

On joint motion of all Councilmembers present the following ordinance was offered as amended:

SUMMARY NO. 23125 ORDINANCE NO. 23925

An ordinance amending Chapter 6, Article V of the Code of Ordinances, Carnival/Mardi Gras and other Parades, pertaining to required financial documentation, insurance, spare tractors, regulations regarding cooking foods from outdoor concessions, and other related matters. (Parishwide)

WHEREAS, in order to receive a float permit, current regulations require the krewe to submit documentation that financial agreements have been met with float providers. The office of carnival and special events desires to eliminate this requirement as parties tend to place Jefferson Parish in the inappropriate position of a bill collector, negotiator, and mediator; and

WHEREAS, the office of carnival and special events desires to amend and update parade organizations' insurance requirements to require policies that are more reflective of what is currently offered in the market; and

WHEREAS, in an effort to increase public safety, the office of carnival and special events desires to require that all Carnival and Mardi Gras Parades carry at least one (1) spare tractor and that vendors that cook from outdoor concessions adhere to new regulations.

NOW, THEREFORE, THE JEFFERSON PARISH COUNCIL ACTING AS THE GOVERNING AUTHORITY FOR THE PARISH OF JEFFERSON HEREBY ORDAINS:

SECTION 1. Sec. 6-67 is hereby amended and re-ordained to amend the definition of "material representation" as follows:

Sec. 6-67 Definitions.

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

* * *

Material misrepresentation is defined to include any of the following:

- (1) The furnishing of false information in any parade application; or
- (2) Providing false information to the director of citizens' affairs in response to inquiries made to the parade or parade organization.

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SECTION 2. Sec. 6-70(a) is hereby amended to correct a misprint and re-ordained as follows:

Sec. 6-70 Attire and Characterization.

(a) No participant of a Carnival/Mardi Gras float parade shall ride in public view unless that person is constantly costumed and masked as to disguise his or her facial characteristics. Participants with painted faces as a disguise shall be considered as masked. This provision shall not apply to the king, queen, captain, officers, maids, dukes, pages, attendants or special guest celebrities.

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SECTION 3. That Sec. 6-72(d) is hereby amended and re-ordained as follows:

Sec. 6-72 Throws Prohibited.

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(d) No parade participant, while participating in a parade on the parade route, in a parade staging area or in a parade disbanding area, shall throw, distribute, possess or have in his custody or control any of the following:

* * *

SECTION 4. That Sec. 6-76(a)(b) and (c) are hereby amended to delete provisions requiring documentation of financial agreements and re-ordained to read as follows:

Sec. 6-76. Application for permit.

(a) Application for float parade permits shall be received by the office of carnival and special events between June 1st and 15th of each year preceding the annual parade.

(b) At least one hundred eighty (180) days prior to the start of the Carnival/Mardi Gras Season, Mardi Gras krewes shall provide written documentation from their float provider to the office of carnival and special events specifying that the krewe has a float contract for the upcoming parade season. In addition, at least thirty (30) days prior to the start of the Carnival/Mardi Gras season, Mardi Gras krewes shall provide written documentation to the office of

carnival and special events specifying that the floats will be available for the parade at the stipulated date and time. A krewe's failure to produce written documentation required by this subsection within the mandated time periods shall result in forfeiture of its parade permit.

(c) Upon full compliance with the provisions of Article V and the submission of the application, the office of carnival and special events shall issue a parade permit to the applicant. Any such permit, however, is subject to revocation should the office of carnival and special events discover any violations by the applicant of the provisions of Article V prior to the start of the parade.

(d) Each float parade and truck parade organization seeking a permit to parade shall have been duly chartered by the Office of Louisiana Secretary of State for at least twelve (12) months prior to making application to the office of carnival and special events.

SECTION 5. That Sec. 6-82(r) is hereby amended and re-ordained to correct a misprint to read as follows:

Sec. 6-82 Floats.

* * *

(r) No float rider shall sit on the ledge and/or railing of a float. No float rider shall stand on anything other than the float deck/floor. If the float rider's height requires standing on an object other than the deck/floor of the float to adequately participate in the parade, the object shall be secure and the rider shall be harnessed to the float.

* * *

SECTION 6. That Sec. 6-86(a) is hereby amended and re-ordained to read as follows:

Sec. 6-86. Insurance.

(a) Each parade organization shall carry a personal lines minimum limit of liability insurance of 1,000,000/2,000,000/1,000,000 per occurrence or a 1,000,000 per occurrence combined single limit bodily injury and property damage with a 3,000,000 aggregate. The Parish of Jefferson, all districts and special districts of the Parish of Jefferson shall be named as an additional insured to the liability policy issued to each float or truck parade organization. A parade permit shall not be issued without receipt from the insurer or its agent of record of a bona fide certificate of insurance, which indicates that the Parish of Jefferson, all districts and special districts of the Parish of Jefferson are additional insured. As additional insured, the Parish of Jefferson, all districts and special districts of the Parish of Jefferson shall be afforded coverage to the same extent as the named insured.

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SECTION 7. That Sec. 6-88 is hereby amended to include (4)(c), which requires space tractors, and re-ordained to read as follows:

Sec. 6-88. Parade breakdowns.

(a) *Procedure for mechanical and/or other breakdowns during parade:*

(1) Property truck personnel shall determine the amount of downtime for repair;

(2) If time estimate is in excess of twenty (20) minutes, the parade shall be rerouted around the delay location;

(3) If repair is completed prior to the last unit passing the delay location, the impacted unit shall be permitted to re-enter the parade;

(4) Units that cannot be repaired prior to the last unit passing the location shall not be allowed to continue in the parade and shall be moved under the direction of Jefferson Parish Sheriff's Office and/or the office.

(b) Carnival/Mardi Gras Parades shall not have less than two (2) properly equipped and manned property trucks in each parade.

(c) Carnival/Mardi Gras Parades shall not have less than one (1) spare tractor or pull vehicle in each parade.

(d) No hot work shall be performed on any occupied float or truck float. Hot work shall include, but not be limited to, welding soldering, cutting, and brazing.

SECTION 8. That Sec. 6-101(a) and (c) are amended and re-ordained as follows:

Sec. 6-101. Outdoor concessions during Carnival Parade Season.

(a) Any property owner or business owner or lessee may apply to operate an outdoor concession during the Carnival Parade Season provided they have the

proper facilities which pass inspection by the department of inspection and code enforcement and, if required, by the State Department of Health. Also, any property owner or business owner or lessee may apply to operate an outdoor concession during the Carnival Parade Season, provided they have the proper facilities which pass inspection by a Jefferson Parish Fire Department. The director of the department of inspection and code enforcement is hereby granted full authority to make inspections and to pass upon each place as to whether they meet the requirements or not, and is hereby given authority to close any business that does not comply.

* * *

(c) It shall be a requisition that the department of inspection and code enforcement and a Jefferson Parish Fire Department inspect all food and beverage stands to ascertain if they meet code regulations, and, if required, by the state department of health.

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SECTION 9. That Sec. 6-101.1 is hereby ordained to read as follows:

6-101.1 Cooking foods from outdoor concessions during the Carnival Parade Season.

All warming, heating, reheating, and cooking of food from outdoor concessions during the Carnival Parade season shall be permitted only in accordance with the following provisions:

(a) The vendor must obtain a permit from a Jefferson Parish Fire Department. The permit must be conspicuously displayed at all times that the vendor is preparing food or transacting business.

(b) The cooking equipment must have a fire resistive barrier constructed to shield any heat producing surface of the cooking equipment from any combustible materials. If the vendor does not have a fire resistive barrier, the cooking equipment shall not be located within fifty (50) feet of any structure, nor within twenty-five (25) feet from any combustible material.

(c) Vendors shall provide documentation that all liquid petroleum gas cooking equipment was examined and certified for use by a plumber with a state liquid petroleum gas certification.

(d) Cooking equipment must be situated within a secured location.

(e) Spent cooking media, ash, oil, etc., must be disposed of in a fire safe and prudent manner.

(f) The vendor must have on site, either two (2) five- pound or one (1) 10- pound fire extinguisher. The extinguisher must be appropriate for the cooking hazard and have a current inspection tag.

(g) The vendor shall provide a \$1,000,000 certificate of insurance that names the Parish of Jefferson and a Jefferson Parish Fire Department as additional insured.

(h) A Jefferson Parish Fire Department shall perform an inspection of the site. The inspection must be completed after all cooking and food preparation items are properly situated, but before the vendor commences with any warming, heating, reheating, or cooking.

The foregoing ordinance having been submitted to a vote, the vote taken thereon was as follows:

YEAS: 7 NAYS: None ABSENT: None

The ordinance was declared to be adopted on this 8th day of December 2010 to become effective immediately if signed forthwith by the Parish President, or, if not signed by the Parish President, upon expiration of the time for ordinances to be considered finally adopted without the signature of the Parish President, as provided in Section 2.07 of the Charter. If vetoed by the Parish President and subsequently approved by the Council, this ordinance shall become effective on the day of such approval.