

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 5219

ORDINANCE COUNCIL SERIES NO: 14-3140

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. GOULD

SECONDED BY: MR. TANNER

ON THE 25 DAY OF JUNE , 2014

ORDINANCE TO AMEND THE PARISH CODE OF ORDINANCES, CHAPTER 7, DRAINAGE AND FLOOD CONTROL, ARTICLE VII, TO CREATE SUB-DRAINAGE DISTRICT NO. 5 OF GRAVITY DRAINAGE DISTRICT NO. 5 (EMERALD OAKS) OF THE PARISH OF ST. TAMMANY AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS,

THE PARISH OF ST. TAMMANY HEREBY ORDAINS:

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 to be 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 AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: (0)

ABSTAIN: (0)

ABSENT: (0)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 10 DAY OF JULY , 2014 ; AND BECOMES ORDINANCE COUNCIL SERIES NO .

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JUNE 19 , 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 5219 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR MR GOULD PROVIDED BY COUNCIL OFFICE

INTRODUCED BY _____ SECONDED BY _____

ON THE 25th DAY OF JUNE 2014

ORDINANCE TO AMEND PARISH CODE OF ORDINANCES, CHAPTER 7, DRAINAGE AND FLOOD CONTROL, ARTICLE VII, TO ENACT SECTION 7-090.00 CREATING SUB-DRAINAGE DISTRICT NO. 5 OF GRAVITY DRAINAGE DISTRICT NO. 5 (EMERALD OAKS) OF THE PARISH OF ST. TAMMANY, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, Louisiana Revised Statute 38:1807 authorizes the creation of special subdrainage districts within the boundaries of drainage districts situated within St. Tammany Parish and said districts are considered political subdivisions of the state of Louisiana; and

WHEREAS, pursuant to R.S. 38:1807, each such subdrainage district created under its authority shall be governed by a board of five commissioners who shall be domiciled within the boundary of the subdistrict and appointed by the Parish Governing Authority for a set term; and

WHEREAS, it is the desire of the Parish Council to create such a subdistrict comprising the boundaries of Emerald Oaks as herein after described due to the emergency conditions caused by flooding which affect the health, safety and property interests of the residents therein.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it amends the Code of Ordinances, Article VII of Chapter 7, Drainage and Flood Control, to enact a new Section creating Subdrainage District No. 5 of Gravity Drainage District No. 5 as follows, to wit:

CHAPTER 7 DRAINAGE AND FLOOD CONTROL
ARTICLE VII GRAVITY DRAINAGE DISTRICT NO. 5

Section Sub-Drainage District No. 5 of Gravity Drainage District No. 5 (Emerald Oaks)

- (a) By virtue of the authority conferred by Act 297 of the Regular Session of the Louisiana Legislature of 1987, and which became La. R.S. 38:1807, and other constitutional and statutory authority supplemental thereto, a subdrainage district is hereby created within Gravity Drainage District No. 5 of the Parish of St. Tammany, which subdrainage district shall comprise and embrace a portion of the area within said gravity drainage district, commonly known as Emerald Oaks, as more fully described as follows:

EMERALD OAKS CONDOMINIUM, PHASE ONE

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06 seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96 feet to the point of beginning. From the point of beginning, go South 00 degrees 12 minutes 59seconds West 178.34 feet; thence South 89 degrees 52 minutes 58 seconds East 423.99 feet thence South 00 degrees 07 minutes 46 seconds East 376.58 feet thence South 00 degrees 00 minutes 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees, 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet

an arc distance of 180.51 feet; thence leaving said right-of-way line, go North 165.81 feet; thence East-93.00 feet thence North 116.43 feet; thence go North 88 degrees 17 minutes 08seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West-93.57 feet; thence South 209.79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, North 89 degrees 50 minutes 21seconds West 123.45 feet; thence leaving said right-of-way line, go North 00 degrees 05 minutes 08seconds West 655.71 feet; thence North 89 degrees 17 minutes 14 seconds East 296.81 feet back to the point of beginning.

Said property contains 7.60 acres.

EMERALD OAKS CONDOMINIUM, PHASE TWO

A CERTAIN PIECE OR PORTION OF GROUND SITUATED in Section 15, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana and more fully described as follows:

From the Section Corner common to Sections 9, 10, 15, and 16, Township 7 South, Range 11 East, St. Tammany Parish, Louisiana, go South 89 degrees 30 minutes 06seconds East 939.02 feet; thence South 00 degrees 02 minutes 41seconds West 1837.96 feet; thence South 00 degrees 12 minutes 59 seconds West 178.34 feet; thence South 89 degrees 52 minutes 58 seconds East 423.99 feet; thence South 00 degrees 07 minutes 46 seconds East 376.58 feet; thence South 00 degrees 00 seconds 49 seconds West 221.17 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line North 89 degrees 20 minutes 26 seconds West 50.00 feet; thence along a curve to the right having a radius of 357.61 feet an arc distance of 180.51 feet to the point of beginning. From the point of beginning, thence leaving said right-of-way line, go North-165.81 feet; thence East-93.00 feet; thence North-116.43 feet; thence go North 88 degrees 17 minutes 08 seconds West 80.42 feet; thence West 293.00 feet; thence South 86 degrees 58 minutes 10 seconds West 93.57 feet; thence South 209.79 feet to a point located on the northerly right-of-way line of Holiday Blvd.; thence go along said right-of-way line, South 89 degrees 50 minutes 21 seconds East 138.88 feet; thence along a curve to the right (clockwise) having a radius of 429.87 feet an arc distance of 236.10 feet; thence go along a curve to the left (counter clockwise) having a radius of 357.61 feet and arc distance of 12.53 feet back to the point of beginning.

Said property contains 2.21 acres.

- (b) The Subdrainage District hereby created shall be known and designated as “Sub-Drainage District No. 5 of Gravity Drainage District No. 5 of the Parish of St. Tammany, State of Louisiana” (“the district”), and as thus created shall constitute a political subdivision of the State of Louisiana, and shall have all of the rights, powers and privileges granted and conferred by La. R.S. 38:1807 and other constitutional and statutory authority, including the authority to incur debt, to issue bonds and to levy parcel fees.
- (c) The governing body of the district shall be a five (5) member Board of Commissioners comprised of persons that are residents of, and domiciled within, the boundaries of the district. Members shall be appointed by the Parish Governing Authority to four (4) year terms running concurrently with the terms of office of the governing authority.
- (d) The domicile and regular meeting place of the district shall be that of the Parish Governing Authority; however, the Board of Commissioner may meet at either such regular meeting place or a location within the district designated by the presiding officer of the Board of Commissioners.

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 effect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 10th DAY OF JULY 2014 AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published introduction: June 19, 2014
Published adoption on: _____, 2014
Delivered to Parish President: _____, 2014 @ _____
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