

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3894

ORDINANCE COUNCIL SERIES NO. 08-

COUNCIL SPONSOR: MR. GOULD

PREPARED BY COUNCIL ATTORNEY

INTRODUCED BY MR. STEFANCIK

SECONDED BY MR. ARTIGUE

ON THE 7TH DAY OF AUGUST 2008

ORDINANCE TO AMEND AND EXTEND FOR AN ADDITIONAL SIX (6) MONTHS THE MORATORIUM ON THE PLACEMENT OF FILL ON UNDEVELOPED PROPERTY WITHIN A PORTION OF TAMMANY HILLS SUBDIVISION (WARD 3, DISTRICT 5)

WHEREAS, on March 6, 2008 the Parish Council adopted Ordinance C. S. No. 08-1777 extending the six (6) month moratorium on placement of fill on undeveloped property within a portion of Tammany Hills Subdivision in Ward 3, District 5; and

WHEREAS, the moratorium was initiated 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; and

WHEREAS, it is necessary to amend and clarify the ordinance and, as amended, to extend said moratorium to allow sufficient time to evaluate current adverse drainage and to formulate measures to protect residents in and near the area more fully described herein.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for an additional six (6) months the 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 a 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, all as shown within the highlighted portion on the attached area map.

BE IT FURTHER ORDAINED that the placement of fill may be authorized and a building permit issued only upon compliance with the following: Upon the applicant's submission of a building permit, the application must be reviewed by the Department of Engineering for consideration of adverse drainage impacts resulting from the proposed placement of fill and construction. The Department of Engineering shall determine, based on best engineering practices, the amount of fill that may be placed on the property, if any, and whether the proposed residence may be built on a slab or must be elevated. The placement of fill material that increases the surface elevation of the property from its pre-development state is strictly prohibited. A building permit shall not be issued until the application has been reviewed and approved by the Department of Engineering.

BE IT FURTHER ORDAINED that this Ordinance shall be effective upon adoption and shall remain in full force and effect through March 9, 2009.

BE IT FURTHER ORDAINED that the moratorium herein 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.

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 _____ 2008; AND BECOMES ORDINANCE COUNCIL SERIES NO. 08-.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

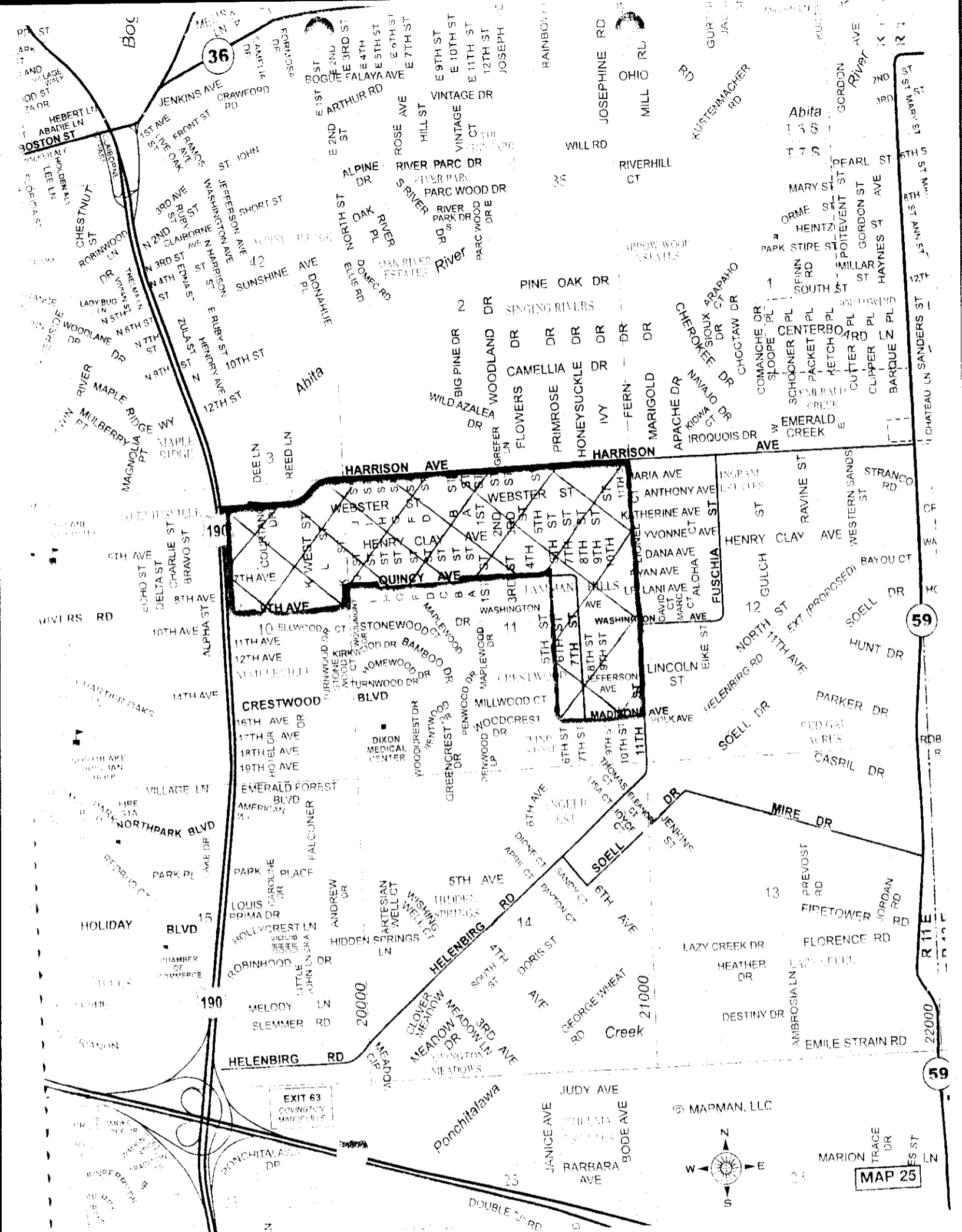
KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: JULY 31, 2008

Published Adoption: _____, 2008

Delivered to Parish President: _____, 2008 at _____

Returned to Council Clerk: _____, 2008 at _____



Ord. Cal. 3353