

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3605

ORDINANCE C.S. NO. _____

COUNCIL SPONSOR: MR. STEFANCIK

PROVIDED BY: LEGAL COUNSEL

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. BURKHALTER

ON THE 5TH DAY OF JULY, 2007

ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE COOPERATIVE ENDEAVOR AGREEMENT BY AND BETWEEN THE PARISH OF ST. TAMMANY AND THE OFFICE OF THE CORONER FOR ST. TAMMANY PARISH.

WHEREAS, on June 18, 2007 the Louisiana Legislature enacted House Bill 74, an Act "to enact R.S. 33:1573.1, relative to the Office of the Coroner of St. Tammany Parish; to provide relative to the receipt by the coroner of certain ad valorem tax revenues; to provide relative to a cooperative endeavor agreement between the parish and the coroner; to provide for the powers and duties of the specified office of the coroner and the fiscal operation of the coroner's office; to provide for salaries; to provide for an annual report; and to provide for related matters;" and

WHEREAS, the aforesaid Act authorizes the Coroner of St. Tammany Parish to own and acquire immovable property and hold such property in the name of the Coroner's Office; and

WHEREAS, said Act provides that the Coroner of St. Tammany parish shall directly receive all tax revenues collected from the ad valorem tax levied by the Police Jury of St. Tammany Parish for coroner purposes and approved by a majority of the electors of the Parish at an election held for that purpose on November 2, 2004, less and except all amounts required for all payments required in connection with any bonds or other debt obligations heretofore or hereafter issued by St. Tammany Parish which are secured by and payable from the aforesaid Parish tax; and

WHEREAS, pursuant to said Act, St. Tammany Parish and the Coroner of St. Tammany Parish shall enter into a cooperative endeavor agreement to specify details concerning the aforesaid Parish tax and providing with respect to title to all properties, movable and immovable, acquired with the proceeds of any bonds or debt obligations of St. Tammany Parish secured by the tax; and

WHEREAS, in accordance with the Act, upon transfer of a portion of the proceeds of the Parish tax not required to be paid directly to St. Tammany Parish and all movable and immovable property purchased by the Parish on behalf of the Coroner's Office to the Coroner, St. Tammany Parish shall be deemed to have fully and completely met its obligations as set forth in R.S. 33:1556 and 1560, and St. Tammany parish shall not be obligated to pay any fee or cost, notwithstanding any other provisions of law to the contrary, its obligations to the Coroner being limited to the payment of the revenues of the Parish tax. Thereafter, the Coroner of St. Tammany Parish shall be solely responsible for the fiscal operation of the Coroner's Office, including all salaries or fees associated with the operation of the Coroner's Office, all expenses for the construction, maintenance, operation and equipment of the property and facilities of the Coroner's Office, and all other expenses, fees, and operational costs of the Coroner's Office; and

WHEREAS, it is in the best interests of the residents and taxpayers of St. Tammany Parish, St. Tammany Parish Government and the Coroner of St. Tammany Parish to enter into the attached cooperative endeavor agreement to carry out the provisions set forth by the Louisiana Legislature in the Act enacting R.S. 33:1573.1.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that for the purpose of protecting the health, safety and welfare of the residents of St. Tammany Parish, and in order to comply with the provisions of R.S. 33:1573.1, the St. Tammany Parish President is hereby authorized and empowered to execute the attached Cooperative Endeavor Agreement, By and Between the Parish of St. Tammany and the Office of the Coroner for St. Tammany Parish, and to execute any documents associated therewith, including any transfer of movable and immovable property to the Coroner of St. Tammany Parish.

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BE IT FURTHER ORDAINED that, pursuant to the requirements of R.S. 33:1573.1, the Coroner shall prepare and present to the St. Tammany Parish Council an annual report showing the operations of his office, the monies received by the office, and the purposes for which the monies were expended. The Coroner shall include in each annual report an estimate of prospective revenues and proposed expenditures and expenses for the ensuing year. The annual report shall be submitted at least ninety (90) days prior to January 1 of each year.

REPEAL: This Ordinance, which is limited in its scope and application to the particular subject matter, shall not be held to repeal any previously existing ordinance or parts of ordinances.

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 Ordinances are hereby declared to be severable.

DATE OF ENACTMENT: 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 _____ DAY OF _____, 2007 AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

ATTEST:

BARRY BAGERT, COUNCIL CHAIRMAN

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: JULY 12, 2007

Published adoption: _____, 2007

Delivered to Parish President : _____, 2007 at _____

Returned to Council Clerk: _____, 2007 at _____