

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. C-1309

COUNCIL SPONSOR MR. STEFANCIK

PROVIDED BY COUNCIL OFFICE

RESOLUTION TO VACATE THE MORATORIUM ESTABLISHED BY ORDINANCE C.S. NO. 04-1021, ADOPTED DECEMBER 2, 2004, ON RECEIPT OF SUBMISSIONS BY THE PARISH PLANNING AND ZONING COMMISSIONS FOR REZONING OR RESUBDIVISION OF PROPERTY FOR NEW DEVELOPMENT IN THE BAYOU LIBERTY AREA, SPECIFICALLY THOSE PORTIONS OF PRECINCTS 907, 906, 905, 904, 901, 913, 915, 908 AND 912, FROM WHICH WATER FLOWS TO THE BAYOU LIBERTY DRAINAGE BASIN

WHEREAS, in the interest of public health and safety, the Parish Council adopted Ordinance C.S. No. 04-1021 establishing a six-month moratorium on rezoning, resubdivision, and new development of property within certain areas of Bayou Liberty; and

WHEREAS, the intent of the moratorium was to protect area residents from storm water runoff, potential flooding, and increased traffic hazards created by new developments; and

WHEREAS, studies for the Bayou Liberty Drainage Basin having been completed and building guidelines and regulations being implemented, the moratorium is no longer necessary or required; and

WHEREAS, in accordance with Section 5-056.00 of the Parish Code of Ordinances, the Parish Council desires to vacate the Bayou Liberty moratorium.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to vacate the moratorium established by Ordinance C.S. No. 04-1021, adopted December 2, 2004, on the receipt of submissions by the Parish Planning and Zoning Commissions for the rezoning or resubdivision of property for new development in the Bayou Liberty area, specifically those portions of Precincts 907, 906, 905, 904, 901, 913, 915, 908 and 912, from which water flows to the Bayou Liberty Drainage Basin.

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 6TH DAY OF JANUARY 2005 AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

PATRICIA BRISTER, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

ORDINANCE

ORDINANCE CALENDAR NO. 2971 ORDINANCE COUNCIL SERIES NO. 04-1021

COUNCIL SPONSOR: MR. STEFANCIK PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY MR. STEFANCIK SECONDED BY MR. CANULETTE

ON THE 4TH DAY OF NOVEMBER, 2004

ORDINANCE TO EXTEND FOR AN ADDITIONAL SIX MONTHS THE MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH PLANNING AND ZONING COMMISSIONS FOR THE REZONING AND/OR RESUBDIVISION OF PROPERTY FOR NEW DEVELOPMENT IN THE BAYOU LIBERTY AREA, SPECIFICALLY THOSE PORTIONS OF PRECINCTS 907, 906, 905, 904, 901, 913, 915, 908 AND 912, FROM WHICH WATER FLOWS TO THE BAYOU LIBERTY DRAINAGE BASIN, AS ESTABLISHED BY ORDINANCE C.S. NO. 04-0817, ADOPTED JANUARY 15, 2004.

WHEREAS, on July 1, 2004, the Parish Council adopted Ordinance C.S. No. 04-0922 imposing an additional six-month moratorium on rezoning, resubdivision, and new development within certain areas of Bayou Liberty; and

WHEREAS, the intent of the moratorium was to allow sufficient time for the parish to complete studies and implement appropriate building guidelines and regulations for the Bayou Liberty Drainage Basin; and

WHEREAS, additional time is needed to complete data and formulate measures to protect residents in and near the Bayou Liberty Drainage Basin area from runoff and potential flooding created by new developments and increased traffic problems therefrom; and

WHEREAS, it is therefore necessary to extend the moratorium for an additional six (6) months to provide time to complete studies and implement appropriate building guidelines and regulations for the Bayou Liberty Drainage Basin.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for an additional six (6) months the moratorium on receipt of submissions by the Parish Planning and Zoning Commissions for the rezoning and/or resubdivision of property for new development in the Bayou Liberty area, specifically property located within Precincts 907, 906, 905, 904, 901, 913, 915, 908 and 912, from which water flows to the Bayou Liberty Drainage Basin.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon final adoption and remain in effect through June 2, 2005.

BE IT FURTHER ORDAINED that the moratorium herein imposed may be vacated, in whole or in part, by Resolution of this governing body pursuant to Chapter 5, Article II, Section 5-056.00 of the Parish Code of Ordinances.

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.

MOVED FOR ADOPTION BY MR. STEFANCIK SECONDED BY MR. CANULETTE

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

YEAS: DEAN, FITZMORRIS, BRISTER, GOULD, SINGLETARY, IMPASTATO, CANULETTE, BAGERT, BILLIOT, STEFANCIK, BINDER, THOMAS, BURKHALTER (13)

NAYS: (0)

ABSTAIN: (0)

ABSENT: THOMPSON (1)

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 2ND DAY OF DECEMBER 2004; AND BECOMES ORDINANCE COUNCIL SERIES NO. 04-1021.

S/ PATRICIA BRISTER
PATRICIA BRISTER, COUNCIL CHAIRMAN

ATTEST:

S/ DIANE HUESCHEN
DIANE HUESCHEN, COUNCIL CLERK

S/ KEVIN DAVIS
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: November 11, 2004

Published Adoption: December 16, 2004

Delivered to Parish President December 9, 2004 at 11:25 A.M.

Returned to Council Clerk: December 9, 2004 at 1:30 P.M.