

INTRODUCTION (to Third Edition)

It has been more than eighteen (18) years since the Lafourche Parish Council published its first Code of Ordinances. Since that time, hundreds of new ordinances have been adopted changing that document, and numerous supplements have been published in an effort to incorporate the new material and keep the Code up to date.

Rather than just publish a new supplement, South Central Planning and Development Commission decided to have a new edition prepared to better incorporate the material adopted since the first adoption of the Code. This codification contains all of the parish's ordinances and resolutions of a general and permanent nature through Ordinance No. 2447. Ordinances relating to special purposes, or having a limited life, such as enactments levying property taxes or special assessments, providing for bond issues, or vacating streets were not included.

The same rules of construction and organization that were utilized in the original Code were followed in this edition. Those rules are described in the Introduction to the original Code which immediately follows this Introduction.

We sincerely hope that the users of this publication will find it helpful and accurate, and we would welcome any suggestions from any of our citizens as to ways in which it could be improved.

Aaron Caillouet, Parish President

Members, Lafourche Parish Council

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Roland Soignet, District 2

Jerry Jones, District 3

Robert P. Naquin, District 4

Ernest "Tibby" Boudreaux, District 5

Audie T. Levron, District 6

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Barry Uzee, District 8

Lindel Toups, District 9

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INTRODUCTION (to Original Edition)

This publication represents the first comprehensive revision and compilation of the general ordinances, resolutions and other legislative enactments of the Lafourche Parish Police Jury. The Police Jury directed that this codification be prepared for the general use and benefit of the citizens of Lafourche Parish. The Code was prepared under the general supervision of the Hon. Francis Dugas, District Attorney of the Seventeenth Judicial District and Mr. Ruben J. Boudreaux, Secretary-Treasurer, with research and editorial assistance provided by Marvin L. Lyons and Associates, Inc.

Contained in this Code are all of the general and permanent ordinances and other legislative enactments of the Parish's Police Jury. In adopting this document, the Police Jury expressed its intent to repeal all general ordinances which were not included herein, save and except those whose repeal was specifically exempted in the Adopting Ordinance. Ordinances relating to special purposes, or having a limited life, such as enactments levying property taxes or special assessments, providing for bond issues, vacating specified streets, etc., were not included. An enumeration of the types of ordinances which were not included are therefore not included is set forth in Section 4 of the Adopting Ordinance.

In addition to local legislation, certain self-operative provisions of the Louisiana Revised Statutes and other legislative material adopted by the Police Jury by reference were also included where such material added to the Jury's laws on a particular subject or was needed to clarify an issue.

One of the main directives that the Police Jury gave to the staff engaged in this project was that it develop a publication that was not only factually correct and up-to-date, but also one that could be conveniently used by those trained in the law and lay persons as well. In responding to that directive, several things were done.

First, all of the minutes of the Jury meetings were researched, back to the time the Parish was established by the State Legislature. Material gathered from the records was then checked against state laws, court decisions and opinions of the Louisiana Attorney General for agreement and compliance.

The material was then divided into subject matter groupings and those groupings were developed in chapters. The chapters were further divided into sub-chapters, parts and sections in a manner intended to provide a logical sequence of provisions. Each chapter, sub-chapter and section was then appropriately titled or provided with a heading to facilitate easy reference and identification of the subject matter contained therein.

Following each section, in parentheses, is a note indicating the legislative source of the material therein contained. The source notes for the local legislation indicate the date the legislation was adopted and a brief historical note explaining if the original enactment had ever been amended. Source notes which contain an LRS number mean that the material in that section was derived from the Louisiana Revised Statutes. The numbers that follow the LRS designation indicate the title and section from which the material was obtained.

Many chapters and sub-chapter titles, and sections are also followed by "Comment" notes. These notes were employed by the staff to cross-reference sections of the Code which related to one another, to refer the reader to the general source of authority by which the Jury had the power to enact such a provision and to otherwise add or provide information to the reader on a particular matter. These notes were especially prepared to save the user valuable time and effort in researching various provisions of the Jury's laws and to aid in construction and interpretation.

The numbering system used in this Code is similar to that followed in the Louisiana Revised Statutes. Each section number consists of two (2) parts, separated by a colon. The first part of the number refers to the chapter in which the material is located, and the second part, to the specific location of the material in the chapter. Thus, the first section in Chapter 1 is numbered Section 1:1, and the third section in Chapter 15 is numbered Section 15:3. The system was devised to enable the reader to more easily cite material, and/or locate material so cited.

The reader will also notice that occasionally, the editors have reserved certain section numbers within chapters, and always between sub-chapters. This was done to facilitate the inclusion of new material as such material is enacted in the future. Page numbers following sub-chapters have also been reserved for the same reason.

The Code also contains a comprehensively developed word Index. Most of the provisions in the Code have been listed under several different headings in the Index to make the location of material as easy as possible.

The attention of the reader is also called to the special loose-leaf format of this publication. This format was employed, also, to facilitate the inclusion and addition of new legislative material. Parish governments are not static creatures, and from time to time, new ordinances will need to be adopted, and existing laws will need to be changed. As new legislation is enacted, supplements will be prepared and made available containing the new material. Holders of the Code are, therefore, urged to check with Jury officials from time to time concerning the availability of such supplements.

Finally, the Police Jury would like to take this opportunity to express its appreciation to the Hon. Francis Dugas, District Attorney, Mr. Sidney A. Ordoyne, Jr., Assistant District Attorney, Mr. Ruben J. Boudreaux, Secretary-Treasurer, and to the officers and staff of Marvin L. Lyons and Associates, Inc., for the time and effort they put into this project. In particular, we would like to thank Mr. William T. Kivett of the MLL staff, who served as project director and editor, Mr. William J. Doran, Jr., MLL's codification counsel and co-director, and editorial assistants, Mrs. Lynne Hotstream and Mrs. Jeannie Comeaux.

Respectfully submitted,

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Police Jurors

ORDINANCE NO. 1197

AN ORDINANCE ADOPTING AND ENACTING A CODIFICATION AND REVISION OF THE ORDINANCES, RESOLUTIONS AND OTHER LEGISLATIVE ACTIONS OF A GENERAL AND PERMANENT NATURE OF THE LAFOURCHE PARISH POLICE JURY; PROVIDING FOR THE REPEAL OF OBSOLETE AND CONFLICTING LEGISLATION NOT INCLUDING THEREIN; PROVIDING A PENALTY FOR THE VIOLATION OF SUCH CODIFIED AND REVISED ORDINANCES; AND OTHERWISE PROVIDING WITH RESPECT THERETO.

WHEREAS, it is a matter of significant public importance that the ordinances, resolutions and other legislative actions of a general and permanent nature of the Lafourche Parish Police Jury, should be revised, their language simplified, their incongruities corrected, their deficiencies supplied, and the whole arranged in order, the sections thereof being numbered so as to provide for additions and amendments, and reduced to one connected text with a view to the end that all may know the law of this parish; and

WHEREAS, Sections 33:1316 through 33:1363 and 33:1364 through 33:1370 of the Louisiana Revised Statutes authorized local governments to generally revise, up-date and codify their ordinances and other general legislative enactments, and to adopt and promulgate such compilations; and

WHEREAS, the Lafourche Parish Police Jury, desiring to take advantage of the above cited legal authority, authorized such a revision to be undertaken, and a compilation to be prepared under the supervision of Mr. Ruben Boudreaux, Parish Secretary-Treasurer, and Mr. Francis Dugas, District Attorney, with research and editorial assistance to be provided by Marvin L. Lyons and Associates, Inc.; and

WHEREAS, the work on this project has been completed, and a compilation prepared under the designation the "Code of Ordinances of Lafourche Parish, Louisiana"; and

WHEREAS, it is the desire of the Lafourche Parish Police Jury that this "Code of Ordinances" be officially adopted;

NOW THEREFORE BE IT ORDAINED by the Lafourche Parish Police Jury as follows:

SECTION 1. The Code of Ordinances of Lafourche Parish, Louisiana, prepared under the supervision of Mr. Ruben Boudreaux, Secretary-Treasurer and Mr. Francis Dugas, District Attorney, with editorial and research assistance provided by Marvin L. Lyons and Associates, Inc., dated December, 1976, a certified copy of which is on file in the Office of the Secretary-Treasurer of the Lafourche Parish Police Jury is hereby adopted.

SECTION 2. The Code of Ordinances herein adopted contains all of the ordinances, resolutions and other legislative actions of the Police Jury of a general and permanent nature shall be construed as continuations of and as substitutes for the laws or parts of laws which are revised and consolidated therein. The Code shall be in full force and effect on and after the tenth day following promulgation of this ordinance; and all ordinances or other legislative enactments of a general and permanent nature enacted on or prior to December 1, 1976 which are not included therein, or recognized or continued in force by reference, or which may conflict with and provision thereof, are hereby repealed, except as may be hereinafter provided.

SECTION 3. The adoption of this Code of Ordinances shall not affect the continued existence and operation, subject to the provisions thereof, of any department, agency, or office heretofore legally established or held, nor any acts done, any funds established, any rights acquired or accruing, any taxes or other charges incurred or imposed, any penalties incurred or imposed, or any judicial procedure had or commenced prior to the adoption of this ordinance.

SECTION 4. The repeal provided in Section 2 above shall not affect any of the following types of ordinances, resolutions or other legislative enactments to-wit:

- a. Promising or guaranteeing the payment of money or authorizing the issuance or any bonds or any evidence of indebtedness, or any contract or obligation;
- b. Administrative actions, such as the fixing of salaries, the establishment of agencies, etc., not inconsistent with the provisions of the code;
- c. Appropriating money or levying taxes, fees, special assessments or service charges;
- d. Pertaining to the calling of regular or special elections, or promulgating the results of such elections;
- e. Accepting, abandoning, naming, establishing, locating, relocating, paving or improving any road public way or servitude;
- f. Providing for local improvements or assessing taxes or charges therefor;
- g. Dedicating or accepting any plat or subdivision, or vacating same;
- h. Establishing any special district which has not expired;
- i. Relating to franchises, not inconsistent with this Code or granting any franchise which has not expired;
- j. Prescribing traffic regulations at specific locations, such as through or stop streets, loading zones, speed limits, etc., not inconsistent with the Code.

SECTION 5. The general repeal provided for in Section 2 shall not be construed to revive any ordinance or other legislative enactment or part thereof which had therefore been repealed.

SECTION 6. All of the rules or construction, administrative provisions, severability provisions, etc., provided in Chapter 1 of the Code of Ordinances herein adopted are hereby recognized and established as being the general rules for the construction of the Code, and for its general use, interpretation and administration.

SECTION 7. All of the general traffic and motor vehicle regulations contained in Chapter 17 of the Code of Ordinances herein adopted, including the adoption of the Louisiana Highway Regulatory Act (LRS 32:1 et. seq.) which were not part of the body of laws of this Police Jury, but were included therein as a revision of the Jury's general traffic ordinances, are also hereby adopted.

SECTION 8. It shall be unlawful for any person to violate or fail to comply with any provision of the Code of Ordinances, herein adopted, or to commit any act which is declared to be a misdemeanor or unlawful, and where no specific penalty is provided, therefor, a violation of any provision of said Code shall be punishable by a fine not exceeding one hundred dollars (\$100.00) or imprisonment for a term not to exceed thirty (30) days, or by both such fine and imprisonment, within the discretion of the Court. Each day any violation of any provision of said Code shall continue constitutes a separate offense.

Adopted as Ordinance No. 1197
June 8, 1977