

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4470

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: BINDER/DAVIS

PROVIDED BY: PRESIDENT/LEGAL

INTRODUCED BY: MR. STEFANCIK

SECONDED BY: MR. GOULD

ON THE 2 DAY OF DECEMBER, 2010

ORDINANCE TO EXTEND FOR AN ADDITIONAL SIX (6) MONTHS THE MORATORIUM ON THE ISSUANCE OF PERMITS FOR CONSTRUCTION OR PLACEMENT OF BUILDING STRUCTURES ON CERTAIN RIGHT-OF-WAY PARCELS NEEDED FOR LISTED CAPITAL PROJECTS.

WHEREAS, St. Tammany Parish is one of the fastest growing parishes in the State of Louisiana; and

WHEREAS, with the enormous growth in population it is necessary for the Parish to increase its services to better serve the public; and

WHEREAS, construction of roads and road improvements in certain areas is necessary to better serve the high volume of vehicular traffic; and

WHEREAS, St. Tammany Parish has identified certain roads and/or road improvements which it intends on constructing when funding becomes available. The projects are listed on the attached Exhibit "A"; and

WHEREAS, the Right-of-Way maps for each listed project have been prepared and the parcels have been surveyed and identified. The legal descriptions for each parcel are attached and are listed by project as Exhibit "B"; and

WHEREAS, it is necessary to implement a moratorium to allow sufficient time to obtain funding for the each project and acquire the Right-of-Way Parcels. Without imposing said moratorium, structures will be built on the Right-of-Way parcel and it will become impossible for the Parish to acquire the parcel and therefore, it will become impossible for the Parish to construct the needed road improvements; and

WHEREAS, there is currently in place a moratorium which was enacted on January 8, 2009 and the Parish seeks to continue the moratorium.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that it extends for an additional six (6) months the moratorium on the issuance of building permits for the placement or building of structures on certain Right-of -Way parcels identified in the attachments to this ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall be effective immediately upon final adoption and shall remain in effect through July 8, 2011.

BE IT FURTHER ORDAINED that the moratorium imposed may be vacated, in whole or in part, by Resolution of this governing body pursuant to Chapter 5, Article II, Section 5-056.00 of the Parish Code of Ordinances.

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 1 DAY OF January, 2010; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: NOVEMBER 25, 2010

Published Adoption: _____, 2010

Delivered to Parish President: _____, 2010 at _____

Returned to Council Clerk: _____, 2010 at _____