

*Ord.*

**2010-0120**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV**

**ORDINANCE NO. 10-4-9**

An ordinance to clarify that Breaux Lane (Des Allemands) is a public street for maintenance purposes only by the Parish of St. Charles.

**WHEREAS**, on July 5, 1994 the St. Charles Parish Council enacted Ordinance No. 94-7-3 clarifying Breaux Lane as a Private Lane in Des Allemands; and,

**WHEREAS**, on July 9, 1994 said Ordinance was recorded in the St. Charles Parish Clerk of Courts records, Entry #185889, Conveyance Book #482, Folio 637; and,

**WHEREAS**, on March 3, 2010, Parish Legal Counsel advised in a memo that when a private street/lane is repaired and maintained by the Parish for a period of three years it becomes a public street for maintenance purposes only; and,

**WHEREAS**, fee title is not transferred to the Parish by the obligation of maintenance and repairs; and,

**WHEREAS**, Breaux Lane has been maintained by the Parish in excess of three years and is therefore a public street for maintenance purposes only.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** To clarify that Breaux Lane (Des Allemands) is a public street for maintenance purposes only by the Parish of St. Charles.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

- YEAS: SCHEXNAYDRE, RAYMOND, BENEDETTO, HOGAN, COCHRAN
- NAYS: AUTHEMENT, TASTET, LAMBERT, NUSS
- ABSENT: NONE

And the ordinance was declared adopted this 5th day of April, 2010 to become effective five (5) days after publication in the Official Journal.

Paul - Breaux Lane

CHAIRMAN: Billy Raymond, Sr.  
 SECRETARY: Bertha Jean Tucker  
 DLVD/PARISH PRESIDENT: April 6, 2010  
 APPROVED: \_\_\_\_\_ DISAPPROVED:   
 PARISH PRESIDENT: W. Bell  
 RETD/SECRETARY: April 12, 2010  
 AT: 11:13 Am RECD BY: BP

THIS ORDINANCE WAS RETURNED BY THE PARISH PRESIDENT ON APRIL 12, 2010 AT 11:13 A.M. AND HAS BEEN DISAPPROVED BY THE PARISH PRESIDENT. THEREFORE, THIS ORDINANCE SHALL BE PRESENTED TO THE COUNCIL AT ITS NEXT REGULAR MEETING TO BE HELD ON APRIL 19, 2010, AT 6:00 P.M.

ORDINANCE RECONSIDERED BY PARISH COUNCIL APRIL 19, 2010

- VOTE:
- YEAS: HOGAN
- NAYS: AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, LAMBERT, NUSS
- ABSENT: SCHEXNAYDRE

VETO OF THE PARISH PRESIDENT SUSTAINED.