

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3659

ORDINANCE COUNCIL SERIES NO. 07-

COUNCIL SPONSOR: MR. BINDER

PREPARED BY: COUNCIL OFFICE

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. BURKHALTER

ON THE 4TH DAY OF OCTOBER 2007

ORDINANCE TO EXTEND FOR AN ADDITIONAL SIX (6) MONTHS THE MORATORIUM ON ISSUANCE OF BUILDING, OCCUPANCY OR OCCUPATIONAL PERMITS OR LICENSES BY ANY PARISH DEPARTMENT OR AGENCY FOR ANY PAIN MANAGEMENT CENTER/CLINIC WHOSE PRIMARY FOCUS OR CONCENTRATION IS THE PRESCRIBING AND/OR DISPENSING OF PAIN MEDICATION TO INDIVIDUALS WITH COMPLAINTS OF CHRONIC PAIN WHICH IS UNAFFILIATED WITH ANY HOSPITAL, HOSPICE AND/OR FACILITY FOR THE TREATMENT OF THE TERMINALLY ILL IN UNINCORPORATED ST. TAMMANY PARISH.

WHEREAS, per Ordinance C. S. No. 05-1109, a six (6) month moratorium was imposed on issuance of permits or licenses relative to the operation of pain management centers or clinics not affiliated with hospital or hospice facilities and whose primary focus is prescribing and/or dispensing pain medication; and

WHEREAS, the Parish Council adopted subsequent ordinances extending the six (6) month moratorium in order to protect the life, health, safety and well-being of parish citizens from potential hazards of unregulated establishment of pain management centers or clinics; and

WHEREAS, it is necessary to extend the moratorium to provide additional time to study and implement appropriate land use measures for said uses and to establish necessary regulations and standards protecting the public health, safety and welfare.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for an additional six (6) month period the moratorium on the issuance of building, occupancy or occupational permits or licenses by any parish department or agency for any pain management center or clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital or hospice or facility for the treatment of the terminally ill within unincorporated St. Tammany Parish.

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon final adoption and remain in effect through May 3, 2008.

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.

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: _____ 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. 07-

BARRY D. BAGERT, COUNCIL CHAIRMAN

ATTEST:

DIANE HUESCHEN, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: September 27, 2007

Published adoption on: _____, 2007

Delivered to Parish President: _____, 2007 @ _____

Returned to Council Clerk: _____, 2007 @ _____