

**ORDINANCE AMENDING CODE OF ORDINANCES
TO RENEW MORATORIUM
CHAPTER 18, PLANNING AND DEVELOPMENT REGULATIONS**

**AN ORDINANCE TO RENEW A MORATORIUM ON MANUFACTURED
MODULAR BUILDINGS AND MODULAR HOMES**

WHEREAS, Louisiana Revised Statute Title 33 "Municipalities and Parishes," Chapter 2 "Local Government," Part I "Mayor and Board of Aldermen," Subpart C "Municipal Powers," provides:

Section 361. Municipal powers.

"A. Except as otherwise provided in this Part, a municipality shall be vested with all powers, rights, privileges, immunities, authorities, and duties heretofore possessed in accordance with all constitutional and statutory provisions with respect thereto. A municipality is further authorized to exercise any power and perform any function necessary, requisite, or proper for the management of its affairs not denied by law."

WHEREAS,

Included within the police power of municipal corporations is the authority to regulate the planning and development of residential and commercial structures and the authority to legislate for the protection of the health of its inhabitants and it is the duty of the municipality to do so.

The Village of Folsom is in the active process of designing its Comprehensive Plan for Municipal Development. Upon adoption and installation of the Comprehensive Plan for Municipal Development, there will be changes in zoning districts and standards and the addition of new development standards.

Completion, adoption and installation of the Comprehensive Plan for Municipal Development is expected to be accomplished within the next twelve months.

The Village of Folsom anticipates that the Comprehensive Plan for Municipal Development will be significantly different from the current ordinances and regulations and will demand a higher level of performance by builders and developers. A new approach will be included for residential, commercial and industrial uses. By means of the Comprehensive Plan for Municipal Development, the citizens of the Village of Folsom intend to promote quality growth, attract successful businesses and enhance community aesthetics.

Until the Comprehensive Plan for Municipal Development is completed and adopted by the governing authority of the Village of Folsom, there is evidence that, during the interim, the quality and character of construction and development may be significantly below the community's expectations and shared values.

In the absence of interim regulations, development could occur with approvals under the existing land use ordinances and procedures with adverse effects on community character that will last for decades.

In order to evaluate the compatibility and potential impact of manufactured modular buildings and modular homes, as well as the impact on municipal infrastructure caused by equipment used to deliver and install manufactured modular buildings and modular homes, and to preserve the health, safety and property interests of the residents of the Village of Folsom as well as the integrity of municipal infrastructure, a moratorium must be imposed on the delivery and installation of manufactured modular buildings and modular homes.

By ordinance adopted April 14, 2008, the Village of Folsom Board of Aldermen imposed a moratorium on the on the delivery and installation of manufactured modular buildings and modular homes, which moratorium will expire April 14, 2009.

The Village of Folsom Board of Aldermen have determined that the moratorium should be extended until March 9, 2010 or until such time as the Village of Folsom Comprehensive Plan for Municipal Development is adopted and installed, whichever first occurs.

The Village of Folsom, Code of Ordinances, Chapter 18 "Planning and Development Regulations," Section 18.42, subsection (w) defines manufactured modular buildings, including modular homes, as follows:

Manufactured Modular Building - A structure transportable in one or more sections, which is designed for use only with a permanent foundation and which uses standard sheathing, roofing, siding, electrical, plumbing, and heating systems which comply with the Village's adopted building codes.

The Mayor and Board of Aldermen have determined that a moratorium on the delivery and installation of manufactured modular buildings, including modular homes, is necessary and appropriate.

The Mayor and Board of Aldermen have determined that the public interest would be served by allowing the delivery, installation and occupancy of manufactured modular buildings or other temporary buildings by the St. Tammany Parish School Board for use on a public school campus.

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 18 "Planning and Development Regulations," Section 18.43 "Moratorium on Manufactured Modular Buildings and Modular Homes" be enacted as follows:

There is hereby enacted a moratorium on the delivery and installation of manufactured modular buildings and modular homes until such time as the Village of Folsom Comprehensive Plan for Municipal Development is

adopted and installed or until twelve months from date of this Ordinance, whichever first occurs.

Excepted from this moratorium and excepted from the moratorium which is scheduled to expire on April 14, 2009 are the delivery, installation and occupancy of manufactured modular buildings or other temporary buildings by the St. Tammany Parish School Board for use on a public school campus.

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

Said ordinance having been introduced on the 9th day of February, 2009, notice of public hearing having been published, said public hearing having been held on the 9th day of March, 2009, the title having been read and the ordinance considered, on motion duly made and seconded to adopt the ordinance, a record vote was taken and the following was had:


Yeas:	Alderman Phillip Bickham Alderman Ronald W. Holliday Alderman Charles K. Wilt
Nays:	None
Abstentions:	None
Absent:	None

Whereupon, the Mayor declared the above ordinance duly adopted on the 9th day of March, 2009.

Folsom, Louisiana this 9th day of March, 2009.


PHILLIP BICKHAM, Alderman


RONALD W. HOLLIDAY, Alderman


CHARLES K. WILT, Alderman

Approved:

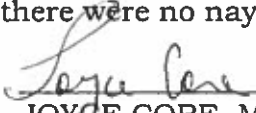
VILLAGE OF FOLSOM

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 9th day of March, 2009. Present: Marshall Brumfield, Mayor, Phillip Bickham, Alderman, Ronald W. Holliday, Alderman, Charles K. Wilt, Alderman. All present voted yea and there were no nays.


JOYCE CORE, Municipal Clerk