

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 6228

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: LORINO/BRISTER

PROVIDED BY: CIVIL DIVISION ADA

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. STEFANCIK

ON THE 5 DAY OF SEPTEMBER , 2019

ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN PARCELS FOR THE HIGHWAY 41 SPUR BRIDGE TO THE TOWN OF PEARL RIVER (WARD 8, DISTRICTS 6, 9)

WHEREAS, St. Tammany Parish Government and the Town of Pearl River are parties to a Cooperative Endeavor Agreement regarding the replacement of a bridge situated upon the Hwy 41 Spur at Gum Creek; and

WHEREAS, as part of the CEA, Pearl River, with Parish’s assistance, is to acquire in its name the parcels necessary for the bridge replacement; and

WHEREAS, one or more parcels may require expropriation by Parish to close, with transfer to Pearl River to follow.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that the transfer to the Town of Pearl River of one or more parcels for the Hwy 41 Spur Bridge project as acquired by Parish via expropriation is authorized;

BE IT FURTHER ORDAINED: that the Office of the Parish President is authorized to exercise its discretion in transferring any parcels acquired for the purpose of facilitating the Hwy 41 Spur Bridge Project and the Cooperative Endeavor Agreement in place with the Town of Pearl River; and

BE IT FURTHER ORDAINED: that all actions previously taken by the Office of the Parish President in furtherance of the actions contemplated herein are ratified and accepted accordingly.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.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 3 DAY OF OCTOBER , 2019 ; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MICHAEL R. LORINO, JR. , COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: AUGUST 28 , 2019

Published Adoption: _____ , 2019

Delivered to Parish President: _____ , 2019 at _____

Returned to Council Clerk: _____ , 2019 at _____

Ordinance Administrative Comment

ORDINANCE TO AUTHORIZE THE TRANSFER OF CERTAIN PARCELS FOR THE HIGHWAY 41 SPUR BRIDGE TO THE TOWN OF PEARL RIVER (WARD 8, DISTRICTS 6, 9)

It may become necessary for Parish to acquire via expropriation as many as three right-of-way acquisition parcels for the Hwy 41 Spur Bridge Project, as the Town of Pearl River does not have the legal authority for “quick-take” expropriation. Parish acquisitions are approved pursuant to Ordinance Council Series No. 18-3913.

In general, the Cooperative Endeavor Agreement between Parish and Pearl River requires Pearl River to acquire ownership. To facilitate the need to acquire the parcels timely, Parish may utilize its quick-take expropriation authority. Following expropriation, Parish seeks to transfer any expropriated parcels to Pearl River, and authority to do so is sought via this Ordinance.