

## ORDINANCE NO. 01-0511-2009

**AN ORDINANCE OF THE PARISH OF JACKSON, STATE OF LOUISIANA, CREATING THE GATE CITY SEWER DISTRICT; PROVIDING FOR A BOARD OF COMMISSIONERS TO GOVERN SAID DISTRICT; APPOINTING THE ORIGINAL MEMBERS TO SAID BOARD OF COMMISSIONERS; PROVIDING FOR THE EFFECTIVE DATE THEREOF; AND OTHERWISE PROVIDING WITH RESPECT THERETO.**

**WHEREAS**, the citizens of an unincorporated area of Jackson Parish known as Gate City have, for many years, been dealing with sewer problems on their own and with the assistance of the Village of Hodge and the Town of Jonesboro, neither of which are legally obligated to assist with those sewer problems since the residents of Gate City are not citizens of either the Village of Hodge or the Town of Jonesboro; and

**WHEREAS**, the assistance with sewer problems provided by the Village of Hodge is becoming more and more unavailable due to the increasing need for sewer services by the residents of Gate City and the continuing deterioration of sewer facilities in Gate City which for years have been inadequate to protect the public health of the residents of Gate City to extent those citizens desire; and

**WHEREAS**, the citizens of Gate City have requested that the Jackson Parish Police Jury create a sewer district for the purpose of allowing the sewer district thereby created to try and create and thereafter operate a sanitary sewer system for the citizens of Gate City:

**NOW, THEREFORE, BE IT ORDAINED** by the Police Jury of the Parish of Jackson, State of Louisiana, convened in regular session on this 11<sup>th</sup> day of May, 2009, that the following Ordinance is hereby enacted:

### SECTION 1

#### **Section 1.1 Creation**

There is hereby created, under the authority of Louisiana Revised Statutes 22:7832 et. seq. a sanitary sewer district which is to be called the GATE CITY SEWER DISTRICT, hereinafter sometimes referred to as the DISTRICT.

#### **Section 1.2 Powers**

The DISTRICT shall have all powers of sanitary sewer districts provided under Louisiana, including but not limited to those set forth in Louisiana Revised Statute 33:7834.

#### **Section 1.3 Governance**

- (A)** The DISTRICT shall be governed by a Board of Commissioners composed of five (5) persons, each of whom shall be appointed by the Jackson Parish Police Jury

for terms of two (2) years. As provided by Louisiana Revised Statute 33:7833 the members of the Board shall serve at the pleasure of the governing authority of the Jackson Parish Police Jury.

- (B) The Board shall elect its officers which shall include a president, vice president and secretary-treasurer. The secretary-treasurer may be, but shall not be required to be, a member of the Board. All other officers shall be members of the Board.
- (C) The Board may establish and provide for such other officers, agents and employees as it may deem necessary and appropriate for the accomplishment of its object and purpose, and define and fix the duties, terms and compensation thereof. Each member of the Board, **but only with the approval of the Board**, shall be entitled to receive a stated per diem, which shall not be in excess of Fifty (\$50.00) fifty dollars, and a travel allowance not to exceed the amount fixed by statute.

#### **Section 1.4 Territorial Composition**

The DISTRICT shall comprise all unincorporated areas of Jackson Parish, Louisiana located South of the southern limits of the Village of Hodge, North of the centerline of the of the drainage canal draining into the Dugdemona as it exists at the time this ordinance is passed. The composition of the DISTRICT may be expanded by the Jackson Parish Police Jury, at the request of the DISTRICT buy only after a vote of the Jackson Parish Police Jury to do so at a public meeting, notice of which will be provided to the public.

#### **Section 1.5 Duration**

The DISTRICT shall exist and continue and shall have and enjoy existence and succession for a period of the later of ninety-nine years from the date of its creation or until all of its contractual obligations have been performed and all debts securities issued by it have been fully paid.

### SECTION 2

This ordinance shall be effective immediately upon its adoption.

### SECTION 3

If any section, paragraph, sentence, clause and/or phrase of this Ordinance or the application thereof is declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction such unconstitutionality, unenforceability or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses and/or phrases of this

Ordinance, since the same would have been enacted by the Parish of Jackson without the incorporation in this Ordinance of any such unconstitutional, unenforceable or invalid section, paragraph, sentence, clause or phrase. To that end, the provisions of this Ordinance are hereby declared severable.

SECTION 4

All other ordinances, or any parts thereof, which are in conflict with the provisions of this Ordinance are hereby repealed.

This ordinance was read and considered by sections and as a whole, and on motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ was adopted by the following YEA and NAY vote:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
Kenneth O. Pardue  
Secretary-Treasurer

\_\_\_\_\_  
Eddie Langston  
President

CERTIFICATE

I, KENNETH O. PARDUE, the undersigned Secretary-Treasurer of the Jackson Parish Police Jury declare that the above and foregoing is a true and correct copy of an ordinance adopted by the Jackson Parish Police Jury at a legal meeting held on the 11<sup>th</sup> day of May, 2009 at which a quorum was present and voting.

Jonesboro, Louisiana, on this 11<sup>th</sup> day of May, 2009.

/s/ Kenneth O. Pardue  
KENNETH O. PARDUE, SECRETARY-TREASURER

