

Updated
Ordinance

ORDINANCE NO. 23-171

The following Ordinance was offered by Council Member Edwards who moved for its adoption:

An Ordinance to amend, and as amended, readopt Sections 17.5-2 of Chapter 17.5, Article I, Parks, Recreation and Parish Facilities of the Code of Ordinances relative to the manner of event set-up, charge of set-up fees, and rental rates; and otherwise to provide with respect thereto.

DIGEST: An Ordinance to adopt a new policy concerning the manner in which set-up for events in rented Plaquemines Parish Government Buildings, rooms and festival ground is done. A waiver of the set-up fee will be given to all renters if, they choose to do their event set-up during normal working hours and agree to set-up tables and chairs needed without any assistance from the Plaquemines Parish Government Buildings Department. *The digest is for informational purposes only and is superseded by the language of the actual ordinance or resolution.*

NOW, THEREFORE:

BE IT ORDAINED BY THE PLAQUEMINES PARISH COUNCIL THAT:

SECTION 1

Section 17.5-2 of Chapter 17.5, Parks, Recreation and Parish Facilities, of the Code of Ordinances is hereby amended and, as amended, re-enacted to read as follows:

"Section 17.5-2. Fees and Policies for Use of Parish Government Facilities.

The Director of Public Service, as provided for in Section 5.01 of the Charter, shall have charge of the undermentioned facilities and is responsible for administering this Section. The Director of Public Service or his designee may approve the private use of Parish facilities for events and functions, whenever the appropriate applications are submitted to the Plaquemines Parish Buildings Department and approved by the Director of Public Service and all fees, deposits, and expenses associated with the use of the facilities are paid in full in advance by the Contracting Party/Applicant as set forth below.

(a) Rental Fees for parish government civic centers, auditoriums, community centers, and meeting rooms in government buildings or public libraries.

(1) Belle Chasse and Buras Auditoriums:

- a. \$450.00 for a minimum rental time of three (3) hours. Each hour thereafter shall be \$150.00. For alcohol-free bona fide religious organization events, repasts, and fund-raising events sponsored by a school approved by the Louisiana Board of Elementary and Secondary Education located in Plaquemines Parish, the rent shall be \$75.00 an hour without a minimum rental time requirement.
- b. \$250.00 damage and clean-up deposit which shall be paid at the time of reservation. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.
- c. \$50.00 per hour non-resident fee shall be additionally assessed to all persons who do not reside in Plaquemines Parish and organizations not registered or domiciled in Plaquemines Parish.
- d. \$25.00 per hour for set-up and clean-up. The setup fee shall be waived if the set-up is done within normal parish working hours and without the assistance of parish personnel.

(2) Davant Community Center, Braithwaite Auditorium, Port Sulphur Civic Center, and Buras Community Center:

- a. \$300.00 for a minimum rental time of three (3) hours. Each hour thereafter shall be \$100.00. For alcohol-free bona fide religious organization events, repasts, and fund-raising events sponsored by a school approved by the Louisiana Board of Elementary and Secondary Education located in Plaquemines Parish, the rent shall be \$75.00 an hour without a minimum rental time requirement.
- b. \$250.00 damage and clean-up deposit which shall be paid at the time of the reservation. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.
- c. \$50.00 per hour non-resident fee shall be additionally assessed to all persons who do not reside in Plaquemines Parish and organizations not registered in Plaquemines Parish.
- d. \$25.00 per hour for set-up and clean-up. The setup fee shall be waived if the set-up is done within normal parish working hours and without the assistance of parish personnel.

(3) Rooms in Plaquemines Parish Government Libraries and other buildings not specifically listed in this Section:

- a. \$50.00 per hour. One (1) hour minimum rental time.
- b. \$100.00 damage and clean-up deposit which shall be paid at the time of reservation. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.
- c. \$25.00 per hour non-resident fee shall be additionally assessed to all persons who do not reside in Plaquemines Parish and organizations not registered in Plaquemines Parish.

(b) Fees for the Belle Chasse Government Complex, Fort Jackson Festival Grounds

The cost and public safety concerns associated with large, organized crowds of people require special consideration and Plaquemines Parish Government reserves the right to require permits for the use of festival grounds by large, organized groups of people. Moreover, it is the right and the duty of Plaquemines Parish Government to control access to all public areas within its control. For the purposes of this Section an event shall mean any organized group of people, with more than fifty (50) attendees or invitees.

(1) Event Rental which shall only apply to the scheduled days of the event:

- a. \$1500.00 per day rental (12-hour period), including parking and the Pavilion, for the Belle Chasse Government Complex Festival Grounds.
- b. \$1000.00 per day rental (12-hour period) for the Fort Jackson Festival Grounds.
- c. \$600.00 for a minimum rental time of three (3) hours for the Belle Chasse Government Complex Festival Grounds including parking and the Pavilion. Each hour thereafter shall be \$200.00.
- d. \$400.00 for a minimum rental time of three (3) hours for Fort Jackson, including parking; Each hour thereafter shall be \$150.00.
- e. \$10.00 per trash can per day. Where necessary, dumpster fee will be charged at the current fee schedule.
- f. \$500.00 damage and clean-up deposit which shall be paid at the time of reservation to secure compliance with all laws, ordinances, and regulations. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.

(c) Fees for the Multi-Purpose Building located on the Belle Chasse Government Complex.

(1) Event Rental for the entire Multipurpose Building, including the concession area:

- a. \$1500.00 for a minimum rental time of three (3) hours. Each hour thereafter shall be \$500.00. The rental time shall not exceed twelve (12) hours per day.
- b. \$1000.00 for six (6) or more hours and \$500.00 for less than six (6) hours reservation/damage and clean-up deposit which shall be paid at the time of reservation. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.
- c. The Parish does not furnish balls, racquets, or other equipment.

(2) Event Rental for one (1) Basketball Court:

- a. \$75.00 for one (1) hour or \$675.00 for ten (10) hours for residents
- b. \$100.00 for one (1) hour or \$720.00 for ten (10) hours for non-residents, all persons who do not reside in Plaquemines Parish and organizations not registered or domiciled in Plaquemines Parish.

(3) Event Rental for Multipurpose Stage Area, including the concession area:

- a. \$200 for one (1) hour or \$650 for ten (10) hours for residents
- b. \$300 for one (1) hour or \$975 for ten (10) hours for non-residents, all persons who do not reside in Plaquemines Parish and organizations not registered or domiciled in Plaquemines Parish.
- c. \$250.00 damage and clean-up deposit which shall be paid at the time of reservation. The Contracting Party/Applicant shall be fully liable for any damages that exceed the deposit.
- d. \$25.00 per hour for set-up and clean-up.

(d) General Regulations

- (1) Plaquemines Parish Government libraries shall be used only for educational, art, cultural, and official government purposes. Political functions and political party events are strictly prohibited.
- (2) Use of local government civic centers, auditoriums, community centers, and meeting rooms in Plaquemines Parish Government buildings and other facilities by Plaquemines Parish Government officials for official Parish business. Military organizations providing information or education to the public shall be free of charge for a period to be determined by the Director of Public Service.
- (3) The Parish Attorney of Plaquemines Parish Government is hereby authorized to create contracts as necessary to fulfill the terms and conditions set forth in this Section to wit: indemnity, insurance, and other legal protections he deems necessary. Under no circumstances shall the following conduct or items be permitted in Parish Buildings: cigarette smoking, illegal drug use/possession, fighting, bullying, cooking, boiling, and frying in areas other than the kitchen facilities of the building, motorized devices, livestock or animals (except for dog shows, subject to conditions set forth by the Director of Public Service), pyrotechnic devices, and any other conduct or items deemed harmful to the facilities or the public by the Director of Public Service.
- (4) Parish buildings and facilities shall not be rented on the following Plaquemines Parish Government holidays: New Year's Day, Thanksgiving Day, and Christmas Day.

- (5) If any portion of this Section is declared unconstitutional or otherwise invalid by a court, the remaining provisions shall remain fully in effect.
- (6) Pursuant to Article 7, Section 14 of the Louisiana Constitution of 1974, and the Plaquemines Parish Home Rule Charter, the loaning, pledging, or donation of tables, chairs, tents, and all other Parish property is strictly prohibited.
- (7) The display of signs on public and private grounds as advertising for events is regulated by Plaquemines Parish Ordinances. The Contracting Party/Applicant shall contact the Plaquemines Parish Code Enforcement Office and Permits Office for review and approval of all signage placements at least thirty (30) calendar days prior to the scheduled event.
- (8) All events shall end at midnight (12:00 a.m.) except for the New Year's Eve event which shall end at one (1) o'clock a.m. The building and parking lot(s) must be vacated at that time except for the designated cleaning crew of the person or organization sponsoring the event. The Plaquemines Parish Government representative and the Sheriff's Deputy-in-Charge shall sign a release indicating that the building and the parking lot(s) were vacated by midnight and that the building and parking lot(s) were clean and free of trash by one (1) o'clock a.m. (two (2) o'clock a.m. for a New Year's Eve event). Any violation of this paragraph shall result in forfeiture of the deposit, permanent ban of the applicant or group from use of all Plaquemines Parish Government facilities and may result in criminal trespassing charges.
- (9) For the purposes of this Section "bona fide religious organization" shall mean any religious organization having several of the following attributes: distinct legal existence, recognized creed and form of worship, definite and distinct ecclesiastical government, formal code of doctrine and discipline, distinct religious history, membership not associated with any other church or denomination, organization of ordained ministers, ordained ministers selected after completing prescribed courses of study, literature of its own, established places of worship, regular congregations, regular religious services, Sunday schools for the religious instruction of the young, schools for the preparation of its members.

(e) Reservation, Payment, and Cancellation

- (1) No reservations, except in the case of a repast after a funeral service, shall be accepted less than forty-five (45) days from the date of the proposed event.
- (2) A Reservation shall have no force or effect whatsoever until a rental contract is executed by the Contracting Party/Applicant with payment in full of the required rental fee payment, deposit, and proof of security as required by this Section.
- (3) A Contracting Party/Applicant must, at time of reservation, furnish full name, current address, telephone number and email address with a current photo identification, such as a Louisiana driver's license or identification card.
- (4) The Contracting Party/Applicant shall pay to Plaquemines Parish Government any additional fees invoiced following the event which may be applicable for services provided by the Parish or damages incurred during the event that exceed the damage and clean up deposit. The Parish President is empowered to file legal proceedings, if necessary, to collect all outstanding debts owed to Plaquemines Parish Government resulting from facility rentals authorized by this Section.
- (5) All deposits, payments and fees shall be paid via check, money order or certified/cashier's check.
- (6) In no case shall there be any occupancy or use of any Plaquemines Parish Government building or facility by the Contracting Party/Applicant, its representatives, members, agents, invitees, attendees or other persons until all fees and deposits have been received by the Parish and authorized by the Director of Public Service or his designee.
- (7) Deposits shall be forfeited if any criminal activity occurs during the rental period or if alcohol or tobacco use by the Contracting Party/Applicant or their guests or attendees

occurs without having been issued the necessary permits allowing such use or the applicant committed fraud by procuring a discounted event for a personal or private purpose e.g. birthdays, anniversaries, weddings functions, family reunions, and baby and wedding showers.

(8) If the Contracting Party/Applicant decides to cancel their reservation the rental fees and deposit shall be refunded or forfeited as follows:

- a. Cancellations made ninety (90) days or more prior to the scheduled event shall be fully refunded the rental fee and deposit.
- b. Cancellations made less than ninety (90) days but thirty (30) days or more prior to the scheduled event shall forfeit the rental fee and be refunded the deposit.
- c. Cancellations made less than thirty (30) days prior to the scheduled event shall forfeit both the rental fee and deposit.
- d. In the event of an unforeseen emergency, through no fault of the Contracting Party/Applicant, the Contracting Party/Applicant may appeal to the Director of Public Service for a refund which shall be considered on a case-by-case basis.
- e. If the Director of Public Service determines the event or some aspect thereof poses a threat to the health, safety and well-being of the attendees or residents of Plaquemines, the Director may, in his sole discretion, deny the application or cancel the event at any time, including during the event. If the Director of Public Service cancels the event, refunding of the rental fee and deposit shall be in conformity with Paragraph (7) of this Subsection.

(f) Availability: Persons or entities wishing to rent public property shall be allowed to do so on a first-come, first-serve basis. Plaquemines Parish Government shall not discriminate in the renting of public facilities, and persons shall be treated equally regardless of race, ethnicity, creed, gender, age, political affiliation, or geographic location within the parish. Nothing herein shall be construed to prevent the charging of a non-resident surcharge to a Contracting Party/Applicant who resides outside of Plaquemines Parish.

(g) Security Requirements:

- (1) Every event at a Plaquemines Parish Government building or facility, except for an alcohol-free repast after a funeral service and an alcohol-free fund-raising event having less than 100 persons sponsored by a school approved by the Louisiana Board of Elementary and Secondary Education located in Plaquemines Parish, shall have security personnel provided by the Plaquemines Parish Sheriff's Office or a private security contractor licensed in the State of Louisiana by the Louisiana State Board of Private Security Examiners, paid for by the Contracting Party/Applicant. The following will be used to determine the minimum number of security personnel that must attend the event:
 - a. The Contracting Party/Applicant shall hire two (2) security personnel for any event with one (1) to one hundred (100) attendees.
 - b. The Contracting Party/Applicant shall hire one (1) additional security personnel for each additional one (1) to one hundred (100) attendees thereafter.
 - c. No event shall exceed the maximum number of persons allowed by the State Fire Marshall.
 - d. All sporting events at the multipurpose center shall have a minimum of four (4) security personnel. Small sporting events may receive a waiver from the Director of Public Service.
- (2) Individuals hired by the Contracting Party/Applicant (e.g. disc jockey, caterer, photographer, server, band) shall not consume alcohol during the event. Any person in violation of this provision will be asked to leave the event.

- (3) For events held at a building, no alcoholic beverages shall be allowed outside of said building. The consumption of alcoholic beverages outside of parish buildings may only be authorized by obtaining an alcohol permit from the Plaquemines Parish Council. The Contracting Party/Applicant must post signs stating "NO ALCOHOLIC BEVERAGES BEYOND THIS POINT" at all building entrances and exits.
- (4) Plaquemines Parish Government policies shall be strictly enforced by security personnel at the event. Plaquemines Parish Government and the security personnel are authorized to shut down any event or function that does not conform to the rental application, the contract, or this Section. The rental application shall be posted in a conspicuous location at the public building or facility being used for such event.
- (5) The pre-approved number of persons attending an event will be enforced by the wearing of wristbands distributed prior to the event by Plaquemines Parish Government, the cost of which shall be paid by the Contracting Party/Applicant. Enforcement of this requirement shall be by Parish representatives or the security personnel working at the event. Persons without such proper identification will be asked to leave the event and be subject to criminal trespass for failure to do so. Wristband requirements shall not apply to wedding party members.
- (6) Noise levels shall be enforced by the Plaquemines Parish Sheriff's Office."

SECTION 3

The Secretary of this Council is hereby authorized and directed to immediately certify and release this Ordinance and that Parish employees and officials are authorized to carry out the purposes of this Ordinance, both without further reading and approval by the Plaquemines Parish Council.

Council Member Champagne seconded the motion to adopt the Ordinance.

The foregoing Ordinance having been submitted to a vote, the vote resulted as follows:

YEAS: Council Members Tyrone Edwards, Brian Champagne, Chris Schulz, Stuart J. Guey, Patricia McCarty, Ronnie Newsom, Carlton M. LaFrance, Sr., Mitch Jurisich and Mark Cognevich

NAYS: None

ABSENT: None

PRESENT BUT NOT VOTING: None

And the Ordinance was adopted on this the 26th day of October 2023.

I hereby certify the above and foregoing to be a true and correct copy of an Ordinance adopted by the Plaquemines Parish Council at a meeting held in the Pointe-a-la-Hache Courthouse Council Chambers, 18055 Highway 15, Pointe-a-la-Hache, Louisiana, on October 26, 2023.

Secretary