

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4644

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. FALCONER

PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: _____

SECONDED BY: _____

ON THE 1 DAY OF SEPTEMBER, 2011

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 14, NUISANCES, PARAGRAPH (D) OF SECTION 14-003.00 FIRES FOR YARD DEBRIS, TO EXCLUDE THE UNINCORPORATED AREAS WITHIN VOTING PRECINCTS MD1 AND 102 FROM THE PROHIBITION ON BURNING OF LEAVES AND YARD DEBRIS WITHIN THE BOUNDARIES OF COUNCIL DISTRICT 4.

WHEREAS, pursuant to Ordinance Calendar No. 3171, Ordinance C.S. No. 05-1213, adopted December 1, 2005, the Parish Council amended St. Tammany Parish Code of Ordinances, Chapter 14 Nuisances, Section 14-003.00 Fires for Yard Debris, to enact paragraph (D), prohibiting burning of leaves and yard debris within the boundaries of Council District 4; and

WHEREAS, prior to the recent approval of the Council Redistricting Plan, voting precincts MD1 and 102 were not included in Council District 4 and, therefore, were not subject to the prohibition on burning of leaves and yard debris in Council District 4; and

WHEREAS, an unintended consequence of the redistricting was the inclusion of voting precincts MD1 and 102 within the prohibition on burning of leaves and yard debris in Council District 4. Further, the Town of Madisonville is included within voting precinct MD1 and would not be subject to Parish regulation governing the burning of leaves and yard debris.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that St. Tammany Parish Code of Ordinances, Chapter 14 Nuisances, Paragraph (D) of Section 14-003.00 Fires for Yard, is hereby amended and reenacted to provide as follows:

SEC. 14-003.00 Fires For Yard Debris

(A) Except as provided in (D) herein below, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber shall not be a violation of this Chapter, provided that:

(D) Prohibited:

1. Notwithstanding the provisions of paragraph (A) herein above, the provisions of Section 8-018.01 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber in Council District 4 is strictly prohibited, except in the following areas set forth in subparagraph (a), to-wit:

(a) The area situated within the boundaries of voting precinct 102 and the unincorporated area of voting precinct MD1, which boundaries are more particularly depicted on the attached map marked as Exhibit 1.

2. Notwithstanding the provisions of paragraph (A) herein above, the provisions of Section 8-018.01 or any other provision, the burning of leaves and yard debris, such as pine needles, pine cones, shrubs, brush and cut timber on any lot or parcel of land less than 12,600 square feet in size within any Parish approved subdivision is strictly prohibited.

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 6 DAY OF OCTOBER, 2011; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

KEVIN DAVIS, PARISH PRESIDENT

Published Introduction: AUGUST 25, 2011

Published Adoption: _____, 2011

Delivered to Parish President: _____, 2011 at _____

Returned to Council Clerk: _____, 2011 at _____

Council District 4



3rd Territorial Board of Government
P.O. Box 423
Coeur d'Alene, ID 83814
Scott C. Davis
President

Precincts MD1 and 102

- Legend**
- Precincts
 - Major Roads
 - Lake_Ponchartrain



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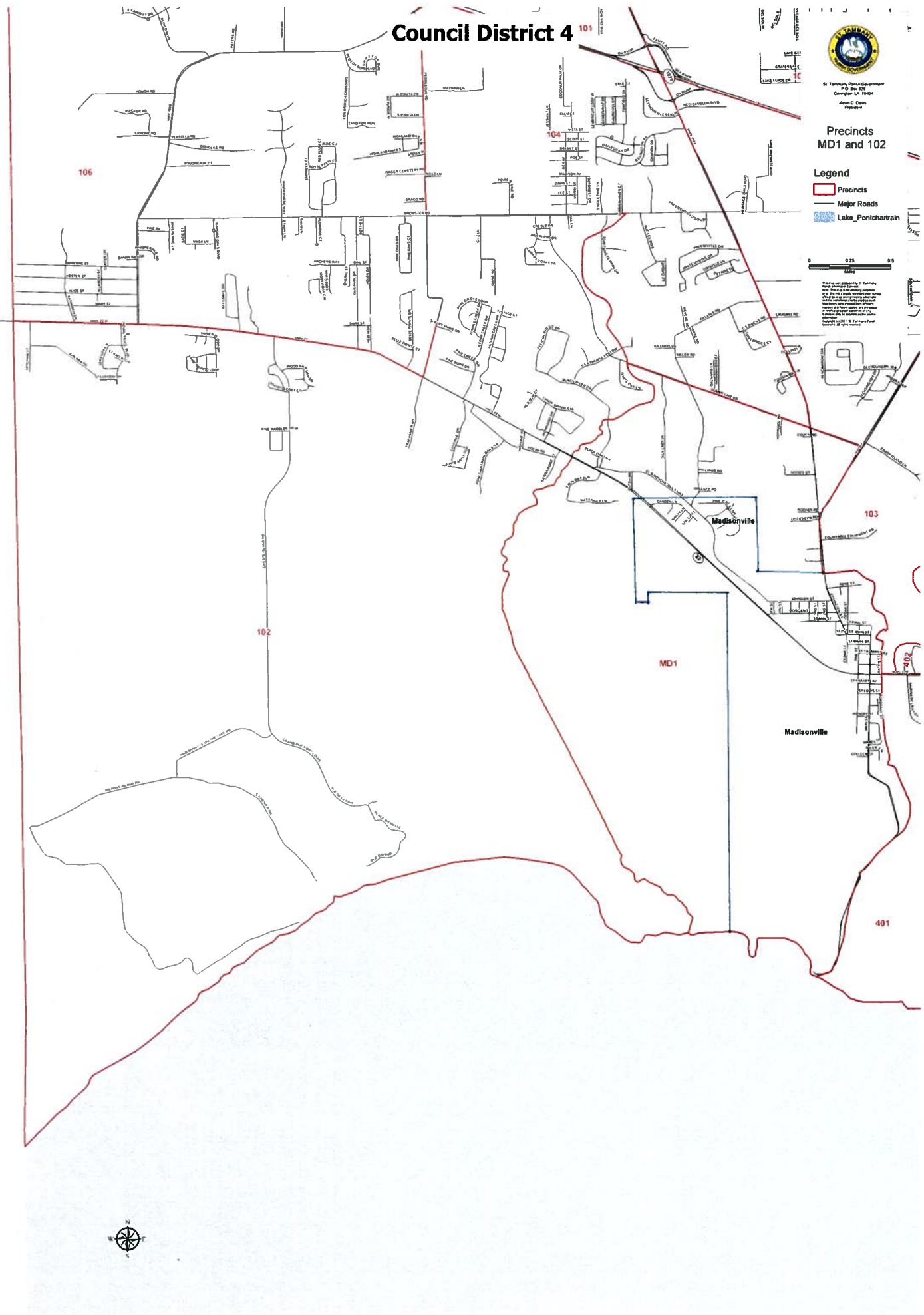


EXHIBIT
number 1 4644