

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SECTION 4: All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.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

A handwritten signature in black ink, appearing to read 'Gregory J. Logan', is written over a horizontal line.

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

DISPOSITION OF ORDINANCE NO. JO-079-2020

1. This ordinance was introduced: August 18, 2020
YEAS: Tabor, K. Naquin,
Carlson, Guilbeau
NAYS: None
ABSENT: Rubin
ABSTAIN: None
- Final disposition by **Parish Council**:
_____, 2020
YEAS:
NAYS:
ABSENT:
ABSTAIN:
- This ordinance was introduced:
YEAS: Lewis, A. Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
- Final disposition by **City Council**:
YEAS:
NAYS:
ABSENT:
ABSTAIN:
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on August 21, 2020.
3. This ordinance was presented to the Mayor-President for approval on _____, 2020, at _____ o'clock _____.m.
- _____
CLERK OF THE COUNCIL
4. Disposition by Mayor-President:
- I hereby:
- A. Approve this ordinance, the _____ day of _____, 2020, at _____ o'clock _____.m.
- B. Veto this ordinance, the _____ day of _____, 2020, at _____ o'clock _____.m., veto message is attached.
- C. Line item veto certain items this _____ day of _____, 2020, at _____ o'clock _____.m., veto message is attached.
- _____
MAYOR-PRESIDENT
5. Returned to Council Office with/without veto message on _____, 2020, at _____ o'clock _____.m.
6. Reconsideration by Council (if vetoed):
- On _____, 2020, the Councils did/refused to adopt this ordinance after the Mayor-President's veto.
7. Returned to the Council Office without signature of Mayor-President (*unsigned*) on _____, 2020, at _____ o'clock _____.m.
- If not signed or vetoed by the Mayor-President, and ten days have elapsed since this ordinance was presented to him for action, same has been automatically approved.*
- _____
CLERK OF THE COUNCIL
8. Full publication of this ordinance was made in the Advertiser on _____, 2020.