

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 8140

ORDINANCE COUNCIL SERIES NO: 26-

COUNCIL SPONSOR: MR. BURKE

PROVIDED BY: CIVIL DIVISION

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 4TH DAY OF JUNE, 2026

ORDINANCE TO AMEND PART I – CODE OF ORDINANCES, CHAPTER 2 – ADMINISTRATION, ARTICLE XIV. – CODE VIOLATIONS AND ADMINISTRATIVE ADJUDICATIONS, SEC. 2-565. – APPEALS, TO CLARIFY THE PARTY RESPONSIBLE FOR COSTS ASSOCIATED WITH PREPARING AND LODGING THE RECORD ON APPEAL.

WHEREAS, the current ordinance is silent as to the party responsible for the costs associated with the Bureau of Administrative Adjudication’s hearing officer preparing and lodging the record.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinance, Part I – Code of Ordinances, Chapter 2 – Administration, Article XIV. – Code Violations and Administrative Adjudications, Sec. 2-565. – Appeals, is hereby amended as follows:

Sec. 2-565. – Appeals.

- (a) Any person or persons jointly or severally aggrieved by any decision of the parish hearing officer may present a petition to the district court of the parish along with payment of such reasonable costs as may be required by the clerk. Such Petition shall be duly verified, set forth that the decision is illegal, in whole or in part, and specify the grounds of the illegality. The Petition shall be presented to the court within 30 days after the filing of the decision of the hearing officer.
- (b) Upon the presentation of such petition, the court may allow a writ of certiorari directed to the hearing officer to review the decision of the hearing officer and there shall be prescribed therein the period of time within which a return may be made and served upon the relator’s attorney. Such period shall be not less than ten days but may be extended by the court. The allowance of the writ shall not stay the proceedings upon the decision or any enforcement thereof unless the person who files the appeal for writ of certiorari furnishes security prior to filing notice of appeal with the agency of the parish designated by ordinance to accept such payments in the amount to be fixed by the hearing officer sufficient to assure satisfaction of the finding of the hearing officer relative to the fine, fee, penalty, costs of the hearing, and costs, if any, of correcting the violation.
- (c) The parish hearing officer shall not be required to return the original papers acted upon by the hearing officer but may return certified or sworn copies thereof or such portions thereof as may be called for by the writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. **All costs associated with the preparation of the records described herein, along with their filing or lodging with the district court, shall be borne by the party taking an appeal, and said costs shall be assessed by the clerk of court against the appellant.**
- (d) If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, the court may take additional evidence or appoint a referee to take such evidence as it may direct. Such referee shall report the same to the court with his findings of fact and conclusions of law and his report shall constitute a part of the proceedings upon which the determination of the court shall be made.

(e) The court may reverse or affirm, wholly or in part, or may modify the decision brought up for review. All issues in any proceedings under this section shall have preference over all other civil actions and proceedings. The appellant and the parish shall be parties in such civil action and proceeding; the parish hearing officer shall not be a party to such civil action and proceeding.

REPEAL: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: 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 severable.

EFFECTIVE DATE: This ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AN DRESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 9TH DAY OF JULY, 2026; AND BECOMES ORDINANCE COUNCIL SERIES NO. 26-
_____.

CHERYL TANNER, COUNCIL CHAIR

ATTEST:

KATRINA BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: MAY 27, 2026

Published Adoption: _____, 2026

Delivered to Parish President: _____, 2026 at _____

Returned to Council Clerk: _____, 2026 at _____