not to dismount or allow unattended horses along the parade route.
- (e) Every horse group, except law enforcement horse groups which immediately precede another horse group, is required to provide, at its own expense, at the rear of the riding group and in the assembly and disbanding areas, a person or persons with a shovel(s) and barrel type container(s) to pick up all droppings. If a horse group fails to provide such a person or persons, it shall be required to march at the rear of the parade or not be allowed to participate in the parade.
- (f) Every horse group may have one (1) vehicle to follow with a horse trailer.

Sec. 11-136.2. Auxiliary vehicles.

Every band, marching club and other marching participating group in each parade shall be allowed no more than one (1) motor vehicle to follow directly behind the group in the parade. Said auxiliary vehicle shall bear the name of the group on both sides of the vehicle as identification. Auxiliary vehicles shall be permitted for only the groups that are marching on foot.

Sec. 11-136.3. Unauthorized persons or vehicles.

- (a) Any person, group or vehicle participating in a parade without proper authorization from the parade organization or who in any manner interferes with the orderly conduct of the parade shall be subject to immediate arrest. Any vehicle or animal accompanying that person may be seized and impounded by the proper law enforcement authorities.
- (b) All permitted vehicles shall display a participation card duly authorized by the parade organization.
- (c) Unauthorized sounding of sirens from other than fire, police, or emergency medical services (EMS) is prohibited.

Sec. 11-136.4. Public safety.

- (a) The unauthorized presence of elevating-type vehicles, such as cherry pickers, along the parade route is prohibited.
- (b) Ladders, scaffolding or any type of platform or portable elevating devices are prohibited on the street of any parade route between the curbs or lateral curb lines. Such devices shall also be prohibited between the curbs or lateral curb lines of any street intersecting the parade route.
- (c) Ladders shall be placed as many feet back from the curb or lateral curb line as the ladder is high.
- (d) Fastening two (2) or more ladders together is prohibited.
- (e) During the carnival/Mardi Gras parade season as described herein, it shall be unlawful for any person in charge of a vehicle, horse or vending contrivance to personally park, stop, loiter or stand in such a manner as to obstruct, impede or inhibit the passage or any parade, or to obstruct, impede or inhibit the passage of traffic on any intersecting or adjacent street to the parade route.
- (f) It shall be unlawful for any person, at any time, to place or cause to be placed any type of obstruction, including, but not limited to, ropes, tents, scaffolds, ladders, ice chests, blankets or barricades, which may act as an impediment to vehicular or pedestrian traffic on any right-of-way along a parade route without first securing proper permission from the police department. For the purpose of this section, the right-of-way is that portion of ground dedicated to the city for public use as a street, median, or other use and shall include that portion of ground between the paved portion of the dedicated street and the property line of the adjacent land owner. The provisions of this section shall not apply to the usage of right-of-way by law enforcement, medical or safety personnel or to any usage in compliance with application city ordinances.

- (g) The following parking restrictions shall be in force for special events as indicated below:
- (1) For Carnival/Mardi Gras parades, there shall be no parking on the parade route including either side of any divided portion of the parade route (East Causeway Approach / West Causeway Approach), including no placement of trailers, viewing platforms, RVs, mobile homes, or any movable vehicle or movable meant to be towed by a vehicle.
 - (2) For a parade (other than Carnival/Mardi Gras parade) along either Route 1 or Route 2, there shall be no parking on the parade route three (3) hours prior to the published parade start time. The Mandeville Police Department will post no parking signage along the parade route providing notice of the time the no parking provision takes effect.
 - (3) For any race, the Mandeville Police Department will post no parking signage as needed depending on the racecourse selected by the organizer and will indicate the time that the no parking provision takes effect.
 - (4) Parking shall be prohibited along any parade route within twenty-five (25) feet of any intersection, driveway, or as properly posted.
- (h) It shall be unlawful for any person to throw, hand or spray any object or substance at or to any participant, vehicle or animal in a parade or marching club during any parade. Such objects shall include, but not be limited to, any insects, marine life, rodents, fowl or other animals, dead or alive, silly string, poppers, cans, bottles, fireworks or any explosive device.
- (i) It shall be unlawful to sell by vendor or individual any items that can be sprayed or cause harm to any participant, vehicle or animal. Such items shall include, but not be limited to, any insects, marine life, rodents, fowl or other animals, dead or alive, silly string, poppers, cans, bottles, fireworks or any explosive device.
- (j) It shall be unlawful for any person to carry, possess or drink from any glass container of any type on any parade route and within one hundred fifty (150) feet from any parade route during the following time periods:
- (1) One (1) hour prior to the scheduled starting time of the parade until one (1) hour after the completion of the parade.
 - (2) The only exempt area shall be the toasting stand under supervision.
- (k) In addition to any other penalties specified in this article and the City Code of Ordinances, no person shall display a glass container on any parade route and within one hundred fifty (150) feet of any parade route during the prohibited time. Said glass container shall be deemed contraband and shall subject the offender to arrest or citation and the immediate seizure of such container by any authorized law enforcement officer.
- (l) Laser lights, restricting lights, and pointers are prohibited for use or sale on the parade route.
- (m) Reserved.
- (n) The presence of animals or reptiles, other than those which are actually participating in the parade, is prohibited within the parade or within one hundred fifty (150) feet of the parade route during the parade.

- (o) The constant forward movement of the parade shall not be interrupted without the consent of the parade organization or the Mandeville Police Department.
- (p) A minimum of two (2) sanitary facilities shall be required for each one-half mile of parade route and at least two (2) sanitary facilities shall be required in the staging area. These facilities shall be provided by the parade organization. All sanitary facilities provided for herein shall be removed from the parade route within twenty-four (24) hours of the completion of the parade.
- (q) In the interest of public safety and after obtaining reliable information regarding weather conditions or other threats to the public safety, the Mayor of the City of Mandeville in conjunction with the Chief of Police of the City of Mandeville and the captain of each respective krewe may cancel any parade at any time before it starts or while it is in the progress by giving oral and followed by written notice to the officers of the parade organization by the most expeditious manner available.

Sec. 11-136.5. Riders.

- (a) No participant of a carnival/Mardi Gras parade shall ride as a masker in public view on a float unless that person is constantly costumed and masked so as to disguise his or her facial characteristics. This provision shall not apply to the king, queen, captain, maids, dukes, pages, attendants or special guest celebrities of the organization.
- (b) Every individual float rider shall wear the provided safety device at all times during the parade.

Sec. 11-136.6. Parade marshals.

The function of a parade marshal of a parade organization shall encompass, but not be limited to, the following:

- (1) Being in possession of and providing to the Mandeville Police Department a final printed lineup of the parade and a drawing of the parade route.
- (2) Supply a minimum of two (2) parade marshal aide[s] per five (5) units, or more as required by the Mandeville Police Department for the orderly preparation, assembly and progress of the parade. Said parade marshal aides shall be placed along the approved parade route as recommended by the Mandeville Police Department. Each parade marshal and/or aide shall be equipped with common radio communication system(s) capable of communications with the Mandeville Police Department or other communication arrangements considered adequate and acceptable to the police department.
- (3) Being responsible for and aware of the forward movement of the parade and its progress.
- (4) Being aware of how many stops the parade is authorized to make, where and for what purpose.
- (5) Being authorized to remove participants from the parade that are not authorized by the parade organization or are in violation of any of these articles.

- (6) Being instrumental in the orderly disbandment of the parade with the cooperation of the Mandeville Police Department.
- (7) Aiding in the on-board inspection of floats and trucks to ascertain the nature of throws and removing all objects that are deemed undesirable.

Sec. 11-136.7. Attire and characterization.

- (a) All participants in any special event, whether on float, truck, horseback, in cars or other types of vehicles, or on foot, shall be decently attired and no sexually indecent dress or characterization shall be allowed. Participant of any parade shall be prohibited from conducting themselves in a vulgar or indecent manner or display any behavior that would be shocking or offensive to the general public.
- (b) No intoxicated person shall be allowed to participate in a parade.
- (c) It shall be unlawful for any person to smoke while on a float, truck, horse, auxiliary vehicle or any other vehicle which is designated to participate in the parade in the assembly area, during the parade and in the disbanding area.
- (d) No participant in any capacity in any parade, except law enforcement personnel, shall possess or have in his or her custody or control, any life-threatening object, any firearm, any noxious substance or any liquid intended to be sprayed, tossed, handed out or otherwise distributed.

Sec. 11-136.8. Throws.

- (a) No parade participant other than an actual riding member and special guest celebrities or other participants authorized by the parade organization shall be permitted to toss or hand out throws or trinkets of any kind. However, no throwing of any kind shall be permitted by occupants of property trucks or news media vehicles.
- (b) In a carnival/Mardi Gras parade, the distribution of doubloons, trinkets or throws of any kind shall be pre-approved by the captain of the parading krewe.
- (c) It shall be prohibited for any driver of any motor vehicle in a parade to toss or hand out throws or trinkets of any kind.
- (d) No throws or trinkets of any kind shall be constructed of glass or contain sharp edges or points.
- (e) No throws or trinkets of any kind shall be tossed or handed out to the front or rear of a float or truck or other vehicle.
- (f) No throws or trinkets of any kind shall be thrown or handed out in the assembly or disbanding areas.
- (g) In addition to the penalties hereinafter in section 11-136.14 set forth, any person violating these provisions shall be subject to surrender all throws for the duration of the parade.
- (h) Discarding of debris, trash, and packaging shall be prohibited along the parade route.

- (i) No parade participant, while participating in a parade on the parade route, in a parade staging area, or in a parade disbanding area, shall hand out, throw or distribute in any way any sexually oriented device.
- (j) Riders not in compliance with any of the above shall be removed from the parade by the captain, float lieutenant, parade marshal, or the Mandeville Police Department.

Sec. 11-136.9. Assembly and disbanding.

- (a) The consumption of any alcoholic beverage by anyone is forbidden in the staging area.
- (b) Every participant shall report to the designated assembly area at least one (1) hour prior to the scheduled start of the parade.
- (c) Entry by any participant, group or vehicle into the parade shall be permitted only at the designated assembly area, except in an emergency or when duly authorized by the captain or the parade marshal.
- (d) Exit by any participant, group, or vehicle from the parade shall be permitted only at the designated disbanding area, except in an emergency or when duly authorized by the captain or the parade marshal.
- (e) Unauthorized vehicles shall be prohibited from entering the designated assembly and disbanding areas. Vehicles authorized by each parade organization shall display such written authorization in order to enter the assembly or disbanding areas. All such vehicles must be removed from the assembly area before the scheduled starting time of the parade.

Sec. 11-136.10. Permit required, application and standards for issuance of special event permit.

- (a) Any person, group or organization desiring to stage, present or conduct a special event, as defined herein, within the City of Mandeville shall make application to the mayor on forms supplied by the City of Mandeville at least sixty (60) days prior to the special event except for application for carnival/Mardi Gras parades which must be received by the mayor's office annually on or before April 1 of the year immediately preceding the year of the parade and a seasonal display permit which shall be applied for at least sixty (60) days prior to the commencement of erection or assembly of the seasonal display. Whether or not a permit be issued or denied is directed to city officials pursuant to Sec. 11-136.11(c). The mayor shall recommend to the city council, as the law may require, to grant or deny a special event permit. If the application is made for a special event which is a seasonal display, then the mayor and the city council, as the law may require, must decide whether or not a permit should be issued. In making such decision, the mayor will consider the application using content-neutral standards which seek to ensure the maintenance of orderly vehicular and pedestrian traffic in the public roadways and walkways within a reasonable proximity of the seasonal display and such other information as may otherwise be obtained from safety officials from the Mandeville Police Department and St. Tammany Parish Sheriff's office or Louisiana State Police or other safety agencies.
- (b) Permit applications by nonprofit organizations for special events shall include a tax identification number, or a copy of the tax-exempt status certificate, and a statement stating

what charity organization(s) will receive the funds and the percent of the proceeds it will receive. The nonprofit organization shall notify the director of finance of the charity organization(s) receiving donations and attach a canceled check or other evidence of the donation to said notice prior to re-application to the city for the subsequent years event. If the nonprofit organization fails to give the city notice of its donation, it will not be eligible for additional special events permits.

- (c) Any Special Event permit application submitted must acknowledge that the Special Event, if the permit is issued, is limited to the Special Event Area designated in the permit. Due to the City of Mandeville's desire to ensure use of public property by all citizens and visitors and the strain on public parking, public roads and city services due to high vehicular and pedestrian congestion, the City has made available significant and ample public property for Special Events, and has determined that permitting requirements for special events will assist in the efficient use of public lands and to allow prior notice to residents and visitors of scheduled, permitted events that meet the permitting requirements.
- (d) The mayor's office and the council, as the law may require, shall grant the permit if it is found that:
 - (1) The event will not substantially interrupt the safe and orderly movement of traffic through and within the city. In the case of a seasonal display that it be located on property which is accessible for the safe ingress and egress of motor vehicle or pedestrian traffic;
 - (2) The event will not require the diversion of so great a number of police officers to properly police the event and the areas contiguous thereto so as to deprive the remainder of the municipality of normal police protection;
 - (3) The event will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to the remainder of the municipality;
 - (4) The concentration of persons resulting from the conduct of the event will not duly interfere with proper fire and police protection of, or ambulance service to, such portions of the municipality that are contiguous to the site of the event;
 - (5) The event will not interfere with the movement of firefighting equipment en route to a fire;
 - (6) The conduct of the event is not reasonably likely to result in injury to persons or property, to provoke disorderly conduct or create a disturbance;
 - (7) The event is not being held for the sole purpose of advertising any commercial product, service, or goods and the event is not designed for private profit;
 - (8) If the event is a parade, that the parade route meets with its approval and the parade is scheduled to move along its route from its point of origin to its point of termination expeditiously and without unreasonable delays;

- (9) If the event in a festival or church fair, the applicant shall register with the State of Louisiana, department of public safety and corrections, public safety services, and provide proof of inspection of all amusement rides; and
- (10) If the event is held on private property, signage information has been submitted for approval for no more than one (1) thirty-two-square foot banner to be installed at the location of the event behind the greenbelt for the day prior to the event and the day of the event and must be removed immediately upon the conclusion of the event and a six-square-foot directional sign only containing the name of the event may be placed at no more than three (3) intersections and must be removed immediately upon the conclusion of the event.

Sec. 11-136.11. Special event permit applications, review.

- (a) Before any special event permits are issued, all applications shall be reviewed by appropriate city departments and the fire protection district #4.
- (b) Each department and the fire district shall provide the estimated cost of the special event to the city for that department and district as directed by the estimated fee charts provided in Sec. 11-136.15(c).
- (c) Any special event that will cost the city eight hundred dollars (\$800.00) or less may be approved by the mayor upon the determination that all requirements have been met, unless a variance is required; and if any costs exceeds eight hundred dollars (\$800.00), or in all other instances, a special events application shall be submitted to the city council for approval before a special events permit will be issued.
- (d) Permit applications by nonprofit organizations for events shall include a tax identification number, a certificate of incorporation from the Secretary of State of the State of Louisiana, if applicable, and a statement stating what charity organization will receive the funds and the percent of the proceeds it will receive.
- (e) If required by Sec. 11-142, an insurance binder naming the city as an additional insured must be attached to the permit application, and the insurance certificate must be delivered to city hall thirty (30) days prior to the event.
- (f) All special events for profit shall comply with the payment provisions of Sec. 11-136.15.
- (g) Special events that require a variance must make the proper application for the variance to the city council.
- (h) Permit applications must be submitted not less than sixty (60) days nor more than twelve (12) months prior to the event.
- (i) Only Mardi Gras parade organizations receiving permits for the parade year 1997 shall be issued permits for subsequent years unless a change is made under the provisions of section 11-136.11 hereof.
- (j) Reserved.

- (k) Every Mardi Gras parade organization seeking to parade shall have been duly chartered by the State of Louisiana for at least twelve (12) months prior to making application for a special event permit to the City of Mandeville.
- (l) Every application for a special event permit shall set forth the following information:
 - (1) The name, municipal address and telephone number of the applicant;
 - (2) If the event is proposed to be conducted for, by or on behalf of an organization, the name, municipal address, telephone number (including fax number), and email address of the headquarters of the organization, and of the authorized and responsible officers of the organization;
 - (3) The name, address, telephone number (including fax number), and email address of the person who will serve as the event chairman and who will be responsible for its conduct;
 - (4) A brief description of the event for which the permit is sought;
 - (5) The date and rain date when the event is proposed to be held;
 - (6) The location at which the event is proposed to be held; and
 - (7) Identification of all streets, parks or other public places within the corporate limits of the City of Mandeville proposed to be used or encroached upon in the course of conducting the event.
 - (8) If the event is a race, then the application must include the route the race will take, the proposed starting time and the estimated time the race will be completed.
 - (9) If the application is for a permit to conduct a parade (other than Carnival/Mardi Gras parade), then it shall provide the following additional information:
 - a. The proposed parade route from the available streets comprising the Public Parade Route. A map of the proposed route shall be attached to the application;
 - b. The approximate number of persons who and animals and vehicles which, will constitute the parade; the type of animals, the number and description of each sort of vehicle, and the number and type of each distinct unit (i.e., marching band, dance troupe, equestrian team, etc.) to be included in the parade;
 - c. The time at which the parade will start and the time the parade is expected to terminate;
 - d. The location by streets of any assembly areas for the parade, a description of the parade participants to assemble in each area and the time that parade units will begin to assemble at these locations; and
 - e. The interval of space to be maintained between units of the parade.

- (10) If the application is for a Public Assembly only, then the application shall be filed thirty (30) days prior to the Public Assembly, shall acknowledge that no parading or movement is permitted, and it shall provide the following additional information:
- a. All information set forth in Section (1) above;
 - b. The proposed location of assembly from the available Special Event Areas;
 - c. The proposed time for the public assembly;
 - d. An agreement by the applicant for the Public Assembly to sign an indemnification and hold harmless agreement satisfactory to the City fifteen (15) days prior to the event, the failure of which will result in the denial of a permit without consideration of any other criteria.
 - e. An agreement by the applicant to pay permit fees as calculated by the City for services necessary to maintain public safety, pedestrian safety and movement, and vehicular safety and movement along the public roadways, rights-of-way and walkways within the City; and
 - f. Applicant agrees to remove all litter or debris and remove any temporary banners, posters, signage, or other materials brought to the assembly by participants. The materials and litter or debris must be removed as provided for in Sec. 11-136.15.
- (m) Permits for this and all subsequent years shall be for the same position, route and item in the carnival/Mardi Gras parade season, except those positions, routes, dates and times as may be authorized by the mayor or city council in conjunction with the Mandeville Police Department.
- (n) If a permit is canceled for just cause, or if the holder of a permit does not parade in any year, except when a parade is canceled for reasons beyond the control of the permit holder such as weather, fire or national emergency, said permit shall be canceled for that year. In that event, the number of permits issued will be reduced accordingly except if a change is made pursuant to section 11-136.11 hereof. Such vacancy in date and time of a parade may be filled by a parade organization already permitted under this chapter which may desire to transfer to such date and time, parade seniority prevailing, that is, the interested organization with the earliest dated application. Any vacancy that is created by such transfer may likewise be filled applying the same procedure. If any conflict in position, date, time or parade route arises, parade seniority, that is, the organization with the earliest dated application, shall prevail as to which parade organization shall have the right to the contested position, date, time or parade route.
- (o) At least ninety (90) days prior to the start of the carnival Mardi Gras season, Mardi Gras parade organizations shall provide written documentation to the city, specifying that all financial agreements have been met with the city and the providers a float will be used in each parade, and that the float will be available for parade at the time stipulated date and time.

- (p) A tentative parade lineup showing the position of each float, auxiliary float, band, marching group and other components of the parade shall be submitted to the mayor's office at least fourteen (14) days prior to the date of the parade.
- (q) On festivals or church fairs, the applicant shall register with the State of Louisiana, department of public safety and corrections, public safety services, and provide proof of inspection of all amusement rides.
- (r) Permission to incorporate fireworks or pyrotechnics into any special event is contingent upon meeting the requirements set forth by the Louisiana State Fire Marshal's Office and approval of fire district #4 and the Mandeville Police Department. A copy of the approved permit from the Louisiana State Fire Marshal's Office shall be forwarded to the City of Mandeville and fire district #4 at least seventy-two (72) hours before the event.

Sec. 11-136.12. Action on permit application; alternative permits; notice; appeal.

- (a) *Action on permit application; notice to applicant.* Written notice of the decision of the mayor or city council to approve or deny an application for a special event permit shall be mailed by certified mail to applicant at the address provided on the application within thirty (30) business days of receipt by the mayor of a complete permit application and of any additional information regarding the event as it may require of the applicant. All events that require city council approval shall be submitted to the city council within ten (10) days after the review by the mayor.
- (b) *Appeal.* An applicant for a special event permit who is aggrieved by the action taken by the mayor in either denying the permit or in requiring certain costs and expenses of the applicant, may appeal the action to the city council. Such an appeal shall be in writing signed by the applicant or its duly authorized representative and filed with the clerk of the council within five (5) business days of receipt of the mailing by the mayor of notice of his action on the application. The appeal shall be heard and decided by the city council at the next regular city council meeting scheduled provided the appeal be filed within at least forty-eight (48) hours of the next regularly scheduled meeting. Nothing herein shall prevent the city council from noticing and convening a special meeting to hear and decide an appeal regarding issuance of a special event permit. In acting on an appeal, the city council may exercise all authority of the mayor with regard to the consideration of an application for a special event permit.

If the appeal is favorably considered by the city council, then it shall pass a resolution granting the permit and the permit shall be issued within five (5) days.

- (c) *Appeal.* An applicant for a special event permit who is aggrieved by the action taken by the city council, in either denying the permit, denying the appeal of a denial by the mayor, or in requiring certain costs and expenses of the applicant, may appeal the action to the 22nd Judicial District Court. Such an appeal shall be in writing signed by the applicant or its duly authorized representative and filed with the 22nd Judicial District Court within five (5) business days of receipt of the mailing by the mayor of notice of the city council's action on the application. The appeal shall be heard and decided by the 22nd Judicial District Court.

Sec. 11-136.13. Outdoor concessions during carnival parade season.

- (a) Any person or organization may apply to the department of finance for a permit to operate an outdoor concession on a parade route during the carnival/Mardi Gras parade season. The applicant shall have permission from the property owner upon which the concession will operate and have facilities which pass inspection by the permits division, police department, department of public works and fire district #4 and, if required, the state department of health. The building inspector shall make a full inspection of the proposed location of the concession.
- (b) All applications for outdoor concession permits during the carnival/Mardi Gras parade season shall be made at least twenty-one (21) days prior to the start of the carnival/Mardi Gras parade season. Any stands constructed and doing business without a permit shall be ordered closed.
- (c) It shall be a requisite that all outdoor concession stands be inspected by the building inspector to ascertain if they meet all applicable code regulations, and, if required, by the state department of health. Any noncompliance shall be corrected immediately upon discovery. Failure to correct all noncompliance shall render the outdoor concession stand permit invalid and authorize the building inspector to order the concession stand closed.
- (d) A building permit shall be required for the construction of all outdoor concession stands.

Sec. 11-136.14. Violations/penalties.

- (a) Any organization that violates any of the provisions of this article shall have its permit for the following and subsequent years revoked by the mayor or city council with written documentation to the organization showing cause for the action.
- (b) Any individual who violates any of the provisions of this article may also be punished as provided in section 1-9 of the Mandeville Code.

Sec. 11-136.15. Reimbursement for city costs and expenses.

- (a) All persons or organizations producing special events shall reimburse the City of Mandeville for the costs and expenses which it has incurred in the production of such event. The cost will be calculated at the time of the permit application and serve as the permit fee, calculated from information provided by City personnel, police personnel, Fire District #4, and other public safety officials as may be indicated by the permit application, and set forth in section (c) below.
- (b) Each person or individual applying for a special event permit agrees to be responsible for litter pickup and general cleanup of the Special Event Area utilized by the special event at the end of the designated time for the event. Failure to remove any debris or litter may result in fines as provided by the general Code of Ordinance provisions applicable and may also result in denial of future applications. Each parade organization shall be responsible for litter pickup and general cleanup of its staging and disbanding areas. Said cleanup shall be completed within twelve (12) hours after the conclusion, postponement, or cancellation of any scheduled parade. In the event that the areas are not cleaned within twelve (12) hours after the conclusion, postponement, or cancellation of any scheduled parade, then in that event, the parade organization shall reimburse the City of Mandeville for any and all costs incurred by

the city to have the staging and/or disbanding areas cleared. Permits for subsequent years shall be withheld pending said payment to the City of Mandeville.

- (c) The applicant for a Special Event for a parade shall utilize the following chart to estimate the permit fees that will be assessed for its Special Event permit:

Estimated Attendance	Police Services based on Attendance	Police / Security Staffing Route 1	Police / Security Staffing Route 2	EMS / First Aid	Sanitation / Cleanup	Other City Resources
Under 500 (Neighborhood / small community parade)	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade); 1 additional foot patrol officer for every 500 participants/attendees expected	1 supervisor and 22 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 supervisor and 10 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	On-call EMS; basic first aid kit on site	1-2 sanitation personnel; trash cans placed at start/end	No special permits beyond standard event application
500 – 1,000 (Small city seasonal parade)	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade); 1 additional foot patrol officer for every 500 participants/attendees expected	1 supervisor and 22 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 supervisor and 10 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 staffed EMS station + roving medic	2-4 sanitation staff; pre- and post-event trash sweep	Portable restrooms if no nearby facilities
1,000 – 2,500 (city event)	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade); 1 additional foot patrol officer for every 500 participants/attendees expected	1 supervisor and 22 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 supervisor and 10 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1-2 ambulance units staged on route + mobile EMS	Sanitation team sweep every 30-60 mins; temporary bins along route	Portable restrooms; public works support or clean-up plan submitted
2,500-5,000 (Medium city event)	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade); 1 additional foot patrol officer for every 500 participants/attendees expected	1 supervisor and 22 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 supervisor and 10 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1-2 ambulance units staged on route + mobile EMS	Sanitation team sweep every 30-60 mins; temporary bins along route	Portable restrooms; public works support or clean-up plan submitted
10,000+ (Large parade / Eve Parade)	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade); 1 additional foot patrol officer for every 500	1 supervisor and 22 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	1 supervisor and 10 officers located at each intersection of parade route and cross-streets (4-hour minimum detail)	Mobile EMS stations + dedicated transport ambulance; additional hospital notification	Full sanitation team; scheduled debris pickup cycles	Command Post, communication tower, media zone, crowd control barriers

	participants/attendees expected					
Race	2 parking enforcement officers for 8 hours (covering pre-parade and post-parade);	Dependent on race route submitted and determined based on safety considerations including but not limited to expected participants and attendees and cross-streets along racecourse	Dependent on race route submitted and determined based on safety considerations including but not limited to expected participants and attendees and cross-streets along racecourse	Dependent on race route submitted and determined based on safety considerations including but not limited to expected participants and attendees and cross-streets along racecourse	Dependent on race route submitted and determined based on safety considerations including but not limited to expected participants and attendees and cross-streets along racecourse	Dependent on race route submitted and determined based on safety considerations including but not limited to expected participants and attendees and cross-streets along racecourse

There is an additional cost for crowd control barricades and vehicle control measures (no parking signage placement and removal) required, depending on the parade or race route which will be determined at the time of application review and not expected to exceed \$3,000.

The police and security staffing needs are based upon the use of the full Public Parade Route and the street intersections which must be controlled and additional security patrol based upon attendance estimates. Should the applicant reduce the requested use of the Public Parade Route, a reduction in police and security staffing performing traffic control would be possible. Additional, optional resources are available to applicants for a Special Event such as portable restrooms, public address systems, and vendor permitting and tax compliance information.

- (d) The City reserves the right to adjust policing, security, EMS, and sanitation needs based on the following:
 - (1) The route of parade indicated and the number of street crossings or intersections;
 - (2) The presence of children and any health concerns particular to the seasonal weather or particular temperature and weather conditions anticipated on the date of the special event; and
 - (3) The involvement of food vendors, alcohol, combined events (i.e., parade followed by post-parade gathering).
- (e) The City will collect the projected permit fee based upon the permit application. As noted on the application, once a permit is issued the City will collect the permit fee to cover projected costs to the City for the Special Event. Should the applicant have misstated the participants to the event or incurred costs in excess of those projected on the application, a supplement will be owed by the applicant for the Special Event permit. Any dispute over the appropriate permit fees shall be handled by the City Attorney.
- (f) Because of the public nature of carnival/Mardi Gras parades, the city council shall determine what percentage the parade organization shall pay of the city's costs and expenses incurred in the production of the parade. However, if a carnival/Mardi Gras parade is produced for profit, then the parade organization shall pay one hundred (100) percent of the costs and expenses

incurred by the city and the fire district in the production of any parade. If the carnival/Mardi Gras parade has a commercial sponsor, then the parade organization shall pay a percentage of the costs and expenses incurred by the city and the district in producing the parade in proportion to the number of floats that are commercially sponsored. Sponsorship shall only apply to floats and there shall be only one (1) sponsor per float. The name of the sponsor may be displayed on two (2) signs which may be mounted on the float or on the vehicle towing the float, but no sign shall exceed the size of two (2) feet by three (3) feet and shall only be indirectly lit.

Sec. 11-136.16. Standard accounting practices for not-for-profit organizations which receive special event permits.

Not-for-profit organizations receiving special event permits and whose activities cost the City of Mandeville two thousand five hundred dollars (\$2,500.00) or more, and for whom reimbursement is waived by the Mandeville City Council, shall provide to the City of Mandeville a current financial statement of the financial condition of the organization. The report shall be prepared by a CPA in accordance with general accounting standards.

Sec. 11-136.17. Requirement for recycling at all public venues and special events, excluding the Mardi Gras parade routes.

A property owner of any outdoor event shall provide a sufficient number of portable recycling containers for the separate recovery, collection and removal of recyclable materials, including aluminum and plastics during any outdoor event. At a minimum, the property owner shall have recycling containers next to each and every trash can located on the outdoor event property during the outdoor event. For Special Event Areas belonging to the City which is used as an outdoor event property, the permit holder shall provide a sufficient number of containers for the separate recovery, collection and removal of recyclable materials, including, but not limited to, aluminum and plastics during the outdoor event. At a minimum, the permit holder shall have recycling containers next to each and every trash can located on the outdoor event property during the outdoor event. Not complying with the recycling ordinance can result in fines.

Sec. 11-137. Reserved.

Sec. 11-137.1. Public adherence to standing behind barricades placed by the Mandeville Police Department or employees of the city.

Parade viewers are required to obey those restrictions placed on them by the presence of barricades positioned by the Mandeville Police Department or St. Tammany Parish Sheriff's Office or authorized employees of the city.

Sec. 11-138. Festivals.

- (a) Any person or organization which desires to produce a festival in the City of Mandeville shall make an application for a special events permit as provided in section 11-136.10 of this article and pay to the city the percent of the city expenses incurred on behalf of the festival as per section 11-136.15 of this article.

- (b) In addition to the information requested in section 11-136.11, the applicant shall submit the following:
- (1) An audited financial statement prepared by an independent CPA firm of the sponsoring organization shall be submitted to the city through its director of finance within one hundred twenty (120) days following the end of the fiscal year of that organization or prior to application of the organizations next event. Festivals whose activities cost the City of Mandeville and/or fire department more than two thousand five hundred dollars (\$2,500.00) and for whom reimbursement is waived by the Mandeville City Council must comply with chapter 11, section 136.16 of the Code of Ordinances of the City of Mandeville.
 - (2) Provide insurance as required by this article.
 - (3) The number of police officers required to maintain order and safety shall be determined by the chief of police.
 - (4) A general diagram of the festival area must be submitted with the permit application.
 - (5) All vendors selling food items must meet state health codes.
 - (6) A list of vendors selling any items must be submitted to the city finance department for tax purposes within ten (10) days after the festival.
 - (7) A list of all entertainment for the festival must be submitted to the special event aimed at least sixty (60) days prior to the event.
 - (8) The festival site must be cleaned up and returned to its original condition within forty-eight (48) hours of festival closing. All expenses incurred shall be paid by the festival holder.
 - (9) Street closing will be at the discretion of the chief of police.

Sec. 11-139. Races.

- (a) Any person or organization which desires to produce a race in the City of Mandeville shall make an application for a special event permit as provided in section 11-136.10 of this article and pay to the city a percent of the expenses as per section 11-136.15 of this article.
- (b) The chief of police shall have the right to close any streets necessary for the race.
- (c) The chief of police shall determine how many police officers are required for each race.
- (d) A map of the route of each race must be attached to the special event permit application and each route must be approved by the chief of police.
- (e) Provide insurance as required by this article.

Sec. 11-139.1. Seasonal display.

Any person or organization which desires to produce a seasonal display in the City of Mandeville shall make application for a special event permit as provided in section 11-136.10 of this article.

Sec. 11-140. Carnival, circus.

Carnivals and circuses are not to be permitted within the Mandeville city limits.

Sec. 11-141. Other special events.

The use of public property including but not limited to the Mandeville Harbor pavilion, lakefront, and/or gazebo by any person or organized group for any event not requiring a special event permit shall require notification to the City through the Cultural Arts Director for scheduling and does not guarantee any specific location for exclusive use. Further, due to public health, safety, welfare, and in furtherance of the City's efforts to preserve the aesthetic appeal and value of protected native trees and landscape, the City may restrict any use of public property for any event not requiring a special event permit to areas directed by the City to ensure the goals of the City for safety and preservation are maintained. Further, the lack of requirement for a special event permit does not exempt any person or organized group from adherence to all provisions of the Code of Ordinances that regulate the use of public property, including but not limited to time limitations for public access, litter and debris ordinances, and noise ordinances.

Sec. 11-142. Insurance.

- (a) Every person or organization which produces a parade, festival, race or any other special event determined by the City to require insurance in addition to the indemnification and hold harmless agreement shall carry liability insurance with the City of Mandeville named as an additional named insured in at least a minimum of one million dollars (\$1,000,000.00) bodily injury and property damaged combined for each Special Event. A special event permit shall not be issued without receipt from the insurer or its agent of record of a bona fide certificate of insurance.
- (b) Insurance company must have an "A" or better rating and be authorized to do business in the State of Louisiana.
- (c) Every person or organization which receives a special event permit agrees to hold harmless and to indemnify the City of Mandeville, and its departments and employees, for any and all damages to property and/or personal injury that results in a loss to the city and/or its departments that may occur as a result of the negligence or fault on the part of the said person or organization or any of its agents, employees, members or volunteers. Such agreement shall be acknowledged at the time of the special event permit application and shall be signed and provided to the City fifteen (15) days prior to the event. The failure to provide a valid agreement or any irregularity discovered in the agreement or, if applicable, the insurance agreement, shall negate the permit without further action or notice by the City. Upon discovery by or notice to the permit applicant of such failure, the permit applicant shall immediately communicate the cancellation of the special event.

Sec. 11-143. Severability.

It is hereby declared that the sections, paragraphs, sentences, clauses and phrases of this article are severable and if any section, paragraph, sentence, clause or phrase be declared unconstitutional by a valid judgment of any court of competent jurisdiction, such judgment shall not affect the constitutionality of any other section, paragraph, sentence, clause or phrase of this article.

Secs. 11-144—11-149. Reserved.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon the signature of the Mayor and shall apply to any special event permit application made on or after said date;

BE IT FURTHER ORDAINED that the Clerk of this Council 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.

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

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

and the Ordinance was declared adopted this _____ day of _____, 2025.

Alicia Watts
Clerk of Council

Jason Zuckerman
Council Chairman