

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 April 8, 2021, and laid over for publication of notice:

L.P. ORDINANCE 21-11

AN ORDINANCE TO AMEND CHAPTER 58 "ROADS AND DRAINAGE," ARTICLE I, "IN GENERAL", SECTION 58-14, "EXCAVATING OR DAMAGING ROAD, ETC.", AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, April 22, 2021, 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.

1/2 *Sandy C. Teal*

Sandy Teal, Council Clerk

1/2 *Garry Talbert*

Garry Talbert, 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 at a regular meeting of the Parish Council on April 8, 2021, 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 April 22, 2021, on motion of Tracy Girlinghouse and seconded by Maurice "Scooter" Keen:

L.P. ORDINANCE 21-11

AN ORDINANCE TO AMEND CHAPTER 58 "ROADS AND DRAINAGE," ARTICLE I, "IN GENERAL", SECTION 58-14, "EXCAVATING OR DAMAGING ROAD, ETC.," AS FOLLOWS.

WHEREAS, the Livingston Parish Council adopted L.P.O. 19-28, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Street Standards, which has since been codified and adopted in L.P.O. 19-16 and is now identified as Chapter 58, "Roads and Drainage" and;

WHEREAS, the Livingston Parish Council now finds it necessary and wishes to amend Chapter 58, "Roads and Drainage", section 58-14 (a) to add specific language for the hauling of heavy loads on Parish roads, sidewalks, or alleys, and section 58-14 (a), (b), and (d), to specify the designee responsible for granting approval and permits;

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 58, Section 58-14 is hereby amended to read as follows:

Sec. 58-14. – Excavating or damaging roads, etc.

- (a) It shall be unlawful for any person to excavate or damage any Parish road, way, sidewalk or alley, or hauling of multiple heavy loads of timber, dirt, gravel, or any other material or equipment, without first obtaining the approval by the Director of the Livingston Parish Department of Public Works, which permit is hereby authorized to grant at its reasonable discretion.
- (b) Upon such permit being had, it shall be the duty of the applicant to restore such Parish road, way, sidewalk or alley to its original condition within such reasonable time as the Director of the Livingston Parish Department of Public Works, shall order. Such restoration shall be done in a good and workmanlike manner and shall in no way interfere with drainage or unreasonably interfere with traffic on said Parish road, way, sidewalk or alley.
- (c) Every person doing business in the Parish under this Section shall post a bond or other security in an amount specified in Section 2-54(a) to ensure proper restoration of any Parish road, way, sidewalk or alley displaced or damaged by any such person in the placing and construction of its facilities.
- (d) When any such person refuses, neglects or fails to make such restoration, the Director of the Livingston Parish Department of Public Works, after ten (10) days' written notice to such company, may make or have made the necessary repairs, and the cost thereof shall be recovered under the bond or other security furnished by such person.
- (e) Persons subject to the provisions of this Section are authorized to perform emergency work and repairs, as well as maintenance, upon their facilities without first obtaining a permit as provided for herein. However, the provisions of this Section relating to restoration by any such person under the bond or other security shall nevertheless be applicable.

BE IT FURTHER ORDAINED that the effective date of this ordinance shall be as prescribed by law.

The above and foregoing amendment to the Code of Ordinances 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. KEEN, MR. GIRLINGHOUSE, MR. TALBERT, MR. DELATTE,
MR. HARRIS

NAYS: MR. MACK, MR. MCMORRIS

ABSTAIN: NONE

ABSENT: MR. ARD, MR. WASCOM

And the ordinance was declared adopted on the 22nd day of April 2020.

Garry Talbert, Chairman, Council Chairman

ATTEST:

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.