

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3282 ORDINANCE COUNCIL SERIES NO.

COUNCIL SPONSOR: MR. GOULD PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY SECONDED BY

ON THE DAY OF , 2006.

ORDINANCE TO AMEND THE CODE OF ORDINANCES, CHAPTER 7, ARTICLE V AND ARTICLE VII, PROVIDING FOR THE AMENDMENT OF THE BOUNDARIES OF GRAVITY DRAINAGE DISTRICT NO. 4 AND GRAVITY DRAINAGE DISTRICT NO. 5, AND DIRECTING THE COUNCIL CHAIRMAN TO GIVE DUE NOTICE THEREOF.

WHEREAS, at a regular meeting, this Parish Council, acting under the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1752 and other Constitutional and statutory authority, adopted a resolution giving notice of intention to amend the boundaries of Gravity Drainage District No. 4 and Gravity Drainage District No. 5 (the "Districts"), describing the area proposed to be altered and all other matters required by law, and provided that this Parish Council would meet in open and public session at 6:00 p.m. on this date, at its regular meeting place, for the purpose of hearing any and all objections to the amendment of the boundaries of the Districts, and after disposing of all objections, if it so determines, adopt an ordinance providing for same; and

WHEREAS, said notice of intention has been duly published once a week for three consecutive weeks in the official journal of this Parish Council, the first publication being not less than fifteen (15) days prior to this date; and

WHEREAS, this Parish Council did assemble at such place and time and all objections were heard to the proposed amendment of the boundaries of the Districts, and duly disposed.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Code of Ordinances, Chapter 7, Article V and Article VII, is hereby amended with regard to the boundaries of Gravity Drainage Districts No. 4 and 5, as follows, to-wit:

SECTION 1: By virtue of the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1752 and other Constitutional and statutory authority, the boundaries of Gravity Drainage District No. 4 are hereby amended to exclude the following described area from its boundaries, to-wit:

Commence at the intersection of Highway 59 and Interstate 12, the point of beginning; thence follow Highway 59 south to its intersection with Sharp Road; thence follow Sharp Road west to its intersection with the Tammany Trace; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south and southwest to its intersection with U.S. Highway 190; thence follow U.S. Highway 190 northwest to its intersection with Asbury Drive (a/k/a Highway 3228); thence follow Asbury Drive northwest to its intersection with U.S. Highway 190 North; thence follow U.S. Highway North to its intersection with the Ponchitalawa Creek; thence follow the Ponchitalawa Creek northeast to its intersection with Interstate 12; thence follow Interstate 12 southeast to its intersection with Highway 59, also the point of beginning.

SECTION 2: The District has constituted since its creation on February 15, 1990, and shall continue to constitute, a public corporation and political subdivision of the State of Louisiana, and has had since its creation, and shall continue to have, all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to gravity drainage districts, including the authority to incur debt, issue bonds and levy taxes.

SECTION 3: By virtue of the authority of St. Tammany Home Rule Charter Section 8-06 and Louisiana Revised Statute 33:1752 and other Constitutional and statutory authority, the boundaries of Gravity Drainage District No. 5 are hereby amended to include the following described area in its boundaries, to-wit:

Commence at the intersection of Highway 59 and Interstate 12, the point of beginning; thence follow Highway 59 south to its intersection with Sharp Road; thence follow Sharp Road west to its intersection with the Tammany Trace; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south and southwest to its intersection with U.S. Highway 190; thence follow U.S. Highway 190 northwest to its intersection with Asbury Drive (a/k/a Highway 3228); thence follow Asbury Drive northwest to its intersection with U.S. Highway 190 North; thence follow U.S. Highway North to its intersection with the Ponchitalawa Creek; thence follow the Ponchitalawa Creek northeast to its intersection with Interstate 12; thence follow Interstate 12 southeast to its intersection with Highway 59, also the point of beginning.

SECTION 4: The District has constituted since its creation on August 19, 1993, and shall continue to constitute, a public corporation and political subdivision of the State of Louisiana, and has had since its creation, and shall continue to have, all rights, powers and privileges granted by and conferred by the Constitution and statutes of the State of Louisiana to gravity drainage districts, including the authority to incur debt, issue bonds and levy taxes.

SECTION 5: Due notice of the amendment of the boundaries of the Districts, attached hereto as Exhibit "A" shall be published in accordance with law and the Chairman of this Parish Council be and he is hereby instructed and ordered to issue said notice and to cause publication thereof in the official journal of St. Tammany Parish.

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 final adoption.

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

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

YEAS:

NAYS:

ABSTAIN:

ABSENT:

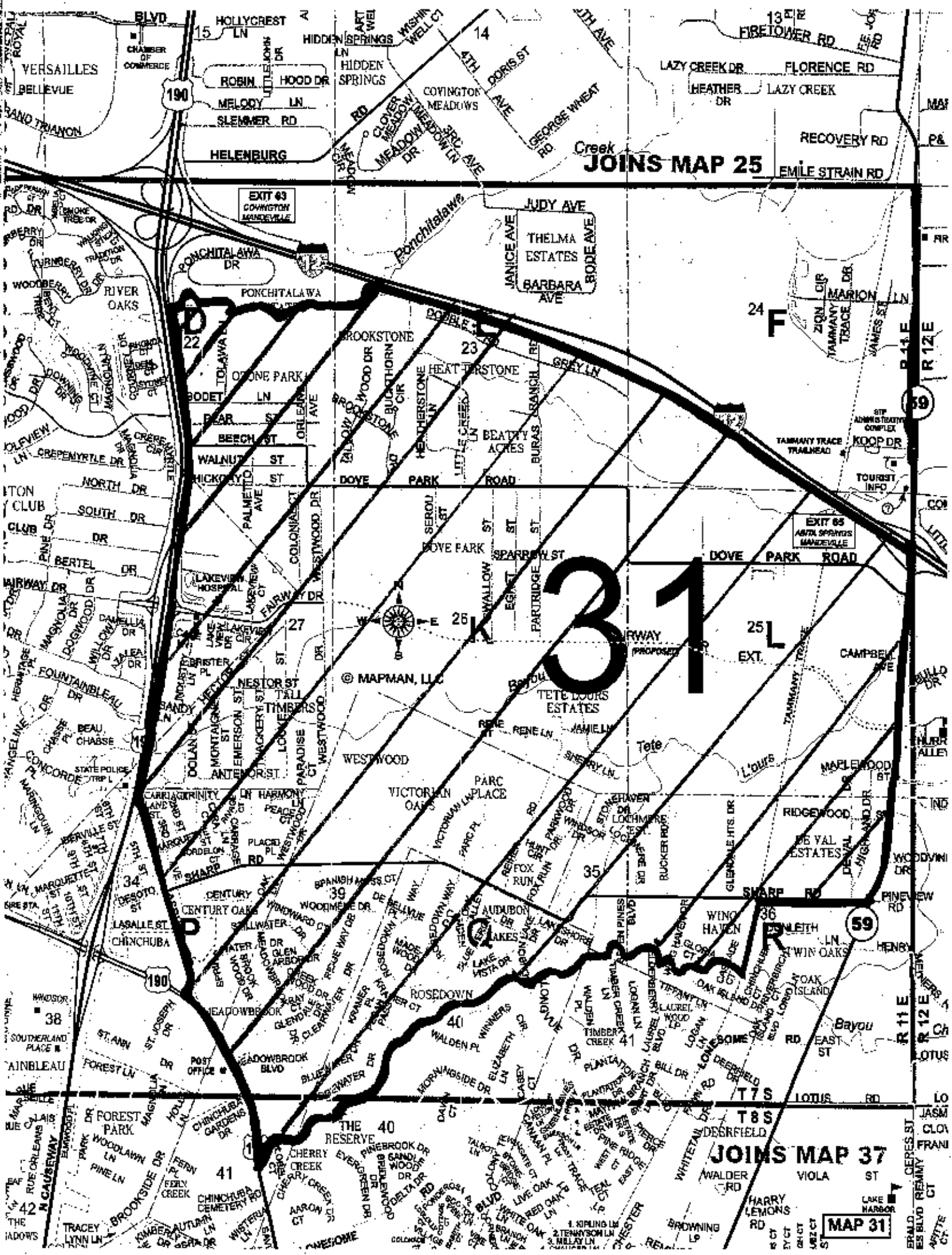


EXHIBIT "A"

NOTICE

Pursuant to the provisions of an ordinance adopted by the Council of the Parish of St. Tammany, State of Louisiana, on the 1st day of June, 2006, NOTICE IS HEREBY GIVEN of said Parish Council amending the boundaries of Gravity Drainage District No. 4, St. Tammany Parish, Louisiana, to exclude the following described area from its boundaries and to include said area within Gravity Drainage District No. 5, to-wit:

Commence at the intersection of Highway 59 and Interstate 12, the point of beginning; thence follow Highway 59 south to its intersection with Sharp Road; thence follow Sharp Road west to its intersection with the Tammany Trace; thence follow the Tammany Trace south to its intersection with Bayou Chinchuba; thence follow Bayou Chinchuba southwest, south and southwest to its intersection with U.S. Highway 190; thence follow U.S. Highway 190 northwest to its intersection with Asbury Drive (a/k/a Highway 3228); thence follow Asbury Drive northwest to its intersection with U.S. Highway 190 North; thence follow U.S. Highway North to its intersection with the Ponchitalawa Creek; thence follow the Ponchitalawa Creek northeast to its intersection with Interstate 12; thence follow Interstate 12 southeast to its intersection with Highway 59, also the point of beginning.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this ____ day _____ of 2006.

STEVE STEFANCIK, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK