

MAY 1, 2014 - ITEMS OFF-THE-FLOOR

1. Resolution authorizing the retention of the services of an attorney with expertise in Louisiana oil and gas laws and regulations to explore the Parish's ability to control hydraulic fracturing activities within the Parish. (Groby)

2. Resolution in support of the City of Mandeville's resolution urging and requesting the State of Louisiana Department of Transportation and Development (DOTD) to negotiate an amendment to the contract with Command Construction under State Project No. H.000498(1) in order to expedite the conclusion of the project for LA Highway 190 from LA Highway 22 to Lonesome Road and providing for other matters in connection therewith. (O'Brien)

3. Resolution to amend Ordinance C.S. No. 13-3052 - 2014-2018 Capital Improvement Budget and Program, Fixed Asset, and Grant Awards to make changes to the Capital Improvements List - Capital - Transportation Impact Fees. (Fund 360) (Dean)

4. Resolution to rescind Resolution Council Series No. C-3997 vacating in part, the six (6) month moratorium established by Ordinance C.S. No. 08-1741, and any subsequent extensions thereof, for the limited purpose of allowing the approval of rezoning applications and the issuance of plan review permits on Lot 413-D1, Flower Estates Subdivision, Covington, as more particularly described in Exhibit A attached. (Ward 1, District 1) (Dean)

5. Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 22 Water, to create Article IV Groundwater Protection, and to provide definitions and regulations with respect thereto. (Gould)

6. Ordinance to amend the St. Tammany Parish Code of Ordinances, Chapter 20 Roads & Bridges, Sec. 20-013.00 to provide for additional road and drainage security requirements. (Gould)

ST. TAMMANY PARISH COUNCIL

RESOLUTION

OFF THE FLOOR ITEM # 1

RESOLUTION COUNCIL SERIES NO: C-OTF #1

COUNCIL SPONSOR: MR. GROBY

PROVIDED BY: COUNCIL OFFICE

RESOLUTION AUTHORIZING THE RETENTION OF THE SERVICES OF AN ATTORNEY WITH EXPERTISE IN LOUISIANA OIL AND GAS LAWS AND REGULATIONS TO EXPLORE THE PARISH'S ABILITY TO CONTROL HYDRAULIC FRACTURING ACTIVITIES WITHIN THE PARISH

WHEREAS, Helis Oil & Gas Company, LLC has recently applied with the Office of Conservation of the State of Louisiana to create a single drilling and production unit for the exploration for and production of oil and gas from the Tuscaloosa Marine Shale, Reservoir A in the Lacombe Bayou field, close to the intersection of Highway 1088 and I-12; and

WHEREAS, this will be the first attempt at hydraulic fracturing within the Parish of St. Tammany; and

WHEREAS, there are concerns expressed by the residents of the Parish, and in particular those residents in close proximity to the proposed drilling site, regarding issues about zoning, infrastructure, environmental, health, safety and welfare and the Parish's right to control when and where hydraulic fracturing activities may occur; and

WHEREAS, the Parish and its residents need to fully understand what and if any controls they may have over the process of hydraulic fracturing within the Parish.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to authorize the retention of the services of an attorney with expertise in the Louisiana oil and gas laws and regulations to fully advise the Parish on its rights to control hydraulic fracturing activities within the Parish.

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 1 DAY OF MAY, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

ADMINISTRATIVE COMMENT

This resolution is time sensitive due to the fact that the Parish was recently advised of the intent to commence a hydraulic fracturing activity within the Parish, and the comment period regarding the application for a wetlands permit ends on May 5, 2014 and there will be a public hearing on Tuesday, May 13, 2014 to create a single drilling and production unit for the exploration and production of oil and gas from the Tuscaloosa Marine Shale, Reservoir A, in the Lacombe Bayou field, St. Tammany Parish, Louisiana.

RESOLUTION

OFF THE FLOOR ITEM # 2

RESOLUTION COUNCIL SERIES NO: C-OTF #2

COUNCIL SPONSOR: MS. O'BRIEN

PROVIDED BY: COUNCIL OFFICE

RESOLUTION IN SUPPORT OF THE CITY OF MANDEVILLE'S RESOLUTION URGING AND REQUESTING THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (DOTD) TO NEGOTIATE AN AMENDMENT TO THE CONTRACT WITH COMMAND CONSTRUCTION UNDER STATE PROJECT NO. H.000498(1) IN ORDER TO EXPEDITE THE CONCLUSION OF THE PROJECT FOR LA. HWY. 190 FROM LA. HWY. 22 TO LONESOME ROAD AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Mandeville will introduce a Resolution to be considered at their May 5, 2014 Council meeting requesting the State of Louisiana Department of Transportation and Development to negotiate an amendment to the contract with Command Construction in order to expedite the conclusion of the project for La. Hwy 190 from La. Hwy 22 to Lonesome Road; and

WHEREAS, there have been a series of delays resulting from errors discovered in the plans, inconsistencies between plans and the actual topography as well as a mix-up in configuration of large concrete box culverts such that the projected completion is now November, 2014 and possibly beyond; and

WHEREAS, the businesses located in the corridor along La. Hwy 190 from La. Hwy 22 to Lonesome Road have suffered severe disruption and economic loss as a result of the road construction work such that many are on the verge of closing and going out of business; and

WHEREAS, we have been informed that the City of Mandeville had an informal conversation with Command Contractor who indicated that additional funding could expedite the completion of this construction project.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that it supports the City of Mandeville's request that the Louisiana Department of transportation and Development to negotiate an amendment to the contract with command construction under State project No. H.000498(1) in order to expedite the conclusion of the project for La. Hwy 190 from La. Hwy. 22 to Lonesome Road.

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 1 DAY OF MAY, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

THE FOLLOWING RESOLUTION WAS INTRODUCED BY COUNCIL MEMBER _____; AND SECONDED FOR ADOPTION BY COUNCIL MEMBER _____

RESOLUTION NO. 14-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO URGE AND REQUEST THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (DOTD) TO NEGOTIATE AN AMENDMENT TO THE CONTRACT WITH COMMAND CONSTRUCTION UNDER STATE PROJECT NO. H.000498(1) IN ORDER TO EXPEDITE THE CONCLUSION OF THE PROJECT FROM LA. HWY. 190 FROM LA. HWY. 22 TO LONESOME ROAD AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, The City of Mandeville is in St. Tammany Parish, which is one of the fastest growing parishes in Louisiana; and

WHEREAS, poor road capacity in growth areas is a serious impediment to transportation safety and economic development and hinders growth; and

WHEREAS, the area of La. Hwy. 190 (Ronald Reagan Hwy.) is a vital economic corridor for the City of Mandeville and the residents in the area; and,

WHEREAS, the DOTD is currently improving La. Hwy. 190 from La. Hwy. 22 to Lonesome Road as part of State Project No.: H.000498(1) which was commenced in April 2013 and estimated to take approximately 300 days; and,

WHEREAS, there have been a series of delays resulting from errors discovered in the plans, inconsistencies between plans and the actual topography as well as a mix-up in configuration of large concrete box culverts such that the projected completion is November, 2014 and possibly beyond; and,

WHEREAS, the businesses located in corridor along La. Hwy. 190 from La. Hwy. 22 to Lonesome Road as part of State Project No.: H.000498(1) have suffered severe disruption as a result of the road construction work such that many are on the verge of closing up and going out of business; and,

WHEREAS, the City of Mandeville desires the DOTD to consider the unintended delays in State Project No.: H.000498(1) a critical event such that urgent action be taken to amend the existing contract with Command Construction to authorize and fund additional shifts and other matters that would expedite this project to a quick conclusion; and,

WHEREAS, the City has had an informal conversation with Command Contractor who has indicated that additional funding could expedite the completion of this construction project; and,

WHEREAS, the City of Mandeville requests that DOTD consider this request by inviting all stakeholders, including the City of Mandeville, to participate in creating a solution that will expedite the conclusion of this construction project.

NOW, THEREFORE, BE IT RESOLVED that the Mandeville City Council urge and request the Governor of the State of Louisiana and the Secretary of the Department of Transportation to do all things necessary and proper, including the use of additional funding for the project, to complete State Project No. H.00498(1).

NOW, THEREFORE, BE IT RESOLVED that the Mandeville City Council urges and requests that the State of Louisiana Department of Transportation and Development (DOTD) invite all stakeholders, including the City of Mandeville, to participate in creating a solution that will expedite the conclusion of this construction project; and

BE IT FURTHER RESOLVED that the Mandeville City Council hereby authorizes and empowers the Mayor of the City to execute any and all necessary documents between the City of Mandeville and the State of Louisiana Department of Transportation and Development facilitate an amendment to State Project No. H.000498(1) to amend the existing contract with Command Construction to authorize and fund additional shifts and other matters that would expedite this project to a quick conclusion.

BE IT FURTHER RESOLVED that the Clerk of the Council be and is hereby authorized and directed to publish this resolution and provide copies of such to the media.

BE IT FURTHER RESOLVED that the Clerk of the Council is hereby authorized and directed to transmit this resolution to the Governor, Secretary of the Department of Transportation and the Legislative delegation representing the City of Mandeville and surrounding areas affected by the delay in said project.

With the above Resolution having been properly introduced and duly seconded, the vote was as follows:

AYES:
NAYS:
ABSENT:
ABSTENTIONS:

and the Resolution was declared adopted this 5th day of May, 2014.

Lorraine Myhal
Clerk of Council

Clay Madden
Mayor Pro Tem

ADMINISTRATIVE COMMENT

This resolution is time sensitive due to the fact that the City of Mandeville will be holding their Council meeting on May 5, 2014 and will forward their resolution to the Louisiana Department of Transportation and Development shortly thereafter and would like to incorporate the St. Tammany Parish Council's resolution with theirs.

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO. OTF #3

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: FINANCE ON BEHALF OF ENGINEERING

RESOLUTION TO AMEND ORDINANCE C.S. NO. 13-3052 - 2014-2018 CAPITAL IMPROVEMENT BUDGET AND PROGRAM, FIXED ASSET AND GRANT AWARDS TO MAKE CHANGES TO THE CAPITAL IMPROVEMENTS LIST - CAPITAL - TRANSPORTATION IMPACT FEES (Fund 360)

WHEREAS, St. Tammany Parish Government has identified additional capital improvements, fixed assets and grant awards for the Fiscal Year 2014; and

WHEREAS, in accordance with Section 4 of Ordinance C.S. No. 13-3052 which allows St. Tammany Parish Government to amend said ordinance by resolution, we submit the following amendments to the Capital Improvements Section.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to amend Ordinance Council Series No. 13-3052 - 2014-2018 Capital Improvement Budget and Program, to make changes to the Capital Improvements List of said ordinance as follows, to wit:

Section I: Capital Improvements - Other

Project Title	Original Budget	Amendment	Revised Budget	Description
300 - Capital Road - Parish Wide				
Hwy 1077/Hwy 1085 Roundabout	999,615.00	0.00	999,615.00	Acquisition, Design, Construction
360 - Transportation Impact Fees				
Hwy 1077/Hwy 1085 Roundabout	0.00	350,000.00	350,000.00	Acquisition, Design, Construction
Total	0.00	350,000.00	350,000.00	

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 1ST DAY OF MAY 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA FORD, COUNCIL CLERK

ADMINISTRATIVE COMMENT
CAPITAL IMPROVEMENTS OTHER - MAY 2014

360 - Transportation Impact Fees

Funding Source:

Mandatory Impact Fees

Hwy 1077/Hwy 1085 Roundabout

Due to the urgency of the Hwy1077/Hwy1085 Roundabout Project, St. Tammany Parish Government set forth to acquire all Right of Way in house to streamline the process and assign dedicated resources, in order to meet an August 2014 letting date. Due to current negotiations with the Right of Way parcel owners, it is necessary to increase the budget to ensure sufficient project funding. Therefore, we are seeking approval and authorization to increase the budget to avoid any delays with acquiring the Right of Way for this project and further to avoid the delay in the August 2014 letting date.

Project was approved in March 2013, Resolution C-3679.

ST. TAMMANY PARISH COUNCIL

OFF THE FLOOR ITEM # 4

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-OTF #4

COUNCIL SPONSOR: MR. DEAN

PROVIDED BY: COUNCIL OFFICE

RESOLUTION TO RESCIND RESOLUTION COUNCIL SERIES NO. C-3997 VACATING IN PART, THE SIX (6) MONTH MORATORIUM ESTABLISHED BY ORDINANCE C.S. NO. 08-1741, AND ANY SUBSEQUENT EXTENSIONS THEREOF, FOR THE LIMITED PURPOSE OF ALLOWING THE APPROVAL OF REZONING APPLICATIONS AND THE ISSUANCE OF PLAN REVIEW PERMITS ON LOT 413-D1, FLOWER ESTATES SUBDIVISION, COVINGTON, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED. (WARD 1, DISTRICT 1)

WHEREAS, Resolution C.S. 3997, adopted March 6, 2014 releasing lot 413-D1 from the six (6) month moratorium established by Ordinance C.S. No. 08-1741 and which was most recently extended for an additional six (6) months by Ordinance C.S. No. 14-3073; and

WHEREAS, the plan review permits were not completed or approved; and

WHEREAS, the underling conditions necessitating the moratorium need further study.

THE PARISH OF ST. TAMMANY HEREBY RESOLVES to rescind Resolutions Council Series No. C-3997, adopted March 6, 2014, reinstating and ratifying the moratorium established by Ordinance C. S. No. 08-1741 and the subsequent extensions thereof.

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 1 DAY OF MAY, 2014, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

WEST FOR A DISTANCE OF 112.99 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 08 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 229.85 FEET TO A POINT; THENCE RUN NORTH 68 DEGREES 59 MINUTES 35 SECONDS WEST FOR A DISTANCE OF 237.96 FEET TO A POINT; THENCE RUN NORTH 21 DEGREES 00 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 247.62 FEET TO A POINT; THENCE RUN NORTH 24 DEGREES 40 MINUTES 25 SECONDS WEST FOR A DISTANCE OF 89.58 FEET TO A POINT; THENCE RUN NORTH 68 DEGREES 58 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 127.90 FEET TO A POINT; THENCE RUN NORTH 69 DEGREES 07 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 103.10 FEET TO A POINT; THENCE RUN NORTH 04 DEGREES 04 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 56.20 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 486.48 FEET, AND AN ARC LENGTH OF 276.39 FEET, A CHORD BEARING OF NORTH 12 DEGREES 08 MINUTES 30 SECONDS WEST AND A CHORD LENGTH OF 271.73 FEET TO A POINT; THENCE RUN NORTH 57 DEGREES 49 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 143.37 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 289.48 FEET, AND AN ARC LENGTH OF 263.02 FEET, A CHORD BEARING OF NORTH 84 DEGREES 04 MINUTES 39 SECONDS EAST AND A CHORD LENGTH OF 254.07 FEET TO A POINT ON A CURVE TO THE RIGHT (CLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 1162.13 FEET, AND AN ARC LENGTH OF 151.01 FEET, A CHORD BEARING OF SOUTH 70 DEGREES 53 MINUTES 01 SECOND EAST AND A CHORD LENGTH OF 150.91 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 58 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 220.37 FEET TO A POINT; THENCE RUN NORTH 20 DEGREES 49 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 28.45 FEET TO A POINT; THENCE RUN SOUTH 68 DEGREES 59 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 66.49 FEET BACK TO THE POINT OF BEGINNING.

PARCEL 3 (PARCEL 3 IS LOTS 413-D1 AND 414-D1, FLOWER ESTATES SUBDIVISION, SECTION A)

LOT 413-D1

THAT CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA DESCRIBED ACCORDING TO A SURVEY BY JOHN E. BONNEAU & ASSOCIATES, INC DATED SEPTEMBER 27, 2007; REVISED OCTOBER 24, 2007, RECORDED IN CLERK MAP FILE NO. 4359-D AND DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1109.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 700.84 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21; THENCE LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 23 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE

OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 127.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF PINNACLE PARKWAY ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY OF LOUISIANA HIGHWAY 21 NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 131.04 FEET TO A POINT; THENCE RUN NORTH 12 DEGREES 58 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 31.42 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY RUN SOUTH 55 DEGREES 34 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 200.00 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 50 MINUTES 05 SECONDS EAST FOR A DISTANCE OF 200.15 FEET TO A POINT; THENCE RUN SOUTH 55 DEGREES 03 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 133.27 FEET TO A POINT; THENCE RUN SOUTH 34 DEGREES 02 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 405.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE RUN ALONG SAID RIGHT-OF-WAY NORTH 29 DEGREES 34 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 14.39 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 360.00 FEET AND AN ARC LENGTH OF 48.58 FEET TO A POINT; THENCE RUN NORTH 29 DEGREES 52 MINUTES 30 SECONDS WEST FOR A DISTANCE OF 50.74 FEET TO A POINT ON A CURVE TO THE LEFT (COUNTERCLOCKWISE & NON-TANGENT); THENCE RUN ALONG SAID CURVE WITH A RADIUS OF 370.00 FEET, AN ARC LENGTH OF 71.14 FEET, A CHORD BEARING OF NORTH 50 DEGREES 37 MINUTES 48 SECONDS WEST AND A CHORD LENGTH OF 71.03 FEET TO A POINT; THENCE RUN NORTH 56 DEGREES 08 MINUTES 18 SECONDS WEST FOR A DISTANCE OF 135.18 FEET BACK TO THE POINT OF BEGINNING.

LOT 414-D1

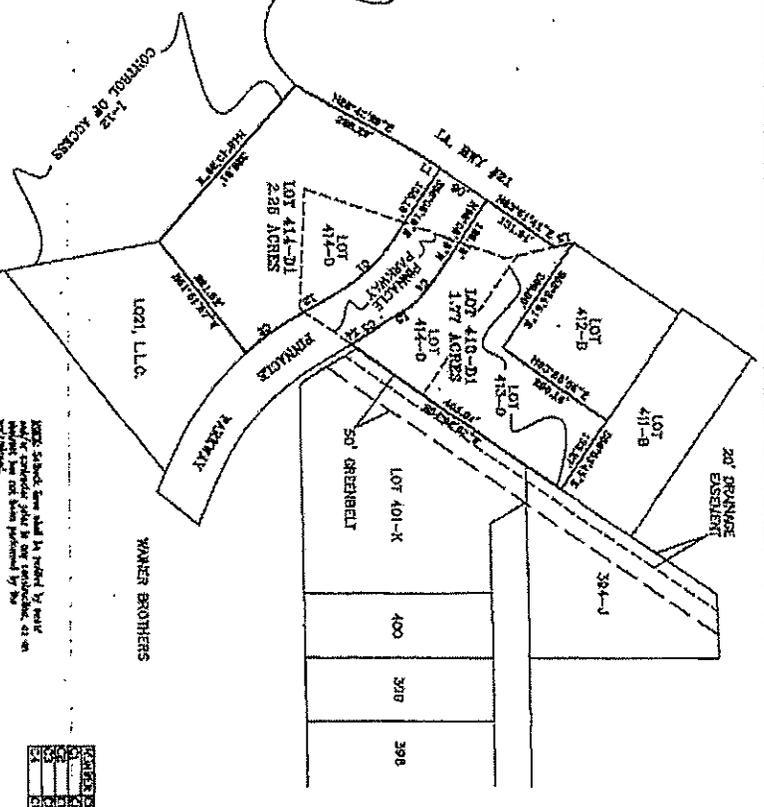
THAT CERTAIN PIECE OR PORTION OF LAND SITUATED IN SECTION 47, TOWNSHIP 7 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA DESCRIBED ACCORDING TO A SURVEY BY JOHN E. BONNEAU & ASSOCIATES, INC DATED SEPTEMBER 27, 2007; REVISED OCTOBER 24, 2007, RECORDED IN CLERK MAP FILE NO. 4559-D AND DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING FROM THE CORNER COMMON TO SECTIONS 12, 13 & 46 TOWNSHIP 7 SOUTH, RANGE 10 EAST, ST. TAMMANY PARISH, LOUISIANA RUN NORTH 00 DEGREES 40 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 1423.63 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 23 MINUTES 30 SECONDS EAST FOR A DISTANCE OF 1106.12 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 14 MINUTES 55 SECONDS EAST FOR A DISTANCE OF 95.62 FEET TO A POINT; THENCE RUN NORTH 89 DEGREES 17 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 706.94 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF INTERSTATE 12 AND THE EAST RIGHT-OF-WAY OF LOUISIANA STATE HIGHWAY 21 ALSO BEING THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING AND LEAVING SAID NORTH RIGHT-OF-WAY AND RUNNING ALONG SAID EAST RIGHT-OF-WAY NORTH 28 DEGREES 42 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 228.29 FEET TO A POINT; THENCE RUN NORTH 33 DEGREES 51 MINUTES 41 SECONDS EAST FOR A DISTANCE OF 37.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF PINNACLE PARKWAY; THENCE LEAVING

APPROVALS:
 REGISTERED PROFESSIONAL SURVEYOR
 STATE OF LOUISIANA
 No. 10-26-2007
 4559
 DATE: 10-26-2007

CHANGING FROM THE CURRENT ZONING TO SECTIONS 12, 13 & 14, THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS.



LINE TABLE

LINE	DIRECTION	DISTANCE
1	S 89° 51' 34" E	372.84'
2	S 89° 51' 34" E	77.87'
3	S 89° 51' 34" E	11.46'
4	N 89° 51' 34" W	11.46'
5	N 89° 51' 34" W	50.74'

CURVE TABLE

STATION	CHORD BEARING	CHORD DISTANCE	ARC LENGTH	ANGLE
1+00.00	S 89° 51' 34" E	372.84'	372.84'	89° 51' 34"
1+37.84	S 89° 51' 34" E	77.87'	77.87'	89° 51' 34"
1+45.71	S 89° 51' 34" E	11.46'	11.46'	89° 51' 34"
1+57.17	N 89° 51' 34" W	11.46'	11.46'	89° 51' 34"
1+68.63	N 89° 51' 34" W	50.74'	50.74'	89° 51' 34"

NOTICE: THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS.

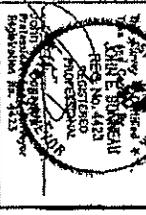
NOTICE: SURVEYOR JOHN E. BONNEAU HAS BEEN ADVISED BY THE CLIENT THAT THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS.

NOTICE: THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT AND THAT THE SURVEY WAS DONE IN ACCORDANCE WITH THE SURVEYING AND MAPPING ACT. THE SURVEYING AND MAPPING ACT IS THE LAW OF THE STATE OF LOUISIANA. THE SURVEYING AND MAPPING ACT IS THE LAW OF THE STATE OF LOUISIANA. THE SURVEYING AND MAPPING ACT IS THE LAW OF THE STATE OF LOUISIANA.

NOTICE: THIS IS TO CERTIFY THAT I HAVE BEEN ADVISED BY THE CLIENT THAT THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS. THE PROPERTY IS LOCATED WITHIN FLOOD ZONE "C" ACCORDING TO THE FEDERAL ENGINEERING WORKING GROUP FLOOD DAMAGE REDUCTION AND ANALYSIS REPORT FOR A RETURN PERIOD OF 100 YEARS.

RESUBDIVISION MAP OF
 LOTS 413-D & 414-D, FLOWER ESTATES SUBDIVISION, SECTION 7A & A PORTION OF
 PINEAPPLE PARKWAY AND A NON DESIGNATED PARCEL OF GROUND INTO
 LOT 413-D1 AND LOT 414-D1, FLOWER ESTATES SUBDIVISION, SECTION 7A & PINEAPPLE PARKWAY
 ST. Tammany Parish, Louisiana
 FLOWERS, INC.

Copy No. 2005 477 A
 Date: SEPTEMBER 27, 2007
 JOHN E. BONNEAU & ASSOCIATES, INC.
 Professional Land Surveyors
 420 N.W. 108th Ave. Ft. Lauderdale, FL 33309
 (954) 444-1022 (Fax) (954) 444-1023 (Cell) (954) 444-1024 (Home) (954) 444-1025 (Office)



Administrative Comment

The moratorium was vacated with the assurances that the plan review permits would be applied for and approved. To date neither has happened. Improvements to Hwy 21 continue to be necessary to protect the health, safety and welfare, therefore this lot needs to be returned to the moratorium.

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: OTF #5 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 1ST DAY OF MAY, 2014.

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 22 WATER TO CREATE ARTICLE IV GROUNDWATER PROTECTION, AND TO PROVIDE DEFINITIONS AND REGULATIONS WITH RESPECT THERETO.

WHEREAS, the St. Tammany Parish Council recognizes that many residents rely on groundwater for their safe drinking water supply; and

WHEREAS, certain activities can contaminate groundwater, particularly in shallow aquifers; and

WHEREAS, to ensure the protection of these drinking water supplies, this Ordinance, titled the Groundwater Protection Ordinance, is adopted to protect public health and safety by establishing Drinking Water Protection Areas to prevent contamination of shallow aquifers and preserve and protect existing and potential sources of drinking water supplies; and

WHEREAS, no hazardous materials should be present in Drinking Water Protection Areas that may cause or significantly contribute to an immediate, or the potential for, risk of harm to groundwater resources, human health, safety, or general welfare, or the natural environment.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Chapter 22 Water, Article IV Groundwater Protection be enacted as follows:

CHAPTER 22 **WATER**

ARTICLE IV **GROUNDWATER PROTECTION**

SEC. 22-100.00 **Purpose**

The purpose of this Section is to protect public health and safety by establishing Drinking Water Protection Areas to prevent the contamination of shallow aquifers and preserve and protect existing and potential sources of drinking water supplies.

SEC. 22-100.01 **Applicability**

This Ground Water Protection Ordinance shall apply to and include all new construction activities, reconstruction or expansion of existing buildings, facilities and structures, and all other new or expanded uses of property where alteration of the soil surface may occur. These activities/uses must comply with the requirements of both the Drinking Water Protection Area(s) established by this ordinance, and any other seperate and additional applicable parish land use regulations contained within the Parish Code of Ordinances and the Parish Unified Development Code.

SEC. 22-100.02 **Definitions**

ABANDONED WATER WELL . A well that's use has been permanently discontinued; its pumping equipment has been permanently removed; the well is in such a state of disrepair that it cannot be used to supply water and/or has the potential for transmitting surface contaminants into an aquifer; the well poses potential health or safety hazards, or the well is in such a condition that it cannot be placed in the active, standby, or inactive status.

ABOVE GROUND STORAGE TANK (AST). A vessel, used to store petroleum products or chemicals that is fixed permanently in place (stationary) on foundations, racks, cradles or stilts, or on the ground. The term does not include tanks mounted on wheels, trolleys, skids, pallets, or rollers, or produced substance storage tanks directly related to oil and gas production and gathering operations, and intended for temporary storage only.

APPLICANT. Person or persons applying for a special permit for a facility within the Drinking Water Protection Area(s).

ANIMAL FEEDLOT/ DAIRIES. A lot or facility (other than an aquatic animal production facility) where animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility.

AQUIFER. A geological formation, group of formations or part of a formation composed of water-bearing rock, sand or gravel capable of storing and yielding groundwater in a usable quantity to a well or spring.

CLASS I WELL. Wells used to inject hazardous wastes or dispose of non-hazardous industrial waste and treated municipal sewage below the deepest underground source of drinking water (USDW).

CLASS II WELL. Wells used to inject fluids associated with the production of oil and natural gas or fluids and compounds used for enhanced hydrocarbon recovery. These wells normally inject below the deepest underground source of drinking water (USDW) except in cases where the USDW contains producible quantities of oil or gas.

CLASS III WELL. Wells that inject fluids used in subsurface mining of minerals such as salt, sulfur, and uranium.

CLASS IV WELLS. Wells that inject hazardous or radioactive wastes into or above underground sources of drinking water (USDW). These wells are banned unless authorized under federal law.

CLASS V WELL. Wells not included in the other classes that inject nonhazardous fluid into or above an underground source of drinking water. (The seven major types of Class V wells include drainage wells, geothermal reinjection wells, domestic wastewater disposal wells, mineral and fossil fuel recovery related wells, industrial/commercial/utility disposal wells, recharge wells and miscellaneous wells. Class V injection wells also include all large-capacity cesspools and motor vehicle waste disposal wells.)

CONTAMINATION. An impairment of water quality in groundwater resources caused by the presence of a material that may cause or significantly contribute to an immediate or potential risk to human health, safety, welfare, or to the health of the natural environment, such that it degrades and/or impairs the beneficial use of the resource.

DELINEATION. Determining the outline or shape of a Drinking Water Protection Area.

DRINKING WATER PROTECTION AREA (DWPA). The area around a drinking water source, such as a well or surface water intake, to be protected. For assessment and protection of all ground water supplied water systems, the Arbitrary Fixed Radius Method of delineation will be used. The Arbitrary Fixed Radius Method is the established method for the State of Louisiana's U.S. EPA approved Wellhead Protection Program, a protection program for ground water systems implemented since 1991. This method is most appropriate for St Tammany Parish due to

the highly variable nature of river laid deposits across the Parish and the lack of site-specific hydrogeologic data (aquifer data).

Required protected radius sizes based on vulnerability of the well in order of priority are as follows:

- A. A one-mile fixed radius for wells screened above 1000 feet.
- B. A half-mile fixed radius for wells screened below 1000 feet and completed before Louisiana Department of Transportation and Development (LADOTD) regulations promulgated November 1, 1985.
- C. A 1000-foot radius for wells screened below 1000 feet and completed after LADOTD regulations were promulgated.
- D. A half-mile radius for transient/temporary non-community supply wells in the Terrace Aquifer.
- E. A 1000-foot radius for all other transient/temporary non-community supply wells.

GROUND WATER. The water contained in the interconnected pores located below the ground in an aquifer.

HAZARDOUS MATERIALS. A material that may cause or significantly contribute to an immediate or potential risk: to human health, safety and welfare, to ground water resources, or to the natural environment or that is defined in the following categories:

Ignitable: A gas, liquid or solid which may cause fires through friction, absorption of moisture, or which has low flash points. Examples: white phosphorous and gasoline.

Carcinogenic: A gas, liquid, or solid which is normally considered to be cancer causing or mutagenic. Examples: PCB's in some waste oils.

Explosive: A reactive gas, liquid or solid that will vigorously and energetically react uncontrollably if exposed to heat, shock, pressure or combinations thereof. Examples: dynamite, organic peroxides and ammonium nitrate.

Highly toxic: A gas, liquid, or solid so dangerous to man as to afford unusual hazard of life. Example: chlorine gas.

Moderately Toxic: A gas, liquid or solid that through repeated exposure or in a single large dose can be hazardous to man.

Corrosive: Any material, whether acid or alkaline, which will cause severe damage to human tissue, or in case of leakage might damage or destroy other containers of hazardous materials and cause the release of their contents. Examples: battery acid and phosphoric acid.

The following items listed below and by-products, reaction products, or waste products generated from the use, handling, storage, or production of these items:

Acid and base cleaning solutions, antifreeze and coolants, new or used, arsenic and arsenic compounds, batteries, new and used, brake and transmission fluid, oils/greases/lubricants, brine solution casting and foundry chemicals, caulking agents and sealants, cleaning solvents, cutting fluids, degreasing solvents, disinfectants, electroplating solutions, explosives, fertilizers, food processing wastes, fuels and additives, glues, adhesives, and resins, greases, hydraulic fluid

industrial and commercial janitorial supplies, industrial sludges and stillbottoms, inks, printing and photocopying chemical, laboratory chemicals, metal Enishing solutions, oils (petroleum based), paints, primers, thinners, dyes, stain's, wood preservatives, paint solvents, and paint removing compounds, pesticides and herbicides/plastic resins and catalysts, plasticizers, photo development chemicals, pool chemicals; roofing chemicals and sealers, solders and fluxes, tanning industry chemicals, transformer and capacitor oils/fluids.

IMPERVIOUS SURFACE. A surface covered by a material that is relatively impermeable to water.

INACTIVE WATER WELL. A well is considered to be inactive if it is not presently operating but is maintained such a way that it can be put back in operation, with a minimum of effort, to supply water.

NORMAL HOUSEHOLD USE. Storage or use of a hazardous material in quantities less than five (5) gallons if liquid or fifty (50) pounds, if solid.

PERSON. An individual, corporation, joint venture, incorporated association, public or private corporation, partnership, governmental body or other similar entity, public or private.

PROMISCUOUS DUMP. Any collection of solid waste either dumped or caused to be dumped or placed on any property either public or private, whether or not regularly used, and not authorized by the Parish Department of Environmental Services and the Louisiana Department of Environmental Quality.

PUBLIC WATER SUPPLY. A water supply that provides water through constructed conveyances to the public for at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily for at least sixty days per year.

SANITARY LANDFILL. A landfill for the disposal of commercial or residential solid waste by deposit in a landfill in layers covered with suitable cover material of a depth and at a frequency adequate to control disease vectors and odors, and in such a manner that minimizes the risk to human health and the environment.

SECURED STORAGE. Natural or created barrier to site ingress or egress around the entire perimeter of the hazardous materials storage area.

WELL. Any excavation that is drilled, cored, bored, washed, driven, dug, jettted, or otherwise constructed for conveying groundwater to the surface, monitoring groundwater levels or other characteristics, providing cathodic protection, or providing a method of injecting water into the aquifer system from above the earth's surface.

SEC. 22-100.03 Establishment and Delineation of the Drinking Water Protection Areas

This ordinance hereby establishes within the Parish of St. Tammany Drinking Water Protection Areas, each defined as the area within a certain radial distance from any drinking water source . Required protected radius sizes based on vulnerability of the well or surface water intake in order of priority shall be as follows:

A. A one-mile fixed radius for surface intakes and wells screened above 1000 feet in depth.

B. A half-mile fixed radius for wells screened below 1000 feet and completed before Louisiana Department of Transportation and Development (LADOTD) regulations promulgated November 1, 1985.

C. A 1000-foot radius for wells screened below 1000 feet and completed after LADOTD regulations were promulgated.

D. A half-mile radius for transient/temporary non-community supply wells in the Terrace Aquifer.

E. A 1000-foot radius for all other transient/temporary non-community supply wells.

SEC. 22-100.04 Prohibited Uses

The following uses, unless granted an exception, are prohibited within the Drinking Water Protection Areas:

Abandoned water wells, above ground storage tanks, agricultural chemical-formulation/distribution facilities, airports, animal feed lots/dairies, asphalt plants, battery recyclers, chemical plants, Class I injection wells, Class II injection wells, Class III injection wells, Class IV injection wells, Class V injection wells, furniture stripping facilities, military facilities, nuclear plants, paper mills, petroleum bulk plants, port facilities, power plants, promiscuous dumps, railroad yards-switching/loading and offloading/maintenance, salvage yards, sand/gravel pits, sanitary landfills, underground storage tanks, wood preserving plants.

SEC. 22-100.05 Exceptions

Any of the land uses, facilities or activities identified in Section 5 lawfully in existence on the effective date of this Ordinance may continue to exist on the parcel upon which it is located. Replacement or repair of said uses is permissible. If any of these land uses, facilities, or activities undergoes a change of ownership it may continue to exist providing the type of use remains the same. If any of these land uses, facilities, or activities ceases to be permitted for operation for a period exceeding six (6) months the Director of the Department of Development may deem it to be abandoned. Then, restarting an abandoned operation is prohibited unless a special permit is granted.

A. Uses and Activities Requiring Special Permit.

The following uses and activities are permitted only upon the issuance of a special permit under such conditions as there exists an undue hardship and as they may require:

1. Enlargement or alteration of existing uses that do not conform to the Drinking Water Protection Areas;
2. Restarting operation of a use the Director of the Department of Development deemed to be abandoned that was previously in lawful existence on the effective date of this ordinance;
3. Those activities that involve the handling of hazardous materials in quantities greater than those associated with normal household use, permitted in any land use regulation (except as prohibited in Section 22.100.04).

The burden is on the applicant to show undue hardship.

B. Procedures for issuance of special permit:

1. The Special Permit Granting Authority (SPGA) for this ordinance shall be the members of the St. Tammany Parish Planning Commission. Such special permit shall be granted if

the SPGA determines, after receiving input from the Parish Departments of Development, Environmental Services, and Engineering that the intent of this ordinance, as well as its specific criteria, is met. The SPGA shall not grant a special permit under this section unless the petitioner's application materials include, in the SPGA's opinion, sufficiently detailed, definite, and credible information to support positive findings in relation to the standards given in this section. The SPGA shall document the basis for any departures from the recommendations of the departments in its decision.

2. Upon receipt of the special permit application through the Department of Development, the SPGA shall transmit copies to the departments for their written recommendations. The applicant shall furnish the necessary number of copies of the application.

3. The SPGA may grant the required special permit only upon finding that the proposed use meets the prohibited uses standards as specified in Section 5 of this ordinance, all applicable local regulations, and any regulations or guidelines adopted by the SPGA.

4. The applicant shall file 14 copies of a site plan and attachments. The site plan shall be drawn at a proper scale as determined by the SPGA and be stamped by a professional engineer. All additional submittals shall be prepared by qualified professionals. The Site plan and its attachments shall at a minimum include provisions to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism, including spill containment and clean-up procedures; provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces.

5. Appeals from denial of special permits shall be submitted in writing to the St. Tammany Parish Council through the Department of Development within ten (10) days of denial by the SPGA. The Parish Council shall conduct a hearing on the appeal at its next available regular meeting after receiving notice of the appeal request. Adverse decisions of the Parish Council shall be appealable to the 22nd Judicial District Court within 30 days of the adverse decision.

SEC. 22-100.06 **Saving Clause**

Should any section or provision of this ordinance be declared invalid, such decision shall not affect the validity of the ordinance as a whole or any other part thereof and shall not invalidate any special permit previously issued thereunder.

SEC. 22-100.07 **Enforcement**

A. Civil

This ordinance may be enforced civilly by suit for injunctive relief or by any other appropriate civil remedy.

B. Criminal

In addition to civil enforcement proceeding, this ordinance may be enforced through appropriate criminal proceedings. A person found in violation of this ordinance shall be guilty of a misdemeanor punishable by a term of imprisonment of up to thirty (30) days in the Parish Jail or a fine of not less than Three Hundred Dollars (\$300.00) nor more than Five Hundred Dollars (\$500.00) or both. Each day any violation of this ordinance shall continue shall constitute a separate offense.

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 immediately adoption and execution.

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 _____ DAY OF _____, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO. 14-_____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: _____, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #5

It is necessary for this Ordinance to be considered on the Off-the-Floor Agenda, due to its time sensitive nature. Many residents of St. Tammany Parish rely on groundwater for their safe drinking water supply. To ensure the protection of these drinking water supplies, this Ordinance is required to protect public health and safety by establishing Drinking Water Protection Areas to prevent contamination of shallow aquifers and preserve and protect existing and potential sources of drinking water supplies.

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: OTF #6 ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MR. GOULD PROVIDED BY: COUNCIL ATTORNEY

INTRODUCED BY: _____ SECONDED BY: _____

ON THE 1ST DAY OF MAY, 2014.

ORDINANCE TO AMEND THE ST. TAMMANY PARISH CODE OF ORDINANCES, CHAPTER 20 ROADS & BRIDGES, SEC. 20-013.00 TO PROVIDE FOR ADDITIONAL ROAD AND DRAINAGE SECURITY REQUIREMENTS.

WHEREAS, the health, safety, and welfare of the citizens of St. Tammany Parish are a primary concern as the Parish continues to be developed; and

WHEREAS, said development has a direct impact on our roads; and

WHEREAS, industrial type activities increase the size and volume of vehicles traversing our Parish road system; and

WHEREAS, it is necessary to provide protection to the Parish road system by increasing road and drainage security requirements.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that St. Tammany Parish Code of Ordinances, Chapter 20 Roads & Bridges, Sec. 20-013.00, be amended as follows:

CHAPTER 20 ROADS & BRIDGES

SEC. 20-013.00 Road and Drainage Security

The Departments of Public Works and Engineering are granted the authority to require and establish adequate security, as follows, on any project for which it is determined that security is needed to ensure that the integrity of the road and/or drainage structure is retained:

- For all industrial type projects using parish roads and bridges, a funded letter of credit or bond is required in an amount as determined by the Departments of Public Works and Engineering.
- A funded letter of credit or bond on any project this is not considered active under a parish issued building permit.
- When an active parish issued building permit is in place, a hold can be placed on the issuance of the Certificate of Occupancy for said permit if it is determined that an activity performed under same has caused damage to the road and/or drainage structure.

Any security established under this section shall be released upon satisfactory completion of the project or payment from the responsible party for any damage incurred to the road and/or drainage structure.

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 immediately adoption and execution.

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 _____ DAY OF _____, 2014; AND BECOMES ORDINANCE COUNCIL SERIES NO. 14-_____.

R. REID FALCONER, AIA, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: _____, 2014

Published Adoption: _____, 2014

Delivered to Parish President: _____, 2014 at _____

Returned to Council Clerk: _____, 2014 at _____

ADMINISTRATIVE COMMENT - OFF-THE-FLOOR #6

It is necessary for this Ordinance to be considered on the Off-the-Floor Agenda, due to its time sensitive nature. The health, safety, and welfare of the citizens of St. Tammany Parish are a primary concern as the Parish continues to be developed. This continued development has a direct impact on our roads. Industrial type activities increase the size and volume of vehicles traversing our Parish road system. It is necessary to take immediate action to protect the Parish road system by increasing road and drainage security requirements.