

CITY ORDINANCE NO. CO-059-2021

AN ORDINANCE OF THE LAFAYETTE CITY COUNCIL AMENDING THE LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT CODE OF ORDINANCES CHAPTER 62, "OFFENSES AND MISCELLANEOUS PROVISIONS," SPECIFICALLY ARTICLE I, "CRIMES AND OFFENSES IN CITY OF LAFAYETTE," PARTICULARLY TO ADD SECTION 62-33.2 "UNAUTHORIZED ENTRANCE IN OR UPON PARKS AND PLAYGROUNDS"

BE IT ORDAINED by the Lafayette City Council, that:

WHEREAS, the Lafayette City Council finds that certain revisions to Chapter 62, Article I, Division 2 are necessary.

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

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

SECTION 2: Article I, Division 2, "Crimes and Offenses in the City" of Chapter 62 of the Lafayette City-Parish Consolidated Government Code of Ordinances is hereby amended to add Section 62-33.2 to read as follows:

Sec. 62-33.2 – Unauthorized entrance in or upon parks and playgrounds.

Between the hours of 10:00 p.m. and 5:00 a.m. of the following day, it shall be unlawful for any person without authority, contract, or rental agreement with Lafayette City-Parish Consolidated Government to go into or upon or remain in or upon any structure or premises operated or maintained by the Parks and Recreation Department, or any portion thereof, after having been forbidden to do so, either orally or in writing by the director of the Parks and Recreation Department, or by his designee charged with maintaining order at the park or playground and in its facilities.

A person convicted of a first offense violation of this section shall be punished by a fine not exceeding \$200.00 or imprisonment for a term not exceeding 30 days.

SECTION 3: All ordinances and resolutions, or parts thereof, in conflict herewith are hereby repealed.

SECTION 4: This ordinance shall become effective upon signature of 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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**RECEIVED**

APR 20 2021

Lafayette Consolidated Government
Chief Administrative Officer

Internal Memorandum

Legal Department (1400)

TO: Cydra Wingerter**DATE:** April 19, 2021**THRU:** Gregory J. Logan**FROM:** Mark Stipe**SUBJECT:** Ordinance Amending the Code of Ordinances By Adding Section 62-33.2
Entitled "Unauthorized Entrance in or upon Parks and Playgrounds"

I attach the following, and request placement of same on the agenda for introduction at the May 4, 2021 City Council Meeting:

- (a) An Ordinance of the Lafayette City Council Amending the Code of Ordinances to add Section 62-33.2 entitled "Unauthorized Entrance in or upon Parks and Playgrounds";
- (b) Agenda Item Submittal Form.

Section 2-11 of the Home Rule Charter sets out the areas requiring an ordinance by the Council. Among those areas where an ordinance is required are those that "provide a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty may be imposed."

Currently the provisions of Sec 62-33.1 are applicable to schools and school grounds. The proposed ordinance would be applicable to parks and playgrounds. Section 1-9 outlines the penalty for violations of the Code of Ordinances.

Should you have any questions, please contact our office.



Mark Stipe
Asst. City-Parish Attorney

Attachments

C: Paul Escott
Joshua S. Guillory

t: 337.406.9685 / glogan@lafayettela.gov

LAFAYETTE CITY COUNCIL MEETING

AGENDA ITEM SUBMITTAL FORM

1) **JUSTIFICATION FOR REQUEST:** An Ordinance of the Lafayette City Council Amending the Lafayette City-Parish Consolidated Government Code of Ordinances to add Section 62-33.2 "Unauthorized Entrance in or upon Parks and Playgrounds"

2) **ACTION REQUESTED:** Adoption of City Ordinance

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

4) **REQUESTED ACTION OF COUNCIL:**

A) **INTRODUCTION:** May 4, 2021

B) **FINAL ADOPTION:** May 18, 2021

5) **DOCUMENTATION INCLUDED WITH THIS REQUEST:**

A) Submittal Form (1 Page)

B) Internal Memorandum (1 Page)

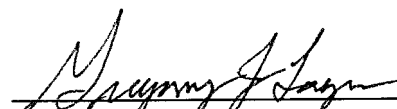
C) Ordinance (1 Page)

6) **FISCAL IMPACT:**

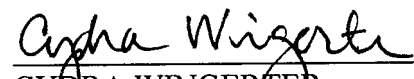
 Fiscal Impact (Explain)

 X No Fiscal Impact


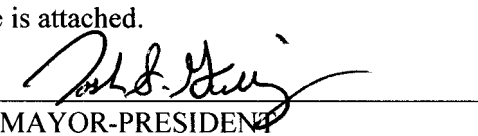
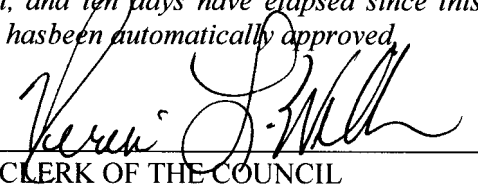
RECOMMENDED BY:


GREGORY J. LOGAN
CITY-PARISH ATTORNEY

APPROVED FOR AGENDA:


CYDRA WINGERTER
CHIEF ADMINISTRATIVE OFFICER

DISPOSITION OF ORDINANCE NO. CO-059-2021

1. This ordinance was introduced: May 4, 2021
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
Final disposition by Council:
May 18, 2021
YEAS: Lewis, Naquin,
Hebert, Cook, Lazard
NAYS: None
ABSENT: None
ABSTAIN: None
AMEND: first offense penalty max lowered to (\$200/30days) and contract exemption added
2. Notice of Public Hearing: This ordinance was published by Title and Notice of Public Hearing was published in the Advertiser on May 7, 2021.
3. This ordinance was presented to the Mayor-President for approval on May 19, 2021, at 10:45 o'clock 2 .m.

CLERK OF THE COUNCIL
4. Disposition by Mayor-President:
I hereby:
A. Approve this ordinance, the 24 day of MAY, 2021, at 12:40 o'clock a .m.
B. Veto this ordinance, the _____ day of _____, 2021, at _____ o'clock ____ .m., veto message is attached.
C. Line item veto certain items this _____ day of _____, 2021, at _____ o'clock ____ .m., veto message is attached.

MAYOR-PRESIDENT
5. Returned to Council Office ~~with~~ without veto message on May 24, 2021, at 2:22 o'clock p .m.
6. Reconsideration by Council (if vetoed):
On _____, 2021, the Council 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 _____, 2021, 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 May 21, 2021.