

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 4139

ORDINANCE COUNCIL SERIES NO. _____

COUNCIL SPONSOR: MR. GOULD

PREPARED BY COUNCIL OFFICE

INTRODUCED BY MR. BILLIOT

SECONDED BY MR. ARTIGUE

ON THE 3RD DAY OF SEPTEMBER 2009

ORDINANCE TO EXTEND FOR AN ADDITIONAL SIX (6) MONTHS THE MORATORIUM ON ISSUANCE OF PERMITS FOR CONSTRUCTION OR PLACEMENT OF BUILDING STRUCTURES ON EOLA, JORDAN AND ELMER STREETS, LOCATED WEST OF SOULT STREET, AND ON THE SUBMISSION OF ANY APPLICATION TO ENTER THE PARISH RIGHTS OF WAY FOR THE PURPOSE OF EXTENDING, OPENING AND/OR CONSTRUCTING ANY UNOPENED PORTION OF SAID STREETS. (WARD 4, DISTRICT 5)

WHEREAS, the Parish Council adopted Ordinance C.S. No. 09-2025 extending the six (6) month moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soult Street, and on submission of any application to enter Parish rights or way for purpose of extending, opening and/or constructing any unopened portion of said streets; and

WHEREAS, the moratorium was initiated to protect and preserve the health, safety and property interests of residents from the adverse effects of flooding, and from the potential traffic hazards of a substandard roadway, resulting from the continued development along the opened and unopened portions of said streets; and

WHEREAS, it is necessary to further extend the moratorium to allow sufficient time to formulate measures to protect residents in and near the area more fully described within this ordinance.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it extends for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soult Street, and on the submission of any application to enter the parish right of way for the purpose of extending, opening and/or constructing any unopened portion of said streets. The property subject to the moratorium is described as follows, to-wit:

1. That portion of Jordan Street, measuring westerly 345' from the western boundary of Soult Street (R04E036), Ward 4, District 5
2. That portion of Eola Street, measuring westerly 465' from the western boundary of Soult Street (R04E036), Ward 4, District 5;
3. That portion of Elmer Street, measuring westerly 580' from the western boundary of Soult Street (R04E036), Ward 4, District 5.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon final adoption and shall remain in effect through April 2, 2010.

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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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 _____ 2009; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: August 27, 2009

Published Adoption: _____, 2009

Delivered to Parish President: _____, 2009 at _____

Returned to Council Clerk: _____, 2009 at _____