

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3999

ORDINANCE COUNCIL SERIES NO. 09-

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. BILLIOT

SECONDED BY: MR. STEFANCIK

ON THE 8TH DAY OF JANUARY, 2009

ORDINANCE TO EXTEND THE THREE (3) MONTH MORATORIUM ON THE ISSUANCE OF PERMITS FOR CONSTRUCTION OR PLACEMENT OF BUILDING STRUCTURES ON PROPERTY LOCATED WITHIN THE SUB DRAINAGE DISTRICT #3 OF GRAVITY DRAINAGE DISTRICT #5 AND AREAS GENERALLY NORTH AND EAST OF THE DISTRICT.

WHEREAS, St. Tammany Parish has undertaken the creation of the Sub Drainage District #3 of Gravity Drainage District #5 to enable residents to more fully study and address the adverse flooding conditions in the area; and

WHEREAS, to protect and preserve the health, safety and property interests of residents and because of adverse effects of flooding within the Bayou Monga watershed, it is necessary to conduct a comprehensive drainage study; and

WHEREAS, without the intervention and action herein there may be permanent and irreversible impact to the aforementioned drainage district; and

WHEREAS, it is necessary to extend the three (3) month moratorium on the issuance of permits for the construction or placement of building structures to prevent such adverse drainage impacts in the interim.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it hereby extends the three (3) month moratorium on the issuance of permits for construction or placement of building structures within the area of Sub Drainage District #3 of Gravity Drainage District #5 and areas generally north and east of the district. The property subject to this moratorium shall be any property that is located inside the area described immediately below, to-wit:

The area within Sub Drainage District #3 of Gravity Drainage District #5 and the area generally to the north and east of the district which naturally drains surface waters toward the aforementioned district, located specifically east of Northlake Christian School, south of Three Rivers Road, west of U.S. Highway 190 and north of Northpark Subdivision, but including Phase II of Northpark Subdivision.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon final adoption and shall remain in effect for three months until May 7, 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.

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EFFECTIVE DATE: This ordinance shall become effective immediately upon 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 ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE ____ DAY OF _____ 2009; AND BECOMES ORDINANCE COUNCIL SERIES NO. 09-

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published introduction: DECEMBER 25, 2008

Published adoption on: _____, 2009

Delivered to Parish President: _____, 2009 @ _____

Returned to Council Clerk: _____, 2009 @ _____