

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-4322

COUNCIL SPONSOR: MR. CANULETTE

PROVIDED BY: JIM RYAN, BOND COUNSEL

RESOLUTION DIRECTING THE RENEWAL OF THE LEVY AND COLLECTION OF AN ANNUAL SERVICE CHARGE OF NOT TO EXCEED \$ 50.00 PER STRUCTURE OR LOT TO PERSONS OCCUPYING RESIDENTIAL AND NON-RESIDENTIAL STRUCTURES AND PERSONS OWNING UNOCCUPIED STRUCTURES LOCATED WHOLLY OR PARTLY WITHIN THE BOUNDARIES OF ROAD LIGHTING DISTRICT NO. 10 OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA (THE DISTRICT) AND TO PERSONS OWNING LOTS LOCATED WHOLLY OR PARTLY WITHIN THE DISTRICT UPON WHICH NO STRUCTURE IS LOCATED, FOR A PERIOD OF TEN (10) YEARS, BEGINNING WITH THE YEAR 2015 AND ENDING WITH THE YEAR 2024, AUTHORIZED UNDER THE PROVISIONS OF ARTICLE VI, SECTIONS 30 AND 32 OF THE CONSTITUTION OF THE STATE OF LOUISIANA OF 1974, AS AMENDED, LA. R.S. 48:1309.3 AND OTHER CONSTITUTIONAL AND STATUTORY AUTHORITY AS APPLICABLE, FOR THE PURPOSES OF PAYING UTILITY CHARGES FOR ROAD LIGHTING AND MAINTAINING AND OPERATING ROAD LIGHTING FACILITIES AND EQUIPMENT WITHIN THE DISTRICT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, under the provisions of Article VI, Sections 30 and 32 of the Constitution of the State of Louisiana of 1974, as amended, La. R.S. 48:1309.3 and other constitutional and statutory authority supplemental thereto, including an election held in Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (the "District") on November 4, 2014, the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of the District, desires to renew the levy and collection of the annual service charge as authorized at the election by virtue of the favorable passage of the proposition attached hereto as Schedule A setting forth the rate and duration of the annual service charge; and

WHEREAS, in compliance with the provisions of said authority and other applicable constitutional and statutory authority, an election was held in the District on Tuesday, November 4, 2014, to authorize the renewal of the levy and collection of the annual service charge, it is now the desire of the District to renew the levy of the annual service charge and provide for the collection thereof and other matters in connection therewith as hereinafter provided in this Resolution.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that:

SECTION 1. Pursuant to the authority of an election held in the District on November 4, 2014, there be and there is hereby levied within the geographic boundaries of the District for the purposes stated in the proposition attached hereto as Schedule A, an annual service charge of not to exceed \$ 50.00 per structure or lot to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of the District and to persons owning lots located wholly or partly within the District upon which no structure is located, beginning with the year 2015 and ending with the year 2024, to be dedicated and used for the purposes of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District, all in the manner and subject to the provisions and terms of La. R.S. 48:1309.3.

SECTION 2. That the annual service charge described in Section 1 above shall be levied, assessed, imposed, collected, paid and enforced according to law.

SECTION 3. The obligations and rights of taxpayers in connection with the annual service charge levied hereby shall be as provided taxpayers by the provisions of law applicable to annual service charges levied by the District.

SECTION 4. If any one or more of the provisions of this Resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Resolution, but this Resolution shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this Resolution which validates or makes legal any provision of this Resolution which would not otherwise be valid or legal, shall be deemed to apply to this Resolution.

SECTION 5. Upon adoption, this Resolution shall be published in full in one (1) issue of the St. Tammany Farmer and shall be recorded in the mortgage records of the St. Tammany Parish Clerk of Court.

SECTION 6. The Chairman of the Governing Authority be and he is hereby authorized, empowered and directed to take any and all such action as may be necessary to carry into effect the provisions of this Resolution.

SECTION 7. This Resolution shall immediately take effect upon adoption.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 2 DAY OF APRIL, 2015, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

RICHARD E. TANNER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

SCHEDULE A

PROPOSITION

Shall Road Lighting District No. 10 of the Parish of St. Tammany, State of Louisiana (the "District"), through its governing authority, be authorized to renew and assess an annual service charge of Fifty Dollars (\$50.00) per structure or lot (an estimated \$1,550.00 is reasonably anticipated to be collected for an entire year) for a period of ten (10) years, beginning with the year 2015 and ending with the year 2024, to persons occupying residential and non-residential structures and persons owning unoccupied structures located wholly or partly within the boundaries of the District and to persons owning lots located wholly or partly within the District upon which no structure is located for the purpose of paying utility charges for road lighting and maintaining and operating road lighting facilities and equipment within the District?