

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO: 4775

ORDINANCE COUNCIL SERIES NO: _____

COUNCIL SPONSOR: GOULD/BRISTER

PROVIDED BY: HOWARD DAIGLE, JR.

INTRODUCED BY: MR. THOMPSON

SECONDED BY: MR. GROBY

ON THE 3 DAY OF MAY, 2012

ORDINANCE AMENDING THE ST. TAMMANY PARISH CODE OF ORDINANCES TO ADD PREAMBLE, AMEND CHAPTER 1 GENERAL PROVISIONS, CREATE REVISION APPENDIX, AND RELOCATE PORTIONS OF CHAPTER ONE TO REVISION APPENDIX.

WHEREAS, the Parish of St. Tammany determined that a revision to the Code of Ordinances of St. Tammany Parish is in order; and

WHEREAS, the Parish of St. Tammany determined that the Code of Ordinances of St. Tammany Parish should begin with a Preamble to precede Chapter 1 of the Code of Ordinances of St. Tammany Parish; and

WHEREAS, the Parish of St. Tammany determined that Chapter 1 of the Code of Ordinances of St. Tammany Parish should be revised; and

WHEREAS, the Parish of St. Tammany determined that an appendix to the Code of Ordinances of St. Tammany Parish, entitled Revision Appendix, should be created to which portions of the Code of Ordinances of St. Tammany Parish can be relocated during the revision process until such time as it is appropriate to review and revise them; and

WHEREAS, the Parish of St. Tammany determined that Sections 1-011.00 through 1-020.02 of the Code of Ordinances of St. Tammany Parish should be relocated from Chapter 1 to the Revisions Appendix until such time as their review and revision is appropriate.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS THAT

(1) A Preamble, attached hereto as Exhibit A, is hereby adopted as part of the Code of Ordinances of St. Tammany Parish, Louisiana and shall be incorporated into and promulgated as part of the Code of Ordinances of St. Tammany Parish, Louisiana immediately preceding Chapter 1 General Provisions;

(2) Chapter 1 of the Code of Ordinances of St. Tammany Parish, Louisiana is hereby amended in its entirety to read as provided in the attached Exhibits B and C, Exhibit B showing the lined revisions to Chapter 1 and Exhibit C showing Chapter 1, as revised, in final form;

(3) The Code of Ordinances of St. Tammany Parish, Louisiana is hereby amended to create a new appendix designated as the Revision Appendix; and

(4) Sections 1-011.00 through 1-020.02 of Chapter 1 of the Code of Ordinances of St. Tammany Parish, Louisiana shall be and are hereby relocated from Chapter 1 to the Revision Appendix. Said sections and any other sections which are placed in the Revision Appendix in the future shall be numbered according to their former Chapter, Article and Section numbers within the Revision Appendix. For example, if Chapter 4, Section 3 is relocated to the Revision Appendix, it shall be numbered and referred to as the Revision Appendix, Chapter 4, Section 3.

REPEAL: All ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of this Ordinance shall be held to be invalid, such invalidity shall not affect other provisions herein which can be given effect without the invalid provision and to this end the provisions of this Ordinance are hereby declared to be severable.

EFFECTIVE DATE: This Ordinance shall become effective fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 7 DAY OF JUNE, 2012; AND BECOMES ORDINANCE COUNCIL SERIES NO _____.

MARTIN W. GOULD, JR., COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK

PATRICIA P. BRISTER, PARISH PRESIDENT

Published Introduction: APRIL 26, 2012

Published Adoption: _____, 2012

Delivered to Parish President: _____, 2012 at _____

Returned to Council Clerk: _____, 2012 at _____

EXHIBIT B

CHAPTER 1 – GENERAL PROVISIONS

Article I-General Provisions

SEC. 1-1001.00 How Code Is Designated Aand Cited

The Ordinances embraced in the following chapters, and sections, and appendixes shall constitute and be designated and cited as the "Code of Ordinances of St. Tammany Parish, Louisiana".

SEC. 1-2 Construction Aand Definitions

In the construction of this Code and of all ordinances, the rules and definitions set out in this chapter shall be observed.

SEC. 1-3 Construction with Charter

All ordinances and the language and words therein shall be construed to conform to the Charter. To the extent any ordinance or the language or words therein conflict with the Charter, the Charter and its provisions control, and said ordinances and their language shall be reformed to conform to the Charter.

SEC. 1-4 Construction; Intent of the Council; Ambiguity

A. The words of an ordinance contained in this Code shall be construed in accordance with the intent of the Council.

B. The words of an ordinance in this Code shall be interpreted as the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

C. When a law is clear and unambiguous and its application does not lead to absurd consequences, the law shall be applied as written and no further interpretation may be made in search of the intent of the Council.

D. If an ordinance is ambiguous or arguably in conflict with the Charter, its meaning or validity must be sought by examining the following, among other things:

1. the context in which it occurs and the text of the ordinance as a whole;
2. the legislative history and declaration or purpose;
3. the object sought to be obtained;
4. the history and circumstances under which the ordinance was enacted or amended, including the form of government in place at the time the ordinance was enacted or amended; and
5. the consequence of a particular construction.

Sec. 1-5 Undefined Terms; Technical and Non-technical Words and Phrases

Words and phrases shall be given their generally prevailing meaning and shall be construed according to the common and approved usage of the language. Words of art, technical words and phrases and such other words as may have or have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Sec. 1-6 Definitions

SEC. 1-002.00 Rules Of Construction And Definitions

~~In the construction of this Code, and of all Ordinances, the rules and definitions set out in this section shall be observed, unless such construction would be inconsistent with the manifest intent of the Police Jury. The rules of construction and definitions set out herein shall not be applied to any section of this Code which shall contain any express provisions excluding such construction, or where the subject matter or context of such section may be repugnant thereto.~~

~~**Generally.** All general provisions, terms, phrases and expressions contained in this Code shall be liberally construed in order that the true intent and meaning of the Police Jury may be fully carried out.~~

~~In the interpretation and application of any provisions of this Code, they shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling.~~

As used in the Code, the following terms shall have the following meanings or constructions unless an ordinance otherwise provides or the context clearly indicates that a different meaning is intended:

A. Charter. The word "Charter" means the St. Tammany Parish Home Rule Charter adopted on October 3, 1998.

B. Code. The word "Code" means the Code of Ordinances of St. Tammany Parish, Louisiana.

~~**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 such notice is given or such act is done shall not be counted in computing the time, but the day on which such proceeding is to be had shall be counted.~~

C. Council. The word "Council" means the Council of St. Tammany Parish.

~~**Gender.** A word importing one gender only shall extend and be applied to other genders and to firms, partnerships, and corporations as well.~~

~~**Joint authority.** All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.~~

D. La. R.S. The abbreviation "La. R.S." refers to the Louisiana Revised Statutes, as amended.

E. Month. The word "month" shall mean a calendar month.

~~**Nontechnical and technical words.** Words and phrases shall be construed according to the common and approved usage of the language; but technical words and phrases and such 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 person and thing.~~

F. 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".

~~**Officers, Boards, Commissions.** Whenever reference is made to officers, boards or commissions by title only, such as "Police Jury" or "Planning Commission", such references~~

~~shall be read as though followed by the words "of St. Tammany Parish, Louisiana" and any authorized representative thereof.~~

~~Or, and.~~ "Or" may be read "and", and "and" may be read "or", if the sense requires it.

G. Parish. The words ~~"the Parish" or "this Parish"~~ shall mean the Parish of St. Tammany, Louisiana.

H. Person. The word "person" shall be construed to include one or more individuals, ~~extend and be applied to a number of persons and to associations, clubs, societies, firms, partnerships, corporations, limited liability companies, other legal entities, and government organizations, or their agents, servants, or employees. and bodies politic and corporate, as well as to individuals.~~

I. President. The word "President" means the President of St. Tammany Parish.

J. Property. The word "property" shall be construed to include immovable and movable property of any kind or character. ~~real and personal property.~~

Shall. The word "shall" is mandatory.

K. Signature or subscription. The words "signature" or "subscription" shall be construed to include a mark when the person cannot write.

L. State. The words ~~"the State" or "this State"~~ shall be construed to mean the State of Louisiana.

M. Street. The word "street" shall be construed to include the entire width between boundary lines of the right-of-way or servitude maintained for vehicular travel, including, but not limited to, ~~embrace~~ streets, avenues, boulevards, roads, alleys, lanes, bridges, tunnels, causeways, viaducts, and all other public highways, as well as other parts thereof, and all medians, roadsides, shoulders, pedestrian islands, and sidewalks within said right of way or servitude in the Parish.

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

N. Week. The word "week" shall be construed to mean seven (7) days.

O. Year. The word "year" shall mean a calendar year.

SEC. 1-7 Computation of Time

A. The following rules apply in computing any time period specified in the Code or in any notice given by the Parish:

1. exclude the day of the event that triggers the period;
2. count every day, including intermediate Saturdays, Sundays, and legal holidays; and
3. include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

B. For the purposes of this Section, "legal holiday" means any day declared a holiday by the Parish.

SEC. 1-8 Gender

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

SEC. 1-9 Joint Authority

All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

SEC. 1-10 Number

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

SEC. 1-11 Officers, Boards, Commissions

Whenever reference is made to officers, boards or commissions by title only, such as "Police Jury" or "Planning Commission", such references shall be read as though followed by the words "of St. Tammany Parish, Louisiana."

Sec. 1-12 Tense

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

~~SEC. 1-002.01 Redesignation of Certain Terms To Conform To Police Jury From Charter~~

~~1. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "parish council" appears or is used, directly or indirectly, substituted therefor shall be the words and reference to the "Police Jury".~~

~~1. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "council chairman" and "parish president" appear or are used, directly or indirectly, substituted therefore shall be the words and reference to the "President of the Police Jury".~~

~~2. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "director of engineering" is used, substituted therefor shall be the words and/or title "Director of Public Works".~~

~~3. Wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "planning director" or "planning officer" or "director of planning" or such similar language is used, substituted therefor shall be "Director of Parish Development".~~

~~4. That wherever and whenever in this Code of Ordinances of St. Tammany Parish, Louisiana, the words and/or title "subdivision regulatory committee" and as to any reference thereto, substituted therefor shall be the words "Planning Commission". (Ord. No. 85-474, adopted 09/19/85; to repeal and amend Ord. No. 88-902, adopted 01/21/88)~~

~~**EDITORIAL NOTE:** "... of the parish council" and "subdivision regulatory committee" have been changed in this subsection by authority of Ord. No. 88-902, adopted 01/21/88 to repeal Ord. No. 85-474, adopted 09/19/85; see page 4 of the Code of Ordinances of St. Tammany, Louisiana.~~

~~5. And generally, wherever and whenever any other words, phrases, titles, offices, agencies, commissions, committees or departments are used or referred to, substituted therefor shall be the counterpart thereof, or the office, agency, commission, committee or department designated with the function thereof by the Police Jury of St. Tammany Parish.~~

~~6. All authority, functions, duties, funds, property, possessions, records, obligations, employees or employee records shall be transferred to the office, officer, agency, department, committee or commission as is herein named and/or as designated by the Police Jury. (Ord. No. 80-04, adopted 06/19/80; repealed by Ord. No. 84-60, adopted 03/15/84; subsection (F) revised as to Planning Commission by Ord. No. 88-902, adopted 01/21/88)~~

SEC. 1-~~13003.00~~ Catch-lines Of Sections

The Catch-lines of the several sections of this Code, printed in boldface type, are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be titles of such sections, or as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the Catch-lines, are amended or reenacted.

SEC. 1-~~14004.00~~ Effect Of Repeal Of Ordinances

A. The repeal of an ordinance, or any portion or part thereof, shall not revive any ordinances, or any portion or part thereof, in force before or at the time the Ordinance repealed took effect.

B. The repeal of an Ordinance, or any portion or part thereof, shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceeding pending at the time of the repeal, ~~for an offense committed under the Ordinance repealed.~~

SEC. 1-~~15005.00~~ Severability Of Parts Of Code

The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and the invalidity of if any phrase, clause, sentence, paragraph or section of this Code pursuant to a shall be declared unconstitutional, unenforceable or invalid by the valid judgment of any court of competent jurisdiction, ~~such unconstitutionality, unenforceability or invalidity~~ shall not affect the validity or effect of any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted ~~by the Police Jury~~ without the incorporation in this Code of ~~any unconstitutional, unenforceable or the~~ invalid phrase, clause, sentence, paragraph or section.

SEC. 1-~~16006.00~~ Amendments Tto Code; ~~Effect Of New Ordinances; Amendatory Language~~

A. All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code, shall may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from this Code by omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent Ordinances ~~until such time as this Code and subsequent ordinances numbered or omitted are readopted as a new Code of Ordinances.~~

B. Amendments to any of the provisions of this Code may be made by amending such provisions by specific reference to the section number of this Code in substantially the following language: "That section _____ of the Code of Ordinances of St. Tammany Parish is hereby amended to read as follows:". The new provisions shall then be set out in full as desired.

C. In the event a new section not heretofore existing in this Code is to be added, the following language may be used: "Code of Ordinances of St. Tammany Parish, Louisiana, is hereby amended by adding a section to be numbered _____, which said section reads as follows:". The new section shall then be set out in full as desired.

SEC. 1-~~17007.00~~ Altering Code

It shall be unlawful for any person ~~in the Parish~~ to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Parish to be misrepresented thereby. Any person violating this section shall be punished as provided in Section ~~1-181-008.00~~ hereof.

SEC. 1-18008.00 General Penalty Ffor Violation Of Code; Separate Offenses.

Whenever in this Code, or in any ordinance of the Parish, any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in said Code or ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific penalty is provided therefore, ~~and state law does not provide otherwise, or for a greater penalty,~~ the violation of any such provision of this Code or any ordinance shall be a misdemeanor punishable by a term of imprisonment of up to thirty (30) days in the Parish Jail or a fine of up to not less than Three Hundred Dollars (\$300.00) nor more than Five Hundred Dollars (\$500.00) or both. Unless specifically provided otherwise, a separate offense of any ordinance shall be deemed committed upon each day on which the violation of said ordinance occurs or continues. ~~or the context thereof so dictates, each day any violation of any provision of this Code or any Ordinance shall continue shall constitute a separate offense. (Ord.No. 80-100, adopted 12/18/80)~~

State Law Reference: La. R.S. 33:1243

Cross Reference: See also Section 1-011.00 of this Code for "Procedure for Code Violations".

SEC. 1-19009.00 Officers, Employees Nnot Liable Tø for Fine Ffor Failure Tto Perform Duties

No provision of this Code designating the duties of any Parish Officer or employee shall be construed so as to make such officer or employee liable for any fine or penalty provided in this Code for a failure to perform such duty, unless the intention of the CouncilPolice Jury to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

CROSS REFERENCE: See Section 2-051.00 through Section 02-057.00 of Division 5 entitled "Notification of Police Jury Members Of Capital Improvements, Special Programs, Etc."; see Section 2-071.00 entitled "Special District Budgets, Legislative Intent" for specific requirements placed therein; See also Section 2-079.00 entitled "Contracts", Subsection (B) entitled "Liability of Official To Political Subdivision" and Section 2-084.00, Subsections (A), (B) and (C) entitled "Violations": see also Section 20-005.00 entitled "Culverts" Subsection (g), (1), (2) and (3) for specific restrictions imposed upon Parish employees therein.

SEC. 1-20010.00 Jurisdiction

Except as otherwise provided, the provisions of this Code shall apply only in the unincorporated areas of the Parish.

SEC. 1-21 Effective Date of Ordinances

Every enacted ordinance, unless it specifies another date, shall become effective at the expiration of fifteen (15) days after final adoption.

EXHIBIT A

PREAMBLE

Article VI of Louisiana Constitution of 1974 granted local governments the power of independent self government by granting the right to adopt a home rule charter. Under Article VI, a home rule charter government may elect to exercise any power and perform any function necessary, required, or proper for the management of its affairs not denied by the general laws of the State or inconsistent with the Constitution.

In 1978, the Police Jury, which then governed the Parish, established a home rule charter commission to study and prepare a proposed home rule charter as authorized in Article VI, Section 5 of the Louisiana Constitution of 1974. On April 19, 1979, the Police Jury called an election to adopt a home rule charter (the "First Charter"). On May 19, 1979, Parish voters adopted the First Charter.

On May 11, 1982, the Parish called an election to repeal the First Charter. On September 11, 1982, Parish voters repealed the First Charter, and Parish government then reverted to the police jury form of governance.

In 1997, the Police Jury created a new home rule charter commission and then called for a referendum to adopt a new charter prepared by the commission. On October 3, 1998, Parish voters adopted the Charter, establishing the current government. On January 1, 2000, the Parish began operations under the Charter.

In 2012, the Parish determined that, as a result of the changing forms of government, the Code contained references to governing bodies, departments, officials, as well as other ordinances that may be obsolete or contrary to the Charter. Thus, it determined that a comprehensive revision to the Code was necessary to comply with the Charter and to promote orderly government and the health, safety, and welfare of Parish citizens. Special Counsel was retained to complete this review and revision.

The revisions will be completed over time, on a chapter-by-chapter basis. During the revision process, certain sections of the Code may be temporarily relocated into a newly created Revision Appendix. Said sections shall be designated and cited with current numbering within the Revision Appendix. For example, if Chapter 4 Section 3 of the Code were relocated to the Revision Appendix, it would then be referred to as Revision Appendix, Chapter 4, Section 3. The Revision Appendix shall be used during the term of the project to accommodate the chapter-by-chapter revision by maintaining certain sections until such time as their review and revision is appropriate.

EXHIBIT C

CHAPTER 1 – GENERAL PROVISIONS

Article I-General Provisions

SEC. 1-1 How Code is Designated and Cited

The ordinances in the following chapters, sections, and appendixes shall constitute and be designated and cited as the "Code of Ordinances of St. Tammany Parish, Louisiana".

SEC. 1-2 Construction and Definitions

In the construction of this Code and of all ordinances, the rules and definitions set out in this chapter shall be observed.

SEC. 1-3 Construction with Charter

All ordinances and the language and words therein shall be construed to conform to the Charter. To the extent any ordinance or the language or words therein conflict with the Charter, the Charter and its provisions control, and said ordinances and their language shall be reformed to conform to the Charter.

SEC. 1-4 Construction; Intent of the Council; Ambiguity

A. The words of an ordinance contained in this Code shall be construed in accordance with the intent of the Council.

B. The words of an ordinance in this Code shall be interpreted as the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience and general welfare. Where any provision of the Code imposes greater restrictions upon the subject matter than another more general provision imposed by the Code or other law, the provision imposing the greater restriction or regulation shall be deemed to be controlling.

C. When a law is clear and unambiguous and its application does not lead to absurd consequences, the law shall be applied as written and no further interpretation may be made in search of the intent of the Council.

D. If an ordinance is ambiguous or arguably in conflict with the Charter, its meaning or validity must be sought by examining the following, among other things:

1. the context in which it occurs and the text of the ordinance as a whole;
2. the legislative history and declaration or purpose;
3. the object sought to be obtained;
4. the history and circumstances under which the ordinance was enacted or amended, including the form of government in place at the time the ordinance was enacted or amended; and
5. the consequence of a particular construction.

Sec. 1-5 Undefined Terms; Technical and Non-technical Words and Phrases

Words and phrases shall be given their generally prevailing meaning and shall be construed according to the common and approved usage of the language. Words of art, technical words and phrases and such other words as may have or have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

Sec. 1-6 Definitions

As used in the Code, the following terms shall have the following meanings or constructions unless an ordinance otherwise provides or the context clearly indicates that a different meaning is intended:

A. **Charter.** The word "Charter" means the St. Tammany Parish Home Rule Charter adopted on October 3, 1998.

B. **Code.** The word "Code" means the Code of Ordinances of St. Tammany Parish, Louisiana.

C. **Council.** The word "Council" means the Council of St. Tammany Parish.

D. **La. R.S.** The abbreviation "La. R.S." refers to the Louisiana Revised Statutes, as amended.

E. **Month.** The word "month" means a calendar month.

F. **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".

G. **Parish.** The word "Parish" means the Parish of St. Tammany, Louisiana.

H. **Person.** The word "person" shall be construed to include one or more individuals, associations, clubs, societies, firms, partnerships, corporations, limited liability companies, other legal entities, and government organizations, or their agents, servants, or employees.

I. **President.** The word "President" means the President of St. Tammany Parish.

J. **Property.** The word "property" shall be construed to include immovable and movable property of any kind or character.

K. **Signature or subscription.** The words "signature" or "subscription" shall be construed to include a mark when the person cannot write.

L. **State.** The word "State" means the State of Louisiana.

M. **Street.** The word "street" shall be construed to include the entire width between boundary lines of the right-of-way or servitude maintained for vehicular travel, including, but not limited to, streets, avenues, boulevards, roads, alleys, lanes, bridges, tunnels, causeways, viaducts, and all other highways, as well as other parts thereof, and all medians, roadsides, shoulders, pedestrian islands, and sidewalks within said right of way or servitude in the Parish.

N. **Week.** The word "week" means seven (7) days.

O. **Year.** The word "year" means a calendar year.

SEC. 1-7 Computation of Time

A. The following rules apply in computing any time period specified in the Code or in any notice given by the Parish:

1. exclude the day of the event that triggers the period;
2. count every day, including intermediate Saturdays, Sundays, and legal holidays; and
3. include the last day of the period, but if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday.

B. For the purposes of this Section, "legal holiday" means any day declared a holiday by the Parish.

SEC. 1-8 Gender

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

SEC. 1-9 Joint Authority

All words giving a joint authority to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers.

SEC. 1-10 Number

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

SEC. 1-11 Officers, Boards, Commissions

Whenever reference is made to officers, boards or commissions by title only, such as "Police Jury" or "Planning Commission", such references shall be read as though followed by the words "of St. Tammany Parish, Louisiana."

Sec. 1-12 Tense

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

SEC. 1-13 Catch-lines of Sections

The Catch-lines of the several sections of this Code, printed in boldface type, are intended as mere catchwords to indicate the contents of the sections and shall not be deemed or taken to be titles of such sections, or as any part of the sections, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the Catch-lines, are amended or reenacted.

SEC. 1-14 Effect of Repeal of Ordinances

A. The repeal of an ordinance, or any portion or part thereof, shall not revive any ordinances, or any portion or part thereof, in force before or at the time the ordinance repealed took effect.

B. The repeal of an ordinance, or any portion or part thereof, shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceeding pending at the time of the repeal.

SEC. 1-15 Severability of Parts of Code

The sections, paragraphs, sentences, clauses and phrases of this Code are severable, and the invalidity of any phrase, clause, sentence, paragraph or section of this Code pursuant to a valid judgment of any court of competent jurisdiction shall not affect the validity or effect of any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted without the incorporation in this Code of the invalid phrase, clause, sentence, paragraph or section.

SEC. 1-16 Amendments to Code

A. All ordinances passed subsequent to this Code which amend, repeal or in any way affect this Code, shall be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section or subsection or any portion thereof, such repealed portions may be excluded from this Code by

omission from reprinted pages. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances.

B. Amendments to any of the provisions of this Code may be made by amending such provisions by specific reference to the section number of this Code in substantially the following language: "That section _____ of the Code of Ordinances of St. Tammany Parish is hereby amended to read as follows:". The new provisions shall then be set out in full as desired.

C. In the event a new section not heretofore existing in this Code is to be added, the following language may be used: "Code of Ordinances of St. Tammany Parish, Louisiana, is hereby amended by adding a section to be numbered _____, which said section reads as follows:". The new section shall then be set out in full as desired.

SEC. 1-17 Altering Code

It shall be unlawful for any person to change or amend by additions or deletions, any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever which will cause the law of the Parish to be misrepresented thereby. Any person violating this section shall be punished as provided in Section 1-18 hereof.

SEC. 1-18 General Penalty for Violation of Code; Separate Offenses.

Whenever in this Code, or in any ordinance of the Parish, any act or omission is prohibited or is made or declared to be unlawful or a misdemeanor, or whenever in said Code or ordinance the doing of any act or the failure to do any act is declared to be unlawful or a misdemeanor or is prohibited, and no specific penalty is provided therefor the violation of any such provision of this Code or any ordinance shall be a misdemeanor punishable by a term of imprisonment of up to thirty (30) days in the Parish Jail or a fine of up to Five Hundred Dollars (\$500.00) or both. Unless specifically provided otherwise, a separate offense of any ordinance shall be deemed committed upon each day on which the violation of said ordinance occurs or continues.

State Law Reference: La. R.S. 33:1243

SEC. 1-19 Officers, Employees not Liable for Fine for Failure to Perform Duties

No provision of this Code designating the duties of any Parish Officer or employee shall be construed so as to make such officer or employee liable for any fine or penalty provided in this Code for a failure to perform such duty, unless the intention of the Council to impose such a fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

SEC. 1-20 Jurisdiction

Except as otherwise provided, the provisions of this Code shall apply only in the unincorporated areas of the Parish.

SEC. 1-21 Effective Date of Ordinances

Every enacted ordinance, unless it specifies another date, shall become effective at the expiration of fifteen (15) days after final adoption.