

## CHAPTER 31

### REVOCATION

- Section 31.1 Broadway St.
- Section 31.2 Gordon St.
- Section 31.3 Jackson St.
- Section 31.4 Alley - Square 6 and 7
- Section 31.5 North 42 Feet - Gordon - Hwy. 25 - Railroad Ave.

#### Section 31.1 Broadway St.

AN ORDINANCE DECLARING THE REVOCATION OF THE DEDICATION AS A PUBLIC ROAD THAT PORTION OF BROADWAY STREET BETWEEN THE INTERSECTIONS OF ST. CLAUDE AND ST. CHARLES STREETS IN THE VILLAGE OF FOLSOM, STATE OF LOUISIANA.

RESOLVED, that the dedication of Broadway Street as a public road, between the intersections of St. Claude and St. Charles Streets be and is hereby revoked this 6th day of June, 1977.

Recorded in COB 842, folio 897 of the official records of St. Tammany Parish on September 8, 1977.

#### Section 31.2 Gordon St.

AN ORDINANCE DECLARING THE REVOCATION OF THE DEDICATION AS A PUBLIC ROAD THAT PORTION OF GORDON STREET LYING EAST OF HWY. 25 IN THE VILLAGE OF FOLSOM, STATE OF LOUISIANA, SAID REVOCATION SUBJECT TO A SERVITUDE IN FAVOR OF THE VILLAGE OF FOLSOM FOR ANY CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF ANY EQUIPMENT AND/OR IMPROVEMENTS NECESSARY FOR COMPLETION OF A SEWERAGE SYSTEM IN THE VILLAGE OF FOLSOM, STATE OF LOUISIANA.

BE IT ORDAINED by the Mayor and Board of Aldermen of the Village of Folsom that the dedication of Gordon Street as a public road, lying East of Louisiana Highway 25, be and is hereby revoked, subject to a servitude in favor of the Village of Folsom for any construction, installation, and maintenance of any equipment and/or improvements necessary for completion of a sewerage system in the Village of Folsom, State of Louisiana, is hereby revoked this 7th day of July, 1980.

Recorded in COB 1258, folio 671 of the official records of St. Tammany Parish, Louisiana on May 28, 1986.

### **Section 31.3 Jackson Street**

AN ORDINANCE CLOSING JACKSON STREET FROM ITS INTERSECTION WITH THE EAST BOUNDARY LINE AND CORPORATE LIMIT OF THE VILLAGE OF FOLSOM TO ITS INTERSECTION WITH LOUISIANA STATE HIGHWAY NO. 25 DECLARING SAID STREET ABANDONED AND NOT NEEDED FOR PUBLIC PURPOSES.

BE IT ORDAINED, by the Mayor and Board of Aldermen of the Village of Folsom, Folsom, Louisiana, in regular session convened, that by virtue of the authority granted to them, by the legislature of the State of Louisiana, that Jackson Street situated in the Village of Folsom is hereby declared permanently closed, abandoned, and no longer needed for public purposes from the Intersection of Jackson Street with the Eastern Boundary and the corporate limits of the Village of Folsom to where said Jackson Street intersects and touches Louisiana State Highway 25 on its Western extremity on this 6 day of March, 1978.

Recorded at COB 1258, folio 670 of the official records of St. Tammany Parish, Louisiana on May 28, 1986.

### **Section 31.4 Alley - Square 6 and 7**

AN ORDINANCE REVOKING THE TWENTY FOOT (20') ALLEY RUNNING THROUGH THE CENTER OF SQUARE 7 AND SQUARE 6, OF THE VILLAGE OF FOLSOM, STATE OF LOUISIANA

BE IT ORDAINED, by the Mayor and the Board of Aldermen of the Village of Folsom, that the dedication of the twenty foot (20') alley running through the center of Square 7 and Square 6, of the Village of Folsom, be and is hereby revoked, subject to a servitude in favor of the Village of Folsom for any construction, installation, and maintenance of any equipment and/or improvements necessary for completion of a sewerage system in the Village of Folsom, State of Louisiana, hereby revoked on this 12th day of May, 1986.

Recorded in COB 1258, folio 672, of the official records of St. Tammany Parish, Louisiana on May 28, 1986.

### **Section 31.5 North 42' - Gordon - Hwy. 25 and Railroad Ave.**

AN ORDINANCE CLOSING THE NORTH FORTY-TWO FEET (42') OF GORDON STREET FROM ITS INTERSECTION WITH LOUISIANA HIGHWAY NO. 25 AND RAILROAD AVENUE, DECLARING SAID STREET ABANDONED AND NOT NEEDED FOR PUBLIC PURPOSES.

BE IT ORDAINED, by the Mayor and Board of Aldermen of the Village of Folsom, Folsom, Louisiana, in regular session

convened, that by virtue of the authority granted to them, by the legislature of the State of Louisiana, that the North forty-two feet (42') of Gordon Street situated in the Village of Folsom is hereby declared permanently closed, abandoned, and no longer needed for public purposes from the intersection of Gordon Street with Louisiana State Highway No. 25 to where said Gordon Street intersects with Railroad Avenue, this 8th day of September, 1986.

Recorded at COB 1287, folio 141, of the official records of St. Tammany Parish, Louisiana on December 11 1986.

VILLAGE OF FOLSOM  
STATE OF LOUISIANA

**AN AMENDMENT TO CHAPTER 31 OF THE FOLSOM CODE OF  
ORDINANCES TO ESTABLISH THE PROCEDURE FOR REVOCATION OF  
DEDICATED RIGHTS-OF-WAY.**

WHEREAS, the Mayor and Board of Aldermen of the Village of Folsom have authority to revoke the dedication of municipal roads, streets, alleys, and rights-of-way when the same are no longer needed for public use.

WHEREAS, the Mayor and Board of Aldermen desire to establish an orderly procedure for the investigation and evaluation of public rights-of-way sought to be closed.

BE IT ORDAINED, by the Board of Aldermen of the Village of Folsom, State of Louisiana that the Village of Folsom, Code of Ordinances, Chapter 31 "Revocations" be amended to include the following sections:

**Section 31.60 Authority to revoke dedication or limit usage of public roads, streets or alleys.**

The Village Board of Aldermen may revoke and set aside the dedication of any road, street, right-of-way, or alleyway laid out and previously dedicated to public use within the corporate limits when such road, street, right-of-way, or alleyway has been abandoned or is no longer needed for public use. The Village may also choose to provide access for public use (in whole or in part) or limit public use of roads, streets, alleyways, or rights-of-way depending upon the designated public purpose of such. This public purpose may relate to surface use by vehicles or pedestrians, utility use only, or a combination of both.

**Section 31.61 Petition for abandonment, limiting, or opening of public rights-of-way.**

Any person or persons proposing to exercise this power shall file with the clerk of the Village of Folsom a written and signed petition setting forth, together with the particular location of the road, street, alleyway, or right-of-way to be abandoned, the physical dimensions thereof, and the names and addresses of all present owners of land contiguous thereto. This petition requesting the abandonment, opening, or limiting the use of such public right-of-way must be signed by a minimum of 51 percent of the property owners with property fronting onto (in whole or in part) the street, road, alleyway or right-of-way being considered. The petition may also request that a public right-of-way be opened for public vehicular or pedestrian use (through paving), or be limited for public use in some manner. By resolution at a public meeting, a petition may also be presented or initiated by the Mayor or members of the Village Board of Aldermen if they so choose to abandon a public right-of-way or limit its use. This action by the Village may be taken without a signed petition from contiguous property owners if the Village so chooses to abandon a right-of-way it no longer needs. Final approval of such action must be by ordinance. A petition therefore, may come from the landowners contiguous to a public right-of-way or from the Village governing body itself.

**Section 31.62 Appointment and Role of Planning Commission**

The Mayor and Board of Aldermen will use the Village Planning Commission as a standing

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committee to investigate any petition for public use or abandonment of public rights-of-way, including alleyways and streets. Before being forwarded to the Mayor and Board of Aldermen for review and approval, the Planning Commission shall first review each petition, gather appropriate information, and provide a recommendation to the Mayor and Board of Aldermen. Planning Commission review of the petition will be limited to no more than 60 days.

**Section 31.63 Commissions recommendation on petition.**

Within 60 days after receiving proper petition for abandonment, opening, or limiting use of roads, streets, alleyways, or public rights-of-way, the Planning Commission will hold a public meeting(s) on the issue, review any impacts of the request, hear public comments, and send their written recommendation to the Mayor and Board of Aldermen for their review and action.

**Section 31.64 Action by Board of Aldermen**

Upon receipt of the Planning Commission's recommendation and determination by the Board of Aldermen that the public right-of-way is no longer needed for public purpose, the Board shall adopt an ordinance revoking and setting aside the dedication of said road, street, alleyway, or public right of way. Upon such revocation, all of the property included in the road, street, alleyway, or public right-of-way up to the center line thereof, shall revert to the present land owner of the land contiguous thereto. The Board of Aldermen, by ordinance, may also choose to limit the use of the public right of way in some manner (such as for utilities only or for parking only) or may choose to table the issue and take no action.

**Section 31.65 Recordation of ordinance**

Upon final adoption of an ordinance relating to this section, the Village Clerk shall record a certified copy of said ordinance in the Clerk of Court records for St. Tammany Parish, Louisiana.

BE IT FURTHER ORDAINED that this ordinance shall take effect on and after its promulgation.

Folsom, Louisiana this 12<sup>th</sup> day of July, 1999.

  
WILLIE RICHARDSON, JR. Alderman

  
GERALD SAMBOLA, Alderman

  
DAVID PITTMAN, Alderman

Approved:

Village of Folsom

By:   
MARSHELL BRUMFIELD, Mayor

CERTIFICATE

I, Joyce Core, certify that the above and foregoing is a true and correct extract of the minutes of the regular session of the Village of Folsom held at the Town Hall in the Village of Folsom, Louisiana on the 12<sup>th</sup> day of July, 1999. Present: Marshall Brumfield, Mayor, Willie Richardson, Jr., Alderman, Jerry Sambola, Alderman, David Pittman, Alderman. All present voted yeas and there were no nays.

  
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JOYCE CORE  
Municipal Clerk