

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4518

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/DAVIS

PROVIDED BY: PRESIDENT/ LEGAL

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 3 DAY OF MARCH, 2011

ORDINANCE RESTATING AND REENACTING 23-402.00 OF THE ST. TAMMANY PARISH CODE OF ORDINANCES REGARDING THE PROCEDURES TO COMPEL WATER AND SEWER CONNECTIONS.

WHEREAS, St. Tammany Parish is one of the most rapidly growing areas in the State of Louisiana; and

WHEREAS, pollution of waterways and the living environment that has resulted from the combination of rapid development and the inadequate provision of public and community wastewater facilities is a critical concern; and

WHEREAS, it is in the best interest of public health, safety and welfare to require connections to the public sewer and water systems; and

WHEREAS, La. R.S. 33:4041 and 33:4064.1 set forth that the Parish shall have authority to compel connections to public sewerage systems when such public sewer is within three hundred (300') feet of a premises; and

WHEREAS, La. R.S. 33:3822.2 and La. Adm. Code., Title 51, Part XII, section 347, sets forth that the Parish shall have authority to compel connections to public water systems when such public water system is within three hundred (300') feet of a premises.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the Parish Code of Ordinances, Chapter 23, Article IV, be amended to restate and reenact Section 23-402.00 for the establishment and definition of compelling connections to public sewerage and water systems within unincorporated areas of St. Tammany Parish as follows:

23-402.00 Connection to Sewerage (Sewage) System and Potable Water System Required

A. Connection to Sewerage (Sewage) System Required:

1. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall connect any such premises to a sewerage system as may be required for the premises by applicable law.

2. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall, at such person's sole expense, connect any such premises to a public sewerage system if such public sewer line is situated within three hundred (300') feet of the boundary line of such premises. Such construction to connect the premises shall commence within the time required by LSA R.S. 33:4042 upon receipt of a notice to connect. If such connection is not begun in the time required, the Parish may connect the premises to the public sewer in the manner prescribed by LSA R.S. 33:4041, et seq. and apportion the connection costs and fees to each owner as also provided therein. The Parish shall have all other remedies for enforcement and collection of connection costs and fees as is provided by applicable law.

B. Connection to Potable Water System Required:

1. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall connect any such premises to a potable water system as may be required for the premises by applicable law.

2. Any private person or political entity who/which owns, leases, or otherwise maintains or possesses control of any property which is situated in the unincorporated portion of St. Tammany Parish, and on which there is located a residence, camp, trailer coach, or any other building, structure, or establishment wherein people customarily or occasionally live, work or congregate, shall, at such person's sole expense, connect any such premises to a public water system if such public water line is situated within three hundred (300') feet of the boundary line of such premises. If such connection is not begun in the time prescribed by notice to the owner, the Parish may connect the premises to the public water system in the manner prescribed by the St. Tammany Parish Code of Ordinances §23-950.12 and assess the connection costs and fees to each owner as also provided therein. The Parish shall have all other remedies for enforcement and collection of connection costs and fees as is provided by applicable law.

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.

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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 _____