

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7045AA

ORDINANCE COUNCIL SERIES NO. ____

COUNCIL SPONSOR: BINDER/COOPER

PROVIDED BY: COUNCIL OFFICE

INTRODUCED BY: MR. CANULETTE

SECONDED BY: MR. DAVIS

ON THE 7TH DAY OF JULY, 2022

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WHEREAS, the Louisiana Legislature adopted Louisiana Revised Statute 33:1236 (55)(a) authorizing THE GOVERNING AUTHORITY OF St. Tammany Parish to enact an ordinance requiring the Clerk of Court to impose certain fees for the operational expenses of the judicial system; and

WHEREAS, St. Tammany Parish passed an ordinance over 32 years ago pursuant to said Revised Statute requiring the Clerk of Court to impose and collect a charge of five dollars for the registration and recordation of any document in the mortgage and conveyance records; and

WHEREAS, further pursuant to said Revised Statute and said above referenced ordinance requiring the Clerk of Court to impose and collect an additional charge of fifteen dollars for the filing and recordation of adoptions, successions, and any other new civil suits and written motions for hearings with certain exemptions enumerated in said Revised Statute; and

WHEREAS, said above referenced ordinance required the Sheriff to impose, collect, and remit to the Parish a fee of five dollars for each tax certificate issued or filed by the Sheriff; and

WHEREAS, the Louisiana Legislature mandates that St. Tammany Parish fund the operational expenses of the judicial system and provide for a good and sufficient Court; and

WHEREAS, St. Tammany Parish no longer has a tax dedicated to pay for said operational expenses of the judicial system or provide for a good and sufficient Court; and

WHEREAS, it was through the efforts of the Judges, Clerk of Court, Parish Council, and Parish Administration that Senate Bill No. 401 by Senator McMath to permit certain increases in said fees was approved by the Louisiana Legislature, and signed by the Governor to become Act 752 of the 2022 Regular Session; and

WHEREAS, it is the intention of the Parish Council that the funds generated by said law be used directly and exclusively to fulfill St. Tammany Parish's legislative obligations to cover the operational expenses of the judicial system and provide for a good and sufficient Court;

WHEREAS, in accordance with the provisions of R.S.13:62 any increase provided within the ordinance determined to require Judicial Council approval shall become effective if and when the Judicial Council provides a favorable recommendation in a Judicial Report to the Louisiana Legislature;

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the Clerk of Court for St. Tammany Parish is required to impose, collect, and remit to the Parish for operational expenses of the judicial system and its related agencies an additional charge of fifteen dollars for the registration and recordation of any document in the mortgage and conveyance records; and

BE IT FURTHER ORDAINED that the Clerk of Court for St. Tammany Parish is required to impose, collect, and remit to the Parish an additional charge of twenty-five dollars for the filing and recordation of adoptions, successions, and any other new civil suits and written motions for hearings filed in or with the Clerk of Court's office; and

BE IT FURTHER ORDAINED that the Sheriff of St. Tammany Parish is required to

impose, collect, and remit to the Parish for operational expenses of the respective judicial system and its related agencies such additional charge, not exceeding fifteen dollars, for each tax certificate issued or filed by the Sheriff of the Parish.

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 upon 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 4TH DAY OF AUGUST, 2022; AND BECOMES ORDINANCE COUNCIL SERIES NO. 22-_____.

JERRY BINDER, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: JUNE 29, 2022

Published Adoption: _____, 2022

Delivered to Parish President: _____, 2022 at _____

Returned to Council Clerk: _____, 2022 at _____