

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 22, 2021, and laid over for publication of notice:

L.P. ORDINANCE 21-14

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE I, IN GENERAL, SECTIONS 125-6, "SALE, ETC., PRIOR TO APPROVAL OF PLAT.", 125-9, "SUBMITTALS.", 125-12, "REQUIREMENTS FOR MINOR SUBDIVISIONS." AS FOLLOWS.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, May 13, 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 C. 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 required for adoption at a regular meeting of the Parish Council on April 22, 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 May 13, 2021 on Motion of Tracy Girlinghouse and seconded by Jeff Ard:

L.P. ORDINANCE 21-14

AN ORDINANCE TO AMEND CHAPTER 125 OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, "SUBDIVISION REGULATIONS," ARTICLE I, IN GENERAL, SECTIONS 125-6, "SALE, ETC., PRIOR TO APPROVAL OF PLAT.", 125-9, "SUBMITTALS.", 125-12, "REQUIREMENTS FOR MINOR SUBDIVISIONS." 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 amending Section 125-6, "Sale, etc., prior to approval of plat", Section 125-9, "Submittals.", Section 125-12 "Requirements for minor subdivisions.", to clarify only landowners or registered agents can subdivide a piece of property therefore, signing the final plat of a minor subdivision:

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 is hereby amending these sections to read as follows:

Sec. 125-6. – Sale, etc., prior to approval of plat.

No sale of land either by lot description or metes and bounds shall be made prior to the approval of a plat thereof as established by this chapter. Whoever, being the owner, or registered agent of the owner, of any land located in a subdivision, transfers or sells land by reference to, or exhibition of, or by other use of a plat of a subdivision, before such plat has been approved in accordance with this chapter and recorded or filed in the office of the clerk of court of the Parish, shall forfeit and pay a penalty of one hundred dollars (\$100.00) for each lot or parcel so transferred or sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer of other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

Sec. 125-9. - Submittals.

(a) *Minor subdivisions.* The original of the final plat must be signed by the landowner or registered agent and submitted to the Planning Department for approval by the Parish President or Planning Director. After all fees are paid, the plat is approved and signed, the O/D/S shall record a copy of the plat in the official records of the clerk of court and provide four (4) certified copies to the planning department. The Planning Director shall check the site and refer any drainage concerns to the Parish Council who shall have the right of approval or rejection.

Sec. 125-12. – Requirements for minor subdivisions.

The division or re-subdivision of a lot, tract or parcel of land or a portion thereof into nine (9) lots or less shall be deemed and referred to as a minor subdivision. The landowner or registered agent and the Parish Planning Director shall review and sign the plat for the minor subdivision. The Planning Director may send the minor re-sub to the Planning Commission and the Parish Council if needed. The Parish Planning Director shall notify the Councilmember in whose district the re-sub is located. Such minor subdivisions shall be submitted as per Section 125-9 and, upon approval, recorded as per this article.

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

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

And the ordinance was declared adopted on the 13th day of May 2021.

Garry Talbert, Council Chair

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.