

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-6059

COUNCIL SPONSOR: _____

PROVIDED BY: PLANNING DEVELOPMENT

RESOLUTION GRANTING PERMISSION TO P&W INDUSTRIES, LLC/PARISH CONCRETE, LLC, 68660 LA HWY #59, MANDEVILLE, LOUISIANA 70471 TO PLACE A SIGN WITHIN THE PARISH RIGHT-OF-WAY, IN ACCORDANCE WITH SECTION 35-32(G) OF THE ST. TAMMANY PARISH CODE OF ORDINANCES.

WHEREAS, the St. Tammany Parish Planning Commission approved an application by P&W Industries, LLC/Parish Concrete, LLC, to enter Parish Right-of -Way, to replace an existing sign to be removed as part of planned DOTD improvements to Louisiana Highway 59.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the St. Tammany Parish Council hereby grants permission to the above mentioned petitioner to place a monument sign within the Parish Right-of- Way as permitted in Section 35-32(g) of the St. Tammany Parish Code of Ordinances subject to the conditions outlined in Planning Commission Resolution No. 18-090 (attached).

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 7 DAY OF FEBRUARY , 2019, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

ST. TAMMANY PARISH PLANNING COMMISSION

RESOLUTION

RESOLUTION PLANNING COMMISSION SERIES NO. 18-090

TITLE: A RESOLUTION AUTHORIZING P & W INDUSTRIES, LLC/PARISH CONCRETE, LLC TO ENTER PARISH RIGHT-OF-WAY.

SUB-TITLE: A RESOLUTION GRANTING PERMISSION TO P & W INDUSTRIES, LLC/PARISH CONCRETE, LLC, 68660 LA HWY #59, MANDEVILLE, LOUISIANA 70471 TO ENTER PARISH RIGHT-OF-WAY, SPECIFICALLY THE MEDIAN OF WARNER LANE, FOR THE PURPOSE OF RELOCATING A MONUMENT SIGN. WARD 4, DISTRICT 5.

NOW, THEREFORE, BE IT RESOLVED, by the St. Tammany Parish Planning Commission that it hereby grants permission to the aforementioned petitioner to enter Parish right-of-way for the aforementioned purposes, subject to the following conditions:

1. That the improvements that will be undertaken will be at the sole expense of the petitioner.
2. That the petitioner agrees to accept full responsibility, financial and all other, for the damage and /or relocation of utilities currently located within Parish right-of-way.
3. That the petitioner shall submit plans prepared by a licensed engineer to the Department of Engineering for review and approval. Upon approval of plans and specifications by the Director of Engineering, the petitioner must notify the Department of Engineering prior to the commencement of any activity.
4. That should the petitioner commence work thereon, petitioner by such act acquiesces and acknowledges thereby that he will hold this Parish, its officials, agents, servants, and employees free and harmless from any liability or responsibility whatsoever in connection with the construction of the project. Petitioner will provide copy of Liability Insurance Policy, including the naming of the Parish as an insured party. The insurance will remain in effect until the Parish takes over the maintenance.
5. That nothing herein shall be construed as a revocation of the dedication of the aforementioned right of way.
6. That no maintenance nor financial nor material nor assistance shall be provided by the Parish for the project nor the maintenance thereof, except for the inspection of the plans and specifications by the Department of Engineering to insure the construction complies with Parish specifications.
7. That the petitioner and any assignees submit a Hold Harmless Agreement in connection with the construction of the project.
8. That the petitioner submit as-built drawings certifying that the project was completed in accordance with the approved plans.
9. That the petitioner submit all documentation required within ONE (1) year from date of adoption, additionally petitioner has two (2) years to complete all work on this project, if not completed within two (2) years, approval of this work will be voided and petitioner will be required to reapply for permission.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY MS. MARTHA CAZAUBON, SECONDED BY MR. RONALD RANDOLPH; A VOTE THEREON RESULTED IN THE FOLLOWING:

YEA: MS. MARTHA CAUZUBON, MR. TODD RICHARD, MR. RAY BERNIE WILLIE, MR. JAMES DAVIS, MR. BARRY BAGERT, MR. PATRICK FITZMORRIS, MR. DAVID DOHERTY, JR., MR. KIRK DRUMM, MR. RONALD RANDOLPH

NAY: N/A

ABSTAIN: N/A

ABSENT: N/A

AND THIS RESOLUTION WAS DECLARED DULY ADOPTED ON THE 13TH DAY OF NOVEMBER, 2018, AT A REGULAR MEETING OF THE PLANNING COMMISSION, A QUORUM OF THE MEMBERS BEING PRESENT.

JAMES "JIMMIE" DAVIS III, CHAIRMAN
ST. TAMMANY PARISH PLANNING COMMISSION

ATTEST:

SIDNEY FONTENOT, SECRETARY
ST. TAMMANY PARISH PLANNING COMMISSION

Revised 01/25/18

ADMINISTRATIVE NOTES

Request to permit the construction of an existing monument sign for Parish Concrete to be located within the Warner Lane right of way. The existing sign has been located within the right of way for many years.

While commercial signs are generally prohibited from being located within the parish right of way by Section 35-32(c) of the Parish Code of Ordinances, Section 35-32(g) allows for the permitting of such signs by special permit as authorized by the Parish Council. See below:

Section 35-32(g) Issuance under other ordinance or resolution. If the parish council, by resolution or ordinance, grants a special permit, either temporary or permanent, for the placement of any sign in the right-of-way of any road, such resolution or ordinance shall not be deemed a repeal of these procedures, but shall be deemed an exception, along with those exceptions listed above.

On November 13, 2018, the St. Tammany Parish Planning Commission approved the entering of the right of way for the sign, setting the parameters to be met should the Parish Council grant the Special Permit.