

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4952

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/BRISTER

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BELLISARIO

ON THE 7 DAY OF FEBRUARY , 2013

ORDINANCE TO ESTABLISH A GROWTH MANAGEMENT, ANNEXATION AND REVENUE SHARING AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY SALES TAX DISTRICT NO. 3 AND THE TOWN OF PEARL RIVER AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH (WARD 8, DISTRICT 9).

WHEREAS, the Parish of St. Tammany Sales Tax District No. 3 and the Town of Pearl River are authorized, pursuant to the provisions of Subpart A, Part VII, Chapter 2, Title 33 of La. R.S. 33:1331-1337, La. R.s. 47:338.43, La. R.S. 47:338.1(c), and La. R.s. 33:1234, to enter into intergovernmental agreements for the purpose of managing growth and development within St. Tammany Parish and its municipalities in a reasonable and ordinary fashion and for the purpose of managing available resources; and

WHEREAS, Sales Tax District No. 3 was created in 1986 pursuant to St. Tammany Parish Ordinance No. 746, the provisions of Article VI, Section 29 of the Louisiana Constitution of 1974, other constitutional and statutory authority, by an election held on November 4, 1986, and by Ordinance No. 826; wherein Sales Tax District No. 3 was authorized to levy and collect a sales and use tax of two percent, to be used for the purpose of constructing, acquiring, extending, improving, maintaining and/or operating (i) roads, streets, and bridges and (ii) drains and drainage facilities, including acquiring all necessary land, equipment and furnishings for any of said public works, improvements and facilities, and further including allocations to municipalities under intergovernmental agreements relating to annexations, revenue sharing areas and growth management areas; and

WHEREAS, development within the boundaries of the Parish affects residents within municipalities and within unincorporated areas within the Parish; and

WHEREAS, local government has limited resources to support existing and future development and to mitigate the effects of past development; and

WHEREAS, it is deemed in the best interest of the residents of St. Tammany Parish and its municipalities that growth and development in the Parish be managed in a reasonable and orderly fashion; and

WHEREAS, it is deemed important to manage the resources available by working cooperatively to plan, design and provide oversight over private development and to develop the public infrastructure needed to meet the needs of the overall Parish community; and

WHEREAS, pursuant to such authority, the Parish of St. Tammany, the governing authority of Sales Tax District No. 3 and the Town of Pearl River have agreed to enter into an Growth Management, Annexation and Revenue Sharing Agreement to govern procedures for annexation and related growth management issues.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Parish of St. Tammany, through the Office of the Parish President, enter into a Growth Management, Annexation and Revenue Sharing Agreement to govern procedures for annexation and related growth management issues between the Parish of St. Tammany, Sales Tax District No. 3 and the Town of Pearl River is hereby approved and authorized.

BE IT FURTHER ORDAINED that the Office of the Parish President is authorized to exercise its discretion in entering into a Growth Management, Annexation and Revenue Sharing Agreement, together with all other agreements and transactions necessary to carry out the intent of this Ordinance.

BE IT FURTHER ORDAINED that all actions previously taken by the Office of the Parish President to enter into a Growth Management, Annexation and Revenue Sharing Agreement are ratified and accepted accordingly.

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: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF MARCH , 2013 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: JANUARY 30 , 2013

Published Adoption: _____ , 2013

Delivered to Parish President: _____ , 2013 at _____

Returned to Council Clerk: _____ , 2013 at _____

Ordinance Administrative Comment

ORDINANCE TO ESTABLISH A GROWTH MANAGEMENT, ANNEXATION AND REVENUE SHARING AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY, SALES TAX DISTRICT NO. 3 AND THE TOWN OF PEARL RIVER AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH (WARD 8, DISTRICT 9).

The Parish seeks to enter into a Growth Management, Annexation and Revenue Sharing Agreement between the Parish, Sales Tax District No. 3 and the Town of Pearl River. This Agreement will supersede and replace the Growth Management and Revenue Sharing Agreement Supplementing and Amended the 1990 Sales Tax Enhancement Plan, as amended, which expires on March 31, 2013.