## CITY OF HAMMOND <br> ORDINANCE $\mathrm{N}^{\circ}$ 09-5176 C.S.

## AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 01-2679 TO ADD A DEFINITION OF "MULTI-FAMILY DEVELOPMENT" TO SECTION 8-DEFINITIONS AND TO ADD MULTI-FAMILY DEVELOPMENT, MULTI-FAMILY DWELLING, TOWNHOUSES AND PATIO HOMES TO THE LIST OF PERMITTED USES UNDER SECTION 2.4(7) R-A APARTMENT DISTRICT SUBSECTION b)

WHEREAS, the City Council determines it to be in the best interest of the City to define multi-family development and designate an appropriate zoning district for the placement of multi-family development, multi-family dwelling and townhouse land uses in order to promote orderly development and preserve the integrity of single-family neighborhoods;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
A. The City of Hammond Zoning Ordinance \#01-2769 SECTION 8-DEFINITIONS is amended to add the following definition to be placed in alphabetical order:

Multi-family Development - A development of three (3) or more contiguous two-family or duplex dwelling sites or a single site with multi-family dwellings.
B. The City of Hammond Zoning Ordinance \#01-2769 SECTION 2.4(7) R-A Apartment District subsection b) is amended to add the following to the list of permitted uses: MultiFamily Dwellings, Multi-Family Development, Townhouses, and Patio Homes.

This ordinance shall supersede all prior ordinances in conflict with this ordinance. It is the intention of the City Council that in the event of any conflict with any existing ordinance, the provisions of this ordinance shall control.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $9^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on November $3^{\text {rd }} 2009$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on November $3^{\text {rd }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of November, in the year 2009, at Hammond, Tangipahoa Parish. 亡quisiana.


Michael A. Williams
President, Hammond City Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule C'harter Article III, Section 2-12 (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the 4 the Mayor of yovember, in the year 2009 at $3 \cdot \frac{40}{30}{ }^{\prime}$ 'clock $\mathrm{P} . \mathrm{m}$. said delivery being within three (3) calendar days atter adeption, exclusive of weekends and state holidays. (v) yub

## CITY OF HAMMOND ORDINANCE ${ }^{\circ}{ }^{\circ} 09-5175$ C.S. <br> Transfer of Funds for the Police Department

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been adopted to authorize the Hammond Police Department to transfer $\$ 16,414.50$ from Court Witness Fund to Small Tools and Equipment Fund \# 10020100-530000 for the purchase of Holsters, Radio Holders and Radio Chargers".

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, October 20 ${ }^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on November $3^{\text {rd }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on November $3^{\text {rd }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of November, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A! Williams
President Hammond City Council


Arete A.K_rylo, Clerk
Hammond City Council

CERTIFICATE OR DELIVERY
In accordance with Home Rule Charter Article ill,
Section 2-12 (A), the above Ordinance was delivered to 4 the Mayor of the City of Hammond on the 4 day of november, in the year 200 ? at $3: 300^{\circ}$ clock $P$.m. said delivery being within three (3) calendar days aferadeption, exclusive of weekends and state, holidays.

## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5174 C.S.

## an Ordinance prohibiting sex ofenders in city parks AND PUBLIC RECREATIONAL FACILITES

WHEREAS, the legislature of the State of Louisiana has found that sex offenders, sexually violent predators, and child predators often pose a high risk of engaging in sex offenses, and crimes against victims who are minors even after being released from incarceration or commitment, and

WHEREAS, protection of the public from sex offenders, sexually violent predators, and child predators is of paramount interest to the City of Hammond,

THEREFORE BE IT ORDAINED by the City Council of Hammond, Louisiana, that Chapter 22 of the Code of Ordinances, City of Hammond Louisiana is hereby amended to add section 22-7 which section shall read as follows:

Sec. 22-7. Prohibition of sex offenders in city parks and recreational facilities
It shall be unlawful for any person who is registered as a sex offender or who is required to be registered as a sex offender with the State of Louisiana or any other state or federal agency to knowingly enter into any public park or recreational facility owned, operated or maintained by the City of Hammond.

The term recreational facility as used in this section shall mean (a) any facility where recreation activities for persons under the age of eighteen (18) are conducted by the City of Hammond or by an entity conducting such activities through a cooperative endeavor agreement with the City of Hammond and (b) any facility operated as a children's museum by the City of Hammond or by an entity operating a children's museum through a cooperative endeavor agreement with the City of Hammond.

Any person found in violation of this ordinance shall be fined not more than five hundred dollars ( $\$ 500.00$ ) or be imprisoned for not more than sixty (60) days or both.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, October 20 ${ }^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on November $\mathbf{3}^{\text {rd }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on November $3^{\text {rd }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of November, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A! Williams
President Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on
the 4 day of houember in the year 2005 at 3:40 clock D.m., in accordance with Home Rule Character Article III, Section 2-12 (B). Usintio.


## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article II, Section 2-12 (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the day of november, in the year 2007 330 clock $\cap$.m. said delivery being within three (3) calendar days (after ademption, exclusive of weekends calendar days after adeption, exclus

# CITY OF HAMMOND <br> ORDINANCE N ${ }^{\circ}$ 09-5173 C.S. 

## Realignment of LA 1040 Old Baton Rouge Hwy Renaming Alignment Chauvin Drive

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been adopted authorizing to amend the Official Streets Map and Major Street Plan of the City of Hammond to approve the realignment of LA 1040 (Old Baton Rouge Highway) between Old Baton Rouge Highway and Morrison Boulevard (US 51) in accordance with the Right of Way Map by DOTD for State Project No. 853-10-0017 dated 11-15-2007 and rename the realignment as Chauvin Drive, designating it as a minor arterial street on the City of Hammond Major Street Plan.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, October $6^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on October 20 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on October, $20^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $20^{\text {th }}$ day of October, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


President, Hammond City Council



CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article II, Sectioti ? $\therefore(A)$, the above erdinance was delivered to
 p.m. said delivery being within taree calendar days after adeption, exclusive of weekends (4) ${ }^{2}$ mb state holidays.

Anette ₹iryle, Clerk of Hammond City Council


Ordinance * 09-5/73 C.5.



SOEE1S-60 xubup10





# CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5172 C.S. 

Expanded Conditional<br>Ethel R. Thorn<br>Case\#CU2009-9-1

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been adopted to approve Case\#CU2009-9-1 Expanded Conditional Use request by Ethel R. Thorn to place a mobile home meeting all code requirements on Lot 1 B Block 3 Cicely Place at 1419 Live Oak Dr.; zoned R4. As recommended by the Planning and Zoning Commission on October 1, 2009.

The Expanded conditional use is a personal right that expires upon a change in ownership pr occupancy of the property from the current owner making this request.
The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, October $6^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on October 20 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Willie Jackson and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on October, $20^{\text {th }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $20^{\text {th }}$ day of October, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


President, Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on the 21 day of Cetrigenin the year 2009 at $2: 10$ cock Pm. in accordance with Home Rule Chat Article II, Section 2-12 (B).

[^0]Hammond City Council


CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Artildo 且, Section $\angle-12$ (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the
 calendar days after adoption, exclusive of week em
$\qquad$
Anette Kind, Clerk of Hammond City Council
lich is

thence, South 80 degrees 14 minutes 18 seconds East 88.54 feet;
thence, South 66.99 feet;
thence, West 87.26 feet to the Point of Beginning herein containing


| APPROVED |
| :--- |
| $\overline{\text { CITY PLANNER }}$ |
| $\overline{\text { COUANCIL PRESIDENT }}$ |
| OWNER |

The next Zoning Commission Meeting will be held on , at 5:00 pm in the City Council Chambers, 312 E. Charles Street. Application to be submitted to Zoning Commission must be filed with the City at least 21 days before the date of the next Public Meeting.
This Application for: $\square$ REZONING CONDITIONAL USE: X EXPANDED -OR-- [J RESTRICTED)

## [] INITIAL ZONING

REZONING FEE: DJ Single Lot $\$ 120.00$ Block or A real $\$ 250.00$ (Fees are not refundable based on decisions) Fifty percent ( $50 \%$ ) of fee is refundable if application is withdrawn before first newspaper notice is filed.



PERMIT INFO-ADIITIONAL INFO

 REASON FOR REZONING:

SDOF ZONING: NOTE: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding uses and not for the purpose or effect or furthering the comprehensive coning plan. Son coning is discouraged in Hammond
We being the legal owners s) request zoning of my property from a _ District to a District. If We lully understand and agree to abide by the zoning restrictions for a .... . District. I ant including with this application a copy of all covenants or restrictions and deeds governing this property.

If illume is more than one owner or a corporation is the owner of the property, each owner or authorized agent of the
corparamon bust sign. If conditional zoning, submit in writing an explanation for this request on separate shed. If you are along for an area or hock zoning finish a map of area or block and a petition signed by a leas $50 \%$ of the property owners in the area (including their addresses).

AI. INFORMATION ON THIS APPLICATION MUST BE COMPLETE AND ALL FEES PAID BEFORE THIS IPPIGCITION WILL BL, ACCEPTED ON TIE AGENDA FOR THE (TY OF HAMMOND PLANNING S ZONING (cOMMISSION.


DATE:

 NAMES \& ADDRESSES OF ADJACENT PROPERTY OWNERS REQUIRED


# CITY OF HAMMOND <br> ORDINANCE $\mathbf{N}^{\circ}$ 09-5171 C.S. 

# Minor subdivision and Dedication of Street rights of way Mooney Ave., Palmetto St. and Showers Lane <br> Case\#SDF2009-7-4 

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been adopted approving Case\#SDF2009-7-4 Minor subdivision requested by Zion Apostolic Church (Joseph Williams, Sr.) at 1300 Palmetto St. to subdivide a 3.98 acre parcel in Section 35, T6S, R7E into Zion Apostolic Church of Hammond, Inc. Subdivision, Lots 1-6 and dedicate existing street rights-of-way for Mooney Ave., Palmetto St. and Showers Lane. in accordance with survey by Robert G. Barrilleaux revised 8/4/2009; zoned R-5.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $15^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on October $\mathbf{6}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Johnny Blount and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on October, $6^{\text {th }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{6}^{\text {th }}$ day of October, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.




## Date of Planning \& Zoning Meeting: 09/03/2009

## Item to be presented to the Council (Ordinance):

Case\#SDF 2009-7-4 Minor subdivision request by Zion Apostolic Church (Joseph Williams, Sr.) at 1300 Palmetto St. to subdivide a 3.98 acre parcel in Section 35, T6S, R7E into Zion Apostolic Church of Hammond, Inc. Subdivision, Lots 1-6 and dedicate existing street rights-of-way for Mooney Ave., Palmetto St. and Showers Ln. in accordance with survey by Robert G. Barrilleaux revised 8/4/2009; zoned R-5.

## Brief Description of the Property:

3.98 acres in Section 35, T6S, R7E on corner of Mooney Ave., Palmetto St. and Showers Lane. The property currently includes the existing church, two houses, two mobile homes, half the right-of-way of Mooney Avenue and Palmetto Street and most of the right-of-way of Showers Lane. The proposed subdivision will create a separate lot for each of these existing structures, create one additional lot for a future residence and dedicate a portion of the "apparent" rights-of-way for Mooney Avenue, Palmetto Street and Showers Lane.

## Existing Zoning: R5

## Specific Action taken by the Commission:

Recommend approval to subdivide a 3.98 acres into lots 1-6 and accept dedication of existing street rights-of-way for Mooney Ave., Palmetto St., and Showers Ln. in accordance with survey by Robert G. Barrilleaux revised $8 / 4 / 2009$

## Stipulations or Special Conditions: None

Public Hearings: This case was tabled by P\&Z on August 6th to allow Wanda Brown (heir to adjacent property) to hire a surveyor to confirm the location of the property line at Showers Lane. At the September 3 meeting she made the same request. In addition, Roosevelt McCray was present at both meetings to object. He is claiming to own the area shown as lot 6 on the plat where a brick home is located. However, the tax assessor shows Mr. McCray's property as fronting on Mooney surrounded by the church property, as shown on the plat.

## Planning Commission Vote Results: $4-0$ to recommend approval

Date presented to the City Council Clerk: 9/10/2009

## Date to be on the Council Agendas:

Introduction - 09/15/2009 and Final - 10/06/2009
From: Ginger Fortson, City Planner Conger forts

$$
\text { Support documentation for Odiname } 29.5,171
$$

## PROPERTY INFORMATION SHEET


$\qquad$ LCP $\qquad$
$\qquad$

SUBDIVISION APPROVAL \& LAND DEVELOPMENT APPLICATION
FILING DATE: 72 AO 9

The next Planning Commission Meeting will be held on , at $5: 00 \mathrm{pm}$ in the City Council Chambers, 312 E. Charles Street. Application to be submitted to Zoning Board must meet the 21 day deadline for the next meeting. with ledications
0 Check here if development is a MINOR SUBDIVISION 圂Check here if development is a MAJOR SUBDIVISION -Check here if development is an ADMINISTRATIVE SUBDIVISION


PERMIT INFO-Additional Check if you will be applying for: $\square$ ANNEXATION GREZONING $\square V A R I A N C E ~ A$ \# of Acres: 3.98 \# of Proposed Lots: 6
NAME OF DEVELOPMENT:
EXISTING ZONING: AL B1 B2 Cl C2 C3 C4 C4A H I L R4 R5) R5s R8 R11 RA RP RS S CURRENT USE OF LAND:

INTENDED USE OF LAND:


DESIGN ENGINEER/ARCHITECT $\qquad$ PHONE ( . . )
Will | | PROCEDURE " $A$ " (with bond) OR | |PROCEDURE " $B$ " (without bond) BE USED?

## ATTENTION: APPLICANT

NOTE: Six (6) copies of the complete plans and specifications and seven (7) additional copies of any property plat containing information pertaining to the artached check list shall be made part and submitted with the application for preliminary review.

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE AND ALL FEES PAID BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR THE CITY OF HAMMOND PLANNING \&


F OFFICIAL USE
Fees for Preliminary and Final Review: $\frac{50}{}=90$
[Fees for Minor Subd. Revien:] $(\$ 50.00+\$ 3.00$ for each lot or building $=$ TOTAL DUE $\$ \$ 805$

| AMOUNT PAID: $\$ 68^{\circ}$ | CHECKH 3562 | PAID CASH [ | Date paid $7 \times 209$ |
| :---: | :---: | :---: | :---: |
| AMOUNT PAID: $\$$ | CHECKH | PaID CaSH |  |



PARCEL ADDRESS(ES) OR LEGAL DESCRIP TION(continued from front of application):_ please attach

ADDITIONAL PROPERTY OWNERS:


 Phone: $985.340-5962$

Paras \#



# Turner Surveys, LLC <br> 115732 E. Hoffman Rd. <br> Ponchatoula, LA 70454 

September 3, 2009

TO WHOM IT MAY CONCERN:

Wanda Sallier Brown has requested a survey of a 3.98 parcel of land in Sec. 35., Tangipahoa Parish.
It is a pending survey and should be completed in approximately 2 weeks.
If you have any questions please feel free to call our office
(985) 386-2358 or email beth@turnersurveys.net.

Sincerely,

Beth Smith

## SALLIERSHOMERENT <br> 1400 PALMETTO ST. HAMMOND LA, 70403 <br> 985-709-0055

hnwbrown@aol.com

## Fax Transmittal Form

| To: TUNNER LAND SERVYOR | From: WANDA SALLIER BR. |
| :--- | :--- |
| Name: | Date Sent: |
| CC: |  |
| Phone:985-386-2358 | Number of Pages: |
| Fax: $985-386-2359$ |  |

## Message: TO WHOM IT MAY CONCERN:

We the heirs of Mary Shower need our land survey. Do to facts that Mir. Joseph Williams is asking city of Hammond to subdivide a 3.98 in section 35 . We need to know were our eastern line ends.

Sincerely Mrs. Brown

# LAW OFFICES <br> PAUL L. BILLINGSLEY, LTD. <br> ATTORNEY AT LAW 

| SUITE E | TELEPHONE (985) 542-0804 |
| :---: | :---: |
| JEFFRRSON COURT | FACSIMLE (985) 345-7998 |
| 1000 NORTH MORRISON BLVD. | LULING TELEPHONE (985) 785-8776 |
| HAMMOND, LOUISIANA 70401 | E-mail: billingsleylaw@bellsouth.net |

August 27, 2009

Sent Via Fax \#: 277-5637 and Ordinary Mail
City of Hammond
Office of the City Planner
Post Office Box 2788
Hammond, Louisiana 70404

## Re: Gladys Williams <br> 117 Showers Lane <br> Hammond, Louisiana

Dear Sirs:

As counsel for Ms. Gladys Williams we enclose herewith a copy of a notice received by our client relative to her property which is evidently affected in some manner by a rezoning request as set out in the notice.

This letter will confirm our client's opposition to the rezoning, but apart from that, it appears that the owner applying for the rezoning may have encroached on our client's property. She is most concerned that she will not have sufficient time within which to obtain a survey or other examination of her boundaries to establish what affect this process will have on her property. Furthermore, as she is a resident owner of her property, she has some concerns as to the planned re-subdivision which will add significant traffic, possible noise, and other problems in her neighborhood.


City of Hammond
Re: Gladys Williams
August 27, 2009
Page 2

Ms. Williams indicated that she is planning on attending a hearing scheduled by your office on September 3, 2009. Unfortunately I will be out of the state at that time and unable to be in attendance. Any courtesies which can be extended to our client would be very much appreciated including the granting of additional time for her to establish her boundaries and also to conduct further investigation as to the planned use of the property which is subject of the rezoning request.

Your courtesies in this matter are very mush appreciated.


PLB:mvb

Enclosure
Cc: Ms. Gladys Williams


SDF 2009-7-4. Rec'd 8128/09


## CITY OF HAMMOND

PLANNING AND GRANTS DEPARTMENT P. O. BOX $2788 \bullet$ HAMMOND, LOUISIANA 70404-2788

106 North Cherry Street - Hammond, LA 70401
Phone (985) 277-5640 Fax (985) 277-5637

## CITY OF HAMMOND PLANNING COMMISSION PUBLIC HEARING MINOR SUBDIVISION REOUEST PUBLIC NOTICE

Gladys Williams
P O Box 1732
Hammond, LA 70404

Case\#SDF2009-7-4 Minor subdivision request by Zion Apostolic Church (Joseph Williams, Sr.) at 1300 Palmetto St. to subdivide a 3.98 acre parcel in Section 35, T6S, R7E into Zion Apostolic Church of Hammond, Inc. Subdivision, Lots 1-6 and dedicate existing street rights-of-way for Mooney Ave., Palmetto St. and Showers Ln. in accordance with survey by Robert G. Barrilleaux dated February 18, 2009; zoned R-5.

At 5:00 P.M. on Thursday August 6, 2009 in the
City Council Chambers at 312 E. Charles Street in Hammond

The public is invited to attend the public hearing and to submit comments.
Comments or questions should e addressed to the City Planner, fortson_vk@hammond.org Post Office Box 2788, Hammond, LA 70404, by Fax at 985-277-5637 or by phone to the Planning Department at 985-277-5649.


The Heirs of Mary and Adolph Shower\& Beulah Borden 1400 Palmetto St.
Hammond LA 70403
985-542-5524

August 3, 2009
CITY OF HAMMOND PLANNING COMMISSION
Attention: Tracy
312 E. Charles St.
Hammond La 70401
Dear Sir/ Madam,
We The Heirs of Mary \&Adolph Showers and Beulah Borden, Horace Jollier. Vote no today and disallow any proceeding of the right aw ow for: Mr. Joseph Williams at this time.

The Said Heir, Wanda, Kenneth, Merman., Pamela Sallie being in agreement is seeking to have their property survey and requestifor a complete title search of. Mr. William's property. Until the family is"scurlsfied with the out come', theriwe will ask for another meeting.

Sincerely,

Name Here
Wanda Sallie Brown
Merman Saltier $\qquad$

Pamela Sallier Ewing $\qquad$

ORDINANCE NO. 2422-A, C.S.

## "AN ORDINANCE NAMING SHOWERS LANE"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMMOND, LOUISIANA AT ITS REGULAR SESSION HELD ON THIS 3RD DAY OP JANUARY, 1996.

SECTION 1. TO CONSIDER NAMING SHOWERS LANE.

THIS ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF HAMMOND, LOUISIANA THIS 3RD DAY OF JANUARY, 1996.

DAVID VIAL, PRESIDENT

RUSSELL."TIPPY" DEPAULA MAYOR

PUBLISH: JANUARY 8, 1996

## Ginger Fortson

| From: | Garry Knight |
| :--- | :--- |
| ent: | Monday, July 20, 2009 12:33 PM |
| ro: | Ginger Fortson |
| Subject: | FW: Right of Ways |

Ginger,
These are ROWs we got off DOTD ROW map

From: Christina Lene
ent: Monday, July 20, 2009 12:22 PM
3: Garry Knight
ubject: Right of Ways

Garry,

Here are the following ROW (the first number is the ROW, the second is the street width):

Showers: 30-12

Palmetto (from Mooney to Showers): 30-18

Mooney (north of Palmetto): 50-18
rope this helps.

Christina

# CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5170 C.S. 

## Major Subdivision

Alack Refrigeration Co. Inc.
Case\#SDF2009-8-1
BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been adopted approving Case\#SDF2009-8-1 Major Subdivision requested by Alack Refrigeration Co. Inc. (Jason Reibert) at 17420 Hwy 190 East for final approval of Alack Business Park Subdivision and dedication of improvements with a almost nine (9) month maintenance bond in accordance with survey by Dennis L. Gowin and two (2) year performance bond for cul-de-sac; zoned C-3 As recommended by the Planning and Zoning Commission on September 3, 2009 and granting the applicant a waiver of the requirement to install the cul-de-sac prior to final approval in lieu of a twoyear Performance Bond in the amount of $\$ 69,500$ guaranteeing the construction of the cul-de-sac; and granting the applicant a waiver of the requirement to provide a one-year maintenance bond to allow for a maintenance bond in the amount of $\$ 28,647.00$ that will expire on June 30, 2010.
The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $15^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on October 6 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Johnny Blount and Second by Jason Hood the foregoing ordinance was hereby declared adopted on October, $\boldsymbol{6}^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $6^{\text {th }}$ day of October, in the year 2009, at Hammond, Tangipahoa Parish, Louisjana.


Anette A, \& irylo, Clerk
Hammond dity Council



CERTIFICATE OF DELIVERE In accordance with Blome Rule Charter Article III, Section 2-12 (A), the above Ordinance was dellivered.to




## PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS That Alack Refrigeration Co., Inc. as Principal, hereinafter called Contractor, and Western Surety Company as Surety, hereinafter called Surety, are held and firmly bound unto City of Hammond, LA as Obligee, hereinafter called Owner, in the amount of Sixty-Nine Thousand Five Hundred Dollars and $\mathrm{No} / 100(\$ 69,500.00)$, for the payment whereof Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly, severally and in solido, firmly by these presents.

WHEREAS, Contractor is obligated to construct a cul-de-sac at the end of Arc Way, Alack Buisness Park Subdivision - llammond, 1 A in accordance with plans and specifications prepared by Cooper Engineering inc. dated September 17,2009 (the "Plans") which Plans are by reference made a part hereat, and is hereinatier referred to as the obligation.

NOW THEREFORE, THE CONDITION OF THIS BOND is such that, if Contractor shall promptly and faithfully perform said obligation, then this bond shall be null and void; otherwise it shall remain in full force and effect.

Surety hereby makes a condition of the issuance of this bond the acceptance and agreement by the Obligee that this bond shall remain in effect for the term $10 / 6 / 09$ to $10 / 6 / 11$ and that this time limitation shall supersede to any all other requirements of the obligation or this bond shall be null and void and of no force and effect Whenever Contractor shall be, and declared by Owner to be in default under the obligation, the Surety may promptly remedy the default, or shall promptly:

1. Complete the obligation in accordance with the Plans, or
2. Obtain a bid or bids for submission to Owner for completing the obligation in accordance with the Plans, and upon determination by Owner and Surety of the lowest responsible bidder, arrange for a contract between such bidder and Owner, and make available as work progresses (even though there should be a default or a succession of defaults under the contract or contracts of completion arranged under this paragraph) sufficient funds to pay the cost of completion but not exceeding, including other costs and damages for which the Surety may be liable hereunder, the amount set forth in the first paragraph hereof.

Any' suit under this bond must be instituted before the expiration of one year from the date of expiration as described above.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Owner, named herein or its successors or assigns.

Non-renewal by the Surety shall not constitute a loss recoverable by the Obligee under this bond.
Signed and sealed this 17th day of September, 2009.


## Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and scal herein affixed hereby make, constifute and appoint

## Randolph A Brunson, Fiona Jane Boyd, Individually

of Baton Rouge, LA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalt bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -
and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Allorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attomey is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof. duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 15 th day of May, 2009.

WESTERN SURETY COMPANY


State of South Dakota
County of Minnehaha
On this ISth day of May, 2009, before me personally came Paul I. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the scal affixed to the said instrument is such corporate seal; that it was so altixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

## My commission expires

November 30. 2012

I. L. Nelson. Assistant Secretary of WESTERN SURETY COMPANY do hereby cerify that the Power of Attorney hereinabove sel forth is still in force, and further certily that the By-Law of the corporation printed on the reverse hereof is still in force. In testimuny whereof I have hereunto subscribed my name and allixed the seal of the said corporation this $\qquad$ day of $\qquad$ 2009


WESTERN SURETY COMPANY


## CITY OF HAMMOND ORDINANCE $\mathrm{N}^{\circ}$ 09-5169 C.S.

Expanded Conditional Use<br>Judy and Jessie Young<br>202 Grant Street<br>Case\#CU2009-7-1

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been adopted approving Case\#CU2009-7-1 Expanded Conditional Use requested by Judy and Jessie Young, owners, for the placement of a mobile home only for the occupancy of Michael Foster and or Dewayne Foster at 202 Grant St.; zoned R-4 better described as Lot 12, Square 6, and the North 25 feet of Lot 13, Square 6 of Pine Ridge Addition. As recommended by the Planning and Zoning and Commission on September 3, 2009

This expanded conditional Use is a personal right that expires upon the change in ownership or occupancy of the property of the current owner making this request.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $15^{\text {th }} 2009$ of the Hammond City Council and discussed at a public meeting held on October $6^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on October, $\mathbf{6}^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{6}^{\text {th }}$ day of October, in the year 2009, at Hammond, Tangipahoa Parish, Lolisiana.


Michael A. Williams
President, Hammond City Council


Recordation of Receipt Received from the
Mayor of the City of Hammond on
the 8 day of OChlobe in the year 2009 at $8.40^{\circ}$ o'clock $a . m$. in accordance with Home Ryle (Charter Article II, Section 2-12 (B). Anette Kiry, ©la, Clerk
Hammond City Council


CERTHFICATE OF DELIVERY In accordamce with Hlome Rule Charter Article III, Section 2-12 (A), the above Ordinance was dellivereaito




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# CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5167 C.S. 

## Amendment of Budget

Fiscal Year 2009-2010

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been adopted to amend the Fiscal Year 2009-2010 budget appropriating $\$ 32,000$ from the Sales Tax Fund 203 to Capital Projects Fund 420 for the purpose of providing funding for the purchase of hardware, software, and conversion costs from the Alpha processing system to interface with current systems in place.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $1^{\text {st }} 2009$ of the Hammond City Council and discussed at a public meeting held on September 15 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Willie Jackson the foregoing ordinance was hereby declared adopted on September, $15^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 5}^{\text {th }}$ day of September, in the year 2009, at Hammond, Tangipahoa Parish, 1 louisiana.


Michael A. Williams
President, Hammond City Council


Annette A. Kinylo, Clerk
Hammond City Council


Recordation of Receipt Received from the


# CITY OF HAMMOND <br> ORDINANCE $\mathbf{N}^{\circ}$ 09-5168 C.S. 

## Accept dedication of Utility and Access Servitude

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been adopted to accept dedication of utility and access servitude of $10^{\prime} \times 526^{\prime}+/$ - on the north side of lots 1-4, Block 4 Oakridge Addition and adjacent to the south side of Mississippi Street between Lovett Street \& Natchez Street as shown on the attached survey by WM. J. Boding, Jr. dated July 17, 2009.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, September $1^{\text {st }} 2009$ of the Hammond City Council and discussed at a public meeting held on September 15 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on September, $15^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 5}^{\text {th }}$ day of September, in the year 2009, at Hammond, Tangipahoa Parish. Louisiana.


Recordation of Receipt Received from the


## CRRTMITCATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section 2.12 (A), the above Ordinance was delivered to

S.28915-60 ак mudupso


## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5166 C.S.

## Rezoning Case\# 2009-6-2

1000 \& 1002 Natchez St. and 513 Mississippi St.

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to approve Case\#RZ2009-6-2-Rezoning requested by Georgia Mae Clayton Carter to rezone the east 526.03'of lots 29 \& 30 in Block 4 per plat of Oakridge Addition by C.M. Moore dated November, 1908 located at 1000 and 1002 Natchez St. \& 513 Mississippi St.; from R4 to RS. It was unanimously recommended by the Planning and Zoning Commission on July 9, 2009

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on, July $21^{\text {st }} 2009$ of the Hammond City Council and discussed at a public meeting held on August 18 ${ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Willie Jackson and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on August, $\mathbf{1 8}^{\text {th }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 8}^{\text {th }}$ day of August, in the year 2009, at Hammond, Tangipahoa Parish, Lquisiana.


Michael A. Williams
President, Hammond City Council


Anette $A \mid$ fintylo, Clerk
Hammond City Council

Recrertation of Receipt Received from the

the $\frac{11}{3: 0}$ dy of hy 0 oclock $\rho$.m., in accordance with
at 3:00 or lof Prem. in in accordane (B).
T. te Kirylo, Clerk

Hammond City Counci


CIERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article III,


To THE

Town of Hammond, La.


Greensand, Dist, Lar



# CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5165 C.S. 

## Dedication of Water Servitudes and Water improvements <br> Palace Properties, LLC. Hammond Square Shopping Center

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An ordinance has been accepted to authorize the Mayor to accept dedication of Water Servitudes and the water improvements in those servitudes from Palace Properties, LLC within Hammond Square Shopping Center according to Water Servitude Plat made by John E. Bonneau, Surveyor dated 7-06-09 attach herewith.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on July $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on July $21^{\text {st }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on July $21^{\text {st }}, \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {st }}$ day of July, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Recordation of Receipt Received from the


CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article III,




## CITY OF HAMMOND ORDINANCE $\mathbf{N}^{0}$ 09-5164 C.S.

## An Ordinance to renew the lease agreement between the City of Hammond and Downtown Hammond, LLC regarding the rental of 206 and 210 East Thomas St.

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An ordinance has been accepted to authorize the Mayor to renew the lease agreement between the City of Hammond and Downtown Hammond, LLC regarding the rental of 206 and 210 East Thomas St. for a 3 year agreement with the option to terminate after the first year.

## FIRST AMENDMENT OF LEASE

## STATE OF LOUISIANA

## PARISH OF TANGIPAHOA

## KNOW ALL MEN BY THESE PRESENTS, THAT:

THIS FIRST AMENDMENT OF LEASE is made this $\qquad$ day of July, 2009, between Downtown Hammond, LLC, hereinafter referred to as "Lessor", and The City of Hammond, hereinafter referred to as "Lessee".

## WITNESSETH:

WHEREAS, on August 28, 2003, Harrison Stewart Cottages, Inc., as original Lessor and The City of Hammond executed that certain Lease, (as amended and assigned, the "Lease") with respect to certain Leased Premises located at 206 and 210 East Thomas Street, City of Hammond, State of Louisiana; and all as more particularly described in the Lease; and

WHEREAS, Downtown Hammond, LLC has succeeded to the interest of the original Lessor; and

WHEREAS, the last renewal term of the Lease commenced October 1, 2006 and will expire September 30, 2009 (the "First Renewal Term"); and

WHEREAS, Lessee and Lessor desire to extend the term of this Lease for an additional three (3) years (the "Second Renewal Term"); and

NOW, THEREFORE, For and in consideration of the mutual benefits to be derived by Lessor and Lessee, the parties hereby agree to amend the Lease as follows:

1. The Second Renewal Term shall commence October 1, 2009 and expire September 30, 2012.
2. During the Second Renewal Term, Lessor shall pay Rent as follows:

| Year One (1): | $\$ 3,912.52 /$ month | $\$ 46,950.24 /$ year |
| :--- | :--- | :--- |
| Year Two (2): | $\$ 4,108.15 /$ month | $\$ 49,297.80 /$ year |
| Year Three (3): | $\$ 4,313.56 /$ month | $\$ 51,762.72$ /year |

The above rental amount shall be payable in equal monthly installments and shall be due in advance on or before the first day of each month.
3. Provided there has been no default by Lessee of any of the terms of this Lease, Lessee shall have the right to terminate this Lease following the expiration of the first full lease year of the Second Renewal Term ("Termination Right"). In order to exercise this Termination Right, Lessee shall provide Lessor with not less than one hundred eighty (180) days advanced written notice advising of Lessee's election to terminate the Lease. In the event Lessee elects to exercise its termination right as provided in this Paragraph Three (3), Lessee shall continue to remit all Rent due to Lessor through and including the effective Termination Date.

## CITY OF HAMMOND

ORDINANCE ${ }^{\circ}$ 09－5164 C．S．
An Ordinance to renew the lease agreement between the City of Hammond and Downtown
Hammond，LLC regarding the rental of 206 and 210 East Thomas St．

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing；introduced at a public meeting on July $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on July $\mathbf{2 1}{ }^{\text {st }} \mathbf{2 0 0 9}$ ；after motion and second was submitted to the official vote of the Hammond City Council．

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on July $21^{\text {st }}, \mathbf{2 0 0 9}$ by the following roll call vote：
Votes：Johnny Blount（Y）Jason Hood（Y）Willie Jackson（Absent）Kathy Montecino（Y）Mike Williams（ Y ）Motion to carry to approve．

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {st }}$ day of July， in the year 2009，at Hammond，Tangipahoa Parish，Louisiana．


Michael A．Williams
President，Hammond City Council


Annette A．将irylo，Clerk
Hammond City Council


Honorable Mason H．Foster
Mayor，City of Hammond

Recordation of Receipt Received from the


CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article II Section 2－12（A），the above Ordinance was delivered．to the Mayor of the City of Hammond on the

calender days after adoption，ency being within three（3） calender days after adeption，exclusive of weekends and state holidays．
Anetteriprs
Anette 1 resp，Clerk of Hammond City Council

## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5163 C.S.

> An ordinance authorizing the incurring of debt and issuance of a Sewer Revenue Bond, Series 2009 in an amount not to exceed $\$ 900,000$, by the City of Hammond, State of Louisiana; making application to the State Bond Commission for approval of said bonds; employing bond counsel, and providing for other matters in connection therewith.

BE IT ORDAINED by the City Council of the City of Hammond, State of Louisiana (the "Governing Authority"), acting as the governing authority of the City of Hammond, State of Louisiana (the "City"), that:

SECTION 1. Authorization and Sale of Bond. Pursuant to La. R.S. 39:1430 and La. R.S. 30:2079 (the "Act"), and other constitutional and statutory authority, the City of Hammond, State of Louisiana, (the "City") is hereby authorized to incur debt for the purpose of acquiring, constructing and installing improvements, extensions and additions to the sewerage system of the City, and to represent said indebtedness, the City shall issue its Sewer Revenue Bond, Series 2009, in an amount not exceeding Nine Hundred Thousand Dollars ( $\$ 900,000$ ) (the "Bond"). The Bond shall be issued in the form of a single fully registered bond, dated the date of delivery thereof and numbered $\mathrm{R}-1$. The Bond shall be noninterest bearing, and shall mature in a single installment not later than twenty (20) years from date thereof. The principal of the Bond will be subject to forgiveness as provided in Section 3 below, and will be subject to prepayment at any time, in whole or in part at the option of the City, at a price of par plus accrued interest to the date of prepayment.

Pursuant to the Act and La. R.S. 39:1426(B), the City has determined to sell the Bond at a private sale without the necessity of publishing any notice of sale. Accordingly, the Bond is hereby sold to the Louisiana Department of Environmental Quality, Municipal Facilities Revolving Loan Fund (the "Department"). The purchase price of the Bond shall be paid to the City by the Department in installments on an "as-needed" basis, and the date and amount of each installment of the purchase price shall be noted on the Bond and the obligation of the City to repay the principal of the Bond shall only accrue to the extent of the purchase price of the Bond theretofore paid by the Department.

SECTION 2. Form and Execution of Bond. The Bond shall be in substantially the form attached hereto as Exhibit A, and the Mayor and Clerk of the Council are authorized and directed on behalf of the City to execute, seal and deliver the Bond to the Department.

SECTION 3. Security for Bond; Principal Forgiveness. The Bond will be secured by and payable from the revenues of City's sewerage system (the "System"), subject to the prior payment of the reasonable and necessary costs and expenses of operating and maintaining the System, until the Bond is paid in full in accordance with its terms, all in accordance with the provisions of La. R.S. 30:2079, La. R.S. 39:1430 and other constitutional and statutory authority. The City shall budget and set aside from time to time as necessary sufficient of the net revenues of the System to pay the principal of the Bond when due.

However, it is understood that the terms of the purchase of the Bonds by the Department provide that the City's obligation to repay the principal of the Bond will be forgiven simultaneously with the payment by the Department of each installment of the purchase price of the Bond. Accordingly, it is anticipated that no payments of principal, interest or administrative fees to the Department will ever be due and payable on the Bonds. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of the Bond theretofore advanced by the Department shall in no way extinguish the Bond or the obligation thereof with respect to the yet-to-be advanced portion of the principal thereof.

SECTION 4. Loan Documents. The (i) Commitment Agreement, (ii) Loan \& Pledge Agreement and (iii) Supplemental Loan Agreement, in substantially the forms attached hereto as Exhibit B, are hereby approved, and the Mayor and Clerk of the Council are authorized to execute and deliver the aforesaid documents on behalf of the City, with such changes as may be deemed necessary, upon the advice of counsel, in connection with the Bond.

SECTION 5. Authorization of Officers. The Mayor and Clerk of the Council are hereby further authorized and directed, for and on behalf of the City, to accept, receive, execute, seal, attest and deliver all such additional documents, certificates and, other instruments as are required in connection with the authorization, issuance, sale and delivery of the Bond and to take such further action as may be
appropriate or required by law or advised by bond counsel in connection with the authorization, issuance, sale and delivery of the Bond.

SECTION 6. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for approval of the issuance of the Bond. A certified copy of this ordinance shall be submitted to the State Bond Commission, together with a request for prompt consideration and approval of this application.

By virtue of the City's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that the City understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns, to full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the State Bond Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 7. Employment of Bond Counsel. A real necessity is hereby found for the employment of special bond counsel in connection with the issuance of the Bond, and accordingly the law firm of Foley \& Judell, LLP, Bond Counsel, is hereby employed as Bond Counsel to handle all matters of a legal nature in connection with the negotiation, sale, issuance and delivery of the Bond. Said special bond counsel shall prepare and submit to the City all proceedings necessary for the due authorization, issuance, sale and delivery of the Bond, shall counsel the City as to the issuance and sale of the Bond, and shall furnish its opinion covering the legality of the Bond. The fee of special bond counsel in this connection, which shall be contingent upon the delivery of the Bond, is hereby established and fixed at a sum not to exceed $0.75 \%$ of the Bond, plus "out-of-pocket" expenses. A certified copy of this ordinance shall be forwarded to the Attorney General of the State of Louisiana for his approval of the employment herein provided for.

SECTION 8. Publication; Peremption. A copy of this ordinance shall be published immediately after its adoption in one issue of the official journal of the City, provided that the exhibits to this ordinance (the form of Bond and the Agreements) need not be published but will instead be available for public inspection at the office of the Clerk of the Council during regular business hours on weekdays.

For a period of thirty (30) days from the date of such publication any person in interest shall have the right to contest the legality of this ordinance or of the Bond and the provisions securing the Bond. After the expiration of said thirty (30) days, no one shall have any right of action to contest the validity of the Bond or the provisions of this ordinance, and the Bond shall be conclusively presumed to be legal, and no court shall thereafter have authority to inquire into such matters.

SECTION 9. No Recourse on the Bond. No recourse shall be had for the payment of the Bonds or for any claim based thereon or on this ordinance against any member of the Governing Authority or officer of the City or any person executing the Bond.

SECTION 10. Effective Date. This ordinance shall take effect immediately.
The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on July $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on July $2 \mathbf{1}^{\text {st }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on July $\mathbf{2 1}{ }^{\text {st }}, \mathbf{2 0 0 9}$ by the following roll call vote;
 (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {st }}$ day of July, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.

President, Hammond City Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article II, Section 2-12 (A), the above Ordinance was delivered to at 0 joy of of lig City of Hammond on the , in the year 700
calendar days after adeption, exclusive of weekends anostate |holidays.

Recordation of Receipt Received from the


## UNITED STATES OF AMERICA <br> STATE OF LOUISIANA PARISH OF TANGIPHAHOA

## SEWER REVENUE BOND, SERIES 2009 <br> OF THE <br> CITY OF HAMMOND, STATE OF LOUISIANA



THE CITY OF HAMMOND, STATE OF LOUISIANA (the "City"), promises to pay, but solely from the source and as hereinafter provided, to:

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY<br>ATTN: Financial Services Division, Accounts Receivable<br>P. O. Box 4311<br>Baton Rouge, LA 70821-4311 (the "Department")

or registered assigns, on the dates and in the amounts as shown below, but solely from the revenues hereinafter specified, the principal amount stated above, on the Maturity Date stated above. This bond shall be non-interest bearing.

The purchase price of this Bond shall be paid by the Department to the City in installments. The date and amount of each purchase price installment, together with the amount of principal forgiveness associated therewith and the cumulative outstanding balance of this Bond, shall be noted on Schedule A attached hereto. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of this Bond theretofore advanced by the Department shall in no way extinguish this Bond or the obligation of this Bond with respect to the yet-to-be advanced portion of the principal hereof.

This Bond represents the entire issue of bonds designated "Sewer Revenue Bond, Series 2009, of the City of Hammond, State of Louisiana" and this Bond is issued by the City pursuant to an ordinance adopted by its governing authority on July 21, 2009 (the "Ordinance"), for the purposes set forth in the Ordinance, under the authority conferred by La. R.S. 30:2079 and La. R.S. 39:1430, and other constitutional and statutory authority (collectively, the "Act").

The principal installments of this Bond are subject to prepayment by the City in the manner set forth in the Ordinance.

The payment of this Bond is secured by and payable from the revenues of City's sewerage system (the "System"), subject to the prior payment of the reasonable and necessary costs and expenses of operating and maintaining the System, until this Bond is paid in full in accordance with its terms, all in accordance with the provisions of the Act and the Ordinance. For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Ordinance.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligations of the City have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the City, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof and shall be incontestable in the hands of bona fide purchasers or owners for value thereof.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the signatures of its Mayor and Clerk of Council, and its official seal to be imprinted or impressed hereon.

CITY OF HAMMOND, STATE OF LOUISIANA



I, the undersigned Clerk of the City Council of the City of Hammond, State of Louisiana (the "Governing Authority"), do hereby certify that the foregoing $\qquad$ $($ ) pages constitute a true and correct copy of an ordinance adopted by the Governing Authority on July 21,2009 , authorizing the incurring of debt and issuance of not to exceed $\$ 900,000$ of Sewer Revenue Bond, Series 2009, of the City of Hammond, State of Louisiana; making application to the State Bond Commission for approval of said bonds; employing bond counsel, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature and the impress of the official seal of said City at Hammond, Louisiana, on this, the $21^{\text {st }}$ day of July, 2009.


Date: $10-25-11$ Draw Number:
Principal Draw Paid to City this Date: $\$ \quad 36,869.37$
Amount of Principal Forgiveness this Date: $\$ 36,0,69,37$
Cumulative Amount of Principal Draws Paid to Date: $\$ 720,530,61$
Cumulative Amount of Principal Forgiveness to Date: $\$ 720,530,61$
Outstanding Balance of Principal \$ $\qquad$
Signature of Authorized Officer of Department: blew An And os
Date: $-1 / 20 / 12$ GANSLSE 909
Principal Draw Paid to City this Date: $\$ 57,948.50 / \mathrm{KX}$
Amount of Principal Forgiveness this Date: $\$ 57,948,50 / \times \times$
Cumulative Amount of Principal Draws Paid to Date: $\$ 778,479,11 / 44$
Cumulative Amount of Principal Forgiveness to Date: $\$ 7787^{1} 49.11 \times 4$ Outstanding Balance of Principal \$ Signature of Authorized Officer of Department: Draw Number:
Date:
Principal Draw Paid to City this Date: \$
Amount of Principal Forgiveness this Date: $\$$
Cumulative Amount of Principal Draws Paid to Date: \$ $\qquad$
Cumulative Amount of Principal Forgiveness to Date: \$ $\qquad$
Outstanding Balance of Principal \$
Signature of Authorized Officer of Department:

Date:
Draw Number: $\qquad$
Principal Draw Paid to City this Date: \$ $\qquad$
Amount of Principal Forgiveness this Date: $\$$
$\qquad$
Cumulative Amount of Principal Draws Paid to Date: \$
Cumulative Amount of Principal Forgiveness to Date: \$ $\qquad$
Outstanding Balance of Principal \$
Signature of Authorized Officer of Department:

Date:
Principal Draw Paid to City this Date: $\$ 123,318 \geq 7$
Amount of Principal Forgiveness this Date: $\$ 123,318 \geq 7$
Cumulative Amount of Principal Draws Paid to Date: $\$ 466,555$ 年
Cumulative Amount of Principal Forgiveness to Date: \$466p155 40
Outstanding Balance of Principal $\$$-o-

Date:


Principal Draw Paid to City this Date: $\$ 76,97632$
Amount of Principal Forgiveness this Date: $\$ 76,976$ 32
Cumulative Amount of Principal Draws Paid to Date: $\$ 543,531 \geq 2$
Cumulative Amount of Principal Forgiveness to Date: $\$ 543,531 \geq 2$
Outstanding Balance of Principal $\$$ _-o-
Signature of Authorized Officer of Department:
Date:
5-21-10

Principal Draw Paid to City this Date: $\$ 39,7136$
Amount of Principal Forgiveness this Date: $\$ 39,71369$
Cumulative Amount of Principal Draws Paid to Date: \$583,245 41
Cumulative Amount of Principal Forgiveness to Date: $\$ 583,245^{\circ}$ ㄴ
Outstanding Balance of Principal \$ - O-


Date:

$$
9-10-10
$$

Draw Number: $\qquad$ 7
Principal Draw Paid to City this Date: \$ $\qquad$
Amount of Principal Forgiveness this Date: $\$ 100,415.8 .3$
Cumulative Amount of Principal Draws Paid to Date: $\$ 1083,601.24$
Cumulative Amount of Principal Forgiveness to Date: $\$ 1083,1061.24$ Outstanding Balance of Principal \$
Signature of Authorized Officer of Department?


## SCHEDULE A <br> SCHEDULE OF PRINCIPAL DRAWS AND PRINCIPAL BALANCE

\$800,000<br>SEWER REVENUE BOND, SERIES 2009<br>OF THE CITY OF HAMMOND, STATE OF LOUISIANA

$\qquad$
Principal Draw Paid to City this Date: $\$ \quad 56,190$ 응
Amount of Principal Forgiveness this Date: $\$ \quad 56,190$ 00
Cumulative Amount of Principal Draws Paid to Date: $\$$
Cumulative Amount of Principal Forgiveness to Date: $\$ 56,1900$
Outstanding Balance of Principal \$_-O-
Signature of Authorized Officer of Department: Frenes flagnabes

Date: 3-16-10 ( Draw Numben: 2
Principal Draw Paid to City this Date: $\$ 163,44734$
Amount of Principal Forgiveness this Date: $\$ 163,94734$
Cumulative Amount of Principal Draws Paid to Date: $\$ 220,13734$
Cumulative Amount of Principal Forgiveness to Date: $\$ \not 220,137 \underline{34}$ Outstanding Balance of Principal \$
Signature of Authorized Officer of Department: Wall

Date:


Principal Draw Paid to City this Date: $\$ 123,09929$
Amount of Principal Forgiveness this Date: $\$ 123,05929$
Cumulative Amount of Principal Draws Paid to Date: $\$ 343,236$ 63
Cumulative Amount of Principal Forgiveness to Date: $\$ 393,236$ 63
Outstanding Balance of Principal \$ ———
Signature of Authorized Officer of Department
paid in full in accordance with its terms, all in accordance with the provisions of the Act and the Ordinance. For a complete statement of the revenues from which and conditions under which this Bond is issued, reference is hereby made to the Ordinance.

It is certified that this Bond is authorized by and is issued in conformity with the requirements of the Constitution and statutes of this State. It is further certified, recited and declared that all acts, conditions and things required to exist, to happen and to be performed precedent to and in the issuance of this Bond necessary to constitute the same a legal, binding and valid obligations of the City have existed, have happened and have been performed in due time, form and manner as required by law, and that the indebtedness of the City, including this Bond, does not exceed any limitation prescribed by the Constitution and statutes of the State of Louisiana, and that this Bond shall not be invalid for any irregularity or defect in the proceedings for the issuance and sale thereof and shall be incontestable in the hands of bona fide purchasers or owners for value thereof.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the signatures of its Mayor and Clerk of Council, and its official seal to be imprinted or impressed hereon.

CITY OF HAMMOND, STATE OF LOUISIANA

(SEAL)

# UNITED STATES OF AMERICA STATE OF LOUISIANA PARISH OF TANGIPAHOA 

## SEWER REVENUE BOND, SERIES 2009 <br> OF THE <br> CITY OF HAMMOND, STATE OF LOUISIANA

| Bond <br> Number | Bond <br> Date | Maturity <br> Date | Principal <br> Amount |
| :---: | :---: | :---: | :---: |
| R-1 November 17,2009 |  |  |  | | November 1,2029 |
| :---: |

THE CITY OF HAMMOND, STATE OF LOUISIANA (the "City"), promises to pay, but solely from the source and as hereinafter provided, to:

LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY<br>ATTN: Financial Services Division, Accounts Receivable<br>P. O. Box 4311<br>Baton Rouge, LA 70821-4311 (the "Department")

or registered assigns, on the dates and in the amounts as shown below, but solely from the revenues hereinafter specified, the principal amount stated above, on the Maturity Date stated above. This bond shall be non-interest bearmn 0

The purchase price of this Bern installments. The date and amount dfeach purchase price installment, together with the amount of principal forgiveness associated therewith and the cumulative outstanding balance of this Bond, shall be noted on Schedule A attached hereto. Notwithstanding any law or contractual provision to the contrary, the forgiveness at any time of any or all of the principal of this Bond theretofore advanced by the Department shall in no way extinguish this Bond or the obligation of this Bond with respect to the yet-to-be advanced portion of the principal hereof.

This Bond represents the entire issue of bonds designated "Sewer Revenue Bond, Series 2009, of the City of Hammond, State of Louisiana" and this Bond is issued by the City pursuant to an ordinance adopted by its governing authority on July 21, 2009 (the "Ordinance"), for the purposes set forth in the Ordinance, under the authority conferred by La. R.S. 30:2079 and La. R.S. 39:1430, and other constitutional and statutory authority (collectively, the "Act").

The principal installments of this Bond are subject to prepayment by the City in the manner set forth in the Ordinance.

The payment of this Bond is secured by and payable from the revenues of City's sewerage system (the "System"), subject to the prior payment of the reasonable and necessary costs and expenses of operating and maintaining the System, until this Bond is

#  <br> DEPARTMENT OF ENVIRONMENTAL QUALITY <br> OFFICE OF MANAGEMENT \& FINANCE 

MAR 262012

Honorable Mayson H. Foster
Mayor of Hammond
P. O. Box 2788

Hammond, LA. 70404

RE:Clean Water State Revolving Fund
ARRA Project \# 221740-01
Dear Mayor Foster:
On November 17, 2009 your municipality was awarded $\$ 800,000$ through the Louisiana Department of Environmental Quality's (LDEQ) Clean Water Revolving Loan Fund (CWSRF) through a grant from the American Recovery and Reinvestment Act for a waste water/sewer improvement project. These funds were awarded through a loan to your municipality. Although this loan carried zero percent (0\%) interest with $100 \%$ principal forgiveness, your municipality issued a bond to the LDEQ for the full amount of the loan.

We have processed your final disbursement request on January 20, 2012 for a total draw of \$778,479.11. Since the project is officially completed, we are returning the bond "CANCELLED" to your municipality showing each disbursement fully forgiven. A copy of this letter should be provided to your auditors indicating that the bond has been cancelled and that the debt should not be included in future financial statements.

If you have any questions concerning this document or need further information on future financing for your infrastructure needs, please do not hesitate to contact Karyn Andrews at (225) 219-3863.


[^1]
# Gate of 前ousiana DEPARTMENT OF ENVIRONMENTAL QUALITY OFFICE OF MANAGEMENT \& FINANCE <br> MAR $2 \in 2012$ 

RE: $\$ 800,000$
Sewer Revenue Bond, Series 2009
City of Hammond, State of Louisiana

Attached is the cancelled bond for the above referenced financing project.

Please acknowledge receipt of the cancelled bond on this letter and return to my office by mail at the address below, by fax at (225) 219-3868 or by e-mail at karyn.andrews@la.gov.


Accountant Manager

RECEIPT OF THE CANCELLED BOND IS ACKNOWLEDGED BY:

Signature: $\qquad$
Print Name: $\qquad$
Date: $\qquad$


# CITY OF HAMMOND ORDINANCE $\mathbf{N}^{\circ}$ 09-5162 C.S. 

## An Ordinance to extend the lease agreement between the City of Hammond and Salvadore A. Tallo

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An ordinance has been accepted to authorize the Mayor to extend the lease agreement between the City of Hammond and Salvadore A. Tallo for an additional five years until December 31, 2018 for a property pertaining to a plot of land surveyed by Roy Edwards, R. C. Edwards Professional Land Surveyors August 12, 1999 containing 0.1753 acres at the corner of Southwest Railroad Avenue and West Coleman Avenue.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on June $\mathbf{1 6}^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on July $21^{\text {st }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on July $21^{\text {st }}, \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{2 1}^{\text {st }}$ day of July, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Anette A. Krylo, Clerk
Hammond City Council



Recordation of Receipt Received from the
 at 10.30 , $0^{0}$ abck $9 . m$., in accordance with Home Rul Anette Krye. Cle ek

# CITY OF HAMMOND <br> ORDINANCE N ${ }^{0}$ 09-5162 C.S. <br> An Ordinance to extend the lease agreement between the City of Hammond and Salvadore A. Tallo 

## SECOND LEASE ADDENDUM

## STATE OF LOUISIANA PARISH OF TANGIPAHOA

Before the undersigned Notary Public(s) duly qualified, personally came and appeared the CITY OF HAMMOND, ("COH") represented herein by its Mayor, Mayson H. Foster, as authorized by Ordinance No. 09-5162 C.S. of the City Council of the City of Hammond, and SALVADORE A. TALLO, a person of the full age of majority ("Tallo") who after being duly sworn did depose and say they do stipulate and agree as follows:

WHEREAS, the COH and Tallo entered into a lease agreement dated December 7, 1993 (the "Lease") pertaining to a plot of land surveyed by Roy Edwards, R. C. Edwards Professional Land Surveyors August 12, 1999 containing 0.1753 acres at the corner of Southwest Railroad Avenue and West Coleman Avenue as set forth in the Lease and specifically incorporated herein; and

WHEREAS, the Lease was extended by execution of an option in September, 1998 by Tallo; and
WHEREAS, the Lease was amended by a Lease Addendum dated October 20, 1999 granting an additional two (2) renewal option periods, consisting of five (5) years each; and

WHEREAS, Tallo has exercised said options and extended the term of the Lease through December 31, 2013; and

WHEREAS, the leased property has limited use and the Lease allows the COH the continued use of the leased property; and

WHEREAS, the COH does not require the exclusive use of the leased property for a public purpose; and

WHEREAS, the continued use of the leased property by Tallo under the Lease will provide additional incentive for Tallo to improve his adjoining property situated within the City.

NOW THEREFORE, the parties agree to further amend the Lease as follows:

1. Term. Tallo is given five additional five year options to renew the term of the Lease commencing as of the expiration of the existing term. If Tallo intends to exercise an option, he must give written notice to the COH at the address set forth below no later than sixty (60) days prior to the end of the then existing term. Failure to timely provide notice shall result in the forfeiture of all remaining options.
2. Rent. The monthly rent for the first option term shall be $\$ 100.00$ per month and the monthly rent for each additional option term shall be increased by a percentage equal to the percentage increase, if
any, of the Consumer Price Index - All Urban Consumers ("CPI") U. S. City Average - All Items (1982-84-100), issued and published by the Bureau of Labor Statistics of the United States Department of Labor, or if the CPI is no longer published, a successor or substitute index issued by a reliable governmental or non-partisan publication selected by the COH . The increase shall be determined by comparing the CPI published on the date closest to the date preceding the beginning of the existing option term with the CPI published on the date closest to the date preceding the end of the fifth year of the existing option term. The rent shall be increased by such percentage increase and fixed for that option term. In no event shall there be a decrease in rent.
3. Use of Leased Property by COH . The COH shall be allowed the non-exclusive use of the leased property during the entire term of the Lease. In addition, the COH has the right and authority to access any utility lines or sewer lines within, on or under the leased property. In the event it is necessary for the COH to gain access to any sewer or utility lines for any purpose, the COH shall not be required to renovate, restore or repair the leased property as a result of such access.
4. Default. In the event either party fails to comply with this Agreement, then the other party is entitled to all rights and remedies under Louisiana law, including the right to demand specific performance. In addition, any party in default of the Lease shall be responsible for payment of attorney fees and costs incurred by the party seeking enforcement of the Lease.
5. No Commission. The COH and Tallo represent that there are no real estate agents involved and no commissions are or will be owed.
6. No Sublease or Assignment. Tallo may not sublease or assign the Lease without written approval of the COH .
7. Notices. Notices hereunder shall be in writing signed by the party serving the same and shall be sent to the following addresses:

| If intended to $\mathrm{COH}:$ | If intended to Tallo: |
| :--- | :--- |
| City of Hammond | Salvadore A. Tallo |
| 310 East Charles Street | 115 East Thomas Street |
| Hammond, LA 70401 | Hammond, LA 70401 |

All notices, demands and requests by either party to the other shall be deemed effective upon the earlier of (A) personal delivery, or (B) three (3) days after deposit in United States registered or certified mail, postage prepaid, return receipt requested, or (C) one (1) day after deposit with an overnight courier service for next day delivery, with postage prepaid, or (D) actual delivery if transmitted by facsimile during normal business hours (8:00 a.m. - 5:00 p.m.) for the recipient, provided, however, that the same notice is also deposited on the same day with an overnight courier service in compliance with (C) above,
all addressed to the other party at its address set forth above, or at such other place as it may from time to time designate in a written notice to the other party.
8. Survival of Terms. This addendum shall be subject to the terms and conditions contained in the Lease, and, except where expressly modified herein, shall be deemed and considered to have been inclusive of the original terms and conditions as if recited in full herein and are hereby ratified and confirmed.
9. Multiple Counterparts. This agreement may be executed in multiple counterparts.

THUS DONE AND SIGNED before me the undersigned Notary Public and undersigned witnesses after due reading of the whole at Hammond, Louisiana, on this $\qquad$ day of $\qquad$ , 2009.

WITNESSES:
CITY OF HAMMOND
By: $\qquad$

Notary Public
THUS DONE AND SIGNED before me the undersigned Notary Public and undersigned witnesses after due reading of the whole at Hammond, Louisiana, on this $\qquad$ day of $\qquad$ 2009. WITNESSES:

## Salvador A. Tallo

Notary Public

## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5161 C.S.

## Rezoning Request

Case\#RZ2009-4-3
720 S. Morrison Blvd

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to approve Case\#RZ2009-4-3-A Rezoning requested by Atmos Energy Corporation (Richard E. Turcotte) to rezone 720 S. Morrison Blvd. from RS to C2 in accordance with survey by SJB Group, LLC.
This rezoning was unanimously recommended by the Planning and Zoning Commission on May $7^{\text {th }}$, 2009

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $19^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{1 6}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on June $\mathbf{1 6}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Absent) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 6}^{\text {th }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council



Recordation of Receipt Received from the
Mayor of the City of Hammond on the 18 day of 'hue in the year Zoos at 8:00 0 0 lock $2 . \mathrm{m}$., in accordance with Home Ryfo thafter Article II, Section 2-12 (B). Qpe.
Anette Kirylo, Clerk
Hammond CifylCouncil

CERTIFICATE OF DELIVERE
In accordance with Home Rule Charter Artis', ' '. Section 2-12 (A), the above Ordinance was d. the Mayor of the City of Hammond o. 18 day of thus, in the year 2009
 apd state holidaya.

Anette Kirylog cierlapiliammond (ay Council


## Ordinance No $^{\circ}$ 09-5161 C.S. Casem R2 2009-4-3

## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5160 C.S.

## Rezoning Request

Case\#RZ2009-4-1
305 W. Charles Street

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to approve Case\#RZ2009-4-1 a Rezoning requested by Northshore Real Estate Holdings, LLC (Jack C. Siekkinen) to rezone front 100' of 305 W. Charles Street from B-2 to R11 in accordance with survey by William J. Bodin Jr. dated April 3, 2009
This rezoning was unanimously recommended by the Planning and Zoning Commission on May $7^{\text {th }}$, 2009

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on June $2^{\text {nd }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{1 6}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on June $\mathbf{1 6}^{\text {th }}, 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Absent) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 6}^{\text {th }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.




##  <br> 

# CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5159 C.S. 

## Rezoning Request

Case\#RZ2009-3-2
501, 503, 505, \& 507 Keith Ave
BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to approve Case\#RZ2009-3-2 a Rezoning requested by Josh A. Chapple to rezone Tract $1,2,3, \& 4$ of lot 26 Rose Hill Park from R-5 to RS at 501, 503, 505, \& 507 Keith Ave. in accordance with survey made by William J. Bodin, Jr. recorded Instrument \#727480 dated February 6, 2006 to correct an error in Ordinance \#05-3979 C.S. As recommended by the Planning and Zoning Commission on May $7^{\text {th }}, 2009$

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $19^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{1 6}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on June $\mathbf{1 6}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Absent) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $16^{\text {nd }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council



CERTHICATF OF DELIVERY


ORDHNANCE NO. 05-3979, C.S.
AN OPWM NANCE FOR REZONTNG OTFPROFERTY (XOR BY 293') LOCATED AT: 11. AND 505 HETH AYE. FROMRS TORS FOR MOBILE HOME PR A CEMENT, JOSH CRAPPIE OYMYER
BR YT OFPD, LNED by the City of Hammond that:
STCTION 1. To rome property ( 100 by $293^{\circ}$ ) located at 503 and 505 Keith Ave. from R5 to RS for mobile home plomenent, Josh Chapple owner.

SECTION 2. SAILIROPERTY IS BOUNDED BY:

| NORTH: | DOTD and Center Avenue |
| :--- | :--- |
| SOUTH: | CN Railroad |
| EAST: | DOD |
| WEST | Josh Chapple |

The above sal foregoing ordinance having been duly submitted to the Hammond City Council in writing: introduced at a public meeting of the Hammond City Council discussed at the said public meeting:: after motion and second was submitted to the official vote of the Hammond
City Council.

WHERMTORT, the above and foregoing ordinance was declared duly adopted on this $7^{7 \text { th }}$ da: of hone, year 2005, at Hammond, Tangipahoa Parish, Louisiana,


CURTIS WILSON, JTESIDENT
HAMMOND CIT: COUNCIL



FONORADE MASON H. FOSTER MAYOR, CITY OF HAMMOND


The next Zoning Commission Meeting will be held on
, at $5: 00 \mathrm{pm}$ in the City Council
Chambers, 312 E . Charles Street. Application to be submitted to Zoning Commission must be filed with the City at least 21 days before the date of the next Public Meeting.
This Application for: $\square$ REZONING CONDITIONAL USE: $\square$ EXPANDED -OR- $\square$ RESTRICTED $\square$ INITIAL ZONING

REZONING FEE: $\square$ Single Lot $\$ 120.00 \quad$ Block or Area $\$ 250.00$ (Fees are not refundable based on decisions) Fifty percent $(50 \%)$ of fee is refundable if application is withdrawn before first newspaper notice is filed.


PLEASE READ AND SIGN BELOW


## PERMIT INFO-ADDITIONAL INFO

## PRESENT ZONING IS:

## REQUFSTED ZONING IS: AL BI B2 Cl C2 C3 C4 C4A HI L R4 RS R5S R8 R11 RA RP RS S


SPOT TONING NOTE: Rezoning of a lot or parcel of land to benefit an owner case $\# R Z 2005-4-\bar{D}$ surrounding uses and not for the purpose or effect or furthering the compreher for a use incompatible with discouraged in Hammond

L/We being the legal owners) request zoning of my property from a ___ District to a ___ District. I/We fully understand and agree to abide by the zoning restrictions for a __._ District. I am including with this application a copy of any covenants or restrictions and deeds governing this property.

If there is more than one owner or a corporation is the owner of the property, each owner or authorized agent of the corporation must sign. If conditional zoning, submit in writing an explanation for this request on separate sheet. If you are applying for an area or block zoning furnish a map of area or block and a petition signed by at least $50 \%$ of the property owners in the area (including their addresses).
ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE, AND ALL FEES PAID BEFORE THIS APPLICATION WILL BE ACCEPTED ON THE AGENDA FOR TUE CITY OF HAMMOND PLANNING \& ZONING



$$
3-26-09
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## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5158 C.S.

## Budget Fiscal Year 2009-2010

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to approve the City of Hammond budget for the fiscal year 2009-2010 in accordance with the procedures set with in Section 5-03 of the City of Hammond Charter.

Final Adoption of an Ordinance\# 09-5158 C.S. to approve the City of Hammond budget for the fiscal year 2009-2010 in accordance with the procedures set with in Section 5-03 of the City of Hammond Charter.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on June $2^{\text {nd }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{1 6}{ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on June $\mathbf{1 6}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Absent) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $16^{\text {th }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


President, Hammond City Council


Recordation of Receipt Receiver s. $\rightarrow$ the


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## CITY OF HAMMOND ORDINANCE $\mathbf{N}^{0}$ 09-5157 C.S.

## Police Department Console System

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to authorize the Police Department to allocate $\$ 19,036.00$ from Fund 205 Court Award to Project \# 30910 Fund 251 for the purchase of a console system for the Police Department.

## Final Adoption of an Ordinance \# 09-5157 C.S. to allocate $\mathbf{\$ 1 9 , 0 3 6 . 0 0}$ from Fund 205 Court Award to Project \# 30910 Fund 251 to purchase a console system for the Police Department.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on June $\mathbf{2}^{\text {nd }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{1 6}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on June $\mathbf{1 6}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Absent) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 6}{ }^{\text {th }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Anette A. Kitylo, Clerk
Hammond City Council



# CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5156 C.S. 

## Surplus Item <br> GovDeals.com

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to authorize the Purchasing Department to declare certain items of movable property as surplus and to be sold through GovDeals.com

1. Unit \# 2678 - Minuteman Vacuum Unit
2. Unit \# 607-1997 Dodge Ram Magnum Vin\# 3B7HC13Y6YG75262
3. Case Tractor $\mathrm{w} / 15$ ' Batwing Cutter Unit
4. Unit \# 391 - Nissan Fork Lift
5. Brayhill Sprayer
6. Unit 3 425-1998 Ford Crown Vic. Vin\# 2FAFP71W5WX164605
7. Unit \# 7899 - GMC 1500SL pickup Vin\# 2GTEC19H1P1547899
8. Unit \# 124 - Ford Tractor - Model 3600
9. Unit \# 409-1997 Ford F-250 Utility Truck Vin\# 3FTHF25H0VNA55905
10. Kubota Lawn Mower
11. Unit \# 122 - Ford Fire Truck
12. Unit \#480-2000 Ford Crown Vic. Vin\# 2FAFP71W2YX142810
13. Unit \# 339-1995 Ford F-150XL Pickup Vin\# 1FTEF15N5SLB47723
14. Unit \#215 - International Dump Truck
15. Compressor
16. Unit \#4 - 1992 Ford Crown Vic. Vin\# 2FACP2W7NX221337
17. Unit \#483-2000 Ford Crown Vic. Vin\# 2FAFP71W7X142799
18. Unit \#306-1993 Ford f-250 Pickup $3 / 4$ ton Vin\# 1FTH25H6PNA64214
19. Unit \#305-1/2 ton Pickup Vin\# 1FTDF15Y8PN806648
20. Unit \#465-1999 Ford Crown Vic. Vin\# 2FAFP71W1XX243047
21. Unit \#338-1995 Ford Pickup $1 / 2$ ton Vin\# 1FTEF15NX5LB63464
22. Unit \#464-1999 Ford Crown Vic. Vin\# 2FAFP71W3XX243028
23. Unit \#484-2000 Ford Crown Vic. Vin\# 2FAFP71W7YX142818
24. Unit \#528 - 2001 Ford Crown Vic. Vin\# 2FAFP71W91X202054
25. Unit \#469-1999 Ford Crown Vic. Vin\# 2FAFP71 W5YX1 12734
26. Unit \#530 - Chevrolet Impala Vin\# 2G1 WF55K62920862
27. Two(2) Golf carts
28. One(1) Batwing Cutter
29. Unit \#341-1999 F-350XL Utility Truck Vin\# 1FDJF37H55EA58803
30. Unit \#368-1996 F-250XL $3 / 4$ ton Truck Vin\# 1FTHF25H2TEB24483
31. Unit \#280 - 1991 F 800 Fire Truck Vin\# 1FDYK84A9MVA33176
32. One (1) each -2008 Dodge Durango Vin\# 1B4HR28Z8YF222296
33. One (1) each - Micro Rain Unit

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $19^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{2}^{\text {nd }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Johnny Blount and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on June $2^{\text {nd, }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Absent) Motion to carry to approve.

## CITY OF HAMMOND

Surplus Item

ORDINANCE ${ }^{\circ}$ 09-5156 C.S.
GovDeals.com

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{2}^{\text {nd }}$ day of June,


Anette A Mirylo, Clerk
Hammond gity Council
Recordation of Receipt Received from the


CERTIFICATE OF DELIVIRRY
In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was dellivered to 4 the Mayor of the City of Hammond on the 9 at $12: 300^{\circ}$ clock p.m. said delivery being within three (3) calendar days arter adeption, exclusive of weekends


Anette Kirylo, C Con of Hammond City Comncil

# CITY OF HAMMOND <br> ORDINANCE $\mathbf{N}^{\circ}$ 09-5155 C.S. 

Act of Donation Tangipahoa Water District

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An ordinance has been accepted to authorize the mayor of the City of Hammond to sign an Act of Donation from the Tangipahoa Water District transferring ownership rights for water service to the City of Hammond

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $19^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on June $\mathbf{2}^{\text {nd }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on June $2^{\text {nd, }} \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Absent) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{2}^{\text {nd }}$ day of June, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana


Vice -President, Hammond City Council


## Recordation of Receipt Received from the

 the 4 Mayor of the City of Hammond on at $12: 120$ day of oume in the year 2007 Home Fulef Charter Article II, Section 2-12 (B). WiU.Anette Kinly, Clerk
Hammond City Council

## CERTIITICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered to
the Mayor of the City of Hammond on the
at $\frac{42}{20}$ day of fune, in the year 1009
calendar days affer adeption, exclusive of weekends
and state holidays.
Mango.
Anette Kirylo, elferk of Hammond City Comncil

## PARISH OF TANGIPAHOA

BEFORE THE UNDERSIGNED, a Notary Public, personally came and appeared: The Tangipahoa Water District, herein appearing through its duly authorized President, Mr. Lawrence Byers, acting in accord with a resolution of the Water District passed on $\qquad$ 2009, who did state that the said Tangipahoa Water District does donate, convey, transfer, setover and deliver unto the City of Hammond, represented herein by its Mayor, Mayson Foster, in accord with resolution of the Hammond City Council passed on the $\qquad$ day of June, 2009, the following described property, to-wit:

1. The right, privilege and franchise to conduct and carry on in the Parish of Tangipahoa the business of producing, distributing and selling water and water services held by donor.
2. All water lines, valves, meters, servitudes, tanks, rights of way, pipes and other equipment or property of whatever nature, kind or description used in the distribution and selling of water by the donor, but excluding any assets related to the delivery and operation of a sewerage system.
To have and to hold unto the said City of Hammond, its, successors and assigns in full property forever with full and general warranty of title and free and clear of all liens and encumbrances.

Donor further agrees to indemnify, hold harmless and defend donee from any and all claims or demands which may be made upon donee arising wholly or partially from any water services provided by donor prior to the effective date of this donation.

And now appears the City of Hammond who accepts said donation.
THUS EXECUTED at Hammond, Parish of Tangipahoa, State of Louisiana, on this $\qquad$ day of , 2009, in the presence of the two undersigned competent witnesses and the undersigned Notary Public, all of whom affix their signature after due reading of the whole.

WITNESSES:
Printed Name: Tangipahoa Water District

Printed Name: $\qquad$ By: Lawrence Byers

## Notary Public <br> Bar Roll/Notary Number:

THUS EXECUTED at Hammond, Parish of Tangipahoa, State of Louisiana, on this $\qquad$ day of
$\qquad$ Notary Public, all of whom affix their signature after due reading of the whole.

WITNESSES:
$\qquad$

Printed Name: $\qquad$ By: Mayson Foster, Mayor

Notary Public
Bar Roll/Notary Number:


## CITY OF HAMMOND ORDINANCE $\mathbf{N}^{\circ}$ 09-5154 C.S.

Major Subdivision<br>HAEIDD \& Hammond Business Park<br>Case \# SDF 2009-4-1

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
The Hammond City Council has approved an Ordinance \#09-5153 C.S. approving Case \# SDF2009-4-1-Major Subdivision requested by HAEIDD \& Hammond Business Park LLP (James D. Kofoed) for final subdivision approval with modifications of Lot B-1 into Lots B-1A \& B-1B and dedication of improvements for HAEIDD Business Park, Phase 1 and acceptance of dedication of 100 ' right-of-way, two-lane paved roadway on south half of HAEIDD Drive right-of-way and public improvements all in accordance with survey made by Dennis L. Gowin dated April 8, 2009 Revised May 6, 2009 (attached herewith) zoned L ; and acceptance of a two- year property bond for the construction of the Phase 1 cul-de-sac; and waiving the required one- year maintenance bond

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $5^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $\mathbf{1 9}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on May $19^{\text {th }}, 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Absent) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 9}^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Annette Ad- iryllo, Clerk
Hammond City Council

## CERTIFICATE OR DRLUVIRY

In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was deliveredie the Mayor of the City of Blammond on the 21 day of May
, in the year 2009
 calendar days after adeption, exclusive of weelvendls



Ordinance No 09-5154 C.S.

## City Council Agenda Request From Planning \& Zoning

## Date of Planning \& Zoning Meeting: 05-07-2009

## Item to be presented to the Council (Ordinance):

Case\#SDF2009-4-1-Major Subdivision request by HAEIDD \& Hammond Business Park LLP (James D. Kofoed) for final subdivision approval with modifications of Lot B-1 into Lots B-1A \& B-1B and dedication of improvements for HAEIDD Business Park Phase 1 in accordance with amended final plat by Dennis L. Gowin, surveyor; zoned L

## Brief Description of the Property:

The first phase of a $162+$ acre Business Park subdivision. Phase I includes a $100^{\prime}$ right of way culminating in a cul de sac. The south half of a proposed 4 lane boulevard has been paved and is being dedicated along with the $100^{\circ}$ right of way. A city sewer main and parish water line are located in the north half of the right of way.

## Existing Zoning: L.

## Specific Action taken by the Commission:

Recommend approval of the Amended Final Plat of HAEIDD Business Park, Phase 1 and acceptance of the dedication of the improvements in accordance with the survey by Dennis L. Gowin, dated 4-08-09, revised 5-06-09, with the following conditions:

1. That the drainage structure noted in the Review Engineers comments is repaired,
2. That a two-year property bond (as presented by J. Seal at the meeting) for the cul de sac improvements be provided and approved by the City Attorney prior to Council approval;
3. That the required one-year maintenance bond is waived, as requested by the applicant, by the City Council.

## Stipulations or Special Conditions:

Ordinance should include verbiage as follows: "Final approval of Amended Final Plat of HAEIDD Business Park, Phase I and acceptance of dedication of 100' right-of-way, two-lane paved roadway on south half of HAEIDD Drive right-of-way and public improvements all in accordance with survey by Dennis L. Gowin dated April 8.2009 Revised May 6, 2009 (attached herewith); acceptance of a two- year property bond for the construction of the Phase 1 cul-de-sac; and waiving the required one- year maintenance bond

## Planning Commission Vote Results: 4-0 for Approval

Date presented to the City Council Clerk: 5/15/2009
Date to be on the Council Agendas:
Introduction - 05/05/2009 and Final - 05/19/2009
From: Ginger Fortson, City Planner

SUBDIVISION APPROVAL \& LAND DEVELOPMENT APPLICATION
FLING DATE: $42109 \quad$ CITY OF HAMMOND

The next Planning Commission Meeting will be held on 3 City Council Chambers, 312 E. Charles Street. Application to be submitted to Zoning Board must meet the 21 day deadline for the next meeting.
-Check here if development is a MONOR SUBDIVISION 巨- Check here if development is a MAJOR SUBDIVISION Check here if development is an ADMINISTRATIVE SUBDIVISION



ATTENTION: APPLICANT
NOTE: Six (6) copies of the complete plans and specifications and seven (7) additional copies of any property plat containing information pertaining to the attached check list shall be made part and submits: vt the application for preliminary review.

ALL INFORMATION ON THIS APPLICATION MUST BE COMPLETE AND ALL FEES PAID BEFORE TH

$4 / 20 / 09$

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\frac{4-20}{\text { DATE }}=09
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So r Preliminary and Final Review. $\$ 30000+\$ 500$ for E



# CITY OF HAMMOND <br> ORDINANCE $\mathbf{N}^{\circ}$ 09-5153 C.S. 

## Major Subdivision Ridge Estates of Hammond Case \# SDF2008-12-1

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

The Hammond City Council has approved an Ordinance \# 09-5153 C.S. to accept Case \# SDF2008-12-1- Major Subdivision requested by Ridge Estates of Hammond LLC for final subdivision approval and dedication of improvements for Ridge Estates of Hammond Subdivision, a 54 lot residential subdivision at 1301 J.W.Davis Dr.; zoned R-5 and L and acceptance of dedication of Estate Circle and Richsmith Lane and all public improvements all in accordance with survey made by John G. Cummings dated Feb. 20, 2009; revised May 13, 2009 attached herewith. And acceptance of a one (1) year maintenance bond in the amount of $\$ 117,156$. Subject to performing an asphalt core testing and receiving a satisfactory lab result to be review by the Hammond City Engineer.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $\mathbf{5}^{\boldsymbol{t h}}, \mathbf{2 0 0 9}$ of the Hammond City Council and discussed at a public meeting held on May $19^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Johnny Blount and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on May $19^{\text {th, }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Absent) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $19^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Anette A. Kinylo, Clerk
Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on the 21 day of May in the year 2007 at 2:06 o'clock 1 m ., in accordance with Home Rule © anter Article II, Section 2-12 (B). , $\mathrm{H}_{\mathrm{h}} \mathrm{A}$.
Anette Kirylo, Grodh
Hammond City Cotynci

CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article III, Section ? 12 (A), the above is rdinance was defivered to the Mayor of the City of Hammond on the


DESCRIPTION OF ESTATES CREE:




DESCRIPTION OF RICHSMITH LANE:






DESCRIPTOR OF CONSOLDATED GRAMMY DRAINAGE SERUTUDE

 Rip

DESCRIPTON OF 15' WATER EASEMENT BETwEEN LOTS $6 \& 7$ :





DESCRIPTiON OF 15 ' DRANAGE \& ututy Easement between lots $38 \& 53$



description of 15 drainage servitude on lot 27





A PARCEL OF LAND LOCATED IN THE NE $1 / 4$

7 EAST, TANGIPAHOA PARISH, LOUISIANA.

Home office address

## Platte River Insurance Company

P．O．Box 5900
Madison，WI 53705

## MAINTENANCE BOND

That
RIDGE CONSTRUCTION，LLC as Principal，（hereinafter called Principal） and
PLATTE RIVER INSURANCE COMPANY of Wisconsin $\qquad$ ，with its Home Office in the City of Madison． Wisconsin，as Surety，（hereinafter called Surety），are held and firmly bound unto City of Hammond，Louisiana as Obligee，（hereinafter called Obligee），for the use and benefit of claimants as hereinafter provided in the amount of One Hundred Dollars（\＄117，156．00 ），for the payment whereof Principal and Surety bind themselves， Seventeen
Thousand One
Hundred and Fifty－
Six
heirs，executors，administrators，successors and assigns，jointly and severally，firmly by these presents
WHEREAS，the Principal and Obligee entered into a written contract on the $21^{\text {sT }}$ day of DECEMBER 2007 for the SEE ATTACHED SURVEY EDWARDS ENGINEERING all in accordance with the plans and specifications prepared by their

City of Hammond, Louisiana 106 North Cherry Street
Hammond, LA 70401

## SURETY BOND RIDER

Re: Maintenance Bond

THIS RIDER DATED: May 6, 2009
IS MADE A PART OF BOND NUMBER: 41134232
ISSUED TO: RIDGE CONSTRUCTION, LLC.
THE PURPOSE OF THIS RIDER IS TO:
CHANGE THE: Effective Start Date
FROM: December 14, 2008
TO: May 19, 2009


CC: RIDGE CONSTRUCTION, LLC. 9800 MAUMELLE BLVD.
NORTH LITTLE ROCK, AR 72113


# PLATTE RIVER INSURANCE COMPANY POWER OF ATTORNEY 

KNOW ALL MEN BY THESE PRESENTS, That the PLATTE RIVER INSURANCE COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint
-SARAH CROWDER: RANDY CLAY; LYNDA WHITLEY: BOBBY L ROBERTS JR
its true and lawful Athorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds. undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PLATTE RIVER INSURANCE COMPANY at a meeting duly called and held on the 8th day of January, 2002.
"RESOLVED, that the President, and Vice-President, the Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, one or more vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of the Corporation; the signature of such officers and the seal of the Corporation may be affixed to such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Corporation in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause, by any of said officers, at any time."

IN WITNESS WHEREOF, the PLATTE RIVER INSURANCE COMPANY has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of January, 2007.

Attest:


Chairman \& CEO
STATE OF WISCONSIN
COUNTY OF DANE


On the lIst day of January, 2007 before me personally came James J. McIntyre, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Dane, State of Wisconsin; that he is President of PLATTE RIVER INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.


STATE OF WISCONSIN COUNTY OF DANE

SSS.:


Daniel W. Krueger Notary Public, Dane Co., WI My Commission Is Permanent

I, the undersigned, duly elected to the office stated below, now the incumbent in PLATTE RIVER INSURANCE COMPANY, a Nebraska Corporation. authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.
Signed and sealed at the City of Middleton, State of Wisconsin this
 2009



Alan S. Ogilv
Secretary

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON GREEN SHADED BACKGROUND WITH A RED SERIAL NUMBER IN THE UPPER RIGHT HAND CORNER. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

# PLATTE RIVER INSURANCE COMPANY POWER OF ATTORNEY 

## 41134232

KNOW ALL MEN BY THESE PRESENTS, That the PLATTE RYVER INSURANCE COMPANY, a corporation of the State of Nebraska, having its principal offices in the City of Middleton, Wisconsin, does make, constitute and appoint

SARAH CROWDER; RANDY CLAY: LYNDA WHITLEY; BOBBY L ROBERTS JR...
its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of

ALL. WRITTEN INSTRUMENTS IN AN AMOUNT: $\$ 2.500 .000 .00$

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PLATTE RIVER INSURANCE COMPANY at a meeting duly called and held on the 8th day of January, 2002.
"RESOLVED, that the President, and Vice-President, the Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings and other writings usual to such offices to thereof, one or more vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties
 seal shall be valid and binding upon the Corporation in the fury power of attorney or certificate bearing such facsimile signatures or facsimile thereof to which it is attached. Any such appointment may be revoked, for cause, or without or undertaking or other writing obligatory in the nature

IN WITNESS WHEREOF, the PLATTE RIVER INSURANCE COMPANY has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested, this 1st day of January, 2007.

Attest:


David F. Pauly
Chairman \& CEO
STATE OF WISCONSIN
COUNTY OF DANE
s.S.:


PLATTE RIVER INSURANCE COMPANY


James J. McIntyre
President
President

On the 1st day of January, 2007 before me personally came James J. McIntyre, to me known, who being by me duly sworn, did depose and say: that he and which executed the Dane, State of Wisconsin; that he is President of PLATTE RIVER INSURANCE COMPANY, the corporation described in that it was so affixed by order instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

STATE OF WISCONSIN
COUNTY OF DANE


CERTIFICATE

Daniel IT Knuegen
Daniel W. Krueger
Notary Public, Dane Co., WI
My Commission Is Permanent
I. the undersigned, duly elected to the office stated below, now the incumbent in PLATTE RIVER INSURANCE COMPANX, a Nebraska Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.
Signed and sealed at the City of Middleton, State of Wisconsin this Ad day or December, 2008



Alan S. Ogil
Secretary

THIS DOCUMENT IS NOT VALID UNLESS PRINTED ON GREEN SHADED BACKGROUND WITH A RED SERIAL NUMBER IN THE UPPER RIGHT HAND CORNER. IF YOU HAVE ANY QUESTIONS CONCERNING THE AUTHENTICITY OF THIS DOCUMENT CALL 800-475-4450.

Clerk of Court
P. O. Box 667

110 North Bay Street, Suite 100
Amite, LA 70422
(985) 748-4146

## Received From : <br> HEBERT, BRIDGET RUSSELL <br> 104 N. CYPRESS ST. <br> POO. BOX 1267 <br> HAMMOND, LA 70404

First VENDOR
RICHSMITH HOLDINGS LLD

## First VENDEE

HAMMOND CITY OF
-
Index Type: Conveyances Instrument \#: 805381

| Type of Document : Right Of Way |  |  |  |
| :--- | :---: | :---: | :---: |
| Recording Pages : | 4 | Book: 1177 | Page : 866 |

## Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for Tangipahoa Parish, Louisiana


On (Recorded Date) : 05/12/2009
At (Recorded Time) : 3:00:58:000 PM


Return To:

$$
\text { Ordinance } N^{*} 09-5153 \mathrm{C} .5
$$

## SEWER LIFT STATION SITE SERVITUDE

## STATE OF LOUISANA PARISH OF TANGIPAHOA

BE IT KNOWN that RichSmith Holdings, LLC, organized under the laws of the State of Arkansas, whose mailing address is 9800 Maumelle Boulevard, North Little Rock, Arkansas 72113, herein represented by Arby Smith, its duly authorized Member, hereinafter referred to as "GRANTOR", for the consideration of public and mutual benefit and the conditions set forth herein, the sufficiency of said consideration being acknowledged by the parties herein, does hereby grant, bargain, sell, transfer, assign, convey and warrant unto THE CITY OF HAMMOND, LOUISIANA, a Political Subdivision of the State of Louisiana herein after referred to as "GRANTEE" its successors and assigns, an exclusive servitude, to enter upon and install, erect, operate, maintain and reconstruct underground (and/or above ground in the case of manholes) a system of pipes and connections for the transportation of sanitary sewer, including the right of ingress and egress to and from said system (but only as necessary) across adjoining lands of Grantor, upon and across the following real property and premises, situated in the Parish of Tangipahoa, State of Louisiana, to wit:

A parcel of land located in Section 35, Township 6 South, Range 7 East, Tangipahoa Parish, Louisiana, and more fully described as follows:

Commencing from the Northeast corner of Section 35, in said Township and Range, thence $\mathrm{S} 00^{\circ} 20^{\prime} \mathrm{E} 662.60^{\prime}$; thence S00 ${ }^{\circ} 36^{\prime} 31^{\prime \prime} \mathrm{E} 662.60^{\prime}$; thence $\mathrm{S} 89^{\circ} 29^{\prime} 40^{\prime \prime} \mathrm{W} 673.93^{\prime}$; thence $\mathrm{S} 43^{\circ} 32^{\prime} 31^{\prime \prime} \mathrm{W} 253.94^{\prime}$; thence $\mathrm{S} 63^{\circ} 06^{\prime} 15^{\prime \prime} \mathrm{E} 3.85^{\prime}$ to the point of beginning,

Thence S $64^{\circ} 24^{\prime} 39^{\prime \prime} \mathrm{E} 201.35^{\prime}$; thence $\mathrm{N} 26^{\circ} 53^{\prime} 46^{\prime \prime} \mathrm{E} 5.41^{\prime}$; thence
S63 $3^{\circ} 06^{\prime} 15^{\prime \prime} \mathrm{E} 58.74^{\prime}$; thence $\mathrm{S} 26^{\circ} 53^{\prime} 45^{\prime \prime} \mathrm{W} 20.0^{\prime}$; thence
N $63^{\circ} 06^{\circ} 15^{\prime \prime} \mathrm{W} 6.73^{\prime}$; thence $\mathrm{N} 26^{\circ} 53^{\prime} 45^{\prime \prime} \mathrm{E} 10.0$; thence N $63^{\circ} 06^{\prime} 15^{\prime \prime} \mathrm{W} 253.30^{\prime}$ to the point of beginning, containing $1,116.8$ square feet.

| Property Address: | 1301 J.W. Davis Drive |
| :--- | :--- |
|  | Hammond, Louisiana 70401 |

GRANTOR, through its agent herein, warrants that it has the right and authority to grant this right of way servitude and agrees to indemnity and defend and hold harmless the City of Hammond for any liability based on GRANTOR'S breach of warranty.

This agreement is in the nature of a covenant running with the land and shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto. The parties may amend or release this agreement through the filing of a written document in the records of the Parish of Tangipahoa.

Thus done and signed at the City of North Little Rock, State of Arkansas, County of Pulaski, this $\qquad$ , day of May, 2009.


Thus done and signed at the City of Hammond, State of Louisiana, Parrish of Tangipahoa, this $\qquad$ , day of May, 2009.


Printed: $\qquad$


# Tangipahoa Parish Recording Page 

Received From:
HEBERT, BRIDGET RUSSELL
104 N. CYPRESS ST.
POO. BOX 1267
HAMMOND, LA 70404
First VENDOR
RICHSMITH HOLDINGS LLD

## First VENDEE

HAMMOND CITY OF

Index Type: Conveyances
Type of Document : Right Of Way
Recording Pages : 6

Instrument \#: 805382

Book: 1177 Page : 870

## Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for
Tangipahoa Parish, Louisiana

Deputy Clerk
On (Recorded Date) : 05/12/2009
At (Recorded Time) : 3:02:31:000 PM
Doc ID -009577470006

## SEWER SERVITUDE

## ST'ATE OF LOUISANA PARISH OF TANGIPAHOA

BE IT KNOWN that RichSmith Holdings, LLC, organized under the laws of the State of Arkansas, whose mailing address is 9800 Maumelle Boulevard, North Little Rock, Arkansas 72113, herein represented by Arby Smith, its duly authorized Member, hereinafter referred to as "GRANTOR", for the consideration of public and mutual benefit and the conditions set forth herein, the sufficiency of said consideration being acknowledged by the parties herein, does hereby grant, bargain, sell, transfer, assign, convey and warrant unto THE CITY OF HAMMOND, LOUISIANA, a Political Subdivision of the State of Louisiana herein after referred to as "GRANTEE" its successors and assigns, an exclusive sewer servitude, as set forth herein upon, to enter upon and install, erect, operate, maintain and reconstruct underground (and/or above ground in the case of manholes) a system of pipes and connections for the transportation of sanitary scwer, including the right of ingress and egress to and from said system (but only as necessary) across adjoining lands of Grantor, upon and across the following real property and premises, situated in the Parish of Tangipahoa, State of Louisiana, to wit:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHHBIT A.

| Property Address: | 1301 J.W. Davis Drive <br> Hammond, Louisiana 70401 |
| :--- | :--- |

GRANTOR, through its agent herein, warrants that it has the right and authority to grant this right of way servitude and agrees to indemnity and defend and hold harmless the City of Hammond for any liability based on GRANTOR'S breach of warranty.

This agreement is in the nature of a covenant running with the land and shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto. The parties may amend or release this agreement through the filing of a written document in the records of the Parish of Tangipahoa.

Thus done and signed at the City of North Little Rock, State of Arkansas, County of Pulaski, this $\qquad$ , day of May, 2009.

WITNESSES:


Thus done and signed at the City of Hammond, State of Louisiana, Parrish of Tangipahoa, this $\qquad$ , day of May, 2009.


## CITY OF HAMMOMD



Printed: $\qquad$


# JOHIN G. CUMMMNGS \& ASSOCIATES PROFESSIONAL LAND SURVEYORS IN LOUSIANA \& MISSISSIPPI 503 NORTH JEFFERSON AVENUE COVINGTON, LA 70433 <br> (985) 892-1549 OFFICE <br> (985) 892-9250 FAX 

## DESCRIPTION

A parcel of land located in Section 35, Township 6 South, Range 7 East, Tangipahoa Parish, Louisiana, and more fully described as follows:

Commencing from the Northeast Corner of Section 35, in said township and range, Thence South 00 degrees 20 minutes East 662.60 feet to a point, Thence South 00 degrees 36 minutes 31 seconds East 662.60 feet to a point, Thence South 89 degrees 29 minutes 40 seconds West 673.93 feet to a point, Thence South 16 degrees 13 minutes 47 seconds West 1043.31 feet to the POINT OF BEGINNING,

Thence meanders along the centerline of a sewer line being five feet either side of and parallel to the following described lines.
Thence South 89 degrees 11 minutes 35 seconds East 100.10 feet to a sewer manhole, Thence North 89 degrees 52 minutes 55 seconds East 222.42 feet to a sewer manhole being the end of said servitude.
and
Commencing from the Northeast Corner of Section 35, in said township and range, Thence South 00 degrees 20 minutes East 662.60 feet to a point, Thence South 00 degrees 36 minutes 31 seconds East 662.60 feet to a point, Thence South 89 degrees 29 minutes 40 seconds West 673.93 feet to a point, Thence South 35 degrees 11 minutes West 1019.76 feet to the POINT OF BEGINNING,

Thence meanders along the centerline of a sewer line being five feet either side of and parallel to the following described lines,
Thence South 02 degrees 26 minutes 23 seconds East 190.87 feet to a sewer manhole, Thence South 01 degrees 26 minutes 12 seconds East 84.44 feet to a point being the end of said servitude.
and
Commencing from the Northeast Corner of Section 35, in said township and range, Thence South 00 degrees 20 minutes East 662.60 feet to a point, Thence South 00 degrees 36 minutes 31 seconds East 662.60 feet to a point, Thence South 89 degrees 29 minutes 40 seconds West 673.93 feet to a point,

## EXHIBIT A

Thence South 46 degrees 57 minutes 19 seconds West 818.01 feet to the POINT OF BEGINNING,

Thence meanders along the centerline of a sewer line being five feet either side of and parallel to the following described lines.
Thence South 01 degree 26 minutes 12 seconds East 164.22 feet to a sewer manhole, Thence South 89 degrees 11 minutes 35 seconds East 291.90 feet to a point being the end of said servitude.

```
Received From :
    HEBERT, BRIDGET RUSSELL
    104 N. CYPRESS ST.
    P.O. BOX 1267
    HAMMOND, LA 70404
```

First VENDOR
RIDGE ESTATES OF HAMMOND

First VENDEE
HAMMOND CITY OF
$\qquad$
Index Type: Conveyances
Instrument \# : 805383
Type of Document : Right Of Way
Book : 1177
Page: 876
Recording Pages :
6

## Recorded Information

I hereby certify that the attached document was filed for registry and recorded in the Clerk of Court's office for Tangipahoa Parish, Louisiana

Deputy Clerk
On (Recorded Date) : 05/12/2009
At (Recorded Time) : 3:03:30:000 PM
CLERK OF COURT
JULIAN E. DUFRECHE
Parish of Tangipahoa
I certify that this is a true copy of the attached document that was filed for registry and Recorded 05/12/2009 at 3:03:30


Return To:

Do not Detach this Recording Page from Original Document

## RIGHT OF WAY SERVITUDE

STATE OF LOUISANA
PARISH OF TANGIPAHOA

BE IT KNOWN that Ridge Estates of Hammond, a Louisiana limited partnership in commendam, organized under the laws of the State of Louisiana, whose mailing address is 201 St. Charles Ave, Ste. 3600, New Orleans, Louisiana, 70170-3600, herein represented by Ridge Estates Management Hammond, LLC, its duly authorized General Partner, herein represented by Arby Smith, its duly authorized Manager, hereinafter referred to as "GRANTORS", for the consideration of public and mutual benefit and the conditions set forth herein, the sufficiency of said consideration being acknowledged by the parties herein, does hereby grant, bargain, sell, transfer, assign, convey and warrant unto THE CITY OF HAMMOND, LOUISIANA, a Political Subdivision of the State of Louisiana herein after referred to as "GRANTEE" its successors and assigns, an exclusive right of way servitude, as set forth herein upon, over, under and across the herein described tract for use as a public thoroughfare.

The right of way servitude is more particularly described on Exhibit A and accompanying plat of survey dated April 28, 2009 prepared by John Cummings, attached hereto and made a part hereof as Exhibit B.

Property Address: 1301 J.W. Davis Drive
Hammond, Louisiana 70401
GRANTOR, through its agent herein, warrants that it has the right and authority to grant this right of way servitude and agrees to indemnity and defend and hold harmless the City of Hammond for any liability based on GRANTOR'S breach of warranty.

This agreement is in the nature of a covenant running with the land and shall inure to the benefit of and be binding upon the heirs, successors and assigns of the respective parties hereto.

Thus done and signed at the City of North Little Rock, State of Arkansas, County of Pulaski, this $\qquad$ , day of May, 2009.

WITNESSES:


RIDGE ESTATES OF HAMMOND,
Limited Partnership in commendam, by



Thus done and signed at the City of Hammond, State of Louisiana, Parrish of Tangipahoa, this $\qquad$ day of May, 2009.
WITNESSES:

## CITY OF HAMMOND



Printed: $\qquad$


# JOHIN G. CUMMMINGS \& ASSOCIATES <br> PROFESSIONAL LAND SURVEYORS IN LOUISIANA \& MISSISSIPPI 503 NORTH JEFFERSON AVENUE COVINGTON, LA 70433 <br> (985) 892-1549 OFFICE <br> (985) 892-9250 FAX 

## DESCRIPTION <br> Temporary Cul De Sac Servitude

A parcel of land located in the Northeast Quarter of Section 35, Township 6 South, Range 7 East, City of Hammond, Tangipahoa Parish, Louisiana, and more fully described as follows:

Commencing from the Northeast Corner of Section 35, of said township and range, Thence South 00 degrees 20 minutes East 662.60 feet to a point,
Thence South 00 degrees 36 minutes 31 seconds East 662.60 feet to a point,
Thence South 89 degrees 29 minutes 40 seconds West 673.93 feet to a point, Thence South 43 degrees 32 minutes 31 seconds West 253.94 feet to a point, Thence South 63 degrees 06 minutes 15 seconds East 257.15 feet to the POINT OF BEGINNING,

Thence South 63 degrees 06 minutes 15 seconds East 34.39 feet to a point, Thence run along a curve to the right having a Radius of 50.0 feet and an Arc Length of 196.28 feet to a point,

Thence North 26 degrees 53 minutes 45 seconds East 85.77 feet to the POINT OF BEGINNING, containing 0.167 Acre.

## EXHIBIT A



## CITY OF HAMMOND <br> ORDINANCE $\mathbf{N}^{\circ}$ 09-5152 C.S.

## AN ORDINANCE REGARDING DOMESTIC ABUSE BATTERY

## BE IT ORDDAINED by the City Council of Hammond, Louisiana, that:

A. The Code of Ordinances, City of Hammond Louisiana Chapter 21 be amended to include the following:

Sec. 21-35.3. Domestic Abuse Battery.
A. Domestic abuse battery is the intentional use of force or violence committed by one household member upon the person of another household member without the consent of the victim.
B. For purposes of this Section the term "household member" means any person of the opposite sex presently living in the same residence or living in the same residence within five years of the occurrence of the domestic abuse battery with the defendant as a spouse, whether married or not, or any minor child presently living in the same residence or living in the same residence within five years immediately prior to the occurrence of domestic abuse battery, or any biological minor child of the offender regardless of where the child resides.
C. On a first conviction, notwithstanding any other provision of law to the contrary, the offender shall be fined not less than three hundred dollars nor more than one thousand dollars and shall be imprisoned for not less than ten days nor more than six months. Imposition or execution of sentence shall not be suspended unless:
(1) The offender is placed on probation with a minimum condition that he serve two days in jail and participate in a court-approved domestic abuse prevention program, and the offender shall not own or possess a firearm throughout the entirety of the sentence; or
(2) The offender is placed on probation with a minimum condition that he perform four eighthour days of court-approved community service activities and participate in a court-approved domestic abuse prevention program, and the offender shall not own or possess a firearm throughout the entirety of the sentence.
D. On a conviction of a second offense, notwithstanding any other provision of law to the contrary, regardless of whether the second offense occurred before or after the first conviction, the offender shall be fined not less than seven hundred fifty dollars nor more than one thousand dollars and shall be imprisoned for not less than thirty days nor more than six months. At least forty-eight hours of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. Imposition or execution of the remainder of the sentence shall not be suspended unless:
(1) The offender is placed on probation with a minimum condition that he serve fifteen days in jail and participate in a court-approved domestic abuse prevention program, and the offender shall not own or possess a firearm throughout the entirety of the sentence; or
(2) The offender is placed on probation with a minimum condition that he perform thirty eighthour days of court-approved community service activities and participate in a court-approved domestic abuse prevention program, and the offender shall not own or possess a firearm throughout the entirety of the sentence.
E. (1) For purposes of determining whether a defendant has a prior conviction for violation of this Section, a conviction under this Section or a conviction under the laws of any state or an ordinance of a municipality, town, or similar political subdivision of another state which prohibits the intentional use of force or violence committed by one household member upon another household member of the opposite sex presently or formerly living in the same residence with the defendant as a spouse, whether married or not, shall constitute a prior conviction. This determination shall be made by the court as a matter of law.
(2) For purposes of this Section, a prior conviction shall not include a conviction for an offense under this Section if committed more than ten years prior to the commission of the crime for which the defendant is being tried, and such conviction shall not be considered in the assessment of penalties hereunder. However, periods of time during which the offender was incarcerated in a penal institution in this or any other state shall be excluded in computing the ten-year period.
F. An offender ordered to participate in a domestic abuse prevention program required by the provisions of this Section shall pay the cost incurred in participation in the program. Failure to make such payment shall subject the offender to revocation of probation, unless the court determines that the offender is unable to pay.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $5^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $19^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Willie G. Jackson the foregoing ordinance was hereby declared adopted on May $19^{\text {th. }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Absent) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{1 9}^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams President, Hammond City Council


Anette A. LMilylo, Clerk
Hammond dity Council


Recordation of Receipt Received from the


## CERTIFICATE OF DELIVIRRY

In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the El day of May in the year_2009 $a t=1: 000^{\prime}$ clock a.m. said delivery being within three (3) at Zl :00 $0^{\text {a }}$ clock a.m. said delivery being within thre and state holidays.

Anette Rinyiof Clerk of Hammond City Council


# CITY OF HAMMOND ORDINANCE $\mathbf{N}^{0}$ 09-5151 C.S. 

## AN ORDINANCE REGARDING BATTERY ON THE INFIRM

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
A. The Code of Ordinances, City of Hammond Louisiana Chapter 21 be amended to include the following:

Sec. 21-35.2. Simple battery of the infirm
A. Simple battery of the infirm is a battery committed against an infirm, disabled, or aged person who is incapable of consenting to the battery due to either of the following:
(1) Advanced age.
(2) Unsoundness of mind, stupor, abnormal condition of the mind, or other mental or developmental disability, regardless of the age of the victim.
B. For purposes of this Section, "infirm, disabled, or aged person" shall include but not be limited to any individual who is a resident of a nursing home, mental retardation facility, mental health facility, hospital, or other residential facility, or any individual who is sixty years of age or older. Lack of knowledge of the person's age shall not be a defense.
C. Whoever commits the crime of battery of the infirm shall be fined not more than five hundred dollars and imprisoned not less than thirty days nor more than six months, or both.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $5^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $19^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Willie G. Jackson the foregoing ordinance was hereby declared adopted on May 19 ${ }^{\text {th, }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Absent) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared dyly adopted on this $\mathbf{1 9}{ }^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


President, Hammond City Council


Anette A Kirylo, Clerk
Hammond ©ity Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the


## CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5150 C.S.

## AN ORDINANCE REGARING CRIMINAL POSSESSION OF MARIJUANA

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
A. The Code of Ordinances, City of Hammond Louisiana Chapter 21 be amended to include the following:

Sec. 21-93. Possession of Marijuana. It shall be unlawful for any person knowingly or intentionally to possess marijuana, tetrahydrocannabinol or chemical derivatives thereof. Upon conviction, the offender shall be fined not more than five hundred dollars ( $\$ 500.00$ ), imprisoned in the city jail for not more than six (6) months, or both.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on May $5^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $1 \mathbf{1 0}^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Willie G. Jackson the foregoing ordinance was hereby declared adopted on May $19^{\text {th, }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Absent) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{5}^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Anette ÁSYrylo, Clerk
Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on the 21 day of May in the year Zoo at 2 roo o'clock Dom., in accordance with Home 保lfCharter Article II, Section 2-12 (B). al.
Anette Kinylo, Clerk
Hammond City Council

## CERTIFICATE OF DELIVERY <br> In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered to

 the Mayor of the City of Hammond on the day of May calendar days after adeption, exclusive of weekends and state holidays.

Annette Kirylo) biers of Hammond City Council i


# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{0}$ 09-5149 C.S. 

## Console System for Police Department

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been approved to authorize to transfer to transfer $\$ 61,426.99$ from Court Awarded Cash to make up the difference needed to purchase a Console System for the police department.
The Console will be paid part out of the following accounts:
\$ 16,036.00 from Homeland Security
\$ 15,000.00 from Capitol District Grant
\$ 61,426.99 remainder to come from Court Awarded Cash
The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on April 21 ${ }^{\text {st }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $5^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on May $5^{\text {th, }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{5}^{\text {th }}$ day of May, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


## Recordation of Receipt Received from the



## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article II, Section 2-12 (A), the above Ordinance was delivered to


## ORDINANCE NO. 09-5148 C.S

## AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF HAMMOND RELATIVE TO NOISE AFFECTING THE PUBLIC PEACE AND FOR RELATED MATTERS.

A. Be it ordained by the City Council of the City of Hammond in legal session convened, that Chapter 21, Section 21-120.2 of the Code of Ordinances for the City of Hammond, Louisiana is hereby amended and re-enacted as follows:

## Chapter 21.

## OFFENSES AND MISCELLANEOUS PROVISIONS

## Sec. 21-120.2 Disturbing the peace; excessive noise.

(a) In addition to any other violation of this Chapter, it shall be unlawful to disturb the peace by making or causing to be made any loud and raucous noise in the City which is offensive to persons of ordinary sensibilities and which renders the enjoyment of life or property uncomfortable or interferes with the public peace and comfort.
(b) The following acts, among others, are declared to create loud and raucous noises and shall be deemed a violation of this section, but such enumeration shall not be deemed to be exclusive:
(1) The playing of any radio, phonograph, tape, compact disc, musical instrument or any other machine or device capable of producing or reproducing sound, from a stationary location in such a manner, or with such volume as to disturb the peace, quiet, comfort, or repose of persons in any dwelling, apartment, hotel, or other type of residence or in any public place.
(2) The sounding of any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public space, except as a warning of danger.
(3) The sounding of any horn or signal device on any automobile, motorcycle, bus, streetcar, or other vehicle, except as a danger signal, as required by state law.
(4) The use of any automobile, motorcycle, bus, streetcar, bus, or vehicle so out of repair or so loaded, which emits or creates loud grating, grinding, or rattling noise.
(5) The blowing of any steam whistle attached to any stationary boiler, except to give notice of the time to begin or stop work or as a warning of danger.
(6) The discharge into the open air of the exhaust of any stationary steam engine, stationary internal combustion engine, or motor boat engine, except through a muffler or other device which will effectively and efficiently prevent loud noises.
(7) The discharge into the open air of the exhaust from any motor vehicle except through a muffler, or other device, which will effectively and efficiently prevent loud and raucous noises.
(8) The creation of loud and raucous noise by construction work in or adjacent to a residential area other than between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and Saturdays, except in the case of urgent necessity in the interest of public safety for which permission must be obtained from the Mayor or his designee. "Construction work" includes but is not limited to the erection, excavation, demolition, alteration, or repair of any building.
(9) The creation of loud and raucous noise by an industrial facility, located in or adjacent to a residential area, which interferes with the public peace and comfort, other than between the hours of 7:00 a.m. and 7:00 p.m. on weekdays.
(10) The creation of loud and raucous noise on any street adjacent to any school or court which is in session or adjacent to any hospital; provided, that conspicuous signs are located in such streets indicating that schools, hospitals, and courts are adjacent thereto.
(11) The shouting and crying of peddlers, hawkers and vendors which disturbs the quiet and peace of residentially zoned areas.
(12) The operating or causing to be operated any recreational motorized vehicle on a public right-of-way or on private property in such a manner that the sound level emitted therefrom disturbs the peace, quiet, comfort, or repose of persons in any dwelling, apartment, hotel, or other type of residence or of persons in any public place. This subsection shall apply to all recreational motorized vehicles, whether or not fully licensed and registered, including but not limited to commercial or noncommercial racing vehicles, motorcycles, go-carts, minibikes, snowmobiles, amphibious craft, campers and dune buggies, but not including motorboats.
(c) Whoever commits the crime of excessive noise shall be fined not more than five hundred dollars per occurrence or imprisoned for not more than sixty days, or both, at the discretion of the judge.
(d) The City Council shall have the authority grant special variances by resolution of the Council which may be requested when they find or determine that:

1. Strict conformance with the provisions of this section would cause a hardship upon any person; or
2. The offending noise will be for a short duration and compliance with this section will be impractical; or
3. The benefit in the community of the activity creating the offending noise is greater than the adverse effect on the community of the noise created; or
4. The applicant needs additional time to modify equipment or take other action in order to comply with the provisions of this section.

## (e) Exceptions.

1. Airport and aircraft operations. Nothing in this section shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate the movement of aircraft which are in all respects conducted in accordance with or pursuant to applicable federal laws or regulations.
2. Public functions. Nothing in this section shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate any public or private school function, including sporting events where the function occurs on the property of the school or on property where the function is conducted.
3. Governmental activities. Nothing in this section shall be construed to prohibit, restrict, penalize, enjoin or in any manner regulate any federal, state or local governmental agency or any employee or agent of the same in the fulfillment of any official duty or activity sanctioned by or on behalf of the governmental agency.
B. Be it further ordained that if any provision of this Ordinance is held invalid, such invalidity shall not effect other provisions, items, or applications of this Ordinance, which can be given effect without the invalid provisions, items or application, and to this end the provisions of this Ordinance are hereby declared severable.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on April 21 ${ }^{\text {st }}, 2009$ of the Hammond City Council and discussed at a public meeting held on May $5^{\text {th }}$ 2009; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on May $5^{\text {th, }} \mathbf{2 0 0 9}$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve

an mand and
WHEREFORE the above and foregoing ordinance was declared duly adopted on this $5^{\text {th }}$
day of May, in the year 2009, at Hammond, Tangipahoa Parish,, Louisiana


Rugnd
Anette A. kulrylo, Clerk
Hammond City Council

Recordation of Receipt Received from the

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the Mayor al tie City
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furiar holidaye.
Anette Kirylo, 1. - of Iflemmond City Council


# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{\circ}$ 09-5147 C.S. 

## Rezoning 509 East Thomas St.

 Case\#RZ2009-3-1
## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been approved to accept Case \# RZ 2009-3-1a rezoning requested by Joseph T. Anderson Jr. for a property located on 509 East Thomas Street to be rezone from R-5 to B-1 in accordance with survey made by Gilbert Sullivan dated $1 / 31 / 1985$.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on April $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on April $21^{\text {st }} \mathbf{2 0 0 9 ;}$ after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on April $2{ }^{\text {st, }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {th }}$ day of April, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


## CRRTIFICATE OF DELIVERY

In accordance with Hilome Rule Charter Article ili, Section 2-12 (A), the above Ordinance was delivered to


Recordation of Receipt Received from the Mayor of /he City of Hammond on the 24 yday of APRIC in the yearZoo 9 at 740 p'clock $12 . \mathrm{m}$., in accordance with Home Rule Chatter Afticle II, Section 2-12 (B).


Anette Kirylo, Cerlu
Hammond City Couhci


TOTAL P. 01


# CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5146 C.S. <br> Woodlands Commons Subdivision Major Subdivision Case\# SDF2009-3-3 

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been approved to accept Case \# SDF2009-3-3 Major Subdivision for final subdivision approval and dedication of improvements of Woodlands Commons, a 13 lot duplex subdivision located on 916 Bill Street by 900 S. Range; zoned R-5. ( 3.9 acres - Section 25,T-6-S, R-7-E)

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on April $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on April $21^{\text {st }} \mathbf{2 0 0 9 ; ~ a f t e r ~ m o t i o n ~ a n d ~ s e c o n d ~ w a s ~ s u b m i t t e d ~ t o ~ t h e ~ o f f i c i a l ~ v o t e ~}$ of the Hammond City Council.

On motion by Jason Hood and Second by Willie Jackson the foregoing ordinance was hereby declared adopted on April $21^{\text {st, }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {th }}$ day of April, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Anette A. ktrylo, Clerk
Hammond City Council

## CERTIFICATE OR DELIVERY

Recordation of Receipt Received from the Mayor of the City of Hammond on


# CITY OF HAMMOND <br> ORDINANCE $\mathrm{N}^{\circ} 09-5145$ C.S. 

## Surplus Vehicles

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been approved to declare 15 Police Vehicles as surplus and to authorize to be sold online by govdeals.org

## Vehicles declared surplus

1. 2001 Dodge Ram - Vin\# 1B7HC13Y81J569143 - Unit\# 508
2. 2001 Dodge Ram - Vin\# 1B7HC13Y91J569233 - Unit\# 509
3. 2000 Ford Crown Vic. - Vin\# 2FAFP71 WYV142818 - Unit\# 484
4. 1999 Ford Crown Vic. - Vin\# 2FAFP71WXX243027 - Unit\# 465
5. 2000 Ford Crown Vic. - Vin\# 2F2FP71WYX142799 - Unit\# 483
6. 2000 Ford Crown Vic. - Vin\# 2FAFP71W6YX142809 - Unit\# 476
7. 2000 Ford Crown Vic. - Vin\# 2FAFP71W2YX142807 - Unit\# 479
8. 2000 Ford Crown Vic. - Vin\# 2FAFP71W5YX112734 - Unit\# 469
9. 2001 Ford Crown Vic. - Vin\# 2FAFP71W91X120017 - Unit\# 505
10. 2002 Chevy Impala - Vin\# 2G1WF55K629208692 - Unit\# 530
11. 1997 Dodge Ram - Vin\# 3B7HC13Y6VG752628 - Unit\# 607
12. 2001 Ford Crown Vic. - VIN\# 2FAFP71W11X120027 - Unit \# 501
13. 2001 Dodge Durango - VIN\# 1B4HR28N91F584253 - Unit\# 514
14. 2003 Dodge Durango - VIN\# 1D4HR38N63F550267 - Unit\# 560
15. 2002 Dodge Durango - VIN\# 1BHR38N12F173548 - Unit\# 539

NOW, THEREFORE, BE IT ORDAINED by the Hammond City Council that:
Section 1. The movable property described above is hereby declared as surplus and no longer needed for a public purpose by the City of Hammond.

Section 2. It is in the public interest for the Property to be sold in the most economical and efficient manner. The City finds it to be in the public interest that the Property be offered for sale by public auction over the Internet through an Internet computer auction to a qualified bidder who offers the highest price in accordance with law.

Section 3. The Mayor is authorized to execute such documents or to direct the execution of such documents as are necessary and proper in furtherance of this ordinance.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on April $7^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on April $21^{\text {st }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

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On motion by Kathy Montecino and Secondaby: Willie Jackson the foregoing ordinance was hereby declared adopted on April $21^{\text {st, }} 2009$ by the following roll call vote:
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Whliams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $21^{\text {th }}$ day of



Michael A. Williams
President, Hammond City Council


Anettet K. Kirylo, Clerk
Hammond City Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule (harter Article III, Section 2-12 (A), the above Ordinance was delivered.to
the Mayor of the City of Hammond on the 9
24 day of ADN', in the year 2009
$9^{\circ} \cdot 000^{\prime}$ clock $a^{d} \cdot \mathrm{~m}$. said delivery being within three (3)
calendar days ffter adeption, exclusive of weekends


Anetta Kirylo, Cifry of Hilammond City Councill

Recordation of Receipt Received from the
Mayor of the City of Hammond on
the 24 tayy of Ahe RIC in the year $200 \%$
at $7!40$ ocloek $R . \mathrm{m}$., in accordance with
Home Rule Charter Article II, Section 2-12 (B).
Anette Kirylo, Clerk
Hammond City Council

## CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5144 C.S.

## An Ordinance to amend the City of Hammond Code of Ordinance to ad a Stormwater Code.

Chapter 28
ARTICLE 3- SUBSURFACE DRAINAGE
SECT. 28-30

## STORMWATER

| Art. I. | General Provisions, 28-30.1-28-30.3 |
| :--- | :--- |
| Art. II. | Abbreviations and Definitions, 28-30.4-28-30.5 |
| Art. III. | User Requirements, 28-30.6-28-30.10 |
| Art. IV. | Stormwater Discharge from Construction Activities, 28-30.11-28-30.12 |
| Art. V. | Grading Permit, 28-30.13-28-30.20 |
| Art. VI | Compliance Monitoring, 28-30.21 |
| Art. VII. | Penalties and Enforcement, 28-30.22-28-30.26 |
| Art. VIII. | Citizen Participation, 28-30.27 |
| Art. IX. | Miscellaneous Provisions, 28-30.28 |

## ARTICLE I. GENERAL PROVISIONS

## Sec. 28-30.1 Title.

This chapter shall be known as the "Stormwater Code of the City of Hammond, Louisiana" and may be cited and referred to herein as "this chapter."

## Sec. 28-30.2 Purpose.

The purpose and objectives of this chapter are as follows:
(1) To maintain and improve the quality of surface water and groundwater within the City of Hammond;
(2) To prevent the discharge of contaminated stormwater runoff from industrial, commercial, residential, and construction sites into the municipal separate storm sewer system (MS4) and natural waters affected by the City of Hammond;
(3) To promote public awareness of the hazards involved in the improper discharge of hazardous substances, petroleum products, household hazardous waste, industrial waste, sediment from construction sites, pesticides, herbicides, fertilizers, and other contaminants into the storm sewers and natural waters of the City of Hammond;
(4) To encourage the recycling of used motor oil and safe disposal of other hazardous consumer products;
(5) To facilitate compliance with state and federal standards and permits by owners and operators of industrial and construction sites within the City of Hammond; and
(6) To enable the City of Hammond to comply with all federal and state laws and regulations applicable to stormwater discharge.

Except as otherwise provided herein, the city building official shall administer, implement, and enforce the provisions of this chapter. Any powers granted to or duties imposed upon the city building official shall be carried out by that person and may be delegated by the city building official to other city personnel.

## ARTICLE II. ABBREVIATIONS AND DEFINITIONS

Sec. 28-30.4 Abbreviations.
BMP—Best management practices.
BTEX-Benzene, toluene, ethylbenzene and xylene.
CFR-Code of Federal Regulations.
$\mathbf{C O H}$-City of Hammond
DEQ - Louisiana Department of Environmental Quality
DHH - Louisiana Department of Health and Hospitals
EPA-U.S. Environmental Protection Agency
HHW-Household hazardous waste.
mg/—Milligram per liter.
MS4-Municipal separate storm sewer system.
NOI-Notice of intent.
NOT-Notice of termination.
NPDES-National pollution discharge elimination system.
ppb-Parts per billion.
PST—Petroleum storage tank.
RPE—Registered professional engineer.
RQ-Reportable quantity.
SWPPP—Stormwater pollution prevention plan.
TPH—Total petroleum hydrocarbon.

## Sec. 28-30.5 Definitions.

Agricultural stormwater runoff. Any stormwater runoff from cultivated crops, pastures, and other nonpoint source agricultural activities, but not discharges from concentrated animal feeding operations as defined in 40 CFR Section 122.3 or discharges from concentrated aquatic animal production facilities as defined in 40 CFR Section 122.24.

Back washing: The rinsing and /or cleaning of cartridge or sand filters.
Best management practices (BMP): Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff.

Cellar dirt: Construction site waste materials such as natural rock and soil overburden.

City: City of Hammond, Louisiana.
City Building Official: The person appointed by the mayor to the position of city building official, or his/her duly authorized representative.

City engineer: The person appointed by the mayor to the position of city engineer, or his/her duly authorized representative.

Commencement of construction: The disturbance of soils associated with clearing, grading, excavating activities, or other construction activities.

Commercia: Pertaining to any business, trade, industry, or other activity engaged in for profit.

Compliance officer: The person appointed by the mayor to the position of compliance officer, or his/her duly authorized representative. The compliance officer is the city building official or his/her duly authorized representative.

Contaminated: Pertaining to containing a harmful quantity of any substance.
Contamination: Pertaining to the presence of or entry into a public water supply system, the MS4, waters of the state, or waters of the United States of any substance which may be deleterious to the public health and/or quality of the water.

Cosmetic cleaning: Pertaining to cleaning done for cosmetic purposes. It does not include industrial cleaning, cleaning associated with manufacturing activities, hazardous or toxic waste cleaning, or any cleaning otherwise regulated under federal, state, or local laws.

Department of Environmental Quality (DEQ): The Louisiana Department of Environmental Quality, whose mission is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.

Department of Health and Hospitals (DHH): The Louisiana Department of Health and Hospitals, whose mission is to protect and promote health and to ensure access to medical, preventive, and rehabilitative services for all citizens of the State of Louisiana.

Director of planning and development: The person appointed by the mayor to the position of director of planning and development, or his/her duly authorized representative.

Director of public works: The person appointed by the mayor to the position of director of public works, or his/her duly authorized representative.

Director of utilities: The person appointed by the mayor to the position of director of utilities, or his/her duly authorized representative.

Discharge: Any addition or introduction of any pollutant, stormwater, or any other substance whatsoever into the municipal separate storm sewer system (MS4) or into waters of the United States.

Discharger: Any person who causes, allows, permits, or is otherwise responsible for, a discharge, including, without limitation, any operator of a construction site or industrial facility.

Domestic sewage: Human excrement, gray water (from home clothes washing, bathing, showers, dishwashing, and food preparation), other wastewater from household drains, and waterborne waste normally discharged from the sanitary conveniences of
dwellings, office buildings, industrial sites, and institutions, that is free from industrial waste.

Environmental Protection Agency (EPA): The United States Environmental Protection Agency, the regional office thereof, any federal department, agency, or commission that may succeed to the authority of the EPA, and any duly authorized official of EPA or such successor agency.

Extremely hazardous substance: Any substance listed in the appendices to 40 CFR Part 355, Emergency Planning and Notification.

Facility: Any building, structure, installation, process, or activity from which there is or may be a discharge of a pollutant.

Final stabilization: Stabilization of least seventy (70) per cent of the project site.
Fire code: The "Fire Prevention and Protection" chapter of the City Code.
Fire protection water: Any water, and any substance or materials contained therein, used by any person other than the fire department to control or extinguish a fire.

Garbage: Putrescible animal and vegetable waste material from the handling, preparation, cooking, or consumption of food, including waste materials from markets, storage facilities, and the handling and sale of produce and other food products.

Grading permit: Permit to commence grading or other land disturbance activity prior to obtaining a building permit.

Harmful quantity: The amount of any substance that will cause pollution of water in the state.

Hazardous household waste (HHW): Any waste generated in a household by a consumer which, except for the exclusion provided in 40 CFR Part 261.4(b) (1), would be classified as a hazardous waste under 40 CFR Part 302.

Hazardous substance: Any substance listed in Table 302.4 of 40 CFR 302.
Hazardous waste: Any substance identified or listed as a hazardous waste by EPA pursuant to 40 CFR Part 261.

Industrial waste: Any waterborne liquid or solid substance that results from any process of industry, manufacturing, production, trade, or business.

Mobile commercial cosmetic cleaning: Any power washing, steam cleaning, and other mobile cosmetic cleaning operation, of vehicles and/or exterior surfaces, engaged in for commercial purposes.

Motor vehicle fuel: Any vehicle crankcase oil, antifreeze, transmission fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend, and any other fluid used in a motor vehicle.

Municipal landfill or landfill: An area of land or an excavation in which municipal solid waste is placed for permanent disposal, and which is not a land treatment facility, a surface impoundment, an injection well, or a pile.

Municipal separate storm sewer system (MS4): The system of conveyances, gutters, ditches, manmade channels, or storm drains owned and operated by the city and designated or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

Municipal solid waste: Solid waste resulting from or incidental to municipal, community, commercial, institutional, or recreational activities, and includes garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, and other solid waste other than industrial waste.

NPDES general permit for stormwater discharges associated with industrial activity or industrial general permit: The Industrial General Permit issued by EPA on August 27, 1992 and published in Volume 57 of the Federal Register at page 41304 on September 9, 1992, and any subsequent modifications or amendments thereto.

## NPDES general permit for stormwater discharges from construction sites or construction general permit: The construction general permit issued by EPA on August 27, 1992, and published in Volume 57 of the Federal Register at page 41217 on September 9, 1992, and any subsequent modifications or amendments thereto.

NPDES permit: A permit issued by EPA (or by the state under authority delegated pursuant to 33 USC 1342 (b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Nonpoint source: Any source of any discharge of a pollutant that is not a "point source".

Notice of intent (NOI): The notice of intent that is required by either the industrial general permit or the construction general permit.

Notice of termination (NOT): The notice of termination that is required by either the industrial general permit or the construction general permit.

Oil: Any kind of oil in any form, including, but not limited to, petroleum, fuel oil, and pressure, sludge, oil refuse, and oil mixed with waste.

Operator: The person or persons who, either individually or taken together, meet the following two (2) criteria: (1) they have operational control over the facility specifications (including the ability to make modifications in specifications); and (2) they have the day-to-day operational control over those activities at the facility necessary to ensure compliance with pollution prevention requirements and any permit conditions.

Owner: The person who owns a facility or part of a facility.
Person: Any individual, partnership, firm, company, corporation, association, joint stock company, trust, estate, government entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state, and local entities.

Petroleum product: A petroleum product that is obtained from distilling and processing crude oil, and that is capable of being used as a fuel for the propulsion of a motor vehicle or aircraft, including motor gasoline, gasohol, other alcohol blended fuels, aviation gasoline, kerosene, distillate fuel oil, and \#1 and \#2 diesel.

Petroleum storage tank (PST: Any one or combination of above ground or underwater storage tanks that contain petroleum products and any connecting underground pipes.

Point source: Any discernable, confined, and discrete conveyances, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

Pollutan: Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical waste, biological material, radioactive material, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes discharged into water. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated pasture land or farm land.

Pollution: The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property, or to the public
health, safety, or welfare, or impairs the usefulness of public enjoyment of the water for any lawful or reasonable purpose.

Registered landscape architect (RLA): A person who has been duly licensed and registered to practice landscape architecture.

Registered professional engineer (RPE): A person who has been duly licensed and registered by the state board of registration for professional engineers to engage in the practice of engineering in the State of Louisiana.

Release: Any spill, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the municipal separate storm sewer system (MS4) or the waters of the United States.

Reportable quantity (RQ): For any "hazardous substance," the quantity established and listed in Table 302; for any "extremely hazardous substances," the quantity established in 40 CFR Part 302; for any "extremely hazardous substance," the quantity established in 40 CFR Part 355 and listed in Appendix A thereto.

Rubbish: Nonputrescible solid waste, excluding ashes, that consist of (a) combustible waste materials, including paper, rags, cartons, wood, furniture, rubber, plastics, yard trimmings, leaves, and similar materials; and (b) noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures (1,600 to 1,800 degrees Fahrenheit).

Sanitary sewer or sewer: The system of pipes, conduits, and other conveyances, which carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, to the city sewage treatment plant (and to which stormwater, surface water, and groundwater are not intentionally admitted).

Septic tank waste: Any domestic sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

Service station: Any retail establishment engaged in the business of selling fuel for motor vehicles that is dispensed from stationary storage tanks.

Sewage or sanitary sewage: The domestic sewage and/or industrial waste that is discharged into the city sanitary sewer system and passes through the sanitary sewer system to the city sewage treatment plant for treatment.

Site: The land or water area where any facility or activity is physically located or conducted including adjacent land used in connection with the facility or activity.

Solid waste: Any garbage, rubbish, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility, and other discarded material including solid, liquid, semi-solid, or contained gaseous material resulting from community and institutional activities.

State: State of Louisiana.
Stormwater: Stormwater runoff, snow melt runoff, surface runoff and drainage.
Stormwater discharge associated with industrial activity: The discharge from any conveyances which is used for collecting and conveying stormwater and which is directly related to manufacturing, processing, or raw materials storage areas at or directly related to manufacturing, processing, or raw materials storage areas at an industrial plant which is within one (1) of the categories of facilities listed in 40 CFR 122.26 (b) (14), and which is not excluded from EPA's definition of the same term.

Stormwater pollution prevention plan (SWPP: A plan required by either the construction general permit or the industrial general permit and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

Uncontaminated: Not containing a harmful quantity of any substance.
Used oil (or used motor oil): Any oil that has been refined from crude oil or synthetic oil that, as a result of use, storage, or handling has become unsuitable for its original purpose because of impurities or the loss of original properties, but that may be suitable for further use and is recyclable in compliance with state and federal law.

Water in the state (or water: Any groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Gulf of Mexico, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or nonnavigable, and including the beds and banks of all water courses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

Water quality standard: The designation of a body or segment of surface water in the state for desirable uses and the narrative and numerical deemed by the state.

Waters of the United States: All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow tide; all interstate waters, including interstate wetlands; all other waters by which the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce; all impoundments of waters otherwise defined as waters of the United States under this definition; all wetlands adjacent to waters identified in this definition; and any waters within the federal definition of "waters of the United States: at 40 CFR 122.2; but not including any waste treatment systems, treatment ponds, or lagoons designed to meet the requirement of the federal Clean Water Act.

Wetland: An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Yard waste: Leaves, grass clippings, yard and garden debris, and brush that result from landscaping maintenance and land-clearing operations.

## ARTICLE III. USER REQUIREMENTS

## Sec. 28-30.6 General provisions.

(a) No person shall introduce or cause to be introduced into the municipal separate storm sewer system (MS4) any discharge that is not composed entirely of stormwater.
(b) It is an affirmative defense to any enforcement action for violation of subsection (a) of this section that the discharge was composed entirely of one (1) or more of the following categories of discharges:
(1) A discharge authorized by, and in full compliance with, an NPDES permit (other than the NPDES permit for discharges from the MS4);
(2) A discharge or flow resulting from the fire fighting by the fire department;
(3) A discharge or flow of fire protection water that does not contain oil or hazardous substances or materials;
(4) Agricultural water runoff;
(5) A discharge or flow from water line flushing, but not including a discharge from water line disinfection by superchlorination or other means unless it contains no harmful quantities of chlorine or any other chemical used in the line disinfection;
(6) A discharge or flow from lawn watering, landscape irrigation, or other irrigation water;
(7) A discharge of flow from a diverted stream flow or natural spring;
(8) A discharge or flow from uncontaminated pumped ground water or rising groundwater;
(9) Uncontaminated groundwater infiltration (as defined as 40 CFR 35.2005(2) to the MS4);
(10) Uncontaminated discharge or flow from a foundation drain, crawl space pump, or footing drain;
(11) A discharge or flow from air conditioning condensation that is not mixed with water from a cooling tower, emissions scrubber, emission filter, or any other source of pollutant;
(12) A discharge or flow from a potable water source not containing any harmful substance or material from the cleaning or draining of a storage tank or other container;
(13) A discharge or flow from individual residential car washing;
(14) A discharge or flow from riparian habitat or wetland;
(15) A discharge or flow from water used in street washing that is not contaminated with any soap, detergent, solvent, emulsifier, dispersant, or any other harmful cleaning substance; or
(16) Stormwater runoff from a roof that is not contaminated by any runoff or discharge from an emissions scrubber or filter or any other source of pollutant.
(c) No affirmative defense shall be available under subsection (b) of this section if the discharger or flow in questions has been determined by the stormwater committee to be a source of a pollutant or pollutants to the waters of the United States or to the MS4, written notice of such determination has been provided to the discharger, and the discharge has occurred more than ten (10) days beyond such notice. The correctness of the stormwater committee's determination that a discharge is a source of a pollutant may be reviewed in any administrative or judicial enforcement proceeding.

## Sec. 28-30.7 Specific prohibitions and requirements.

(a) The specific prohibitions and requirements in this section are not inclusive of all the discharges prohibited by the general prohibition in section 2830.6 .
(b) No person shall introduce or cause to be introduced into the MS4 any discharge that causes or contributes to causing the city to violate a water quality standard, the city's NPDES permit, or any state-issued discharge permit for discharges from its MS4.
(c) No person shall dump, spill, leak, pump, pour, emit, empty, discharge, leach, dispose, or otherwise introduce or cause, allow, or permit to be introduced any of the following substances into the MS4:
(1) Any used motor oil, antifreeze, or any other motor vehicle fluid;
(2) Any industrial waste;
(3) Any hazardous waste, including hazardous household waste;
(4) Any domestic sewage or septic tank waste, grease trap waste, or grit trap waste;
(5) Any garbage, rubbish, or yard waste;
(6) Any wastewater from a commercial carwash facility; from any vehicle washing, cleaning, or maintenance at any new or used automobile or other vehicle dealership, rental agency, body shop, repair shop, or maintenance facility; or from any washing, cleaning, or maintenance of any business or commercial or public service vehicle, including a truck, bus, or heavy equipment, by a business or public entity;
(7) Any wastewater from the washing, cleaning, de-icing, or other maintenance of aircraft;
(8) Any wastewater from commercial floor, rug, or carpet cleaning;
(9) Any effluent from a cooling tower, condenser, compressor, emission scrubber, emission filter, or the blowdown from a boiler;
(10) Any runoff or wash down from any animal pen, kennel, or fowl or livestock containment area;
(11) Any discharge from water line disinfection by superchlorination or other means if it contains any harmful quantity of chlorine or any other chemical used in line disinfection;
(12) Any fire protection water containing oil or hazardous substances or materials;
(13) Any water from a water curtain in a spray room used for painting vehicles or equipment;
(14) Any contaminated runoff from a vehicle wrecking;
(15) Any substance or material that will damage, block, or clog the MS4;
(16) Any release from a petroleum storage tank (PST), or any leachate or runoff from soil contamination by leaking PST, or any discharge of pumped, confined, or treated wastewater from the remediation of such PST release, unless the discharge satisfies all of the following criteria:
a. Compliance with all state and federal standards and requirements;
b. No discharge containing harmful quantity of any pollutant; and
c. No discharge containing more than fifty (50) parts per billion of benzene, five hundred (500) parts per billion combined total quantities of benzene, toluene, ethylbenzene, and xylene, (BTEX); or fifteen (15) mg/l of total petroleum hydrocarbons (TPH).
(17) The following non-storm water sources may be discharged from the MS4 provided that they have been determined by the city not to be substantial sources of pollutants to the MS4. The operator must utilize best management practices to limit discharge of the following non-storm water sources:
a. Any waste water from a commercial mobile power washer or from the washing or other cleaning of a building exterior
that contains any harmful quantity of soap, detergent, degreaser, solvent, or other harmful cleaning substance;
b. Any wastewater from the wash down or other cleaning of pavement that contains any harmful quantity of soap, detergent, solvent, degreaser, emulsifier, dispersant, or any other cleaning substance; or any wastewater from the wash down or other cleaning of any pavement where any spill, leak, or other release or oil, motor fuel, or other petroleum or hazardous substance has occurred, unless all harmful quantities of such released material have been previously removed; and
c. Any ready-mixed concrete, mortar, ceramic, or asphalt base material or hydro mulch material, or material from the cleaning of commercial vehicles or equipment containing, or used in transporting or applying, such material.
(d) No person shall introduce or cause to be introduced into the MS4 any harmful quantity of sediment, silt, earth, soil, or other material associated with clearing, grading, excavation, or other construction activities in excess of what could be retained on site or captured by employing sediment and erosion control measures to the maximum extent practicable.
(e) No person shall connect a line conveying sanitary sewage, domestic, or industrial, to the MS4, or allow such a connection to continue.
(f) No person shall cause or allow any pavement washwater from a commercial facility to be discharged into a MS4 unless such wastewater has passed through a proper functioning and maintained grease, oil, and sand interceptor before discharging into the MS4.

## Sec. 28-30.8 Used oil regulation.

(a) No person shall:
(1) Discharge used oil into the MS4 or a sewer drainage system, surface water, groundwater, or water course;
(2) Knowingly mix or commingle used oil with solid waste that is to be disposed in a landfill or knowingly dispose of used oil on land or in a landfill;
(3) Apply used oil to a road or land for solid suppression, weed abatement, or other similar use that introduces used oil into the environment.

## Sec. 28-30.9 Swimming pool regulation.

Requirements for two (2) types of discharges:
(a) Filter backwashing:

1. Backwash water may be disposed of and filters may be rinsed on the pool/spa owner's property. This should be done in an area that will absorb the water.
2. Water from backwashing a pool or spa containing chlorine $<1$ $\mathrm{mg} / \mathrm{l}$, total suspended solids $<45 \mathrm{mg} / \mathrm{l}, \mathrm{pH}$ in the range of 7 to 8 , no harmful quantities of muriatic acid or other chemical used in the treatment or disinfection of the water, free of color, algae, and other contaminants may be discharged off the owner's property to the MS4.
3. The following restrictions apply to backwash water discharge activities;
a. Discharges may not be drained onto a neighbor's property or across a sidewalk.
b. Discharge water may not cause erosion or transport sediment.
c. Discharges may not be drained into unpaved alleys.
d. Discharges may not cause an accumulation of water along the curbline gutter of a paved street.
e. Backwash water discharge unable to meet the restrictions outlined above must be discharged to the sanitary sewer system with approval from the wastewater superintendent and the city plumbing inspector.
(b) Swimming pool/spa draining;
4. Water from draining a pool or spa containing chlorine $<1 \mathrm{mg} /$ l, total suspended solids $<45 \mathrm{mg} / \mathrm{l}, \mathrm{pH}$ in the range of 7 to 8 , no harmful quantities of muriatic acid or other chemical used in the treatment or disinfection of the water, free of color, algae, and other contaminants may be discharged off the owner's property to the MS4.
5. The following restrictions apply to swimming pool and spa discharge activities:
a. Discharges may not be drained onto a neighbor's property or across a sidewalk.
b. Discharge water may not cause erosion or transport sediment.
c. Discharges may not be drained into unpaved alleys.
d. Discharges may not cause an accumulation of water along the curb-line gutter of a paved street.
e. Swimming pool or spa water discharge unable to meet the restrictions outlined above must be discharged to the sanitary sewer system in the event there is no subsurface drainage available. To discharge to the sanitary sewer, prior approval from the wastewater superintendent must be obtained.

## Sec. 28-30.10 Discharge from dumpster area.

All new construction of commercial facilities requiring suitable cleaning and supplies such as high pressure pumps, hot water, steam, and detergents necessary for the effective cleaning of equipment and receptacles of solid waste collection must meet the following requirements:
(a) Liquid waste generated by the cleaning operations cannot be discharged into the MS4 without a valid NPDES permit;
(b) Liquid waste generated by cleaning operations not meeting criteria in subsection (a) above must be discharged to the sanitary sewer.
Stormwater runoff must be prevented from entering the sanitary sewer by means approved by the City of Hammond; and
(c) Discharge entering the sanitary sewer must meet local discharge limits found in city ordinances. Discharges unable to meet these discharge limits
must be pretreated on site to reduce pollutant concentration prior to discharging to the sanitary sewer.

## ARTICLE IV. STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVTIES

## Sec. 28-30.11 General requirements.

The operator shall certify all state requirements have been met by signing a certification statement as part of the grading application and/or building permit application. Refer to current specific NPDES permit for site applicability and NOI requirements:
(1) All operators of construction sites shall use best management practices to control and reduce the discharge, to the MS4 and to waters of the United States, of sediment, silt, earth, soil, and other material associated with the clearing, grading, excavation, and other construction activities to the maximum extent practicable. Such best management practices may include, but not be limited to, the following measures:
(a) Ensuring that existing vegetation is preserved where feasible and that disturbed portions of the site are stabilized as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased. Stabilization measures may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures;
(b) Use of structural practices to divert flows from exposed soils, stored flows, or otherwise limit runoff and the discharge of pollutants from the site to the extent feasible;
(c) Minimization of the tracking of sediments off-site by vehicles, the generation of dust, and the escape of other windblown waste from the site;
(d) Prevention of the discharge of building materials, including cement, lime, concrete, and mortar, to the MS4 or waters of the United States;
(e) Providing general good housekeeping measures to prevent and contain spills of paints, solvent, fuel, septic water, and other hazardous chemicals and pollutants associated with construction, and to assure proper cleaning and disposal of any such spills in compliance with state, federal, and local requirement;
(f) Implementation of proper waste disposal and waste management techniques, including covering waste materials and minimizing ground contact with hazardous chemicals and trash;
(g) Timely maintenance of vegetation, erosion and sediment control measures, and other best management practices in good and effective operating condition; and
(h) Installation of structural measures during the construction process to control pollutants in stormwater discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soil to the degree attainable. Such installed structural measures may include, but not be limited to, the following: stormwater detention structures (including wet ponds); flow attenuation by use of open vegetative swales and natural depressions; other velocity dissipation devices, infiltration of runoff on site; and sequential systems which combine several practices. Operators of construction sites are only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site and are not
responsible for maintenance after stormwater discharges associated with construction activity have terminated.
(2) Personnel (provided by the operator of the construction site) shall inspect disturbed areas of any construction site (meeting criteria of current NPDES permit) that have not been finally stabilized, areas used for storage of material that are exposed to precipitation, structural control measures, and locations where vehicles enter or exit the site in accordance with the current NPDES permit. All erosion and sediment control measures and other identified best management practices shall be observed in order to ensure that they are operating correctly and are effective in preventing significant impacts to receiving waters and the MS4. Based on the results of the inspections, best management practices shall be revised as appropriate and as soon as is practicable.
(3) The city may require any plans and specifications that are prepared for the construction of site improvements to illustrate and describe the best management practices required by subsection (1) (a) above that will be implemented at the construction site. The city may deny approval of any building permit, site development plan, or any other city approval necessary to commence or continue construction, or to assume occupancy, on the grounds that the management practices described in the plans or observed upon the site inspection by the city are determined not to control and reduce the discharge of sediment, silt, earth, soil, and other material associated with clearing, grading, excavation, and other construction activities to the maximum extent practicable.
(4) Any owner of a site of construction activity, whether or not he/she is an operator, is jointly and severally responsible for compliance with the requirements in this section.
(5) Any contractor or subcontractor on a site of construction activity, who is not an owner or operator, but who is responsible under his/her contract or subcontract for implementing best management practice control measures, is jointly and severally responsible for any willful or negligent failure on his/her part to adequately implement that control measure if such failure causes or contributes to causing the city to violate a water quality standard, the city's NPDES permit, or any state-issued discharge permit for discharges from its MS4.
(6) Based on the results of the inspections required by subsection (2), the site description and/or the pollution prevention measures shall be revised as appropriate, but in no case later than seven (7) calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the SWPPP within seven (7) calendar days following the inspection.
(7) Upon final stabilization of the construction site, the owner or the duly authorized representative thereof shall submit written certification to the city that the site has been finally stabilized. The city may withhold an occupancy or use permit for any premises constructed on the site until certification of final stabilization has been filed and the city has determined, following any appropriate inspection, that final stabilization has, in fact, occurred and that any required permanent structural controls have been completed.

## Sec. 28-30.12 Site applicability.

Construction activity, including clearing, grading, and excavation activities, that result in the disturbance of one (1) or more acres of total land area shall comply with the requirements of this chapter.

## Sec. 28-30.13 Purpose.

The purpose of this section is to regulate grading property within the incorporated area of the City of Hammond to safeguard life, limb, health, property, and public welfare; to avoid pollution of watercourses with nutrients, sediments, or other earthen material generated on or caused by surface runoff on or across the permit area; and to ensure that the intended use of a graded site is consistent with applicable city ordinances.

## Sec. 28-30.14 Exemptions.

The following described activities shall not require a grading permit in order to perform clearing, excavation, or related earthwork:
(1) If building permit is obtained, no grading permit is required;
(2) Utility or public works improvements do not require a grading permit;
(3) Excavation in connection with a building, swimming pool, retaining wall, or other structure authorized by a valid building permit;
(4) Any emergency activity that is immediately necessary for the protection of life, property, or natural resources;
(5) Septic repair and/or alteration;
(6) Cemetery graves;
(7) Temporary stockpiling or storing of materials provided that such operations do not affect adjacent properties and all drainage and erosion control requirements;
(8) Accepted agricultural practices such as plowing, cultivation, construction of agricultural structures, nursery operations, tree cutting, logging operations leaving the stump and root mat intact, and cultivated sod operation;
(9) Minor landscaping and sprinkler installation.

## Sec. 28-30.15 Permitting procedures.

Unless otherwise stated, no person(s) shall perform any clearing, excavation, or earthwork within the City of Hammond without first having obtained a grading permit or building permit from the building department.

The grading permit is applicable, but is not limited, to the following activities:
(1) Excavating, cutting, filling, grading, draining, or paving lots, parcels, or other areas;
(2) Altering, rerouting, deepening, widening, obstructing, or changing in any way an existing drainage system or feature;
(3) Development for: residential, commercial, institutional, industrial, utility, or other activities;
(4) Commencing any other development or excavation which may: significantly increase or decrease the rate and/or quantity of surface water runoff; degrade the quality of water; or adversely affect any sinkhole, water course, or water body.

## Sec. 28-30.16 Responsibility not waived.

The grading permit exceptions listed in section 28-30.13 do not relieve the owner, developer, contractor, or other legal representative of the responsibility of installing and properly maintaining the proper erosion/ sedimentation control measures or other liability resulting from such activities.

Sec. 28-30.17 Site plan and/or conceptual grading plan requirements.
(a) An approved site sketch is required to obtain a grading permit. The site sketch shall contain in addition to such basic information as owner name and address, date and parcel number the following:
(1) The actual shape, location, and dimension of the lot to be built upon;
(2) The shape, size, and location of all existing and proposed buildings or other structures;
(3) The location and approximate dimension of all points of access to a public street or road;
(4) The location of all driveways and entrances; and
(5) Locations of areas subject to flooding, if applicable.
(b) An approved site plan is required to obtain a grading permit. The site plan shall contain, as a minimum, the following items or information, as applicable:
(1) Total land area;
(2) Existing and proposed topography of existing land and impervious areas shown;
(3) Elevations of all existing and proposed streets, alleys, utilities, sanitary and storm water sewers, and existing buildings and structures;
(4) All existing and proposed impervious area;
(5) Natural or artificial watercourses;
(6) Limits of floodplains, if applicable;
(7) All existing and proposed slopes, terraces, or retaining walls;
(8) All existing and proposed stormwater drainage structures or features;
(9) All stormwater structures/features immediately upstream and downstream of the site;
(10) Erosion and siltation controls plans;
(11) Drainage calculations when required; and
(12) Drainage easement when required.

## Sec. 28-30.18 Plan submittal, review, and approval process for grading permits.

If site, drainage, grading, and erosion plans for the purpose of obtaining a grading permit are required, they shall be submitted to the building department. They are to be submitted not less than ten (10) days prior to the intended date to begin site alterations. The issuance of all other permits is based upon approval of submitted plans.

The grading permit is valid for a period of one (1) year from the date of issue. Extensions will be considered based on circumstances.

Sec. 28-30.19 Grading permit fees.
The fee for the grading permit is intended to assist the City of Hammond in recovering some of the expenses associated with the permitting process. These costs consist primarily of administration, inspection, and enforcement activities and shall be approved and set by the city council.

The fee schedule for grading permits is as follows:
Grading/excavation/earthworks projects
Areas less than or equal to one (1) acre. . $\$ 50.00$
Areas more than one (1) acre, per additional acre. . $\$ 25.00$

## Sec. 28-30.20 Erosion and sedimentation control.

Developers and/or property owners shall use appropriate erosion and sedimentation control measures to ensure that erosion, or adverse conditions caused by erosion or sedimentation, is eliminated or held to an acceptable minimum and does not cross to an adjoining property, right-of-way, or stream.

## ARTICLE VI. COMPLIANCE MONITORING

## Sec. 28-30.21 Right of entry: inspection and sampling.

The city shall have the right to enter the premises of any person discharging stormwater to municipal separate storm sewer system (MS4), or to waters of the United States, to determine if the discharger is complying with all requirements of this chapter and with state or federal discharge permits, limitations, or requirements. Dischargers shall allow the city ready access to all parts of the premises for the purposes of inspection, sampling, record examination and copying, and for the performance of any additional duties. Dischargers shall make available to the city, upon request, any SWPPPs, modifications thereto, self-inspection reports, monitoring records, compliance evaluations, notices of intent, and any other records, reports, and other documents related to compliance with this chapter and with any state or federal discharge permit.
(1) Where a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, city personnel will be permitted to enter without delay for the purpose of performing his/her responsibilities.
(2) The city shall have the right to set up on the discharger's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the discharger's operation.
(3) The city may require any discharger to the MS4 or waters of the United States to conduct specified sampling, testing, analysis, and other monitoring of its stormwater discharges necessary to meet the requirements of the city's stormwater permit and may specify the frequency and parameters of any such required monitoring. This requirement by the city may be appealed following the Administrative Appeal process described in Sec. 28-30.26.
(4) The city may require the discharger to install monitoring equipment as necessary at the discharger's expense. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
(5) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the discharger at the written or verbal request of the city and shall not be replaced. The costs of clearing such access shall be borne by the discharger.
(6) Unreasonable delays in allowing the city access to the discharger's premises shall be a violation of this chapter.

## ARTICLE VII. PENALTIES AND ENFORCEMENT

## Sec. 28-30.22 Notice of noncompliance.

The city building official or his designee shall deliver to the owner, contractor, and/or representative of any premises, or to any person responsible for an illicit connection, prohibited discharge, maintenance of a threatened discharge, failure to implement BMPs in accordance with this chapter, or any other violation of this chapter a notice of noncompliance. The notice of noncompliance shall be delivered in accordance with section 28-30.24.

The notice of noncompliance shall identify the provision of this chapter which has been violated. The notice of noncompliance shall state that continued noncompliance may result in additional enforcement actions, including the recovery of any cost incurred by the city.

The notice of noncompliance shall identify a compliance date that must be met.

## Sec. 28-30.23 Cease and desist orders.

The city building official may issue a cease and desist order. A cease and desist order shall be delivered in accordance with section 28-30.24 and may be delivered simultaneously with the notice of noncompliance as set forth in section 28-30.22. A cease and desist order may direct the owner, contactor, and/or representative responsible for any violation of this chapter to take any of the following actions:
(1) Immediately discontinue any prohibited discharge to the city's stormwater conveyance system.
(2) Immediately discontinue any other violation of this chapter.
(3) Clean up the area affected by the violation.
(4) The city building official may direct by a cease and desist order that any person immediately cease any activity which may lead to a violation of receiving water limitations.
(5) The city building official may terminate the building permit for the site.

## Sec. 28-30.24 Delivery of notice.

Any notice of noncompliance, cease and desist order, or other enforcement order pursuant to the requirements of this chapter shall be subject to the following requirements:
(1) The notice shall state that the recipient or the property owner, or both, may be liable for all enforcement costs incurred by the city in correcting the violation.
(2) The notice shall state that the recipient has a right to appeal the matter as set forth in section 28-30.26.
(3) Delivery shall be deemed complete upon either personal delivery to the recipient or deposit in the U.S. mail postage prepaid for first class delivery.

## Sec. 28-30.25 Penalties.

Any person violating any provision of this chapter shall be punished by a fine imposed by the city building official for each offense. An offense shall be interpreted as including all violations cited during an inspection. The person cited shall be given the seven (7) -calendar day grace period, then the penalty phase for noncompliance shall commence. The following penalty schedule shall apply:

First offense: $\$ 100.00$ per day
Second offense: $\$ 200.00$ per day
Third offense and thereafter: $\$ 500.00$ per day

Sec. 28-30.26 Administration appeals.
(1) Initiating an appeal. Any person wishing to appeal the decision of the city building official shall provide a notice of intent to appeal with the city building official within ten (10) business days of receipt of the penalty notification. The city building official shall make an informal attempt to resolve the dispute. If the dispute is not resolved within ten (10) business days from the date of the notice of intent to appeal, such person may file a petition for appeal of the decision of the city building official with the City Director of Administration within ten (10) business days of the decision by the city building official. The following information shall be contained in the petition:
(a) The name, address, and telephone number of the petitioner, and the name of the owner and/or customer if the appeal is being filed by an interested party other than the owner and/or customer;
(b) The property address and a contact person if different from the petitioner;
(c) The decision, enforcement action, or other action being appealed with copies of all notices received from the City and decisions being appealed;
(d) An indication of the petitioner's status as an interested party;
(e) A statement giving specific reason why the petitioner believes the decision of the city building official is incorrect or does not comply with the rules and regulations found in this chapter; and
(f) All documents, drawings, plans, or other material petitioner believes supports the appeal.
(2) Hearing. The city council may itself conduct the hearing and take the evidence, or may designate any of its members, or employee of the City, or any other person to:
(a) Issue in the name of the city council notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings;
(b) Take the evidence; and
(c) Transmit a report of the evidence and hearings, including transcripts and other evidence, together with recommendations to the city council for action thereof.

At any hearing held pursuant to this article, testimony must be under oath and recorded stenographically. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges thereof.

After the city council has reviewed the evidence, it may issue an order to the person responsible for the violation, following a specified time period, that corrective action be completed, and/or penalties be paid. Further orders and directives as are necessary and appropriate may be issued.

A party or person aggrieved by the city council decision shall have the right of judicial review of such decision.

## ARTICLE VIII. CITIZEN PARTICIPATION

Sec. 28-30.27 Citizen Reports of Violations.
(1) All citizens are encouraged to report to the city any spills, releases, illicit connections, other instances of anyone discharging pollutants into the MS4 or waters of the United States, and any other violation of this chapter of which they become aware.
(2) Calls received by the first call system will be referred to the city building official. All citizen reports received by telephone, in writing, and in person will be kept on file for a period of three (3) years. When necessary, complaints will be referred to the Department of Environmental Equality, Department of Health and Hospitals, or other appropriate local, state, or federal agency.

## ARTICLE IX. MISCELLANEOUS PROVISIONS

## Sec. 28-30.28 Charges and fees.

The city may adopt reasonable fees for reimbursement of costs of constructing, operating, and maintaining the city's MS4, and for reimbursement of costs of implementing its stormwater management program as required by EPA or the state, and the cost of implementing this chapter, which costs may include, but not limited to, the following:
(1) Fees for monitoring, inspection, and surveillance procedures including the cost of collecting and analyzing discharges and reviewing monitoring reports submitted by dischargers;
(2) Fees for spills and release reports and responding to spills and releases of oil, hazardous and extremely hazardous substances, and other pollutants;
(4) Fees for the discharges of stormwater into the city's separate storm sewer system; and

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on February $17^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on March $\mathbf{3}^{\text {rd, }}$ 2009; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on April $7^{\text {th, }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $7^{\text {th }}$ day of April, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams President, Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on
13


CERTIFICATE OF DELIVERY
In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered to the Mayor of the City of Hammond on the 9 day of A , in the year Z009
at 1 leio o'clock en m. said delivery being within three (3) cqlemendar days after adeption, exclusive of weekends and state holidays.


## CITY OF HAMMOND <br> ORDINANCE $\mathrm{N}^{\circ}$ 09-5143 C.S.

## Amendment of Budget

Fiscal Year 2008-2009 reflecting in Fiscal Year 2007-2008

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been approved to amend the 2008-2009 Budget to reflect the changes created for the 2007-2008 fiscal year. This amendment is part of the City's Corrective Action Plan regarding this reportable condition.

| Fund 100 General Fund |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 4,113 |
| Increase | 402,567 |
| Amended Fund Balance | 406,680 |
|  |  |
|  |  |
| Fund 203 Sales Tax Fund |  |
| 2009 Ending Fund Balance | 6,550 |
| Increase | 458,281 |
| Amended Fund Balance | 464,831 |


| Fund 207 DDD |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 27,758 |
| Increase | 143,088 |
| Amended Fund Balance | 170,846 |


| Fund 208 Grant Fund |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 160,800 |
| Increase | $\underline{116,100}$ |
| Amended Fund Balance | 276,900 |


| Fund 209 Fire Millage |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 70,000 |
| Increase | 59,421 |
| Amended Fund Balance | 129,421 |


| Fund 210 Police Millage |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 14,000 |
| Increase | 25,669 |
| Amended Fund Balance | 39,669 |


| Fund 211 Fire Haz Mat |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 800 |
| Increase | 842 |
| $\quad$ Amended Fund Balance | 1,642 |

Fund 217 Children's Museum

| 2009 Ending Fund Balance | 682,000 |
| :--- | ---: |
| Decrease | $-21,554$ |
| Amended Fund Balance | 660,446 |


| Fund 30906 ST Bond Fund |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 689,644 |
| Decrease | $\underline{-315,093}$ |
| Amended Fund Balance | 374,551 |


| Fund 720 Health Insurance Fund |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 5,000 |
| Increase | 79,000 |
| Amended Fund Balance | 84,000 |

ORDINANCE $\mathbf{N}^{\circ}$ 09-5143 C.S. Amendment of Budget Fiscal Year 2008-2009 reflecting in Fiscal Year 2007-2008

| Fund 803 Court Witness Fees |  |
| :--- | ---: |
| 2009 Ending Fund Balance | 45,292 |
| Increase | 102,989 |
| Amended Fund Balance | 148,281 |


| Recapitulate |  |  |
| :--- | ---: | ---: |
| Increases: |  |  |
| Fund 100 | $\$ 402,567$ |  |
| Fund 203 | $\$ 458,281$ |  |
| Fund 207 | $\$ 143,088$ |  |
| Fund 208 | $\$ 116,100$ |  |
| Fund 209 | $\$ 59,421$ |  |
| Fund 210 | $\$ 25,669$ |  |
| Fund 211 | $\$$ | 842 |
| Fund 720 | $\$ 79,000$ |  |
| Fund 803 | $\$ 102,989$ |  |
| Total Increase |  | $\$ \mathbf{\$ 1 , 3 8 7 , 9 5 7}$ |
| Decreases: |  |  |
| Fund 217 | $-\$ 21,554$ |  |
| Fund 309 | $-\$ 315,093$ |  |
|  |  |  |
| Total Decreases |  | $\$ \mathbf{- 3 3 6 , 6 4 7}$ |
|  |  |  |
| Net Budget Effect |  | $\mathbf{\$ 1 , 0 5 1 , 3 1 0}$ |
|  |  |  |

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on March $3^{\text {rd }}, 2009$ of the Hammond City Council and discussed at a public meeting held on March $\mathbf{1 7}{ }^{\text {th }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Johnny Blount and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on March $17^{\text {th, }} 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion to carry to approve.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $17^{\text {th }}$ day of March, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


President, Hammond City Council


## Recordation of Receipt Received from the

Mayor of the City of Hammondp

## CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5142 C.S.

## AN ORDINANCE DECLARING MOVABLE PROPERTY AS SURPLUS AND NOT NEEDED FOR A PUBLIC PURPOSE AND PROVIDING FOR THE SALE AND RELATED MATTERS

WHEREAS, the City of Hammond owns property described on the attached exhibit, consisting of movable property (the "Property"); and

WHEREAS, the City of Hammond has determined that the Property is of no further use to the City based on its current condition and is no longer needed for a public purpose; and

WHEREAS, the City of Hammond desires to sell the Property in the most economical and efficient manner considering the value of the Property, all in accordance with law, particularly, Title 33 of the Louisiana Revised Statutes (33:4711.1), which allows the sale of surplus movable property by a municipality over the Internet through an Internet computer auction.

NOW, THEREFORE, BE IT ORDAINED by the Hammond City Council that:
Section 1. The movable property described on the attached exhibit "A" (the "Property") is hereby declared as surplus and no longer needed for a public purpose by the City of Hammond.

Section 2. It is in the public interest for the Property to be sold in the most economical and efficient manner. The City finds it to be in the public interest that the Property be offered for sale by public auction over the Internet through an Internet computer auction to a qualified bidder who offers the highest price in accordance with law.

Section 3. The Mayor is authorized to execute such documents or to direct the execution of such documents as are necessary and proper in furtherance of this ordinance.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on March $3^{\text {rd }}, 2009$ of the Hammond City Council and discussed at a public meeting held on March $17^{\text {th, }}$ 2009; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on March $17^{\text {th }} \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $17^{\text {th }}$ day of March, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Recordation of Receipt Received from the Mayor of the City of Hammond on
the $\mathcal{F}$ day of MCOICA in the year 2009 at C:Nr oclock P.m., in accordance with Home Rule Chatter Artidle II, Section 2-12 (B).

Anette Kiva
Hammond City Counci

ICATE ORDELIVEMY
In accordance with Hiome Rule Charter Article in Section 2-12 (A), the above Ordinance was delivered to

7 the Mayor of the City of Hammond on the
17 day of Mareh , in the year 2009
atbl $450^{\prime}$ clock ram. saidd delivery being within three (3) calendfrdays after adeption, eiclusive of weekends and state holidayi.

Amette Kiryita, ciers of Hammond City Coumelil

ORDINANCE ${ }^{\circ}$ 09-5142 C.S. DECLARING MOVABLE PROPERTY SURPLUS

|  |  | "Exhibit <br> Items for S | $f^{\prime \prime}$ <br> plus |  |
| :---: | :---: | :---: | :---: | :---: |
| Unit | Asset \# | Descriptions | Model/Serial \# | Sell <br> Price |
|  |  | WOODS BATWING \# 9288 | Cutter attaches to mower |  |
|  |  | FORD VAN F150 BROWN | 1FTEE14F6EHA17048 |  |
|  |  | SPRAYER \#2985 | \#2985 |  |
|  |  | ONAN GENERATOR | $\begin{gathered} \text { Serial \# } 187624 \\ \text { MODEL\# 98A2273 } \end{gathered}$ |  |
| 391 |  | FORK LIFT | PHO1A15V |  |
|  |  | KOHLER AIR COMPRESSOR | MOD\# K 2415 |  |
| 449 | 5730 | GOLF CART |  |  |
| 388 | 4147 | STREET SWEEPER | VG6M118B5SB301795 |  |
| 349 | 4750 | 1995 FORD PICK UP | 1FTDF15Y7SNB47586 |  |
| 124 | 1019 | FORD TRACTOR 3600 | MODEL 1079 |  |
| 1290 | 1075 | CASE TRACTOR/BUSHWACKER | 110531930 |  |
| 215 |  | DUMP TRUCK | 1HTZLDVN9GHA66124 |  |
| 105 | 1054 | TANKER FIRE TRUCK | F70MU625220 |  |
| 4 | $\begin{gathered} 4572 \\ ? \\ \hline \end{gathered}$ | MINUTEMAN SWEEPER | Serial \# 71590991342581 MOD\# MRS8BP |  |
| 613 | 7192 | 1998 CORVETTE | 1G1YY32G5W5103930 |  |
|  | 6127 | MICRO RAIN- Irrigation machine | Serial \#0103010235 |  |
|  | $\begin{gathered} 4572 \\ ? \\ \hline \end{gathered}$ | FORD BED |  |  |
|  |  | KABOTA \# RC72-29 |  |  |
| 280 | 3431 | 1991 F800 RED FIRE PICK UP TRUCK | 1FDYK84A9MVA33176 |  |
| 306 | 3729 | FORD F250 P/U (1993) | 1FTH25H6PNA64214 |  |
| 425 | 5136 | FORD CROWN VIC | 2FAFP71W5WX164605 |  |
| 484 | 5165 | FORD CROWN VIC | 2FAFP71WYX142818 |  |
| 528 | 5315 | FORD CROWN VIC | 2FAFP71W91X202054 |  |
| 464 | 5179 | FORD CROWN VIC | 2FAFP71W3XX243028 |  |
| 465 | 5181 | FORD CROWN VIC | 2FAFP71W1XX243047 |  |
| 302 | 3684 | GMC RED KINGCAB P/U | 2GTEC19H1P1547899 |  |
|  |  |  |  |  |



# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{\circ}$ 09-5141 C.S. 

## Combining the position of Sports Coordinator and Seniors Coordinator

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been to approve to combine the part-time positions of Sports Coordinator and Seniors Coordinator into one full-time position titled Seniors Coordinator with a job classification of 117.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on March $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$ of the Hammond City Council and discussed at a public meeting held on March $17^{\text {th, }} \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on March $17^{\text {th }} \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $17^{\text {th }}$ day of March, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.



# CITY OF HAMMOND <br> ORDINANCE $\mathrm{N}^{\circ}$ 09-5140 C.S. 

## Re subdivision of Plat for Hammond Square

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been to approve to accept the Re subdivision of Hammond Square as shown on the "Re subdivision Plat of Lot 3A into Lots 3A1, 3A2, \& Palace Drive-Private for Palace Properties, LLC" prepared by John E. Bonneau \& Associates, Inc., revised date 1/29/09.Subject to adding a signature line showing dedication of servitudes on the plat and signatures lines of owner on the plat.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $20^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on February $3^{\text {rd }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on February $3^{\text {rd }}, 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of February, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


## CERTIFICATE OF DELIVERT

In accordance with Home Rule Charter Article ill, Section 2-12 (A), the above Ordinance was deliveredilo the Mayor of the City of Hammond on the
6 day of Febreacy, in the year 2009 at 12:10 $0^{\prime}$ clock p.m. sait delivery being within three (3) calendar days after adeption, exclusive of weekends


Anette Kiryso Clerk of Hammond City Councl!



# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{0} 09-5139$ C.S. 

Revocation of Servitudes<br>Palace Properties, LLC

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been approve to accept the Revocation of Servitudes as shown on the "Servitude Revocation Plat for Palace Properties, LLC" prepared by John E. Bonneau \& Associates, Inc., revised date 1/13/09

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $2 \mathbf{2 0}^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount the foregoing ordinance was hereby declared adopted on February $3^{\text {rd }}, 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of February, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section $2 \cdot 12$ (A), the above Ordinance was deliveredto the Mayor of the City of Hammond on the


Anette $\mathbb{K} 1$ iry ${ }^{\prime}$. Cerk of Hammond City Council


## CITY OF HAMMOND ORDINANCE $\mathrm{N}^{\circ} 09-5138$ C.S.

## AN ORDINANCE TO PROHIBIT SMOKING IN PUBLIC PARKS

WHEAEAS, in order to preserve and improve the health, comfort, and environment of the people of this City it is necessary to limit exposure to tobacco smoke and use of tobacco products; and

WHEREAS, it is in the best interests of the people of this City to protect nonsmokers from involuntary exposure to secondhand smoke in areas open to the public.

THEREFORE, BE IT ORDAINED by the City Council of Hammond, Louisiana that the Code of Ordinances be amended by adding to Chapter 17 Article I, the following section 17-4:

## Sec. 17-4 Smoking in public parks prohibited

The smoking of cigarettes, cigars, pipes and other forms of tobacco within any public park is declared a public health concern nuisance and it shall be unlawful to smoke cigarettes, cigars, and pipes or use any other form of tobacco product within any public park situated within the City of Hammond.

Whoever violates the provisions of this section shall be punished as provided in section 1-8 of the Code of Ordinances.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $20^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of February, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council

Recin-ration of Receipt Received from the Maynr of the City of Hammond on
the $\qquad$ day of
o'clock in the year
$\qquad$ .m., in accordance with
Home Rule Charter Article II, Section 2-12 (B).


CERTIT:CATE OP DELIVERY
In accordance wit: 'Iome Rule Charter Article II,
Section 2-12 (A), the atb.ic Ordinance was delivered to the Mayor of the (it) of Hammond og the at $12 \div 10$ day of Felmany , in the year 2009 12:10 $0^{\circ}$ clock $D . m$ sqid a $^{\prime}$ is ery being within three (3) calendar days after adeption actusive of weekends

## and state holiday.

Coramir.
Anette Kirylo, Clepli of Hammond City Councll

# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{0} 09-5137$ C.S. 

SDF -2008-12-2 Major Subdivision<br>Phoenix Square Subdivision, Phase 1

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been approve to accept Case\#SDF2008-12-2 - Major Subdivision requested by GCHP Hammond, LLC for final subdivision approval and dedication of improvements for Phoenix Square Subdivision, Phase 1, an 8 lot phase, at 1205 Phoenix Square, zoned R-4. As show on Survey of Barrileaux and Associates revised January 29, 2009, Lots 10-18.The Surveyor is Mark. T. Chemay.
It was unanimously recommended by the Planning and Zoning Commission.
A one year maintenance bond in a form of a Pledge was presented from GCHP Hammond, LLC to the City of Hammond.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $20^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on February $3^{\text {rd }}, 2009$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of February, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


## CERTIFICATE OF DIXIVERY

In accordance with Home Rule Charter Article IIH, Section 2-12 (A), the above Ordinance was deliveredito

6 the Mayor of the City of Hammond on the 6 day of Febnem, in the year 2009 - $12: 100^{\circ}$ clock _ man. said delivery being within three (3) calendar days after adeprion, exclusive of weekeads and state holidays.


Anette-fryo, Clerk of Hammond City Council

## PLEDGE AGREEMENT

This Pledge Agreement（this＂Agreement＂）is made this $3^{\text {rod }}$ day of February 2009 by GCHP－Hammond，LL．C．（hereinafter referred to as ＂Grantor，＂which term means individually，collectively，and interchangeably any，each and／or all of them）in favor of The City of Hammond（＂Secured Party＂）．Grantor＇s social security number or taxpayer identification number is 20－4216595．

Grantor hereby acknowledges that Grantor on February 3rd， 2009 （the＂Pledge Date＂），pledged，pawned，delivered and／or granted a continuing security interest in：

The certificate of deposit styled as GCHP－Hammond，L．L．C．，for the benefit of the City of Hammond，in the principal amount of $\$ 9,000.00$ ，and all amendments，extensions，renewals，replacements of the certificates o deposis（all called the＂CD＂），and all existing and future amounts in the CD，together with（A）all additional deposits hereafter made to the $C D$ ；（B）any and all proceeds from the $C D$ ；and（ $C$ ）all renewals replacements and substitutions for any of the foregoing．
（collectively，the＂Collateral＂）to Secured Party in order to secure the performance of all obligations of Grantor to Secured Party arising under the City of Hammond Subdivision ordinance，specifically section 3.4 to assure the satisfactory condition of the required improvements by Grantor in Phoenix Square Subdivision Phase I dedicated by Grantor to Security Party for a period of one year from February 3，2009，and Grantor hereby acknowledges and reaffirms said pledge（hereinafter，such obligations shall be referred to as the ＂Obligations＂），up to the principal amount of the CD and all interest earned thereon．

To provide additional security for the performance of the Obligations of Grantor to Secured Party，direct or contingent，due or to become due，now existing or hereafter arising under this Agreement，Grantor pledges，pawns and delivers to Secured Party，and grants to Secured Party a continuing security interest in，and a right of set－off and compensation against，the Collateral．Secured Party shall retum the Collateral to Grantor upon full satisfaction of Grantor＇s Obligations．

The Collateral shall remain subject to this Agreement until February 2，2010，unless Secured Party has previously placed Grantor on notice of a default of Grantor＇s Obligations，in which case the Collateral shall remain in possession of Secured Party and this Pledge shall remain in full force and effect until the satisfaction of Grantor＇s Obligations or expiration of the demand for performance by Secured Party．Grantor represents and warrants that（a）Secured Party shall at all times have a perfected first priority security interest in the Collateral free of all other security interests，liens and claims and（b）the description and identification of the Collateral and Grantor＇s name and social secunity or taxpayer identification number are correctly stated herein．Grantor shall prevent the accrual of prescription or statute of limitations with respect to the Collateral no later than sixty（ 60 ）days prior to the date on which enforcement would be barred，and will execute any additional documents reasonably required to perfect the security interest of Secured Party in the Collateral． Secured Party is not obligated to take any action to collect any of the Collateral，or preserve Grantor＇s rights with respect to the Collateral including，without limitation，rights against prior parties and shall not be liable in any manner with respect to the Collateral．Any responsibility of Secured Party with respect to the Collateral，whether arising contractually or as a matter of law，is hereby expressly waived．

If Grantor defaults in the timely performance of any of the Obligations，then after written demand for performance of the Obligations and a reasonable time to perform such Obligations，not to exceed sixty days（60），Secured Party may sell，assign，transfer and effectively delliver all or any part of the Collateral at public or private sale，including a private sale to Secured Party，without recourse to judicial proceedings and without demand，appraisement or advertisement，all of which are hereby expressly waived by Grantor to the fullest extent permitted by law．For purposes of executory process，Grantor acknowledges the indebtedness owed under the Obligations， confesses judgment in favor of Secured Party for the full amount of the Obligatlons，and agrees to enforcement by executory process Grantor waives（a）the benefit of appraisal provided in Art． 2723 of the Louislana Code of Civil Procedure and（b）notice of demand provided in the Louisiana Code of Civil Procedure．

Grantor further declares that this Agreement supplements，but does not in any manner novate，amend，limit or extinguish any other rights or remedies of Secured Party，all such rights and remedies being cumulative，non－exclusive，preserved and retained and that the pledge made by Grantor on the Pledge Date，and any prior pledge（s）of the Collateral shall continue in full force and effect．Secured Party hereby accepts this Agreement．

GRANTOR：


Its：Managing Member

## SECURED PARTY：

## THE CITY OF HAMMOND

By：

Its：

## 

$$
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& \text { 解礼 }
\end{aligned}
$$




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Irrevocable Standby Letter of Credit No: 6.06 Date: September 19, 2007
City of Hammond
310 E. Charles
Hammond, La. 7401

$$
\begin{aligned}
& \text { Maintenauc BonQ } \\
& \text { seatel 9-19-07 }
\end{aligned}
$$

Re: Holly Street Partners, LLC
Gentlemen:
We hereby issue our Irrevocable Standby Letter of Credit number 606, in your favor for the account of Holly Street Partners, LLC, in the amount of Twelve Thousand Five. Hundred Dollars and no/100 (\$12,500.00) available by your drafts at sight drawn on First Community Bank, 600 SW Railroad Avenue, Hammond, Louisiana.

Drafts drawn under this letter of credit must be marked "Drawn under First Community Bank, Hammond, Louisiana, Letter of Credit number 606, dated September 19, 2007.

Drafts drawn under this letter of credit must be presented at our office in Hammond, Louisiana, on/or prior to our close of business, which is 5 PM, on March 19, 2009: the date on which this Letter of Credit expires.


Partial drawings are not permitted.
Drafts drawn under this Letter of Credit must be accompanied by the following documents:
"Upon receipt by a certified statement by the City of Hammond that Holly Street Partners, LLC has failed to properly maintain Cotton Lane in The District Subdivision in accordance with City ordinances and standards."

This Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credits, 1993 Revision (ICC Publication No.500) and the International Standby Practices (ICC Publication 590)("ISP98"). We shall honor drafts drawn under and in compliance with the terms of this letter of credit which will be duly honored upon presentation to us on/or prior to our close of business on March 19, 2009. The Original Letter of Credit must be submitted to us together with any drawings hereynder for our endorsement of any payments effected by us and/or for cancellation.



# CITY OF HAMMOND ORDINANCE ${ }^{\circ}$ 09-5136 C.S. 

SDF -2008-11-1 Major Subdivision The District Subdivision

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been approve to accept Case \# SDF-2008-11-1 - Major Subdivision - requested by Holly Street Partners, LLC for final subdivision approval and dedication of improvements for The District subdivision formerly (205 Blackburn Rd.), Hammond, LA zoned R-5S. As show on Survey Made by William J. Bodin Dated 01-20-09

A maintenance bond was presented by the Holly Street Partners, LLC to the City of Hammond.
The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $20^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on February $\mathbf{3}^{\text {rd }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Absent) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $3^{\text {rd }}$ day of February, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section $\delta-12$ ( $\Lambda$ ), the above Ordinance was deliveredto
the Mayor of the City of Hammond on the 6 day of Febream, in the year 2009 at 12:10 ${ }^{\prime}$ 'clock p.m sait delivery being within three (3) calendar days after adt ption, exclusive of weekends


## CITY OF HAMMOND <br> ORDINANCE ${ }^{\circ}$ 09-5135 C.S.

## An Ordinance to ratify the acceptance of Improvement for Oak Creek Subdivision

## BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

An Ordinance has been accepted to ratify the acceptance of improvements for Oak Creek Subdivision, fifth filing a 14.133 acre subdivision with 26 lots, zoned R-11, previously approved by City Council Resolution \# 08-0415-02 passed on April 15, 2008 .

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on November $5^{\text {th }}, 2008$ of the Hammond City Council and discussed at a public meeting held on November $18{ }^{\text {th }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino the foregoing ordinance was hereby declared adopted on January $\mathbf{2 0}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $20^{\text {th }}$ day of January, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council


Arette A Kirylo, Clerk
Hammond City Council


## CERTIFICATE OFDEIIVERY

In act ririamer with liome Kule Charter Article III, Section $t-12$ (A), the above Ordimance was delliveresto
the Mayor of the City of Hammond on the 23 day of January, in the year 2009 at $\sqrt{\left[: 300^{\prime} \text { clock a.m. said delivery being wifilia three (3) }\right.}$ calendar days after adeption, exclusive of wecticeads and state holidaye.

Anette K

Recordation of Receipt Received from the Mayor of the City of Hammond on the 26 day of Januany in the year 2009 at $9: 38$ o'clock 9 .m., in accordance with Home R ${ }^{\text {Ph }}$ Oh der Article II, Section 2-12 (B).
Anette Kin
Hammond Cty Council

| City of Hanmmond | Mlayson H. Foster |
| :--- | :---: |
| Water \& Sewer Department | Mayor |
| Garry Kinight, Superintendent |  | Garry Kinight, Superintendent

P.O. Box 2788 Hammond, LA 70704-2788 • PH (985) 277-5961 • FAX (985) 277-5958

October 8, 2008

To: Ginger Fortson, City Planner

From: Garry Knight, Superintendent Water and Sewer

Re: Oak Creek Utilities Inspection Fifth Filing

We have done final inspection of lighting, water and sewer utilities in Oak Creek Fifth Filing, no problems were found.


18104 Hwy 190 East • P.O. BOX 2788 • HAMMOND, LA 70404

Date: October 30, 2008

To: Ginger Fortson
From: Buddy Ridgel, Street Superintendent

On October 30, 2008 I inspected the streets and drainage for Oak Creek phase five. The streets and drainage in phase five of Oak Creek subdivision meet the city specification.

## Date of the Zoning Meeting: N/A

## Item to be presented to the Councill (Ordinance)

Ordinance to ratify the acceptance of improvements for Oak Creek Subdivision, Fifth Filing, a 14.133 acre subdivision with 26 lots, previously approved by Resolution 08-0415-02 on April 15, 2008, zoned R-11

Brief Description of the Property and existing use:
26 lots fronting on Weald Way and Holly Drive
Existing Zoning: R-11 Residential
Specific Action taken by the commission:
Planning Commission approved this subdivision in January, 2006

## Stipulations or Special Conditions: None

Vote Resullts: N/A
Date presented to the City Council Clerk: 10-30-08
Date to be on the Council agenda: 11-05-08 Introduction 11-18-08 Adoption

Submitted By:
Ginger Fortson, City Planner


Mayson H. Foster
Mayor

## RESOLUTION No. 08-0415-02

Oak Creek Subdivision-Phase $V$

## Be it resolved:

That the Hammond City Council has approved a resolution granting a conditional acceptance for improvements for Oak Creek Subdivision-Phase V subject to street lighting and for one-year maintenance period.

## Extract of the minutes of 4-15-08

A resolution\# 08-0415-02 granting a Conditional Acceptance for improvements for Oak Creek Subdivision-Phase V subject for one-year maintenance period.
Acting City Planner and Building Inspector Nash Bono presented this item and stated that the street lighting is still pending.
There was a motion by Kathy Montecino and Second by Jason Hood to grant a conditional acceptance for improvements for Oak Creek Subdivision-Phase V subject to street lighting and one-year maintenance period.
Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion Carried

This resolution is approved and adopted this 15 day of April 2008.
I, the undersigned Clerk of Council, hereby certify that the foregoing Resolution was duly adopted by the Hammond City Council after the following roll call vote:
Yeas: 5 Nays: 0 Absent: 0




# CITY OF HAMMOND ORDINANCE $\mathbf{N}^{0}$ 09-5134 C.S. 

## Donation of PP Fire Truck To the Town of Roseland

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
An Ordinance has been accepted to authorize the donation of a PP Fire Truck to the Town of Roseland and to authorize the Mayor or the Director of Administration to sign an Act of Donation allowing the transfer of surplus for a property described as one Unit \# 280 Red 1991 PP Fire Truck, Vin \# 1FDYK84A9MVA33176 to the Town of Roseland.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $\mathbf{6}^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on January 20 ${ }^{\text {th }}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Jason Hood the foregoing ordinance was hereby declared adopted on January $\mathbf{2 0}^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $20^{\text {th }}$ day of January, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams
President, Hammond City Council



## CERTIFICATE OF DELIVERY

# CITY OF HAMMOND ORDINANCE $\mathrm{N}^{\circ}$ 09-5133 C.S. 

## Surplus of Unit \# 280 <br> PP Fire Truck

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
The Hammond City Council has declared the following movable as surplus Unit \# 280 a Red 1991 PP Fire Truck, VIN \# 1FDYK84A9MVA33176.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on January $6^{\text {th }}, 2009$ of the Hammond City Council and discussed at a public meeting held on January $\mathbf{2 0}{ }^{\mathbf{t h}}, \mathbf{2 0 0 9}$; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Willie Jackson the foregoing ordinance was hereby declared adopted on January $\mathbf{2 0}{ }^{\text {th }}, \mathbf{2 0 0 9}$ by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $20^{\text {th }}$ day of January, in the year 2009, at Hammond, Tangipahoa Parish, Louisiana.


Michael A. Williams President, Hammond City Council


## CITY OF HAMMOND ORDINANCE $\mathrm{N}^{0}$ 09-5132 C.S.

## An Ordinance to amend Ordinance No. 08-5128 C.S. to relocate the distribution of the funds for the purpose of funding other declared emergency related expenditures.

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:
The Hammond City Council has authorize to amend Ordinance No 08-5128 C.S. Appropriation of $\$ 250,000$ from Emergency Fund to reallocate the distribution of the funds as follows: $\$ 200,000$ for the purpose of funding the city's share of the Cooperative Endeavor Agreement between the City of Hammond and the Tangipahoa Parish Council for debris removal from Hurricanes Gustav and Ike and $\$ 50,000$ for the purpose of funding other declared emergency related expenditures.

## Description:

\$ 200,000 for debris removal from Hurricane Gustav and Ike.
$\$ 50,000$ to fund debris removal from the Snow Storm and other declared emergency related expenditures.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on December 16, 2008 of the Hammond City Council and discussed at a public meeting held on January 6, 2008; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Kathy Montecino and Second by Johnny Blount, the foregoing ordinance was hereby declared adopted on January 6, 2009 by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams (Y) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this 6 day of January, in the year 2009, at Hammond, Tangipahoa Parish, Loyisiana.


Michael A. Williams President, Hammond City Council



Recordation of Receipt Received from the Mayor of the City of Hammond on the 8 day-of Jancuary in the year 2007 at $10: 00$ hiclock $9 . \mathrm{m}$. , in accordance with Home Rule ćhat ter Article II, Section 2-12 (B).

Anette Kirylo, Cley
Hammond City Council

## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section 2-12 (A), the above Ordinance was delivered.to the Mayor of the City of Hammond on the
7 day of January, in the year 2009 at 20 o'clock $\square^{\text {m. sait delivery being within three (3) }}$ calendar days after adeption, exclusive of weekends and state holidays. N andu.

CITY OF HAMMOND ORDINANCE NO. 09-5131 C.S.

## AN ORDINANCE TO REVISE AND READOPT THE DEVELOPMENT PLAN FOR THE HAMMOND DOWNTOWN DEVELOPMENT DISTRICT PURSUANT TO LSA-RS 33:2740.15

WHEAEAS, the Louisiana Legislature enacted LSA-RS 33:2740.15 (the "Act") which creates the Hammond Downtown Development District, (the "DDD") and

WHEREAS, the Act provides that the governing authority of the DDD (the "Authority") shall formulate a redevelopment plan or plans for the DDD in order to aid and encourage private development of the area, to enhance and improve residential neighborhoods within the DDD, and to promote and coordinate public development and submit such plan to the Hammond City Council (the "Council") for review and approval; and

WHEREAS, the Council has previously adopted a Downtown Development District Master Plan and guidelines by Resolution of the Council on August 5, 2003 and passed ordinance \#04-3043 and \#03-2958 relating to metal clad buildings and approval of building design standards within the DDD; and

WHEREAS, the Authority has proposed a revision to the previously approved Master Plan and guidelines as set forth below;

THEREFORE, BE IT ORDAINED by the City Council of Hammond, Louisiana, that the City of Hammond revise, re-adopt and approve the following plan of development for the DDD as follows:

1. Applicability of Guidelines. The DDD design guidelines shall apply to any new building construction, exterior renovations and modifications which require a building permit and which are located within the boundaries of the Downtown Development District as outlined in its charter.

## 2. Building design elements shall be as follows:

A. Constituent Design Elements of a Building. Buildings shall have substance. Design shall include base, intermediate and cap. Changes in materials shall have a clear line of demarcation either by offset, reveal, or border.

If the designer studies the historic architecture of Hammond, he/she will see that the classical influence gave buildings a defined starting and ending point. A lack of vertical termination, for instance, results in an overly industrial or "modern" style which is certainly a departure from the distinctive architecture of downtown Hammond. Clearly defined changes in material give the material more definition and make for a more interesting overall design.
B. Entrances. Each principal building shall have a clearly defined, inviting, highly visible customer entrance enhanced by distinguishing features such as canopies, awnings, galleries and porticos.
C. Sides and Backs of Buildings. The sides and back of a building that are visible to the public shall maintain the same standard of design as the front façade, including:

1) screening of utilities, equipment and building services (i.e., dumpsters, garbage receptacles, etc.)
2) continuation of building design elements such as quality of materials, galleries, cornices and treatment of openings.

We expect our neighbors to treat all visible sides of their homes with respect and, therefore, see no reason why businesses shall not meet the same standards. The use of lesser standards of design on the sides and rear of buildings, especially those on street corners and adjacent to residences, exhibits disrespect for the community and our neighbors.
D. Horizontal and Vertical Planes. Disruption of horizontal planes with vertical elements is recommended. This may include significant interruption by change in plane, material, opening, or design element.
E. Structural Solidity. Disciplined visible structural vocabulary shall be maintained. Arcades, galleries and roofs shall not appear to levitate in space, but shall have a visible means of support with columns and/or brackets. Rafter tails are encouraged on smaller overhangs.
F. Unifying Elements. Consistent design vocabulary for multiple structures on one property shall be employed. A unifying element such as material, color, or form shall be used for all structures. Style or design theme can also be used as a unifying element.
G. Buildings of an Industrial Appearance. No building of an industrial appearance shall be allowed, such as a pre-engineered metal building with metal siding devoid of historic context. Pre-engineered structures may be used, provided that historic context is incorporated into the facades.
H. General Building Features. Smaller buildings shall reflect the design elements of historic styles and larger buildings shall be divided into smaller elements in order to incorporate historic design context.
I. Building Proportions. Buildings shall maintain classic proportions. For example, smaller columns shall be placed closer together for a more vertical proportion and, as a structure becomes more horizontal in scale, the supports (columns) shall have additional mass. Like most architecture based on classical standards, structural discipline and proportion are extremely important to building appearance. Most elements have a pure geometry, with rectangular shapes dominating.

## J. Awnings and Fascias.

1) No backlit awnings shall be allowed.
2) Fascias of buildings shall not exceed sixteen (16) inches in depth (including gutter), except for fascias used as a unifying design element for multi-tenant buildings and for placement of signage for multiple tenants.

For the purpose of these guidelines, "fascia" is defined as the horizontal plane just below the roof or coping and above the wall or supports. The reason for the limitation in size has to do with the way some automobile service stations have used the fascia for their pump island canopy or building as a sign with bright, primary colors (frequently the same as the sign colors) and bands of light which have covered the shelter and made it into a sign of billboard proportions. While this motif works well at interstate exchanges, it is out of character in the context of the DDD. In order to limit design abuse and to bring the automobile shelter into compliance with our historic context, the fascia is removed as a primary design element. In order to accommodate the structure, the canopy designer shall be obliged to provide a surface for mounting a sign (if a sign on the canopy is desired) and to add a sloped or mansard roof, which will bring the building into compliance with the design guidelines. Backlighting of fascias and awnings has become another distracting design feature that is out of character with the DDD's architecture.
K. Canopies. Free (or semi-free) standing canopies shall be of similar style and materials as the principal structure. Even though the pump island canopy may be the largest structure on a property, it is still considered accessory to the convenience store.

1) Unless site conditions preclude it, canopies shall be attached to and made an integral part of the main building.
2) Canopies shall have columns, beams and/or brackets of sufficient scale to give a visible means of support.
3) Clearance under canopies attached to building facades shall not exceed twelve (12) feet and under cantilevered overhangs shall not exceed eleven (11) feet.
4) Clearance under free-standing canopies shall not exceed sixteen (16) feet and under cantilevered overhangs shall not exceed fifteen (15) feet.
5) Task lighting shall be utilized to reduce light "spillage". Intense general lighting under canopies shall not be allowed.
L. Mansard Roofs. Mansard roofs used in conjunction with canopies, covered walkways and entries shall have a roof-like slope not greater than 12:12 or less than 4:12.

The mansard as a design element became popular with the "big box" in the sixties and seventies and, while the use of an inclined plane on the front of a larger structure is desirable to give human scale, the misuse of the mansard to the extent that it was little more than an out-ofvertical wall with roofing material finish proved to be unsuccessful in any design context. Therefore, if a mansard is to be used as a design feature, it shall emulate a roof rather than a wall.
M. Building Colors. Any activity that involves changing color or refreshing color shall be reviewed by the Design Review Committee or a similar group.

1) Colors shall be reviewed for compliance with historic context.
2) Façade colors shall be subtle and of low reflectivity. The use of primary, high intensity or metallic color shall be prohibited outside of the sign face.
3) Accurate color drawings with a list of paint numbers and elevations of every building shall be required to be submitted and approved prior to any modification/application.
N. Light and Shadow. Shadow shall be considered a design element. This recommendation is included to remind design review that color and material are altered by the amount of light on a surface.
3. Materials. Materials shall be reviewed for compliance with historic context. The following materials have historic context:
A. Walls: Brick, wood, and cement plaster (stucco).
B. Roofing: Slate/tile, rigid shingles with ridge tiles, wood shakes, and metal (corrugated, v-crimp, and standing seam).

How a material is used is as important as what material is used. Plastics and polymers have proven to be susceptible to high winds and, therefore, shall not be automatically approved. Concrete, concrete masonry units and terra cotta blocks may be used depending upon detail, color and texture. Fiberglass and asphalt shingles are acceptable as a roofing finish when they emulate more traditional finishes. It is recommended that if fiberglass or asphalt shingles are used," ridge" tiles be used to accentuate the ridges. English ridge tiles are preferred over Spanish tiles (except when architectural design would dictate otherwise).

## 4. Site Features.

A. Fences. Fencing materials shall accord with and complement the materials of the adjoining building and shall be reviewed and approved by the Design Review Committee or a similar group.

## B. Sidewalks.

1) Sidewalks of not less than four (4) feet in width shall be installed to connect sidewalks in public right of ways to the building entry. This recommendation is made to ensure alternative access. In the event that sidewalks or bicycle paths have not yet been installed, projects shall still provide walks to their proposed locations.
2) Internal pedestrian walkways shall be distinguished from driving surfaces through the use of special materials or decorative elements.
C. Parking Lots. Newly constructed parking areas shall, wherever feasible, be placed at the rear of a building or concealed with appropriate landscaping or fencing.
D. Mechanical and Service Equipment. Mechanical equipment, electrical entries, dumpsters and equipment not used by the customer shall be screened from public view.
3) Screening may be by fence, landscaping or a building element.
4) Whenever possible, vending machines, ice machines and restrooms shall be located in the main building. Air pumps, vacuums, water stations and the like shall be out of the main traffic flow and integrated into the landscape.
E. Positioning of Outdoor Display Items. Automotive and marine items for sale or for display shall not impede pedestrian or vehicle flow or public parking. Moreover, these items shall not be displayed in such a way that they detract from the architectural elements of nearby buildings.
5) Areas used for storage of vehicles or watercraft shall be screened with opaque fencing and/or landscaping.

The City of Hammond Building Department will coordinate with and consult the above development plan before approving building permits within the DDD. The Authority may appoint a design representative or sub-committee to review and approve the architectural design of building plans before building permits are issued.

If the Building Department, the Authority or an applicant for a building permit disagree with the requirements necessary to approve a building permit for building construction, addition or renovation, an appeal may be made to the Hammond Planning and Zoning Commission for final administrative approval.

All ordinances and resolutions which conflict with the subject matter provided above are hereby revoked.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on December 16, 2008 of the Hammond City Council and discussed at a public meeting held on January 6, 2009; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by Jason Hood and Second by Kathy Montecino, the foregoing ordinance was hereby declared adopted on January 6, 2009 by the following roll call vote:

Votes: Johnny Blount (Y) Jason Hood (Y) Willie Jackson (Y) Kathy Montecino (Y) Mike Williams ( Y ) Motion to carried.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this $\mathbf{6}$ day of January, in the year 2009, in Hammond, Tangipahoa Parish, Lopisiana.


Anette A. Kirylb, Clerk
Hammond City Council

## CERTIFICATE OF DELIVERY

In accordance with Home Rule Charter Article III, Section c. 12 (A), the above Ordinasee was delivered to the Mayor of the City of Rlammond on the
Recordation of Receipt Received from the
Mayor of the City of Hammond on
the 8 day of January in the yearz009 at $10: 000^{0^{\prime} \text { clock a.m., in accordance with }}$ Home Rulachartef Article II, Section 2-12 (B). (MDa.
Anette Kiryio, CHerk
Hammond City Council



[^0]:    Annette Kirylo, Clerk

[^1]:    C: David Wolf, Adams \& Reese, LLP
    Alan Offner, Foley \& Judell, LLP

