

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3414 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. GOULD PREPARED BY COUNCIL OFFICE

INTRODUCED BY MR. GOULD SECONDED BY MR. BURKHALTER

ON THE 5TH DAY OF OCTOBER 2006

ORDINANCE TO AMEND ORDINANCE C.S. NO. 06-1386, ADOPTED SEPTEMBER 7, 2006, IMPOSING A SIX (6) MONTH MORATORIUM ON THE PLACEMENT OF FILL ON UNDEVELOPED PROPERTY WITHIN A PORTION OF TAMMANY HILLS SUBDIVISION, TO PROVIDE FOR RELEASES BY THE PARISH ENGINEER (WARD 3, DISTRICT 5)

WHEREAS, to protect and preserve the health, safety and property interests of residents from the adverse effects of flooding by the continued placement of fill material on property within a portion of Tammany Hills Subdivision, the Parish Council adopted Ordinance C.S. No. 06-1386 imposing a six (6) month moratorium on the placement of any and all fill material, including fill material in conjunction with the construction or placement of building structures, within a portion of said subdivision; and

WHEREAS, in the interest of enforcing the restrictions of the established moratorium while minimizing the impact on citizens to all extent possible, it is warranted to permit and allow the Parish Engineer authority to release lots from the moratorium at his sole discretion and with any conditions of release he deems appropriate in furtherance of the purposes for which the moratorium was established.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it reaffirms the imposition of a six (6) month moratorium on the placement of fill material on undeveloped property within a certain portion of Tammany Hills Subdivision, Ward 3, District 5. The property subject to this moratorium shall be any property that is located inside the boundaries described immediately below, to-wit:

Beginning at the northeast corner of 9th Avenue and U.S. Highway 190, proceed in a northerly direction along the eastern edge of U. S. Highway 190 to its intersection with Harrison Avenue, then proceed in an easterly direction along Harrison Avenue to its intersection with 11th Street, then proceed in a southerly direction along 11th Street to its intersection with Madison Avenue, then proceed in an westerly direction along Madison Avenue to its intersection with 5th Street, then northerly along the 5th Street right-of-way to its intersection with Quincy Avenue, then westerly along Quincy Avenue to its intersection with K Street, then south on K Street to its intersection with 9th Avenue, then proceed west on 9th Avenue to its intersection with U.S. Highway 190 and the point of beginning.

BE IT FURTHER ORDAINED that this moratorium shall continue in effect from the date of its original establishment on September 07, 2006, and shall remain in effect through March 7, 2007.

BE IT FURTHER ORDAINED that the moratorium 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.

BE IT FURTHER ORDAINED that the St. Tammany Parish Engineer may also remove property from the provisions and restrictions of the moratorium, at his sole discretion and without further action of the Parish Council, if he determines that fill placement does not have an adverse impact on area drainage or if fill or other conditions for release are needed to mitigate an existing drainage problem.

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.

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

MOVED FOR ADOPTION BY: _____, SECONDED BY: _____

YEAS:

NAYS:

ABSTAIN:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE _____ DAY OF _____ 2006; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

ATTEST:

STEVE STEFANCIK, COUNCIL CHAIRMAN

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: _____, 2006

Published Adoption: _____, 2006

Delivered to Parish President: _____, 2006 at _____

Returned to Council Clerk: _____, 2006 at _____