

**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 December 14, 2017, and laid over for publication of notice:

L.P. ORDINANCE 17-50

AN ORDINANCE TO AMEND L.P. ORDINANCE 17-43 ADOPTED ON NOVEMBER 21, 2017 OF CHAPTER 13, "PLANNING AND DEVELOPMENT," ARTICLE I, "IN GENERAL," BY AMENDING THE SECTION NUMBER OF THIS ORDINANCE FROM SECTION 13-3, TO BE READ AND KNOWN AS, SECTION 13-4, "STREETS, QUITCLAIMS, SERVITUDE AND RIGHTS-OF-WAY REVOCATION PROCEDURE," OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, January 11, 2018, at six (6:00) o'clock p.m., at the Parish Council Chambers, Governmental Building, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

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Sandy C. Teal, Council Clerk

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Tracy Girlinghouse, Council Chair

(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 required for adoption at a regular meeting of the Parish Council on December 14, 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 January 11, 2018, on Motion of Garry "Frog" Talbert and seconded by Tracy Girlinghouse:

#### L.P. ORDINANCE 17-50

AN ORDINANCE TO AMEND L.P. ORDINANCE 17-43 ADOPTED ON NOVEMBER 21, 2017 OF CHAPTER 13, "PLANNING AND DEVELOPMENT," ARTICLE I, "IN GENERAL," BY AMENDING THE SECTION NUMBER OF THIS ORDINANCE FROM SECTION 13-3, TO BE READ AND KNOWN AS, SECTION 13-4, "STREETS, QUITCLAIMS, SERVITUDE AND RIGHTS-OF-WAY REVOCATION PROCEDURE," OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON.

WHEREAS, on September 13, 2001, the Livingston Parish Council adopted L.P. Ordinance 01-16, "An Ordinance to Amend and Reenact Article IV, Chapter 13, Subdivision Regulations, of the Livingston Parish Code of Ordinances and Related Matters Thereto;" and

WHEREAS, the Livingston Parish Council has enacted numerous amendments to Chapter 13 of the Code of Ordinances to make necessary and desirous updates and revisions to that section of the Code setting out Subdivision regulations; and

WHEREAS, on May 25, 2017, the Livingston Parish Council adopted L.P. 17-19 adding Section 13-3, titled as "Penalty for Violations of this Chapter"; and

WHEREAS, the Livingston Parish Council now desires to make further amendments to the Subdivision regulations and avoid the duplication of section numbers by amending L.P. Ordinance No. 17-43 that added Section 13-3 "Streets, Quitclaims, Servitude and Rights-of-Way Revocation Procedure" to define and establish a procedure for the revocation of streets, servitudes and rights-of-way dedications that are no longer needed for public purposes, to be known as Section 13-4;

THEREFORE, BE IT ORDAINED by the Livingston Parish Council, governing authority of the Parish of Livingston, State of Louisiana:

The duplication of SECTION 13-3 of ARTICLE I of CHAPTER 13 of the Code of Ordinances is hereby amended as follows:

#### **Section 13-4 Streets, Quitclaims, Servitude and Rights-of-Way Revocation Procedure**

##### **A. Application Requirements**

An application must be filed with the Livingston Parish Planning Department to initiate the quitclaim and revocation of any street, servitude or right-of-way dedication that is no longer needed for public purposes.

Said application shall contain the following:

1. A cover letter indicating the applicant's full name, mailing address, phone number and the reason and/or purpose for the quitclaim/revocation submission.
2. Letters of No Objection shall be obtained by the applicant from all current neighboring property owners and shall contain the names and addresses of those property owners.
3. Letters of No Objection shall be obtained from the utility companies located in the area of the quitclaim/revocation submission.
4. Quitclaim/revocation survey map containing the measurements, degrees and bearing calls (legal description), inclusive of the plotting of all utility locations and hatch marks and/or shading of the area to be revoked. Said survey map must be certified by a state registered engineer or land surveyor and stamped with an official seal. Signature lines shall be placed on the survey map for signatures by the Livingston Parish President and/or the Livingston Parish Planning Director.
5. The survey map indicating area to be revoked, a proposed ordinance and a quitclaim document shall be submitted in digital format (Word format and/or other preferred method of the Livingston Parish Council), in addition to a hard copy.
6. Submission of two hundred fifty-dollar (\$250.00) filing fee.

##### **B. Procedure**

Upon the acceptable submission of application to the Livingston Parish Planning Department, the request shall be placed on the next available agenda of the Livingston Parish Planning Commission to investigate the propriety and feasibility of the quitclaim/revocation. A recommendation shall be

provided to the Livingston Parish Council by the Livingston Parish Planning Commission. The recommendation shall include all application documents received, including required digital copies as stated above. Such recommendation shall be placed on the next available agenda of the Livingston Parish Council.

**C. Actions by the Livingston Parish Council**

Upon being set on the next available agenda, the Livingston Parish Council shall review the recommendations received from the Livingston Parish Planning Commission, and may, if it so desires, introduce an ordinance revoking the street, right-of-way or servitude. The date and time of a Public Hearing shall be set and announced on the matter. Said Public Hearing and Notice of Introduction of Ordinance shall be published in the Parish Official Journal and follow the publication requirements of the Livingston Parish Home Rule Charter. Upon the outcome and closure of the Public Hearing, the Livingston Parish Council may adopt or reject the ordinance as it sees fit by majority vote.

The Council clerk shall certify the passage of the adopted ordinance, quitclaim document and survey map and shall present said documentation to the office of the Parish President. The office of the Parish President shall contact the applicant and arrange for the notarization of the quitclaim. Upon receipt of the completion and execution of the adopted ordinance, quitclaim document and survey map, the Council clerk shall publish the ordinance in the Parish Official Journal. The quitclaim and survey map are to be filed at the Livingston Parish Clerk of Court’s office. All costs associated with these actions shall be billed to the applicant.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed. 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.

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

Upon being subjected to a vote, the vote thereon was as follows:

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

NAYS: NONE

ABSENT: MR. MACK

ABSTAIN: NONE

And the ordinance was declared adopted on the 11th day of January 2018.

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Tracy Girlinghouse, Council Chair

ATTEST:

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Sandy C. 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.