

**CITY OF CENTRAL**

BY COUNCILMEMBER EVANS:

**ORDINANCE NO. 2020-26**

AN ORDINANCE TO AMEND THE ENFORCEMENT  
PROCESS AND PENALTY FOR NOISE VIOLATIONS AND TO  
PROVIDE FOR RELATED MATTERS

WHEREAS, Ordinance No. 2006-11 enacted Chapter 2 entitled Noise;

WHEREAS, Section 12:104 as enacted by Ordinance No. 2006-11, provides for enforcement pursuant to the administrative procedures set forth in Chapter 1 of Title 15 or by a court of competent jurisdiction;

WHEREAS, the Council believes enforcement by the Chief of Police and Sheriff's Office will better protect the public health, safety and welfare of the City and its residents;

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

**Section 1.** Section 12:104 of the Code of Ordinances is hereby amended to read as follows:

Sec. 12:104 – Penalty and Enforcement

(a) Fine. Whoever violates a provision of this section shall be fined two hundred dollars (\$200.00) for a first offense, and not less than three hundred dollars (\$300.00) nor more than five hundred dollars (\$500.00) for second and subsequent offenses.

(b) *Surrender of license*

(1) Upon conviction for a first offense, the court may order the violator to surrender to the law enforcement agency that arrested the violator or reported the violation the driver's license of the driver involved in the violation for a period not to exceed thirty (30) days. The violator shall be responsible for the retrieval of his driver's license from the law enforcement agency after the expiration of the period of surrender.

(2) Upon conviction for a second or subsequent offense, the court may order the violator to surrender to the law enforcement agency that arrested the violator or reported the violation the driver's license of the driver involved in the violation for a period not less than thirty (30) days nor more than ninety (90) days. The violator shall be responsible for the retrieval of his driver's license from the law enforcement agency after the expiration of the period of surrender.

(c) The Chief of Police and the East Baton Rouge Parish Sheriff shall be authorized to enforce Chapter 2 of the Code of Ordinances within Central.

**Section 2. Conflicts**

The specific terms and conditions of this Ordinance shall prevail against prior ordinances of the City to the extent there is 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 August 25, 2020.

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


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

Adopted this 8<sup>th</sup> day of September, 2020.

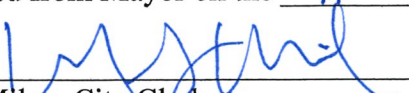
Signed this 11<sup>th</sup> day of September, 2020.

Delivered to Mayor on the 14<sup>th</sup> day of September, 2020:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Approved:  
  
\_\_\_\_\_  
David R. Barrow, Mayor

Received from Mayor on the 11<sup>th</sup> day of September, 2020:

  
\_\_\_\_\_  
Mark Miley, City Clerk

Adopted Ordinance published in The Advocate on the 24<sup>th</sup> day of September, 2020.