

CITY OF CENTRAL

BY COUNCIL MEMBER FRENEAUX

ORDINANCE NO. 2019-09

AN ORDINANCE TO AMEND AND REENACT CHAPTER 2 OF THE CODE OF ORDINANCES RELATIVE TO MATTERS REQUIRING APPROVAL BY MORE THAN A MAJORITY AND SPECIAL MEETINGS AND TO PROVIDE FOR RELATED MATTERS

WHEREAS, upon the incorporation of the City of Central, the Council for the City of Central was composed of five members;

WHEREAS, the membership of the Council for the City of Central was increased to seven members;

WHEREAS, the Council for the City of Central which began serving on January 1, 2019 is the first Council for the City of Central to be composed of seven members;

WHEREAS, certain provisions of Chapter 2 of the Code of Ordinances entitled "Governing Body and Rules of Procedure" adopted prior to the increase in membership on the Council for the City of Central are inconsistent with the intent of the provisions;

WHEREAS, certain provisions of Chapter 2 of the Code of Ordinances entitled "Governing Body and Rules of Procedure" are inconsistent with La. R.S. R.S. 33:405(C); and

WHEREAS, the Council for the City of Central desires to amend Code of Ordinances to be consistent with the original intent of the ordinances and La. R.S. 33:405(C).

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Central, State of Louisiana as follows:

Section 1. Amendments to Chapter 2 – Governing Body and Rules of Procedure

Chapter 2, Section 1:205(a) enacted by Ordinance No. 2005-2 as amended by Ordinance No. 2012-27 is hereby amended to read as follows:

Sec. 1:205. - Special meetings; notices.

- (a) The Mayor or a majority of the councilmembers may call a special meeting of the Council, to be held at the place and at the time (not less than 48 hours after issuance of notice thereof) set forth in the notice of the special meeting. All notices of a special meeting shall be issued by the City Clerk and shall contain a statement of the specific item or items of business to be transacted, and shall be forwarded to each councilmember.

The certificate of the City Clerk, setting forth the language of the notice and certifying that a copy thereof was furnished to all councilmembers, shall be prima facie evidence of proper and timely notice of the special meeting to all councilmembers.

Chapter 2, Section 1:209 enacted by Ordinance No. 2005-2 as amended by Ordinance No. 2012-27 is hereby amended to read as follows:

Sec. 1:209. - Quorum.

- (a) A majority of the entire membership of the Council shall constitute a quorum at any regular or special meeting of the Council; but nothing contained herein shall be deemed to affect the requirement of the number of affirmative votes necessary to adopt any ordinance, resolution, motion or vote, or the requirement of the number of affirmative votes necessary to adopt any emergency ordinance.
- (b) When five or more votes are required for approval of an item, the item will be deferred until such time as the required number of members are present.

Section 2. Conflicts

The specific terms and conditions of this Ordinance shall prevail against other Ordinances of the City to the extent that there may be any conflict.

Section 3. Severability

If any section, subsection, sentence, clause or provision of this Ordinance is declared by a court of competent jurisdiction to be invalid, such declaration of invalidity shall not affect the validity of the Ordinance as a whole, or parts thereof, other than the part declared invalid. The remainder of the Ordinance shall not be affected by the declaration of invalidity and shall remain in force and effect.

Section 4. Effective Date

This Ordinance shall be effective upon publication.

Introduced before the Council on February 12, 2019.

This Ordinance having been submitted to a vote, the vote thereon was as follows:

For:	Evans, Freneaux, McKinney, Moak, Myer, Roy, Wells
Against:	None
Absent:	None

Adopted this 26th day of February, 2019.

Signed this 1st day of March, 2019.

Delivered to Mayor on the 4th day of March, 2019:

[Signature]
Mark Miley, City Clerk

Approved:

David Barrow
David R. Barrow, Mayor

Received from Mayor on the 4th day of March, 2019:

[Signature]
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 12th day of March, 2019