

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4519

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: LEGAL DEPARTMENT

INTRODUCED BY: MR. DEAN

SECONDED BY: MR. BURKHALTER

ON THE 3 DAY OF MARCH, 2011

ORDINANCE APPROVING AND AUTHORIZING ST. TAMMANY PARISH THROUGH THE OFFICE OF THE PARISH PRESIDENT TO SIGN AND/OR EXECUTE COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE PARISH OF ST. TAMMANY AND COVINGTON HOUSING AUTHORITY.

WHEREAS, the Covington Housing Authority (CHA) was created in accordance with LA R.S. 40:381 et seq, entitled "Louisiana Housing Authority Law"; and

WHEREAS, the CHA sought approval of "Audrey Heights", a residential subdivision containing twenty (20) lots on 9.96 acres in unincorporated St. Tammany Parish, thereby providing housing for low income citizens of St. Tammany Parish; and

WHEREAS, the Audrey Heights Final Plat approval was granted by the St. Tammany Parish Planning Commission on November 12, 2008; and

WHEREAS, prior to the recordation of the Final Plat in December 2008, pursuant to the Parish Impact Fee Ordinance contained in Sec. 2-009.00 (B)(IV) CHA was assessed single family residential road and drainage impact fees. Accordingly, CHA submitted payment of the mandatory road impact fees in the amount of \$ 32,180.00 and the mandatory drainage impact fees in the amount of \$ 29,360.00; and

WHEREAS, following recordation the Final Plat on December 16, 2008 construction of one (1) and two (2) family rental units commenced; and

WHEREAS, since obtaining Certificates of Occupancy on its units, CHA has and currently rents its units to tenants within income levels that would qualify for an impact fee exemption for prospective home owners under Sec.2-009.00 (B)(IV)(A)(5)(h) and (B)(IV)(B)(5)(h). The Director of the Department of Planning has reviewed documentation submitted by CHA which substantiates the income levels sufficient for an exemption; and

WHEREAS, the Parish has determined that CHA is due a waiver of road and drainage impact fees paid under the Parish Impact Fee Ordinance because Audrey Heights was assessed impact fees as single family residential lots and the owner, CHA, rents to individuals who meet the income levels sufficient for a waiver; and

WHEREAS, CHA agrees to restrict the rental of the properties within Audrey Heights to remain consistent with the exemption of Sec.2-009.00 (B)(IV)(A)(5)(h) and (B)(IV)(B)(5)(h) for a period of twenty-five (25) years and agrees to provide all financial records needed to confirm said restriction to the Parish by January 15th of each year for the prior calendar year.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish President is hereby authorized to sign and/ or execute a Cooperative Endeavor Agreement between St. Tammany Parish and Covington Housing Authority regarding an exemption of road and drainage impact fees pursuant to St. Tammany Parish Code of Ordinances Sec.2-009.00 (B)(IV)(A)(5)(h) and (B)(IV)(B)(5)(h).

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 fifteen (15) days after 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 DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF April, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: February 24, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____