ORDINANCE # 2012-13
INTRODUCED BY Alexius
DATE INTRODUCED 6/5/12
ITEM NUMBER 2012-06-01
PUBLIC HEARING 7/17/12
ADOPTED/TABLED 7/17/12 as amended
EFFECTIVE 8/3/12
BOOK # PAGE #
RECORDATION #
AMENDED BY ORDINANCE #
DATE AMENDED

ADOPTION

INTRODUCTION

CITY OF COVINGTON
ORDINANCE NUMBER 2012-13

AN ORDINANCE OF THE CITY OF COVINGTON AMENDING THE FOLLOWING PROVISIONS OF THE COVINGTON CODE OF ORDINANCES: APPENDIX B, COMPREHENSIVE ZONING ORDINANCE OF 2010, PART 7. BOARD OF ADJUSTMENT

FOR ZONING CASE 12-5-01TXT

WHEREAS, the Zoning Commission of the City of Covington has recommended that certain amendments be made to Appendix B, Comprehensive Zoning Ordinance of 2010, Part 7. Board of Adjustment; and

WHEREAS, the Covington City Council deems this amendment appropriate to protect the health, safety and welfare of the citizens of Covington; and

WHEREAS, the Covington City Council deems this amendment appropriate to protect the First Amendment rights of the citizens of Covington as well as visitors to the City; and

WHEREAS, the City Council has held its public hearing in accordance with law,

NOW, THEREFORE, be it ordained by the City Council of the City of Covington, at its regular session convened, that Appendix B, Comprehensive Zoning Ordinance of 2010, Part 7. Board of Adjustment, be amended as follows:

Sec. 7.3. Board of Adjustment meeting procedure.

7.301. The Board of Adjustment acts as a judicial body and its meetings shall be held as follows:

1. The meetings of the Board of Adjustment shall be conducted with judicial decorum.
2. Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine.
~~3. The chairman, or in his/her absence, the acting chairman, may administer oaths and compel the attendance of witnesses. Subpoena may be issued under the signature of the chairman or acting chairman.~~

~~4. Failure to comply with a Board of Adjustment subpoena may be punished in Covington Mayor's Court and attachments pursuant to bench warrants may be issued by Mayor's Court, and executed by the Covington Police Department.~~
~~5. No person may speak before the Board of Adjustment without being administered an oath.~~
~~6.~~ 3. Before speaking before the Board, the chair shall qualify each person who proposes to speak. Speaker shall limit their testimony and evidence to matters that are relevant to the case being heard. Each speaker, pro or con, must demonstrate their interest, or connection to the application and the relevance of their testimony. Also, please refer to the Board of Adjustment's meeting rules.
~~7.~~ 4. The City of Covington shall in every instance be a party before the Board of Adjustment.
~~8.~~ 5. All meetings of the Board shall be open to the public.
~~9.~~ 6. The Board shall keep minutes of its meetings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact and shall keep records of its examination and other official actions, all of which shall be filed immediately in the office of the Board and shall be public record. All testimony, objections thereto, and rulings thereon, shall be taken down by an auditory recording or by a reporter employed by the Board for the purpose.

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

WHEREUPON, this ordinance having been submitted in writing, having been read by title and adopted at a public meeting of the City Council of the City of Covington, State of Louisiana.

MOVED FOR ADOPTION by Wright as amended, seconded by Rolling, and this ordinance was submitted to a vote and resulted in the following:

YEAS: 7 NAYS: ~~0~~
ABSTAIN: ~~0~~ ABSENT: ~~0~~

PASSED AND ADOPTED this 17th day of July, 2012.

R. S. Sam O'Keefe
R.S. "Sam" O'Keefe
PRESIDENT OF THE COUNCIL

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Presented to the Mayor this 18th day of July, 2012, at 2:15 o'clock p.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL

Approved ✓ or Vetoed ___ by the Mayor on this 18th day of July, 2012.

MICHAEL B. COOPER
MAYOR

Received from the Mayor this 18th day of July, 2012, at 2:25 o'clock p.M.

Bonnie D. Champagne
BONNIE D. CHAMPAGNE
CLERK TO THE COUNCIL