

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 July 23, 2020, and laid over for publication of notice:

L.P. ORDINANCE 20-21

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 125-4, PART (A)(5), "EXCLUSIONS." AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, August 13, 2020 , 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.

Sandy Teal, Council Clerk

Shane Mack, 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 July 23, 2020 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 August 13, 2020, on Motion of Garry Talbert and seconded by Tracy Girlinghouse:

L.P. ORDINANCE 20-21

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," SECTION 125-4, PART (A) (5), "EXCLUSIONS." AS FOLLOWS.

WHEREAS, the Livingston Parish Council adopted L.P.O. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, which has since been codified and adopted in L.P.O. 19-16 and is now identified as Chapter 125, and;

WHEREAS, the Livingston Parish Council has adopted numerous amendments to Chapter 125 of the Code of Ordinances and now desires to amend the Chapter further by removing bona fide partition exclusions and;

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: The Code of Ordinances of Livingston Parish, Chapter 125, Section 125-4 is hereby amended to read as follows:

Sec. 125-4. - Exclusions.

(a) These regulations shall not apply to:

- (1) Land in subdivisions previously legally recorded, except in the case of resubdivisions which plat shall evidence the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
- (2) Subdivisions in which a building exists on each proposed lot, provided that the owner certifies on the plat that all such existing buildings were constructed prior to April 27, 1982.
- (3) The division of land to be used for orchards, forestry or farming, provided that the owner certifies upon the final plat to the Parish President that such land is to be used only for orchards, forestry or farming and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
- (4) Parcels of land sold to or exchanged between adjoining property owners, where such sale or exchange does not create additional lots and where the sale or transfer results in one (1) contiguous tract, provided that the property owner certifies upon the revised plat that the sale or exchange does not create additional lots and provided that such final plat evidences the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court.
- ~~(5) The provisions of this chapter shall not apply in the case of bona fide partitions of property by the legal heirs of a landowner after his death, nor in the case of the distribution by a landowner to his direct descending heirs, either by testamentary disposition or through transfer and distribution during the lifetime of the landowner; however, such final plat shall evidence the Parish President or Planning Director's signature and approval prior to filing with the Parish clerk of court and such transfer or sale shall not be in violation of Section 125-1 of this chapter. This Section shall not be interpreted to restrict the owners of property gained through this form of acquisition from constructing their personal residence and residing in same. Tracts or lots created under this exclusion may not be used for placement of more than one (1) mobile home for rental or lease purposes unless provisions of Section 125-49 are followed by the O/D/S.~~

(b) The O/D/S or donor or donee shall be responsible for filing the approved plat in the office of the clerk of court and providing the Parish with the number of certified copies as required for minor subdivisions.

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. HARRIS, MR. MCMORRIS, MR. KEEN, MR. GIRLINGHOUSE,
MR. ARD, MR. MACK, MR. TALBERT

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. DELATTE, MR. WASCOM

And the ordinance was declared adopted on the 13th day of August 2020.

Shane Mack, Council Chair

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.