

NOTICE OF INTRODUCTION OF ORDINANCE

NOTICE IS HEREBY GIVEN that the following entitled ordinance was introduced in writing in the form required for adoption at a meeting of the Parish Council of the Parish of Livingston, State of Louisiana, on May 11, 2017, and laid over for publication of notice:

LIVINGSTON PARISH ORDINANCE NO. 17-19

AN ORDINANCE TO AMEND AND REENACT CHAPTER THIRTEEN, ARTICLE I, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING A SECTION, SECTION 13-3, TO BE TITLED, "GENERAL PENALTY FOR VIOLATION OF THIS CHAPTER," AS MORE FULLY SET OUT HEREIN; AND

REMOVING SECTION 13-69, "VIOLATION AND PENALTY," OF ARTICLE IV, DIVISION 4, OF CHAPTER 13.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on May 25, 2017, at six o'clock (6:00) p.m., at the Parish Council Meeting Room in the Courthouse, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy Teal, Council Clerk

Tracy Girlinghouse, Council Chairman

(As per rules of the Council, copies of the proposed ordinance shall be made available for public inspection in the Office of the Livingston Parish Council.)

The following ordinance, which was previously introduced in written form at a regular meeting of the Parish Council on May 11, 2017, a summary thereof having been published in the official journal together with a notice of public hearing which was held in accordance with said public notice, was brought up for final passage May 25, 2017, on motion of Garry “Frog” Talbert and seconded by Shane Mack:

LIVINGSTON PARISH ORDINANCE NO. 17-19

AN ORDINANCE TO AMEND AND REENACT CHAPTER THIRTEEN, ARTICLE I, OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY ADDING A SECTION, SECTION 13-3, TO BE TITLED, “PENALTY FOR VIOLATIONS OF THIS CHAPTER,” AS MORE FULLY SET OUT HEREIN; AND

REMOVING SECTION 13-69, “VIOLATION AND PENALTY,” OF ARTICLE IV, DIVISION 4, OF THIS CHAPTER.

WHEREAS, Chapter 13 of the Code of Ordinances of Livingston Parish pertains to Planning and Development in the Parish; and

WHEREAS, in order to assure that residential and commercial development regulations can be properly enforced to safeguard adjoining property owners, protect the safety and proper functioning of roads, bridges and drainage systems and properly manage the impact of growth on existing and future infrastructures, it is imperative that Parish Government be able to enforce compliance with the provisions of this Chapter.

NOW, THEREFORE, BE IT ORDAINED by the Livingston Parish Council, as governing authority, that Chapter 13 of the Code of Ordinances, Planning and Development, is hereby amended by adding a Section to Article I to be numbered Section 13-3, which Section shall read as follows:

Chapter 13 – PLANNING AND DEVELOPMENT

ARTICLE I. – IN GENERAL

SECTION 13-3. – Penalty for Violations of this Chapter.

Any violation of this Chapter of the Code of Ordinances will be punished by the fines and criminal provisions set forth in Chapter 1, Section 1-8, of this Code. In particular a violation of this Chapter will be punished by a fine of not more than five hundred dollars (\$500) or imprisonment for not more than thirty (30) days in jail. Each day a violation continues shall constitute a separate offense and fine. Violations can also be enforced by a civil action brought by the Parish in District Court. Any commercial enterprise that violates the provisions of this Chapter and ignores a written “10 day cease and desist order” from the Parish Director of Public Works will have their occupational license revoked and their certificate of occupancy cancelled. In a civil action the Parish can be granted a Judgment ordering the close of a commercial enterprise, an order to disconnect utilities, a lock out or closing of any driveway or doors to any building. If a civil action is necessary to enforce this Chapter then any violator will also be held to pay the court cost and attorney fees of the Parish. In any civil enforcement action required to enforce any provision of this Chapter, the Parish can also recover the fines set forth above up to the maximum allowed by law and obtain a civil judgment against the violator for the amount of the fines assessed in addition to the cost and attorney fees expended by the parish”.

BE IT FURTHER ORDAINED by the Parish Council, as governing authority, that the Penalty contained in Article IV, Division 4, Section 13-69 of this Chapter, be removed as it will be made redundant upon adoption of this Ordinance, and that the numerical assignment be included as "Reserved" at the end of that Division.

SECTION 4. The effective date of this ordinance shall be as prescribed by law.

SECTION 5. The above and foregoing addition to the Code of the Parish of Livingston, having been properly introduced and published by title, was thereupon submitted to a vote; the vote thereon was as follows:

YEAS: MR. ARD, MR. WASCOM, MR. GIRLINGHOUSE, MR. KEEN, MR. HARRIS, MR. TALBERT, MR. LOBELL, MR. AVERETT, MR. MACK

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on the 25th day of May 2017.

Tracy Girlinghouse, Council Chairman

ATTEST:

Sandy Teal, Council Clerk

INTRODUCED _____ ADOPTED _____

DELIVERED TO PRESIDENT _____, _____ o'clock ____ .M.

APPROVED BY PRESIDENT _____

Layton Ricks Date

VETOED BY PRESIDENT _____

Layton Ricks Date

RECEIVED FROM PRESIDENT _____, _____ o'clock ____ .M.