

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4063 ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: BINDER/DAVIS PROVIDED BY: President/CAO

INTRODUCED BY: _____ SECONDED BY: _____

ON THE _____ DAY OF _____, 2009.

ORDINANCE TO EXEMPT CERTAIN PROPERTIES LISTED ON THE NATIONAL PARK SERVICE REGISTRY OF HISTORICAL PLACES FROM THE ST. TAMMANY PARISH NO NET FILL ORDINANCE REQUIREMENTS.

WHEREAS, St. Tammany Parish has numerous properties located within its boundaries which are listed by the United States Department of the Interior, National Park Service on its Registry of Historical Places; and

WHEREAS, these historical structures are a valuable asset to the Parish and its culture; and

WHEREAS, these historical structures are subject to the jurisdiction and regulation of the National Park Service in order to maintain their designation of historical structures; and

WHEREAS, the Parish's drainage ordinances, to the extent that they require a no net fill can conflict with the jurisdiction and regulation of these historical structures in certain restoration projects; and

WHEREAS, in the interest of maintaining the cultural and historical value of these properties, the Parish President in consultation with the Department of Engineering should be granted the discretion to determine that certain historical properties be exempt from the no net fill ordinance requirement where such restrictions conflict with the jurisdiction and regulation of historical structures by the National Park Service.

THE ST. TAMMANY PARISH COUNCIL HEREBY ORDAINS that there shall be adopted an ordinance to exempt certain historical structures within the Parish which are designated by the National Park Service and listed on the national registry from the Parish's no net fill ordinance, Section 7.002.00, *et seq.* of the Parish Code of Ordinances; and

That Office of the Parish President in consultation with the Department of Engineering is granted authority to determine that certain properties designated as historical by the National Park Service, upon application, be exempt from the no net fill ordinances currently in effect in the Parish and to take all steps necessary to carry out the terms of this ordinance, subject to any reasonable restrictions or requirements imposed by the President and the Department of Engineering.

RATIFICATION: Any and all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

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.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon final 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: APRIL 30, 2009
Published adoption on: _____, 2009

Delivered to Parish President: _____, 2009 @ _____
Returned to Council Clerk: _____, 2009 @ _____