

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO. 7184

ORDINANCE COUNCIL SERIES NO. 22-_____

COUNCIL SPONSOR: FITZGERALD/COOPER

PROVIDED BY: PLANNING & DEVELOPMENT

INTRODUCED BY MR. DAVIS

SECONDED BY: MR. TOLEDANO

ON THE 5TH DAY OF JANUARY, 2023

AN ORDINANCE TO REVOKE AN UNOPENED PORTION OF 8TH STREET & 9TH STREET, LOCATED ON THE SOUTH SIDE OF HWY 36, NORTH OF THE TAMMANY TRACE, IN THE TOWN OF NEW CLAIBORNE SUBDIVISION, WARD 3, DISTRICT 2. (REV 22-07-008)

WHEREAS, the petitioner, who owns property abutting the aforementioned Parish street right-of-way, has petitioned the St. Tammany Parish Council to revoke/alienate a portion of the dedication, specifically a portion of 8th Street & 9th Street, located on the south side of Hwy 36, north of the Tammany Trace, in the Town of New Claiborne Subdivision, Covington, Louisiana; and

WHEREAS, the Department of Public Works, and Department of Planning & Development have reviewed and researched said request and have reported their findings to the St. Tammany Parish Planning Commission; and

WHEREAS, the St. Tammany Parish Planning Commission, upon review of said petition, and after having considered all of the facts relevant to this request, has concluded that said portion of said street right-of-way is no longer needed for public purposes as defined pursuant to statutory law, and therefore recommends to the Parish Council the adoption of the proposed revocation request.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that it hereby concurs with the findings of the Planning Commission and therefore grants approval of the revocation/alienation request for the portion of the street right-of-way as referred to above, subject to the following:

SECTION I: The revocation of the subject property will be conditioned upon a formal dedication or establishment of a drainage and access easement on the unopened portion of 9th Street prior to approval.

SECTION II: The petitioners, or any other adjacent property owner who wishes to participate, if any, shall enter into a private cash sale with the Parish to conclude the revocation/alienation process as set forth in St. Tammany Parish Code of Ordinances Section 35-1, and in accordance with the provisions of La. R.S. 48:701, et seq. and/or La. R.S. 48:711, et seq.

SECTION III: Following execution of the private cash sale(s), the petitioners shall assimilate the right-of-way into its abutting lots through the Parish's administrative resubdivision process.

SECTION IV: All subsurface mineral rights therein shall be retained by St. Tammany Parish, unless otherwise stated within this Ordinance; and the Parish shall reserve the right to retain any easements and/or servitudes existing at the time of revocation and/or may also require the establishment of same if the Parish deems it necessary

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby and henceforth repealed.

SEVERABILITY: If any provision of this Ordinance is held to be invalid, such invalidity shall not affect other provisions herein, which can be given effect without the invalid provisions, and to this end, the provisions of this Ordinance are hereby declared to be severable.

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 FEBRUARY, 2023; AND BECOMES ORDINANCE COUNCIL SERIES NO. 23-_____.

JACOB “JAKE” A. AIREY, COUNCIL CHAIRMAN

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published Introduction: DECEMBER, 2022

Published Adoption: _____, 2023

Delivered to Parish President: _____, 2023 at _____

Returned to Council Clerk: _____, 2023 at _____