

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4637AA

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: BURKHALTER

SECONDED BY: BELLISARIO

ON THE 1 DAY OF DECEMBER, 2011

ORDINANCE TO AMEND THE ST. TAMMANY PARISH UNIFIED DEVELOPMENT CODE, VOLUME I (ZONING), SECTION 8.01, MINIMUM STANDARDS FOR SPECIFIC USES, RELATIVE TO CEMETERIES AND MAUSOLEUMS.

WHEREAS, the St. Tammany Parish Council has considered that the amendment below will be beneficial to the health, safety and general welfare of St. Tammany Parish; and

WHEREAS, the St. Tammany Parish Council has determined that it is in the best interest of the citizens of St. Tammany Parish to provide such amendment.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, Part H, Cemeteries and Mausoleums, is amended as follows, to wit:

H. Cemeteries and Mausoleums

In addition to all Federal and State laws, the following requirements must be met (excluding family-owned cemeteries):

1. Graves shall be considered as structures for the purpose of determining setbacks from property lines and in no case located closer than ~~ten (10)~~ fifty (50) feet from the property line.

2. Each lot or group of lots forming a cemetery or mausoleum center shall be fenced to a height of four (4) feet or more. ~~and be provided with a seventy (70) percent opaque sight obscuring screen of living or one hundred (100) percent opaque sight obscuring screen of non-living material.~~

3. Graves containing in-ground burials must not be located within eight hundred fifty (850) feet of any water well as verified by the owner, operator or manager of the cemetery through the use of a survey.

~~4. Graves must not be located in any area subject to inundation by flood water.~~

5 4. Cemeteries located in designated critical drainage areas are required to maintain the bottom of all caskets a minimum of a one (1) foot clearance above the base flood elevation.

6 5. Twenty-five (25) Fifty (50) foot no cut buffer zones must be maintained around cemeteries and comply with all landscape and tree regulations as specified in the Code of Parish Ordinances, Section 5.16.

~~7. Class "A" Live Oak and/or Pine trees shall be located on average every fifteen (15) feet in the no cut buffer zones.~~

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 2 DAY OF FEBRUARY, 2012; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: AUGUST 25, 2011

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____