

**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 28, 2016, and laid over for publication of notice:

**L.P. ORDINANCE 16-38**

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-50, "PROCEDURE FOR SUBDIVISIONS WITH IMPROVEMENTS", OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON RELATING TO WETLAND DETERMINATION.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council opened the public hearing on the proposed ordinance on Thursday, August 11, 2016, at six (6:00) o'clock p.m., at the Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, at which time the public hearing on the adoption of the aforesaid ordinance will be reconvened.

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Sandy Teal, Council Clerk

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John Wascom, 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 July 28, 2016, 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 11, 2016, on Motion of Shane Mack and seconded by Tracy Girlinghouse:

**L.P. ORDINANCE 16-38**

AN ORDINANCE TO AMEND CHAPTER 13, "PLANNING AND DEVELOPMENT," SECTION 13-50, "PROCEDURE FOR SUBDIVISIONS WITH IMPROVEMENTS", OF THE CODE OF ORDINANCES IN AND FOR THE PARISH OF LIVINGSTON RELATING TO WETLAND DETERMINATION.

WHEREAS, the Livingston Parish Council adopted L.P.O. 01-16, reenacting Chapter 13 of the Code of Ordinances of Livingston Parish, Subdivision Regulations, and

WHEREAS, the Livingston Parish Council has adopted numerous amendments to Chapter 13 of the Code of Ordinances and now desires to make further amendments to remove subsection C (3), "Wetland Mitigation Plan" adopted on September 10, 2015 and also add a sentence from this section to subsection (E) "Stage 5 - Final Plat and Bonding", in addition to making amendments to the last paragraph on subsection (E) "Stage 5 - Final Plat and Bonding";

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: the Code of Ordinances of Livingston Parish, Section 13-50 "Procedures for Subdivisions With Improvements" subsection (C) "Stage 3 – 2<sup>nd</sup> Preliminary Plat Approval and other Supplemental Materials", Part (3), "Wetland Mitigation Plan" is hereby amended by deleting it in its entirety;

FURTHERMORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: the Code of Ordinances of Livingston Parish, Section 13-50 "Procedures for Subdivisions With Improvements" subsection (E), "Stage 5 – Final Plat and Bonding", shall be amended by adding a sentence from subsection (C) "Stage 3 – 2<sup>nd</sup> Preliminary Plat Approval and other Supplemental Materials", Part (3), "Wetland Mitigation Plan", to be placed under the existing sentence: "The O/D/S must also comply with the following prior to the approval of the final plat:" and making further amendments by deleting the last paragraph of this section and adding the subsequent paragraph to read as the last paragraph of this section as follows:

**Section 13-50. Procedure for Subdivisions With Improvements**

**C. STAGE 3 – 2<sup>nd</sup> Preliminary Plat Approval and other Supplementary Materials.**

~~**3. Wetland Mitigation Plan**~~

~~If the proposed development contains wetlands or 'other waters of the United States', the O/D/S shall provide one of following:~~

~~A. The O/D/S shall supply a Corps of Engineers Jurisdictional Wetland Determination.~~

~~— Or~~

~~B. The O/D/S shall provide correspondence from a Wetland Consultant indicating the location of potential wetlands and/or 'other waters of the United States'.~~

**Section 13-50. Procedure for Subdivisions With Improvements**

**E. STAGE 5 – Final Plat and Bonding**

The O/D/S shall supply a Corps of Engineers Jurisdictional Wetland Determination.

If any jurisdictional wetlands (and/or 'other waters of the United States') exist, within the parish rights-of-way, utility servitudes, drainage servitudes or any other public servitude located in this subdivision, Corps of Engineer documentation shall be submitted proving said jurisdictional wetlands (and/or 'other waters of the United States') have been mitigated or permitted for.

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. MACK, MR. LOBELL, MR. AVERETT, MR. HARRIS, MR. TALBERT,  
MR. KEEN, MR. GIRLINGHOUSE, MR. ARD, MR. WASCOM  
NAYS: NONE  
ABSENT: NONE  
ABSTAIN: NONE

And the ordinance was declared adopted on the 11th day of August, 2016.

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John Wascom, Council Chairman

ATTEST:

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Sandy Teal, Council Clerk

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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.