

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 3995

ORDINANCE COUNCIL SERIES NO. 09-

COUNCIL SPONSOR: MR. STEFANCIK

PROVIDED BY: BOND COUNSEL

INTRODUCED BY:

SECONDED BY:

ON THE 8TH DAY OF JANUARY, 2009

AN ORDINANCE AMENDING ARTICLE III, SECTION 3-02 OF THE HOME RULE CHARTER OF THE PARISH OF ST. TAMMANY, STATE OF LOUISIANA.

WHEREAS, Article III, Section 3-02 of the Home Rule Charter currently provides as follows:

“Section 3-02. Election.

The president shall be elected at large by the qualified voters of the Parish according to the election laws of the state for a four (4) year term. A person who has served as president for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for president for the succeeding term.”

WHEREAS, this Parish Council proposes to call an election to be held on May 2, 2009, for the submission of the following proposition relative to the amendment of said Article III, Section 3-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana:

CHARTER AMENDMENT PROPOSITION

Summary: Amendment to Article III, Section 3-02 to permit the current Parish President, Kevin Davis, to qualify as a candidate for the office of Parish President for the next term.

Shall Article III, Section 3-02 of the Home Rule Charter be amended to hereafter provide as follows:

“Section 3-02. Election.

The president shall be elected at large by the qualified voters of the Parish according to the election laws of the state for a four (4) year term. A person who has served as president for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for president for the succeeding term. However, the current president, Kevin Davis, shall be eligible to qualify as a candidate for president for the 2012-2015 term.”

WHEREAS, subject to the approval of the voters at the May 2, 2009 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. Subject to voter approval at an election to be held on May 2, 2009, Article III, Section 3-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, is hereby amended to provide as follows:

“Section 3-02. Election.

The president shall be elected at large by the qualified voters of the Parish according to the election laws of the state for a four (4) year term. A person who has served as president for more than two and one-half terms in three (3) consecutive terms shall not be eligible to qualify as a candidate for president for the succeeding term. However, the current president, Kevin Davis, shall be eligible to qualify as a candidate for president for the 2012-2015 term.”

SECTION 2. Repeal. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. 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 4. 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 5. 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 _____

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 L. FORD, COUNCIL CLERK

KEVIN C. DAVIS, PARISH PRESIDENT

Published Introduction DECEMBER 25, 2008
Published Ordinance & Notice DECEMBER 25, 2008
Published Adoption _____, 2009

Delivered to Parish President _____, 2009 at _____
Returned to Council Clerk _____, 2009 at _____

ORDINANCE CALENDAR NO. 3995

ORDINANCE C. S. NO. 09-

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, February 5, 2009, 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. 3995 - Ordinance amending Article III, Section 3-02 of the
Home Rule Charter of the Parish of St. Tammany, State of Louisiana.

A copy of the proposed Ordinance Calendar No. 3995 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, DECEMBER 25, 2008.

THUS DONE AND SIGNED at Mandeville, Louisiana, on this 19th day of DECEMBER, 2008.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

STATE OF LOUISIANA

ORD. CAL. NO. 3995

PARISH OF ST. TAMMANY

I, the undersigned Council Clerk of the Parish Council of the Parish of St. Tammany, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of St. Tammany, State of Louisiana (the "Parish"), do hereby certify that the foregoing _____ (____) pages constitute a true and correct copy of an ordinance adopted by the Governing Authority on February 5, 2009, amending Article III, Section 3-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said Parish Council at Mandeville, Louisiana, on this, the 5th day of February, 2009.

Council Clerk

(SEAL)