

ST. TAMMANY PARISH COUNCIL

ORDNANCE

ORDINANCE CALENDAR NO: 7377AA

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: MS. TANNER

PROVIDED BY: COUNCIL STAFF

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MS. O'BRIEN

ON THE 5TH DAY OF OCTOBER, 2023

ORDINANCE TO IMPOSE A SIX (6) MONTH MORATORIUM ON RECEIPT OF SUBMISSIONS BY THE PARISH PLANNING AND ZONING COMMISSION FOR THE PLACEMENT OF MOBILE HOME OVERLAY OR RE-SUBDIVISION OR RE-ZONING OF PROPERTY AND/OR ON THE ISSUANCE OF PERMITS BY THE PARISH DEPARTMENT OF PLANNING AND DEVELOPMENT/PERMITS FOR THE CONSTRUCTION OR PLACEMENT OF ANY MOBILE HOME BUILDING STRUCTURES IN THE AREA IN DISTRICT 6, COMMENCING AT THE INTERSECTION OF HWY 41 AND EARL BENNETT ROAD IN DISTRICT 6, EXCLUDING PROPERTIES LOCATED AT 37360, 37380 AND 37402 HOWARD O'BERRY ROAD, AS SPECIFICALLY DESCRIBED HEREIN AND ON THE ATTACHED MAP AND IN THE ATTACHMENT TITLED 'NEW BOUNDARY LEGAL'. (WARD 4, DISTRICT 6)

WHEREAS, to protect and preserve the health, safety, and property interests of residents, a temporary moratorium is necessary to allow sufficient time for completion of an assessment of the placement of the mobile home structures which is further needed to confirm whether connection to utilities for these mobile structures was properly performed; and

WHEREAS, it is believed that mobile homes have been placed in the described area without the proper zoning; and

WHEREAS, the Councilmember for District 6, Cheryl Tanner, has requested that Code Enforcement do a thorough investigation of the area to determine the status of potentially unpermitted structures; and

WHEREAS, it is necessary to temporarily suspend receipt of submissions by the Parish Planning and Zoning Commissions for the re-subdivision or re-zoning of property and/or on the issuance of permits for the construction or placement of any mobile home building structures on property in the Howard O'Berry Road area, commencing at the intersection of Highway 41 and Earl Bennett Road in Council District 6, pending completion of the above referenced assessment of the status of mobile home structures which have been placed in the area; and

THE PARISH OF ST. TAMMANY HEREBY ORDAINS: that in accordance with Section 2-14 of the Parish Home Rule Charter, the Parish Council imposes a six (6) month moratorium on Receipt of Submissions by the Parish Planning and Zoning Commission for the re-subdivision or re-zoning of property and/or on the issuance of permits by the Parish Department of Planning and Development/Permits for the construction or placement of any mobile home building structures on property in the Howard O'Berry Road area in Council District 6, commencing at the intersection of Highway 41 and Earl Bennett Road, excluding properties located at 37360, 37380, and 37402 Howard O'Berry Road, as specifically described herein and on the attached map and in the attachment titled 'New Boundary Legal':

A CERTAIN AREA OF LAND SITUATED IN THE STATE OF LOUISIANA, PARISH OF ST. TAMMANY, DISTRICT 6, COMMENCE AT THE INTERSECTION OF HWY 41 AND EARL BENNETT ROAD, SAID POINT BEING THE POINT OF BEGINNING; FROM THE POINT OF BEGINNING, PROCEED IN AN EASTERLY DIRECTION ALONG THE CENTERLINE OF EARL BENNETT ROAD (EXTENDED) FOR A DISTANCE OF APPROXIMATELY 4,613 FEET TO A POINT LOCATED AT THE SECTION CORNER COMMON TO SECTIONS 14, 15, 22 AND 23, TOWNSHIP 7 SOUTH, RANGE 14 EAST; THENCE PROCEED IN A SOUTHERLY DIRECTION ALONG THE SECTION LINE COMMON TO SECTIONS 22 AND 23, TOWNSHIP 7 SOUTH, RANGE 14 EAST FOR A DISTANCE OF APPROXIMATELY 5,295 FEET TO A POINT LOCATED AT THE SECTION CORNER COMMON TO SECTIONS 22, 23, 26 AND 27, TOWNSHIP 7 SOUTH, RANGE 14 EAST; THENCE PROCEED IN A WESTWARDLY DIRECTION ALONG THE SECTION LINE COMMON TO SECTIONS 22 AND 27 TOWNSHIP 7 SOUTH, RANGE 14 EAST FOR A DISTANCE OF APPROXIMATELY 4,303 FEET TO A POINT LOCATED AT THE INTERSECTION SAID SECTION LINE AND THE CENTERLINE OF HWY 41; THENCE PROCEED ALONG THE CENTERLINE OF HWY 41 FOR A DISTANCE OF APPROXIMATELY 5,599 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING.

BE IT FURTHER ORDAINED that this moratorium will not affect the development of property for which issuance of permits for construction or placement of any mobile home building structures has already been approved by the Parish Department of Planning & Development/Permits prior to November 02, 2023, the date of adoption of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall be effective immediately upon final adoption and shall remain in effect through May 02, 2024.

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 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 2ND DAY OF NOVEMBER, 2023 ; AND BECOMES ORDINANCE COUNCIL SERIES NO. _____.

JACOB "JAKE" A. AIREY, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: OCTOBER 18, 2023

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____