

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6297

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. LORINO

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. BELLISARIO

SECONDED BY: MR. CANULETTE

ON THE 5 DAY OF DECEMBER , 2019

ORDINANCE TO AMEND THE PARISH CODE OF ORDINANCES,
CHAPTER 24, ARTICLE III TO ADD NEW SECTIONS
PROVIDING FOR OPERATIONS OF MOTORIZED VEHICLES
AND ENFORCEMENT OF TRAFFIC CONTROLS ON PRIVATE
STREETS WITHIN RIVER OAK SUBDIVISION. (WARD 4,
DISTRICT 4)

WHEREAS, River Oaks subdivision is a private community and its owners association has requested the Parish to authorize the enforcement of state and local traffic laws by the St. Tammany Parish Sheriff upon the private streets of the subdivision.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it amends the Code of Ordinances, Chapter 24, Article III to add new sections thereto as follows, to wit:

Chapter 24 MOTOR VEHICLES AND TRAFFIC

ARTICLE III OPERATION ON PRIVATE ROADS AND SUBDIVISIONS

DIVISION 21. - RIVER OAKS SUBDIVISION

Sec. 24-458 - Area covered.

River Oaks Subdivision is a residential subdivision located within an unincorporated area of the parish and for which final subdivision approval was granted by the governing body of the parish and as duly recorded in the office of the clerk of court for this parish. The streets within said subdivision that were or will be constructed by the developers of River Oaks Subdivision have never been dedicated nor will they be dedicated to the parish and the parish has never maintained said streets. The streets were constructed at the expense of the developers of River Oaks Subdivision and privately owned by Mandeville River Oaks Owners Association, Inc.

Sec. 24-459 - Speed limits/traffic controls.

It shall be unlawful for any person to operate or drive a motor vehicle upon the private streets within River Oaks Subdivision at a rate of speed in excess of 25 miles per hour.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 16 DAY OF JANUARY , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO ____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: NOVEMBER 28 , 2019

Published Adoption: _____, 2019

Delivered to Parish President: _____, 2019 at _____

Returned to Council Clerk: _____, 2019 at _____

RESOLUTION OF THE BOARD OF DIRECTORS OF
MANDEVILLE RIVER OAKS OWNERS ASSOCIATION, INC.

ASSOCIATION, INC. (the "Association"), does hereby adopt the following Resolution:

WHEREAS, pursuant to

ARTICLE III, SECTION 1 AND 2 for MANDEVILLE RIVER OAKS OWNERS Subdivision (the "Community,") (the "Covenants"), St. Tammany Parish has a perpetual, non-exclusive right and easement upon, over and across all of the property subject to the Covenants for purposes of performing any and all duties and activities related to emergency, security and other public safety concerns in the Community as shall be required or appropriate from time to time by such governmental authority under applicable law.

WHEREAS, the Association agrees to maintain the roadways within the Community and to place and maintain all stop signs, posted speed limit signs and other traffic signs within the Community in accordance with all standards as may be mandated by the Louisiana Department of Transportation and Development. The Association further agrees to hold harmless and indemnify St. Tammany Parish and the St. Tammany Parish Sheriff's Department from any and all damages that may occur from the placement and maintenance of any such signs, and from authorizing the St. Tammany Parish Sheriff's Department to enforce the stop signs, posted speed limit signs and other traffic controls within the Community.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors for the MANDEVILLE RIVER OAKS OWNERS ASSOCIATION, INC., that pursuant to Article XV of the Covenants, St. Tammany Parish be and is hereby granted jurisdiction over all of the property subject to the Covenants with respect to law enforcement.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Board of Directors for the MANDEVILLE RIVER OAKS OWNERS ASSOCIATION, INC., that the St. Tammany Parish Sheriff's Department be and is hereby authorized to perform police details and issue traffic citations within the Community to control traffic violation in accordance with the law of St. Tammany Parish and the State of Louisiana.

DONE AND SIGNED this 30th day of October, 2019.



R. J. ROWALT, PRESIDENT
MANDEVILLE RIVER OAKS OWNERS ASSOCIATION, INC.



SHANNON OBER, SECRETARY
MANDEVILLE RIVER OAKS OWNERS ASSOCIATION, INC.