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**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 26, 2021, and laid over for publication of notice and was then

L.P. ORDINANCE NO. 21-XX

AN ORDINANCE TO AMEND PART III, "LAND DEVELOPMENT CODE", CHAPTER 125, "SUBDIVISION REGULATIONS", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY CREATING ARTICLE V, "IMPACT FEES", SECTIONS 125-112 THROUGH SECTION 125-125.

NOTICE IS HEREBY FURTHER GIVEN that the Parish Council of said Parish will meet on Thursday, September 9, 2021, at six o'clock (6:00) p.m., at the Parish Council Chambers, 20355 Government Boulevard, Livingston, Louisiana, at which time there will be a public hearing on the adoption of the aforesaid ordinance.

/s/ Sandy C. Teal  
Sandy C. Teal, Council Clerk

/s/ Garry Talbert  
Garry Talbert, 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.)

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The following ordinance, which was previously introduced in written form required for adoption at a regular meeting of the Parish Council on August 26, 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 September 9, 2021, on Motion of \_\_\_\_\_ and seconded by \_\_\_\_\_:

L.P. ORDINANCE 21-XX

AN ORDINANCE TO AMEND PART III, "LAND DEVELOPMENT CODE", CHAPTER 125, "SUBDIVISION REGULATIONS", OF THE CODE OF ORDINANCES OF LIVINGSTON PARISH, BY CREATING ARTICLE V, "IMPACT FEES", SECTIONS 125-112 THROUGH SECTION 125-200.

WHEREAS, the Livingston Parish Council desires and finds it necessary to establish impact fees in the unincorporated areas for the Gravity Drainage Districts in Livingston Parish and;

WHEREAS, upon any division of property will be assessed and charged an impact fee to fund the drainage efforts in the area in which the division of property occurs for work done through the areas Gravity Drainage District;

WHEREAS, the Livingston Parish Council now finds it imperative to adopt an ordinance to establish impact fees for all divisions of property within the unincorporated areas of Livingston Parish;

NOW, THEREFORE, BE IT ORDAINED by the governing authority of the Parish of Livingston, State of Louisiana: The Code of Ordinances of Livingston Parish, Part III, "Subdivision Regulations", Article V, Sections 125-112 through Section 125-125, "Impact Fees", is hereby created, to read as follows:

**ARTIVLE V. -Impact Fees**

**Sec. 125-112- Title and application.**

- (a) *Title.* This section shall be known and may be cited as the "Livingston Parish Impact Fee Ordinance."
- (b) *Application.* The parish impact fee ordinance shall apply to all lands within the unincorporated portion/ **Gravity Drainage Districts** of Livingston parish.

**Sec. 125-113- Purpose.**

The establishment of a system or the imposition of drainage impact fees within the unincorporated area is intended to ensure that new development and new subdivisions contribute its proportionate share of the cost of providing, and benefits from the provision of, improvements to the major drainage system.

**Sec. 125-114- Definitions.**

Need definitions for the following:

- 1) Subdivisions without improvements
- 2) Minor subdivisions
- 3) Subdivisions with improvements
- 4) Mobile home park
- 5) Commercial development
- 6) Multifamily development

**Sec. 125-115- Time of fee obligation and payment.**

- (a) Any person or government body that causes the commencement of development within the unincorporated areas of the parish shall be obligated to pay a drainage impact fee, pursuant to the terms of this section. The fee shall be determined and paid in accordance with the impact fees **schedule in effect at the time of the issuance of the final plat approval and the following schedule:**
  - 1) Subdivisions without improvements
  - 2) Minor subdivisions
  - 3) Subdivisions with improvements

- 4) Mobile home park
- 5) Commercial development
- 6) Multifamily development

**Sec. 125-116- Establishment of fee schedule.**

(a) Any person who causes the commencement of development shall pay a drainage impact fee in accordance with the following fee schedules. **The definitions in this impact fee subdivision shall be used to determine the appropriate land use type.**

(1) Drainage impact fee schedule (Effective September 9, 2021)

Single-family detached per dwelling lot	\$1,114.00
Multifamily per dwelling unit	\$441.00
Mobile home park per pad	\$622.00
Commercial per 1,000 square foot	\$720.00

(b) For the purposes of applying the impact fee schedules to nonresidential development, square feet shall be interpreted as follows:

(1) In the drainage impact fee schedule, square feet refers to the ground floor area of all buildings, including enclosed parking structures, measured from the outside surface of exterior walls.

(c) If the type of development for which a building permit is requested is not specified on the above fee schedule, the impact fee administrator shall determine the fee on the basis of the fee applicable to the most nearly comparable type of land use on the fee schedule.

**Sec. 125-117- Fee expenditures.**

(a) The parish shall establish the following impact fee account:

(1) The parish shall establish the appropriate revenue account for drainage impact fees, as deemed necessary by the director of finance, for the purpose of for drainage impact fees paid on projects in accordance with the standards of this section.

(b) All drainage impact fees collected by the parish shall be immediately deposited into the appropriate revenue account for drainage impact fees.

(c) All drainage impact fees are to be distributed to the districts in which the development is proposed on a quarterly basis by the finance director.

**Sec. 125-118- Review.**

**At least once every five years, the impact fee administrator shall recommend to the parish council whether any changes should be made to the the drainage impact fee study and the ordinance codified herein. The purpose of this review is to analyze the effects of inflation on actual costs, to assess potential changes in needs, to assess any changes in the characteristics of land uses, and to ensure that the road and drainage impact fees will not exceed a proportionate share of the costs attributable to new development.**

**Secs. 125-119 – 125-125 Reserved.**

**Example of LP fee table:**

Subdivisions without improvements	\$500 per lot
Minor subdivisions	\$500 per lot
Subdivisions with improvements	\$500 per lot
Mobile home park	\$120 per pad
Commercial development	\$500 per 1,000 sq feet
Multifamily development	\$120 per unit or \$500 per 1,000 sq feet

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 9th day of September 2021.

\_\_\_\_\_  
Garry Talbert, Council Chairman

ATTEST:

\_\_\_\_\_  
Sandy C. 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.