



# OFFICE OF INSPECTOR GENERAL JEFFERSON PARISH

KIM RAINES CHATELAIN  
INSPECTOR GENERAL



## **PUBLIC LETTER (PROPOSED) AMENDMENTS TO SECTION 33-1.22 JEFFERSON PARISH CODE OF ORDINANCES JPOIG 2025-0011 March 16, 2026**

The Jefferson Parish Office of Inspector General (JPOIG) is authorized pursuant to the Jefferson Parish Code of Ordinances (JPCO) §2-155.10(11)(f) to “[e]ngage in prevention activities” to include “review of legislation; review of rules, regulations, policies, procedures, and transactions...” Public Letters are intended to communicate the elements of proposed, pending and/or existing legislation, rules, regulations, and policies, to assess their effectiveness, and to consider their impact on government accountability and operations.

### **SUMMARY**

The Jefferson Parish Planning Advisory Board (PAB) is a Council appointed advisory body established by the Parish Charter (Section 4.06) and governed by the Jefferson Parish Code of Ordinances (JPCO Sec. 33-1.22).<sup>1</sup> Their primary function is to conduct public hearings and recommend action on legislative land use or any other item referred to them by the council. The PAB reviews all land use issues that affect the present and future use of land in the unincorporated areas of Jefferson Parish.

The Jefferson Parish Council agenda for Wednesday, September 17, 2025, included Item No. 81, a resolution appointing Girod Jackson to the PAB as the representative for Council District 3. Upon review, the JPOIG determined that Mr. Jackson did not meet the qualifications set forth in JPCO §33-1.22, specifically the requirement that members must own property in Jefferson Parish. Prior to the Parish Council meeting, the JPOIG formally notified District 3 Councilman Byron Lee of Mr. Jackson’s likely ineligibility. The Council subsequently amended the proposed resolution to substitute Simeon Dickerson as the appointee for District 3 and approved his appointment by a vote of 7–0. However, Mr. Dickerson likewise appeared not to meet the legal qualifications for appointment.

In light of these events, the JPOIG initiated Investigation JPOIG #2025-0008 regarding the appointment of an unqualified individual to the PAB. The investigative report was provided to Councilmembers for comment on 10/09/2025. This marks the second investigation involving the appointment of an unqualified individual to the PAB; the JPOIG previously identified a similar issue in 2018 (JPOIG #2018-0028).<sup>2</sup>

This prompted the JPOIG to open a broader review of the qualifications for appointment to the PAB. This letter addresses the impact and efficacy of JPCO §33-1.22(c)(2), which establishes the

<sup>1</sup> JPCO Sec. 33-1.22- Planning Advisory Board (PAB).

<sup>2</sup> [https://www.jpoig.net/images/Public\\_-\\_PAB\\_REPORT.pdf](https://www.jpoig.net/images/Public_-_PAB_REPORT.pdf)

qualifications for PAB membership. The JPOIG raises concern that the current legal requirements may be inconsistent with the intended purpose and function of the PAB as well as legal standards. The JPOIG proposes amendments to JPCO §33-1.22(c)(2).

After it was brought to the Council's attention that two of the appointed board members did not meet the current criteria of owning property in Jefferson Parish, the Parish Council authorized a text study with the intent of evaluating and updating the qualifications for members of the PAB on 10/22/2025. The Council subsequently adopted Ordinance No. 27105 on 12/10/2025, which removed the requirement that PAB members own property in Jefferson Parish. Despite having been provided with the JPOIG's recommendations via draft of this public letter on 12/05/2025, prior to the December change, the Council did not establish any new criteria that would require knowledge or expertise in the field, only choosing to remove the property ownership requirements.

## CURRENT LEGISLATION

Jefferson Parish Code of Ordinances Sec. 33-1.22. Planning advisory board (PAB).

(c) *Members.* The PAB shall consist of seven (7) members.

(1) *Appointment.* The Jefferson Parish Council, by a majority vote, shall appoint the members with each councilperson appointing one (1) member.

(2) *Qualifications.* Each PAB member shall:

- a. Be a resident of Jefferson Parish;
- b. Be a qualified voter of Jefferson Parish; and
- c. Own property in Jefferson Parish.

(3) *Term length.* Each member shall serve a term of four (4) years which shall run concurrently with the term of his/her nominating councilperson.

(4) *Vacancy.* A vacancy shall be filled by appointment by the councilperson of the district, or division in the case of an at-large council seat, in which the vacancy exists.

## PROPOSED AMENDMENTS

Jefferson Parish Code of Ordinances Sec. 33-1.22. Planning advisory board (PAB).

(c) *Members.* The PAB shall consist of seven (7) members.

(1) *Appointment.* The Jefferson Parish Council, by a majority vote, shall appoint the members with each councilperson appointing one (1) member.

(2) *Qualifications.* Each PAB member shall:

- a. Be a resident of Jefferson Parish;
- b. Be a qualified voter of Jefferson Parish; and

c. ~~Own property in Jefferson Parish~~ Possess demonstrated experience and knowledge or understanding of urban planning, architecture, construction, engineering, environmental science, property ownership, real estate development, or related areas.

(3) *Term length.* Each member shall serve a term of four (4) years which shall run concurrently with the term of his/her nominating councilperson.

(4) *Vacancy.* A vacancy shall be filled by appointment by the councilperson of the district, or division in the case of an at-large council seat, in which the vacancy exists.

## ANALYSIS

### Planning Advisory Board

The Jefferson Parish Planning Advisory Board (PAB) is a Council appointed advisory body established by the Parish Charter (Section 4.06) and governed by the Jefferson Parish Code of Ordinances (JPCO Sec. 33-1.22). Their primary function is to conduct public hearings and recommend action on legislative land use or any other item referred to them by the council. The PAB reviews all land use issues that affect the present and future use of land in the unincorporated areas of Jefferson Parish. This includes land designation (zoning), land division/consolidation (subdivision), and regulations (codes) with the intent of establishing the most desirable, safe, and compatible physical model possible. The 2025 adopted budget for the PAB is \$231,091 in total expenditures, which is made up of \$214,686 budgeted for Personnel Services and \$16,405 budgeted for Operating Expenses. The PAB budgets for full-time staff members, a Research Analyst, and a Secretary. Additionally, the PAB is composed of seven members. Each Jefferson Parish Council member appoints one member. The members serve four-year terms, receive a \$150 per diem per board meeting, and may meet up to 52 times per calendar year. Each member shall:

- Be a resident of Jefferson Parish;
- Be a qualified voter of Jefferson Parish; and
- Own property in Jefferson Parish.<sup>3</sup>

### Comparative and Legal Analysis

In evaluating these requirements, the JPOIG examined Louisiana law governing planning commissions (La. R.S. 33:101 et seq.). State law authorizes parishes to create planning commissions and grants broad powers in developing and implementing official plans (La. R.S. 33:102). Under La. R.S. 33:103, planning commission members need only be appointed by the governing authority and may be removed for cause; no property-ownership requirement is imposed.

Among parishes reviewed, Jefferson Parish is the only one that expressly requires planning board members to own property:

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<sup>3</sup> JPCO Sec. 33-1.22 Planning Advisory Board (PAB).

- **East Baton Rouge Parish** requires only that members be "qualified voters and taxpayers," a taxpayer requirement satisfied through various forms of taxation, not exclusively property ownership. Plan of Gov't of the Par. of E. Baton Rouge and the City of Baton Rouge § 10.01 (2024).
- **Lafayette Parish** requires only that members be "qualified electors residing within" jurisdictional boundaries. Lafayette, La., Home Rule Charter § 4-10 (2025).
- **Orleans Parish** requires only that members be "electors of and domiciled in the City." New Orleans, La., Home Rule Charter § 5-401 (2025).
- **St. Bernard Parish** requires only that members serve without compensation and hold no other public office. St. Bernard Par., La., Code of Ordinances § 18-1 (2025).
- **St. Tammany Parish** prohibits members from seeking or holding elected office while serving. St. Tammany Par., La., Unified Dev. Code § 100-2.2 (2025).

The JPOIG also reviewed statutes in neighboring states (Alabama, Arkansas, Mississippi, and Tennessee). None require planning commission members to own property; instead, these states focus on appointment procedures, geographic representation, and conflict-of-interest safeguards. Ala. Code § 11-19-8 (2025) Tenn. Code Ann. § 13-3-102 (2025) Miss. Code Ann. § 17-1-31 (2025). Ark. Code Ann. § 14-17-203 (2025).

## Constitutional Considerations

Historically, property ownership requirements for government board membership have represented a form of wealth-based discrimination that the U.S. Supreme Court has struck down across multiple contexts.<sup>4</sup> In three landmark cases *Turner v. Fouche* (1970), *Chappelle v. Greater Baton Rouge Airport District* (1977), and *Quinn v. Millsap* (1989), the Court established clear precedent that property ownership bears no rational relationship to the ability to serve on governmental boards and advisory bodies.<sup>5</sup>

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<sup>4</sup> The qualifications for appointed officials set by a governing authority must adhere to federal constitutional protections, particularly the Equal Protection Clause of the Fourteenth Amendment. The Supreme Court has consistently held that there is a federal constitutional right to be considered for public service without the burden of invidiously discriminatory disqualifications. The State may not deny the privilege of holding public office on the basis of distinctions that violate federal constitutional guarantees. *Turner v. Fouche*, 396 U.S. 346, 362, 90 S. Ct. 532, 541, 24 L. Ed. 2d 567 (1970); see also *Quinn v. Millsap*, 491 U.S. 95, 105 (1989).

<sup>5</sup> In *Turner v. Fouche*, 396 U.S. 346; 90 S.Ct. 532; 24 L.Ed.2d 567 (1970), the Supreme Court invalidated a Georgia constitutional requirement that school board members be freeholders (property owners). The Court held that the requirement did not serve any rational state interest and amounted to invidious discrimination. The Court rejected two principal justifications. The claim that property owners possess greater understanding of community issues was rejected: "It cannot be seriously urged that a citizen in all other respects qualified to sit on a school board must also own real property if he is to participate responsibly in educational decisions, ..." The Court acknowledged that property owners may possess community attachment but held that states "may not rationally presume that that quality is necessarily wanting in all citizens of the county whose estates are less than freehold."

In *Chappelle v. Greater Baton Rouge Airport District*, 431 U.S. 159; 97 S.Ct. 2162; 52 L.Ed.2d 223 (1977), the Supreme Court summarily reversed a Louisiana Court of Appeal decision upholding a requirement that appointed members of the Airport District Board of Commissioners own property assessed in East Baton Rouge Parish. This case is particularly significant for Jefferson Parish. It directly involves a Louisiana governmental body, subjecting Louisiana property requirements to identical constitutional scrutiny. The commissioners were appointed, not elected, mirroring the selection

As stated by the U.S. Supreme Court, "An ability to understand the issues concerning one's community does not depend on ownership of real property."<sup>6</sup>

## Governance and Policy Considerations

Property-ownership requirements for PAB membership present several governance problems:

1. **Exclusion of qualified individuals.** The requirement bars potentially highly qualified applicants—such as urban planners, architects, engineers, environmental scientists, community advocates, and long-term residents—solely because they rent rather than own property. While arguments have been made that landowners possess unique experience regarding the regulation of their own land, the Supreme Court has ruled that the "mere fact that the [board] considers land-use issues cannot suffice to sustain a land-ownership requirement."<sup>7</sup> If the goal is technical acumen, the Parish must use means "more finely tailored"<sup>8</sup> than categorical exclusion, such as requiring demonstrated knowledge of zoning or codes.
2. **Underrepresentation of renter interests.** Planning decisions affect all residents, including renters, who make up significant portions of parish populations. Renters have substantial

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method for PAB members. The Court's summary reversal, citing *Turner* and reversing without extended analysis, indicates the constitutional principle against property requirements is well established.

In *Quinn v. Millsap*, 491 U.S. 95; 109 S.Ct. 2324; 105 L.Ed.2d 74 (1989), the Supreme Court unanimously struck down a Missouri constitutional requirement that members of an advisory "board of freeholders" charged with proposing local government reorganization own real property. The Court addressed and rejected multiple arguments defending property requirements. The Court held this was a "significant misreading" of precedent, "Membership on the board of freeholders is a form of public service, even if the board only recommends a proposal to the electorate and does not enact laws directly." The Court rejected the argument that land-ownership requirements are justified when boards consider land-use issues: "The mere fact that the board of freeholders considers land-use issues cannot suffice to sustain a land-ownership requirement," especially since "the work of the board of freeholders thus affects all citizens of the city and county, regardless of land ownership." Applying *Turner*, the Court held that the requirement was not rationally related to any legitimate governmental interest. The Court concluded that any state objective must be secured by "means more finely tailored to achieve the desired goal."

<sup>6</sup> *Quinn v. Millsap*, 491 U.S. 95, 107 (1989).

<sup>7</sup> *Quinn v. Millsap*, 491 U.S. 95, 109 (1989). The Louisiana Attorney General has opined that such restrictions are *and* are not permissible. La. Attorney General Opinion 08-0272, published 02/02/2009, attempted to defend landownership requirements for zoning board members by drawing a constitutionally insufficient distinction based on "personal experience," asserting that a landowner-member has experience with the regulation of their own land, unlike lease tenants who "do not make major or permanent changes to the land itself." The opinion rested on the premise that this requirement was rationally related to the public duties of the member and given that reasonable basis, the statute should be presumed valid, unless and until it is struck down by a court of law. The position taken in this opinion is in opposite to prevailing Supreme Court decisions as well as prior Attorney General opinions. The Supreme Court expressly rejected a similar "land-use issues" argument in *Quinn* as insufficient to sustain a land-ownership requirement; because renters experience comprehensive impacts from planning decisions, including effects on housing costs, neighborhood safety, access to services, environmental quality, and economic opportunity. Moreover, the Attorney General had previously expressed general concerns about property requirements, citing *Turner* and *Chappelle* as standing for the proposition that requiring real estate ownership for governmental board membership "may create invidious discrimination." See Louisiana Attorney General Opinion No. 07-0208, published 10/11/2007. Dating back to 1983, the Attorney General's Office was wary of similar freeholder requirements for Justice of the Peace citing *Turner* as well cautioning against the invidious discrimination of the qualification. Louisiana Attorney General Opinion No. 83-379, published 05/03/1983.

<sup>8</sup> *Quinn v. Millsap*, 491 U.S. 95, 109 (1989).

interests in housing affordability, neighborhood development, zoning decisions, and transportation planning. Excluding them undermines balanced representation.

3. **Lack of relevance to planning expertise.** Effective planning board service depends on education, professional experience, civic engagement, and understanding of local needs—not property ownership.

Parish planning advisory boards (Commissions) in Louisiana have broad functions that clearly affect all parish residents, not just property owners. These functions typically include making recommendations on land use and zoning matters, advising parish councils on comprehensive planning initiatives (transportation, housing, economic development, environmental quality), and reviewing development proposals. Renters and business tenants have substantial interests in housing costs, neighborhood character, zoning, traffic patterns, and access to services, all of which are directly impacted by planning decisions. Property ownership does not correlate with planning expertise. Planning expertise derives from:

- Education in urban planning, architecture, engineering, or environmental science.
- Professional experience in real estate development, public administration, or related fields.
- Civic engagement and demonstrated commitment to community improvement.
- Participation in public processes and understanding of local needs.

None of these qualifications require property ownership.

If the Parish seeks to ensure that PAB members possess the knowledge needed to help achieve the “most desirable, safe, and compatible physical model possible,” more rational, effective, and constitutionally sound criteria are available. The Parish could consider replacing the property-ownership requirement with neutral, competency-based qualifications, such as:

- Demonstrated knowledge of land-use issues, including zoning, subdivision, and land-use codes;
- Preference for applicants with education or professional experience in urban planning, architecture, engineering, law, real estate, environmental science, or related fields;
- Minimum residency requirements (e.g., residency in Jefferson Parish for at least one year); and
- Consideration of civic engagement, participation in public meetings, or prior board or commission service.

These criteria directly support the PAB’s mission and ensure that membership is based on qualification rather than property ownership.

## CONCLUSION

In conclusion, the JPOIG's review highlights concerns regarding the current legislative language governing membership on the Planning Advisory Board. As written, JPCO §33-1.22(c)(2) imposes a property-ownership requirement that appears inconsistent with the fundamental purpose of the PAB, the broader statutory framework governing planning commissions in Louisiana, and longstanding constitutional principles. The requirement unnecessarily restricts the pool of qualified applicants, excludes knowledgeable and experienced residents who do not own property, and limits the Board's ability to reflect the full range of community interests affected by land-use decisions.

These concerns warrant careful consideration by the Parish Council. Updating the legislative language to align membership qualifications with the competencies and perspectives needed for effective planning would strengthen the PAB's function, improve representativeness, and reduce the risk of future legal challenges.



Kim Raines Chatelain  
Inspector General

**From:** [Pamela M. Watson](#)  
**To:** [Jeff Adolph](#)  
**Cc:** [CouncilMembers](#); [Kim Chatelain](#); [Conrad Huber](#)  
**Subject:** RE: JPOIG #2025-0011 Draft Public Letter - (Proposed) Amendments to JPCO Section 33-1.22  
**Date:** Monday, December 8, 2025 1:34:29 PM  
**Attachments:** [image006.png](#)  
[image009.png](#)  
[image014.png](#)  
[image003.png](#)

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Good Afternoon:

On behalf of Councilman Lee, it is affirmed that he concurs with the aforementioned findings.

Thanks!

 *Pamela M. Watson, MBA | Chief of Staff*  
*District 3 | Councilman Byron L. Lee*

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**From:** Calvin Thompson <[calvin.thompson@jeffparish.gov](mailto:calvin.thompson@jeffparish.gov)>  
**Sent:** Monday, December 8, 2025 12:33 PM  
**To:** Pamela M. Watson <[pamela.watson@jeffparish.gov](mailto:pamela.watson@jeffparish.gov)>  
**Subject:** FW: JPOIG #2025-0011 Draft Public Letter - (Proposed) Amendments to JPCO Section 33-1.22

fyi

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**From:** Jeff Adolph <[jadolph@jpoig.net](mailto:jadolph@jpoig.net)>  
**Sent:** Friday, December 5, 2025 4:55 PM  
**To:** CouncilMembers <[councilmembers@jpoig.net](mailto:councilmembers@jpoig.net)>  
**Cc:** Kim Chatelain <[kchatelain@jpoig.net](mailto:kchatelain@jpoig.net)>; Conrad R. Huber <[chuber@jpoig.net](mailto:chuber@jpoig.net)>  
**Subject:** JPOIG #2025-0011 Draft Public Letter - (Proposed) Amendments to JPCO Section 33-1.22

The Jefferson Parish Office of Inspector General (JPOIG) has attached a draft Public Letter

titled *(Proposed) Amendments to Section 33-1.22 Jefferson Parish Code of Ordinances JPOIG #2025-0011* for your review and comment.

Please note this Draft Letter is provided to you for your review and comment prior to its public release. The Draft Letter is **confidential**, and the contents should not be made public until the final letter is released.

Please review the attached transmittal letter. It provides you with important information and deadlines.

Thank you,



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