

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 August 8, 2019, and laid over for publication of notice:

L.P. ORDINANCE 19-25

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, August 22, 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.

1/2) *Sandy C. Teal*

Sandy C. Teal, Council Clerk

1/2) *Shane Mack*

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.)

VETOED

The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on August 8, 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 August 22, 2019, on Motion of Maurice “Scooter” Keen and seconded by R.C “Bubba” Harris:

L.P. ORDINANCE 19-25

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 before purchasing said property containing these devices;

THEREFORE, BE IT ORDAINED by the Livingston Parish Council that any seller of real estate 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 listing or purchase 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 real estate agent also reveal and disclose this fact to any prospective purchaser when preparing any listing or purchase agreement for the sale of property containing said pumps/grinders.

BE IT FURTHER ORDAINED by the Livingston Parish Council that any violation of this ordinance by the seller and/or the listing realtor shall 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 real estate agent reveal and disclose the fact to any prospective purchaser when preparing any listing or purchase agreement for the sale of property containing said pumps/grinders.

It shall be mandated that any seller of real estate 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 listing or purchase agreement 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 and/or the listing realtor 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: MR. ARD, MR. KEEN, MR. GIRLINGHOUSE, MR. TALBERT, MR. MACK, MR. LOBELL, MR. HARRIS, MR. AVERETT

NAYS: NONE

ABSENT: MR. WASCOM

ABSTAIN: NONE

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