

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 November 7, 2019, and laid over for publication of notice:

L.P. ORDINANCE NO. 19-37

AN ORDINANCE TO ADD SECTION 70-235, "NOTIFICATION AND DISCLOSURE OF PUMP/GRINDER SEWERAGE INSTALLATION", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH BY MANDATING TO ANY PROSPECTIVE PURCHASER OF PROPERTY THE DISCLOSURE OF A PUMP/GRINDER SEWERAGE INSTALLATION AND THE REQUIREMENTS THEREOF.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, November 21, 2019, at six-thirty (6:30) p.m., at the Governmental Building, in the Livingston Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, 70754 at which time there will be a public hearing on the adoption of the aforesaid ordinance.

Sandy C. Teal, Council Clerk

Shane Mack, 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 required for adoption at a regular meeting of the Parish Council on November 7, 2019, 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 November 21, 2019, on Motion of _____ and seconded by _____:

L.P. ORDINANCE NO. 19-37

AN ORDINANCE TO ADD SECTION 70-235, "NOTIFICATION AND DISCLOSURE OF PUMP/GRINDER SEWERAGE INSTALLATION", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH BY MANDATING TO ANY PROSPECTIVE PURCHASER OF PROPERTY THE DISCLOSURE OF A PUMP/GRINDER SEWERAGE INSTALLATION AND THE REQUIREMENTS THEREOF.

WHEREAS, all residents connecting to publicly operated sewer systems are responsible for all plumbing lines including any pumps/grinders and other devices necessary to propel sewer outflow to the public main; and

WHEREAS, it is not always known by a purchaser of property that a pump/grinder has been installed underground at the time of purchase; and

WHEREAS, the replacement or repair of pump/grinders can be expensive; and

WHEREAS, the Livingston Parish Council desires for any purchaser of property to be informed by the builder and/or developer or any future private sellers before purchasing said property containing these devices;

THEREFORE, BE IT ORDAINED by the Livingston Parish Council that any builder and/or developer or any future private seller of real estate property containing pumps/grinders be required to disclose the existence of same, to any prospective purchaser of property by noting this on any disclosure document and also on any agreement in bold letters and denoting the following or similar language **"THIS PROPERTY HAS A PUMP/GRINDER INSTALLED TO PROPEL SEWAGE TO THE COMMUNITY LINE THAT MUST BE MAINTAINED BY THE PROPERTY OWNER AND NO REPLACEMENT WILL BE PROVIDED BY THE SEWER COMPANY IN THE EVENT OF FAILURE"**;

BE IT FURTHER ORDAINED by the Livingston Parish Council that any violation of this ordinance by the seller shall be punishable by a fine of five hundred dollars (\$500.00) and up to ten (10) days in jail.

FINALLY, FURTHERMORE, BE IT ORDAINED BY THE PARISH COUNCIL OF LIVINGSTON PARISH, LOUISIANA: The Code of Ordinances of the Parish of Livingston, Louisiana is hereby amended by adding a Section to be numbered Section 70-235, "Notification and Disclosure of Pump/Grinder Sewerage Installation", which Section shall read as follows:

Section 70-235. Notification and Disclosure of Pump/Grinder Sewerage Installation

All residents connecting to publicly operated sewer systems are responsible for all plumbing lines including any pumps/grinders and other devices necessary to propel sewer outflow to the public main.

It shall be mandated that any developer and/or builder or any future private seller of real estate or development property containing pumps/grinders be required to disclose the existence of same, to any prospective purchaser of property by noting this on any disclosure document and also on ANY DOCUMENT in bold letters and denoting the following or similar language as follows:

"THIS PROPERTY HAS A PUMP/GRINDER INSTALLED TO PROPEL SEWAGE TO THE COMMUNITY LINE THAT MUST BE MAINTAINED BY THE PROPERTY OWNER AND NO REPLACEMENT WILL BE PROVIDED BY THE SEWER COMPANY IN THE EVENT OF FAILURE"

Any violation of this ordinance by the seller shall punishable by a fine of five hundred dollars (\$500.00) and up to ten (10) days in jail.

THEREFORE BE IT 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.

This ordinance having been submitted to a vote; the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

And the ordinance was declared adopted on the 21st day of November 2019.

Shane Mack, 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.