

**ORDINANCE BOOK
TOWN OF BLANCHARD, LOUISIANA
ORDINANCE 2 OF 1980**

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES OF THE TOWN OF BLANCHARD, LOUISIANA: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREAFTER PROVIDED: AND PRESCRIBING PENALTIES AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE VILLAGE OF BLANCHARD, LOUISIANA:

SECTION 1. This code and revision of the ordinances of the Town of Blanchard is hereby adopted as the Code of Ordinances, Town of Blanchard, Louisiana

SECTION 2. This code shall be created and considered as a new and comprehensive ORDINANCE of this Municipality which shall supersede all other general and permanent ordinances enacted prior to April 1, 1980, except such as by references thereto are expressly saved from repeal or continued in force and effect for any purpose.

SECTION 3. All provisions of this code shall be in full force and effect ten (10) days from the date this ordinance becomes law and all ordinances of a general and permanent nature of this Municipality enacted on final passage on or before April 1, 1980 and not in such code or recognized and continued in force by reference herein and which are in conflict herewith are hereby repealed from and after the effective date of this code, except as hereinafter provided.

SECTION 4. The repeal provided for in Section 3 hereof shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall such repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the Municipality or authorizing the issuance of any bonds of the Municipality or any evidence of the Municipalities indebtedness, or any contract entered or obligation assumed by, or in favor of the Municipality, nor shall such repeal affect the administrative regulations or resolutions of the mayor and board of aldermen not in conflict or inconsistent with the provisions of the code, nor shall such repeal affect any right of franchise granted by any ordinance or resolution of the mayor and board of aldermen to any person, firm or corporation; nor shall such repeal affect any ordinance dedicating naming, establishing, locating, relocating, opening, widening, vacating, etc., any street or public way in the Municipality; nor shall such repeal affect the annual budget or appropriations ordinance; nor shall such repeal affect any ordinance levying or imposing taxes, nor shall such repeal affect any ordinance establishing and prescribing the street grades of any street in the Municipality, nor shall such repeal affect any ordinance providing for local improvements and assessing charges therefore; nor shall such repeal affect any ordinance dedicating or accepting any plat or subdivision in the Municipality, nor shall such repeal affect any ordinance or resolution fixing salaries of officers and employees; nor shall such repeal affect any zoning ordinance; nor shall such repeal affect any ordinance or resolution regulating the erection, alteration, repair, demolition, moving or removal of buildings or other structures; nor shall such repeal affect any ordinances or resolution prescribing traffic regulations for specific locations, parking limitations, parking prohibition, one-way traffic, or limitations on loads of vehicles or loading zones, not inconsistent with this code; nor shall such repeal affect any ordinance or resolution fixing utility rates and charges; nor shall such repeal be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance which is

repealed by this ordinance.

SECTION 5. In the construction of this code and of all ordinances the following rules shall be observed, unless such construction would be inconsistent with the manifest intent.

BOARD. When the words ‘the board’ or ‘municipal board’ are used, they shall mean the board of aldermen of this municipality.

CLERK. The term ‘the Clerk’ or ‘Town Clerk’ or ‘Municipal Clerk’ shall be construed as if the words ‘of Blanchard, Louisiana’, followed them.

COMPUTATION OF TIME. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day on which the notice is given or the act is done shall be counted in computing the time, but the day on which the proceeding is to be had shall not be counted.

GENDER. A word importing one (1) gender only shall extend and be applied to other genders and to firms, partnerships, and corporations as well.

JOINT AUTHORITY. All words giving ‘joint authority’ to three (3) or more persons or officers shall be construed as giving the authority to a majority of the persons or officers.

MAYOR Whenever the words ‘the mayor or ‘mayor pro tem’ or ‘acting mayor’ are used, they shall mean the chief executive of this municipality.

MONTH. The word ‘month’ shall mean a calendar month.

NON-TECHNICAL AND TECHNICAL WORDS. Words and phrases shall be construed according to the common and accepted usage of the language; but technical words and phrases and others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

NUMBER: A word importing the singular number only may extend and be applied to several persons and things as well as to one (1) person and thing.

OATH. The word ‘oath’ shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words ‘swear’ and ‘sworn’ shall be equivalent to the words ‘affirm’ and ‘affirmed’.

OR/AND. ‘Or’ may be read ‘and’, and ‘and’ may be read ‘or’, if the sense requires it.

OTHER OFFICIALS OR OFFICERS, ETC. Whenever reference is made to officers, agents or departments by title only, i.e. ‘clerk’, ‘municipal clerk’, ‘municipal attorney’, ‘street commissioner’, ‘chief of police’, etc.; they shall mean the officers, agencies or department of this municipality.

PARISH. The words ‘the parish’ or ‘this parish’ shall mean the Parish of Caddo, Louisiana.

PERSON. The word ‘person’ shall extend and be applied to a number of persons and to associations, clubs, societies, firms, partnerships and bodies politic and corporate, as well as to individuals.

PRECEDING, FOLLOWING. The words ‘preceding’ and ‘following’ mean next before

the next after, respectively.

PROPERTY. The word 'property' shall include immovable and movable property.

SIGNATURE OR SUBSCRIPTION. A signature or subscription includes a mark when a person cannot write.

STATE. The words 'the state' or 'this state' shall be construed to mean the State of Louisiana.

STREET. The word 'street' shall be construed to embrace streets, avenues, boulevards, roads, alleys, lanes, viaducts, and all other public highways in this municipality.

TENSE. Words used in the past or present tense include the future as well as the past and present.

TOWN. The words 'the town' or 'the village' or 'this town' or 'this village' or 'this municipality' shall be construed as if the words 'of Blanchard, Louisiana' followed them.

WEEK. The word 'week' shall be construed to mean seven (7) days.

YEAR. The word 'year' shall mean a calendar year.

SECTION 6. The provisions appearing in this code, so far as they are the same as those ordinances existing at the time of the effective date of this code, shall be considered as continuations thereof and not as new enactments.

SECTION 7. A copy of the code shall be kept on file in the office of the municipal clerk, preserved in loose leaf form, or in such other form as the clerk may consider expedient. It shall be the express duty of the clerk or someone authorized thereby to insert in their designated places all amendments or ordinances which indicate the intention of the mayor and board of aldermen to make the same a part of the code when the same have been printed or reprinted in page form, and to extract from such code all provisions which may from time to time be repealed by the mayor and board of aldermen. This copy of the code shall be available for all persons desiring to examine it; it shall be so certified by the municipal clerk.

SECTION 8. The code of ordinances hereby adopted consists of 27 chapters, all of which have been examined, considered and approved by the mayor and board of aldermen of Blanchard, Louisiana, and adopted by compliance with Louisiana Revised Statutes Title 33, Sections 1361 et seq.

The above ordinance has been read and considered by section, and upon a vote being taken, the following result was had:

Yea — three (3)

Whereupon the Mayor declared said ordinance to be duly adopted on the 25 day of February, 1980.

CHAPTER 1
Governing Authority

Section 1.1	General powers of the mayor and board of aldermen.
Section 1.2	Meetings of board
Section 1.3	Adjourned meetings.
Section 1.4	Order of business.
Section 1.5	Rules of procedure.
Section 1.6	Mayor's emergency powers.
Section 1.7	Adoption of Budgets.
Section 1.8	Investment Policy
Section 1.9	Classification of Town

SECTION 1.1 General powers of the mayor and board of aldermen.

Pursuant to the provisions of Article VI, Section 7 of the Constitution of the State of Louisiana of 1974, the municipality shall have all the right, power and authority to exercise general police power, and to this end the board is specially empowered to pass all ordinances required or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the municipality, including, but not by way of limitation, the right, power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of the municipality's affairs, and all other subject matters without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to the municipality.

SECTION 1.2 Meetings of the mayor and board.

Regular meetings of the mayor and board shall be held in the board chambers on the 2nd Tuesday of each month at 7:00 P.M., unless rescheduled by unanimous consent of the mayor and board of aldermen.

Special Meetings. Special meetings of the mayor and board may be called by the mayor or a majority of the members of the board; provided, that a written notice of such meeting shall be given to each member of the board by hand delivery to each member's residence by a responsible party designated by the Mayor or the members of the Board calling such meeting, at least 24 hours before the time set for the meeting, with a notice posted on the door of the Town Hall of the meeting. Provided, further, that in case all of the members of the board are present at the calling of any special meeting, then the requirement of notice shall be unnecessary and shall be deemed waived. The notice for the special meeting shall specify the business to be considered at the special meeting, and public notice of such meeting shall be given as provided in LA. R.5. 42.7. No business other than that specified in the notice of the special meeting shall be considered at the meeting unless approved by two-thirds (2/3) of the Aldermen present at such meeting.

SECTION 1.3 Adjourned meetings

Any session of the mayor and board may be continued or adjourned from day to day, or for more than one (1) day, but no adjournment shall be for a longer period than until the next regular meeting thereafter. Any continuance or adjournment shall be upon unanimous consent of the aldermen present at the session.

SECTION 1.4 Order of business.

The order of business for each meeting of the mayor and board shall be as follows:

- (1) Call to order.
- (2) Determination of a quorum.
- (3) Invocation
- (4) Reading and approval of the journal.
- (5) Reading of communications
- (6) Adoption of the agenda of the day
- (7) Consideration of any legislation vetoed by the mayor
- (8) Unfinished business
- (9) New ordinances and resolutions
- (10) Reports of committees.
- (11) Remarks of personal privilege.
- (12) Announcements by the mayor.

SECTION 1.5 Rules of procedure.

(a) At the request of the mayor or any board member, all motions shall be reduced to writing.

(b) A motion to reconsider any of the proceedings of the board shall not be entertained unless it is made by a member who previously voted in the majority.

(c) No motion shall be debated or put until it be seconded and stated by the mayor. It is then and not until then in possession of the board and cannot be withdrawn but by leave of the board.

(d) A motion to adjourn shall be in order at any time, except as follows:

- (1) when repeated without intervening business or discussion;
- (2) when made as an interruption of a member while speaking;
- (3) when the previous question has been ordered; or;
- (4) while a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

(e) When a question is under debate, no motion shall be received, but

- (1) to adjourn;
- (2) to lay on the table;
- (3) for the previous question;
- (4) to postpone to a day certain;
- (5) to commit,
- (6) to amend, or
- (7) to postpone indefinitely,

which several motions shall have precedence in the order they stand arranged,

(f) When a proper motion is made, but information is wanted, the motion is to postpone to a day certain.

(g) Matters claiming present attention for which it is desired to reserve for more suitable occasion, the order is a motion to lay on the table; the matter may then be called for at any time. If the proposition may need further consideration at the hands of a committee, the motion is to refer to a committee, but if it need but a few and simple amendments, the board shall proceed to consider and amend at once.

(h) On an amendments being moved, a member who has spoken on the main question may speak again to the amendment.

(i) The question is to be put first on the affirmative and then on the negative side. After the affirmative part of the question has been put, any member who has not spoken before to the question may arise and speak before the negative be put.

(j) When a question has been moved and seconded and has been put by the presiding officer in the affirmative and negative, it cannot be debated unless under motion for reconsideration.

SECTION 1.6 Mayor 's Emergency Powers

(a) Upon the happening of any one (1) or more of the following events, to wit:

- (1) The formation of any unruly mob;
- (2) The existence of a State of war, whether declared or not, or of any insurrection;
- (3) The occurring of any tornado, hurricane, cyclone, earthquake, flood, or any other act of God, or force which disrupts or threatens to disrupt the normal activities of the community; and
- (4) The occurrence of multiple acts of arson, or of any acts which unduly alarm or threaten the public,

the Mayor, or in his absence, the mayor pro tem, may declare a state of emergency to exist within the corporate limits of the municipality. The state of emergency shall be declared by proclamation signed by the mayor and posted on the main door of the municipal hall, and shall be legally effective immediately upon posting. The proclamation shall be in substantially the following language: "It has been determined that (here state the event giving rise to the emergency) has occurred within the corporate limits of the Town of Blanchard, Louisiana, and that accordingly a state of emergency has been declared by the Mayor and he does invoke the provisions of Section 1.6 of the Code of Ordinances, the Town of Blanchard, Louisiana.

(b) In the event a state of emergency is declared by the mayor (or mayor pro tem) under the provisions of subsection (a) hereof, the mayor or mayor pro tem shall become vested with the following extraordinary powers, which may be exercised at the discretion of that official:

- (1) To establish curfew to be effective within the corporate limits;
- (2) To prohibit or regulate the sale of gasoline, explosives, dynamite or any other type of inflammable or explosive materials, firearms or any other materials or supplies or any component parts thereof which could readily be utilized as weapons;
- (3) To mobilize and deputize an auxiliary police force under the command of the mayor (or mayor pro tem) and the chief of police;
- (4) To disperse assemblies or congregations of people; and
- (5) To suspend issuance of parade permits.

(c) Any orders issued by the mayor under his extraordinary powers during a declaration of a state of emergency shall be effective immediately with the posting of the orders upon the main floor of the municipal hall, or upon verbal communication by the mayor directly to the persons or person whom the order is intended to affect.

(d) The state of emergency shall legally end when the mayor determines that the peace and good order of the municipality are no longer threatened and declares this in a proclamation which shall be posted upon the main door of the municipal hall.

(e) Any powers of auxiliary police, as authorized under subsection (b) (3) of this section shall only be exercised after mobilization by the mayor and shall immediately cease upon the proclamation of the end of the state of emergency.

(f) Anyone violating any provision of this section or any orders issued by the mayor hereunder, shall upon conviction, be punished as provided in Section 27.7.

SECTION 1.7 Adoption of Budgets.

(a) Fiscal Year. The fiscal year for the Town shall begin on the 1st day of July and end on the 30th day of June following.

(b) Budgets. The Town shall adopt by resolution an annual operating budget controlling the financial operations of the Town during the ensuing year no later than the end of the prior fiscal year.

(c) Preparation of Budget. The Mayor shall prepare one or more proposed resolutions setting forth a proposed annual operating budget for the ensuing fiscal year and shall present such proposal to the Board of Alderman no later than the regular meeting of the Board of Alderman in May of each year. Each budget shall set forth each item of expenditure recommended by the Mayor, his estimates of the available surplus and the income from existing revenues, and if those sources are insufficient to meet the recommended expenditures, the Mayor's recommendations of new sources of revenues to balance the budget. The proposed annual operating budget shall provide appropriations by department and shall provide lump sum appropriations in such classes of expenditure as are recommended by the Mayor. Sufficient copies of the budget resolutions and any attachments thereto shall be filed by the Mayor with the Town Clerk to permit distribution to members of the Board of Aldermen and to interested citizens. A complete copy of the proposed budget resolution, including all attachments thereto, shall be kept in the office of the Town Clerk as a public record, open to public inspection every business day until the budgets are finally adopted. The proposed budget resolutions or summaries thereof shall be published in accordance with law.

(d) Administration of Budgets. The adoption of the budget resolution or resolutions shall constitute an appropriation of the sums specified therein for the purposes and from the funds indicated. Such appropriations shall be considered valid only for the year for which made, and any part of any such appropriation which is not encumbered or expended shall lapse at the end of the fiscal year. No funds shall be expended and no obligation incurred other than in accordance with the budget resolution or resolutions passed by the Board of Aldermen or amended thereby.

(e) Authority for Minor Modifications. The Mayor is authorized to expend in any fiscal year up to 105% of any Departments Budget approved by the Board of Aldermen. Except as provided herein, no funds shall be expended and no obligation incurred other than in accordance with the budget resolution or resolutions passed by the Board of Aldermen or

amended thereby.

Ordinance amended November 10, 1992.

SECTION 1.8 INVESTMENT POLICY

TOWN OF BLANCHARD INVESTMENT POLICY

In accordance with the provision of R.S. 33:2955(D), as enacted by Act No. 374 of 1995, the Town of Blanchard hereby adopts this Investment Policy.

The Town of Blanchard shall operate under the “Prudent Person” rule, exercising judgment and care, under the circumstances prevailing which people of ordinary prudence would employ in the management of their own affairs - not in regard to speculation, but as to the permanent disposition of their funds, considering both income and safety of capital.

The assets of the Town of Blanchard shall be held in trust by the fiduciary designated by the Town of Blanchard.

This policy is not intended to remain static. Normally, the Town of Blanchard will review this policy at least annually and, if deemed advisable, recommend changes. Recommendations from outside professionals leading to improvements in policies, procedures, and operations are always welcome.

OBJECTIVES

The primary investment objective of the Town of Blanchard is to ensure that the current and future obligations are adequately funded in a cost effective manner. The goals of this investment policy shall be (1) safety of principal, (2) liquidity, and (3) yield.

Preservation of capital and the realization of sufficient total return to ensure the ongoing financial integrity of the funds are essential. Preservation of capital encompasses two goals:

- Managing the risk of loss of principal for the fund as a whole, and
- Managing the erosion of principal value through inflation.

RESPONSIBILITY

The investment of funds shall be managed by the Town Clerk.

GUIDELINES

The assets of the Town of Blanchard shall be invested, as provided in LSAR.S. 33:2955 (A)(1), as amended, in the following:

1. Direct U. S. Treasury obligations, the principal and interest of which are fully guaranteed by the U.S. government.
2. The certificates of deposit of state banks organized under the laws of Louisiana, or national banks having their principal offices in the state of Louisiana, savings accounts or shares of savings and loan associations and savings banks, or share accounts and share certificates

accounts of federally or state chartered credit unions issuing time certificates of deposit. Funds invested in accordance with this paragraph shall not exceed at any time the amount insured by the Federal Deposit insurance Corporation in any one bank, or in any one savings and loan association, or by the National Credit Union Administration in any one credit union, unless the uninsured portion is collateralized by the pledge of securities in the manner provided in R.S. 39:1221.

3. Mutual or trust fund institutions which are registered with the Securities and Exchange Commission under the Securities Act of 1933 and the Investment Act of 1940, and which have underlying investments consisting solely of and limited to securities of the U.S. government or its agencies.

Cash and cash equivalents are comprised of daily cash balances above the day-to-day needs and funds set aside for portfolio strategy reasons. Short term investments of cash and cash equivalents may be placed in:

Obligations of the U.S. Treasury, federal agencies, or U.S. government instrumentalities (as provided herein) with maturities of less than 2 years.

Time certificates of deposit, as provided herein.

Money market mutual funds, as provided herein.

The Louisiana Asset Management Pool, Inc. as provided in Op. Atty. Gen. 94-186.

PROHIBITED TRANSACTIONS

The following transactions are expressly prohibited:

Any transactions not authorized by this policy;
The purchase of securities on margin;
Purchases of foreign bonds;
The short sale of securities.

Effective August 15, 1995, as provided in R.S. 33:2955(A)(1)(iii)- enacted by Act. No. 1126 of 1995, investment in obligations issued or guaranteed by federal agencies of U.S. government instrumentalities which are collateralized mortgage obligations that have been stripped into interest only or principal only obligations, inverse floaters, or structured notes. "Structured note" means securities of U.S. government agencies, instrumentalities, or government-sponsored enterprises which have been restricted, modified, or reissued by private entities.

Adopted June 11, 1996

SECTION 1.9 CLASSIFICATION OF TOWN

Adopt the Proclamation issued by the State of Louisiana Executive Department, Governor David C. Treen for the classification of Blanchard to being a **TOWN**.

January 5, 1982