

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3571

ORDINANCE COUNCIL SERIES NO. 07-

COUNCIL SPONSOR: BILLIOT

PROVIDED BY: BOND COUNSEL

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 7TH DAY OF _____ 2007

AN ORDINANCE AMENDING ARTICLE I, SECTION 1-02 OF THE HOME RULE CHARTER OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA, TO PROVIDE WITH RESPECT TO TERM LIMITS FOR ST. TAMMANY PARISH GOVERNMENT ELECTED OFFICIALS.

WHEREAS, this Parish Council proposes to call an election to be held on October 20, 2007, for the submission of the following propositions relative to the amendment of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana:

CHARTER AMENDMENT PROPOSITION NO. 1
(TERM LIMIT)

SUMMARY: AMENDMENT TO ARTICLE I, SECTION 1-02 TO PROVIDE TERMLIMITS FOR ST. TAMMANY PARISH GOVERNMENT ELECTED OFFICIALS.

Shall Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, be amended to add the following paragraph to the end of said Section:

“Section 1-02. Form of Government.

Any elected official of St. Tammany Parish Government shall be eligible to qualify as a candidate for that office for the succeeding term, provided said official has not served in that office for more than three (3) consecutive terms following the 2007 elections. For the purposes of calculating this limitation, a term shall not include service for a partial term of less than two years. Any provision of this Charter in conflict herewith is repealed.”

CHARTER AMENDMENT PROPOSITION NO. 2
(NO TERM LIMIT)

SUMMARY: AMENDMENT TO ARTICLE I, SECTION 1-02 TO PROVIDE FOR NO TERMLIMITS FOR ST. TAMMANY PARISH GOVERNMENT ELECTED OFFICIALS.

Shall Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, be amended to add the following paragraph to the end of said Section:

“Section 1-02. Form of Government.

Any elected official of St. Tammany Parish Government shall be eligible to qualify as a candidate for that office for the succeeding term. Any provision of this Charter in conflict herewith is repealed.”

In the event both Proposition No. 1 and Proposition No. 2 are approved by the voters, only the Proposition receiving the most affirmative votes shall be given effect as provided in the Home Rule Charter.

WHEREAS, subject to the approval of the voters at the October 20, 2007 election, this Parish Council now desires to provide for an amendment to said Home Rule Charter.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS by the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Tammany, State of Louisiana (the "Parish"), that:

SECTION 1. Amendment pursuant to Proposition No. 1. Subject to voter approval at an election to be held on October 20, 2007, but only in the event Proposition No. 1 is approved and Proposition No.2 fails, or both propositions pass but Proposition No. 1 has more affirmative votes than Proposition No. 2, Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, is hereby amended to add the following paragraph to the end of said section:

"Any elected official of St. Tammany Parish Government shall be eligible to qualify as a candidate for that office for the succeeding term, provided said official has not served in that office for more than three (3) consecutive terms following the 2007 elections. For the purposes of calculating this limitation, a term shall not include service for a partial term of less than two years. Any provision of this Charter in conflict herewith is repealed."

SECTION 2. Amendment pursuant to Proposition No.2. Subject to voter approval at an election to be held on October 20, 2007, but only in the event Proposition No. 2 is approved and Proposition No. 1 fails, or both propositions pass but Proposition No. 2 has more affirmative votes than Proposition No. 1, Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, is hereby amended to add the following paragraph to the end of said section:

"Any elected official of St. Tammany Parish Government shall be eligible to qualify as a candidate for that office for the succeeding term. Any provision of this Charter in conflict herewith is repealed."

SECTION 3. Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4. Severability. If any or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 5. Effective Date. This ordinance shall be in full force and effect immediately upon its adoption, being an ordinance affecting the public peace, health and safety.

SECTION 6. Publication. This ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible.

MOVED FOR ADOPTION BY: _____, SECONDED BY _____

ORDINANCE CALENDAR NO. 3571

ORDINANCE C.S. NO. 07-

NOTICE OF PUBLIC HEARING

Pursuant to the applicable provisions of the St. Tammany Parish Home Rule Charter

NOTICE IS HEREBY GIVEN that the St. Tammany Parish Council will hold a Public Hearing at 6:00 p.m., Thursday, July 5, 2007, in Council Chambers at the St. Tammany Parish Government Complex, 21490 Koop Drive, Mandeville, Louisiana, with regard to adoption of the following ordinance, to-wit:

Ordinance Calendar No. 3571 - Ordinance amending Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, to provide with respect to term limits for St. Tammany Parish Government Elected Officials.

A copy of the proposed Ordinance Calendar No. 3571 in its entirety shall accompany this Notice of Public Hearing and be duly published in the St. Tammany Farmer, being the official journal of the Parish, on Thursday, _____, 2007.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this 7th day of June 2007.

BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

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BARRY BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK