

ORDINANCE NO. JO-079-2020

**A JOINT ORDINANCE OF THE LAFAYETTE CITY COUNCIL AND THE
LAFAYETTE PARISH COUNCIL AMENDING THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT CODE OF ORDINANCES CHAPTER 78,
"STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES," SPECIFICALLY
ARTICLE I, "IN GENERAL," PARTICULARLY TO ADD SECTION 78-4
"CONGESTION OF SIDEWALKS AND AREAS ADJACENT TO PUBLIC ROADS"**

BE IT ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

WHEREAS, the Lafayette City Council and the Lafayette Parish Council find that certain revisions to Chapter 78, Article I are necessary.

NOW, THEREFORE, BE IT FURTHER ORDAINED by the Lafayette City Council and the Lafayette Parish Council, that:

SECTION 1: All of the above "Whereas" clauses are adopted as part of this joint ordinance.

SECTION 2: Article I "In General" of Chapter 78 of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended to add Section 78-4 to read as follows:

Sec. 78-4 Congestion of sidewalks and areas adjacent to public roads.

Except at an officially designated bus stop area or as otherwise allowed in this code, it shall be unlawful for any person to sit or stand for any period of time:

- (i) In or within 36 inches of any roadway;
- (ii) In or on any unpaved median; or
- (iii) In or on any median of less than 36 inches.

Any violation of this section shall constitute a misdemeanor.

SECTION 3: The provisions of this joint ordinance shall be severable; and if any provision thereof, or the application of such provision under any circumstances is held invalid, it shall not affect any other provision of this joint ordinance, or the application in a different circumstance.

SECTION 4: All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 5: After first having been adopted by a majority of the authorized membership of both the Lafayette Parish Council and the Lafayette City Council, this joint ordinance shall become effective upon signature of this joint ordinance by the Lafayette Mayor-President, the elapse of ten (10) days after receipt by the Lafayette Mayor-President without signature or veto, or upon override of a veto, whichever occurs first.

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Internal Memorandum

Legal Department (1400)

TO: Cydra Wingerter

DATE: August 4, 2020

FROM: Greg Logan

SUBJECT: Joint Ordinance Adding Section 78-4 "Congestion of Sidewalks and Areas Adjacent to Public Roads" to the Code of Ordinances

I submit the attached proposed Joint Ordinance to the Lafayette Parish Council and the Lafayette City Council for consideration, which involves obstructions to the areas adjacent to the public streets and roadways.

I respectfully request that the attached Joint Ordinance be placed in line to be considered by the Lafayette Parish Council and the Lafayette City Council at their next meeting on Tuesday, August 18, 2020.

If I can be of any additional information or assist further with this matter, please do not hesitate to contact me.


Gregory J. Logan
City-Parish Attorney
Lafayette Consolidated Government

Attachments

C: Paul Escott

LAFAYETTE JOINT COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) JUSTIFICATION FOR REQUEST: A Joint Ordinance of the Lafayette Parish Council and the Lafayette City Council adding Section 78-4 "Congestion of Sidewalks and Areas Adjacent to Public Roads" to the Code of Ordinances

2) ACTION REQUESTED: Adoption of Ordinance

3) COUNCIL DISTRICT(S) (CIP PROGRAM/PROJECTS ONLY): N/A

4) REQUESTED ACTION OF COUNCIL:

A) INTRODUCTION: August 18, 2020

B) FINAL ADOPTION: September 1, 2020

5) DOCUMENTATION INCLUDED WITH THIS REQUEST:

A) Internal Memorandum (1 Page)

B) Joint Ordinance (1 Page)

6) FISCAL IMPACT:

 Fiscal Impact (Explain)

 X No Fiscal Impact

RECOMMENDED BY:


GREGORY J. LOGAN
CITY-PARISH ATTORNEY

APPROVED FOR AGENDA:


CYDRA WINGERTER
CHIEF ADMINISTRATIVE OFFICER