

Chapter 1

Governing Authority

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Section 1.1 General municipal powers

Pursuant to Article VI, Section 7, of the Constitution of Louisiana and R.S. 33:361 et seq., the municipality shall have the right, power and authority to exercise any and perform any function necessary, requisite, or proper for the management of the municipality's affairs not inconsistent with the constitution or expressly denied by general law.
(Amendment by Ordinance No. 4 of 1986)

Section 1.2 Meetings of the mayor and board

Regular meetings of the mayor and council shall be held in the council chambers on the second Monday of each month at 6:30 p.m., effective January, 2002. (Ordinance No. 9 of 2001)

Section 1.3 Adjourned meetings

Any session of the mayor and board may be continued or adjourned from day to day or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting thereafter. Any continuance or adjournment shall be upon majority consent of the aldermen present at the session.

Section 1.4 Order of business

1. Request electronic devices be silenced. (Amended by Ordinance No. 11 of 2004)
2. I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all".
(Amended by Ordinance No. 11 of 2004)

3. Mayor's report. (Amended by Ordinance No. 11 of 2004)
4. Order of Business:
 1. Call to order (request electronic devices be silenced)
 2. Pledge of Allegiance
 3. Roll call
 4. Recognitions and commendations
 5. Approval of minutes
 6. Committee reports
 7. Consideration of vetoed ordinances
 8. Hearing and final action on ordinances
 9. Introduction of ordinances
 10. Resolutions
 11. Department reports
 12. Mayor's report
 13. Remarks of personal privilege
 14. Announcements
 15. Adjourn(Amended by Ordinance No. 11 of 2004)

Section 1.5 Rules of procedure

- (a) At the request of the mayor or any board member, all motions shall be reduced to writing.
- (b) A motion to reconsider any of the proceedings of the board shall not be entertained unless it be made by a member who previously voted in the majority.
- (c) No motion shall be debated or put until it be seconded and stated by the mayor. It is then and not until then in possession of the board and cannot be withdrawn but by leave of the board.
- (d) A motion to adjourn shall be in order at any time, except as follows:
 - (1) when repeated without intervening business or discussion;
 - (2) when made as an interruption of a member while speaking;
 - (3) when the previous question has been ordered; or
 - (4) while a vote is being taken.A motion to adjourn is debatable only as to the time to which the meeting is adjourned.
- (e) When a question is under debate, no motion shall be received but:
 - (1) to adjourn;
 - (2) to lay on the table;
 - (3) for the previous question;
 - (4) to postpone to a day certain;
 - (5) to commit;

- (6) to amend; or
- (7) to postpone indefinitely,

which several motions shall have precedence in the order they stand arranged.

- (f) When a proper motion is made but information is wanted, the motion is to postpone to a day certain.
- (g) Matters claiming present attention for which it is desired to reserve for more suitable occasion, the order is a motion to lay on the table; the matter may then be called for at any time. If the proposition may need further consideration at the hands of a committee, the motion is to refer to a committee; but if it need but a few and simple amendments, the board shall proceed to consider and amend at once.
- (h) On an amendment's being moved, a member who has spoken on the main question may speak again to the amendment.
- (i) The question is to be put first on the affirmative and then on the negative side. After the affirmative part of the questions has been put, and member who has not spoken before to the question may arise and speak before the negative be put.
- (j) When a question has been moved and seconded and has been put by the presiding officer in the affirmative and negative, it cannot be debated unless under motion for reconsideration.
- (k) No business, except such as is specified in the agenda for any regular or special meeting, shall be considered or transacted at the meeting except by unanimous consent of the board.

Section 1.6 Mayor's emergency powers

- (a) Upon the happening of any one or more of the following events, to-wit:
 - (1) the formation of any unruly mob;
 - (2) the existence of a state of war, whether declared or not, or of any insurrection;
 - (3) the occurring of any tornado, hurricane, cyclone, earthquake, flood, or any other act of God, or force which disrupts or threatens to disrupt the normal activities of the community; or
 - (4) the occurrence of multiple acts of arson, or of any acts which unduly alarm or threaten the public;

The mayor, or in his absence the mayor pro tem, may declare a state of emergency to exist within the corporate limits of the municipality. The state of emergency shall be declared by proclamation signed by the mayor and posted on the main door of the municipal hall and shall be legally effective immediately upon posting. The proclamation shall be in substantially the following language: "It has been determined that (here state the event giving rise to the emergency) has occurred within the corporate limits of the Town of Brusly, Louisiana, and that accordingly a state of emergency does now in fact exist. I therefore proclaim a state of emergency and invoke the provisions of section 1.6

of the code of ordinances, the Town of Brusly, Louisiana."

- (b) In the event a state of emergency is declared by the mayor (or mayor pro tem) under the provisions of subsection (a) hereof, the mayor or mayor pro tem shall become vested with the following extraordinary powers, which may be exercised at the discretion of that official:
 - (1) to establish curfew to be effective within the corporate limits;
 - (2) to prohibit or regulate the sale of gasoline, explosives, dynamite or any other type of inflammable or explosive materials, firearms or any other materials or supplies or any component parts thereof which could readily be utilized as weapons;
 - (3) to mobilize and deputize an auxiliary police force under the command of the mayor (or mayor pro tem) and the chief of police;
 - (4) to disperse assemblies or congregations of people; and
 - (5) to suspend issuance of parade permits.
- (c) Any orders issued by the mayor under his extraordinary powers during a declaration of a state of emergency shall be effective immediately with the posting of the orders upon the main door of the municipal hall, or upon verbal communication by the mayor directly to the persons or person whom the order is intended to affect.
- (d) The state of emergency shall legally end when the mayor determines that the peace and order of the municipality are no longer threatened and declares this a proclamation which shall be posted upon the main door of the municipal hall.
- (e) Any powers of auxiliary police, as authorized under subsection (b)(3) of this section, shall only be exercised after mobilization by the mayor and shall immediately cease upon the proclamation of the end of the state of emergency.
- (f) Anyone violating any provision of this section or orders issued by the mayor hereunder shall, upon conviction, be punished as provided in section 25.6.

Section 1.7 Municipal elections; terms

- (a) Commencing in 1988, and every four years thereafter, election of the elected officials of this municipality shall be held concurrently with congressional elections in accordance with R.S. 18:402(B).
- (b) Commencing in 1988, elected officials of this municipality shall take office on the first day of January following their election and shall hold office for four years. (Added by Ordinance No. 6 of 1985)

Section 1.8 Salaries of elected officials

- (a) Effective January 1, 2017, the salary of the Mayor shall be Fifty Thousand (\$50,000.00) Dollars, per annum, payable monthly. (Ordinance No. 6 of 2000; Ordinance 14 of 2004; Ordinance 4 of 2008; Ordinance 9 of 2011; Ordinance 8 of 2015)

- (b) Effective January 1, 2017, the salary of the Council Members shall be Seventy-Two Hundred (\$7,200.00) Dollars, per annum, payable monthly and (\$50.00) for each special meeting that the Council Member is present and a vote is taken. In addition the salary of the Mayor Pro Temp shall be Seventy- Eight Hundred (\$7,800.00) Dollars, per annum, payable monthly. (Ordinance No. 8 of 2001; Ordinance 14 of 2004; Ordinance 3 of 2008; Ordinance 9 of 2015)
- (c) Effective January 1, 2017, the salary of the Chief of Police shall be Forty-Eight Thousand (\$48,000.00) Dollars, per annum, payable bi-weekly, plus a vehicle allowance of Twelve Thousand (\$12,000.00) Dollars, per annum, payable monthly. (Ordinance No. 4 of 1986; Ordinance No. 6 of 1987; Ordinance No. 7 of 1989; Ordinance No. 2 of 1994; Ordinance No. 7 of 2000; Ordinance No. 1 of 2001; Ordinance 14 of 2004; Ordinance 1 of 2005; Ordinance 8 of 2007; Ordinance 5 of 2008; Ordinance 8 of 2011; Ordinance 10 of 2015)
- (d) Effective January 1, 2009, no ordinance increasing the salary of any elected official shall be adopted during the last year of a term and no change increasing the salary of any elected official shall become effective during the current term of any elected official. Further, the Mayor shall cause to be added to the agenda in October of the third year of each term an agenda item reading “review of all elected officials salaries”. (Ordinance 2 of 2008)

Section 1.9 Notice of special board meetings to mayor and board members

The members of the board and the mayor shall be notified of each special meeting of the board at a regular meeting of the board, by regular mail, or by personal delivery. The notice shall include the information prescribed in R.S. 33:405(C). (Ordinance No. 4 of 1986)

Section 1.10 Procedure for municipal construction of road or street within a subdivision; notice; hearing

Before entering into a construction contract or otherwise arranging for the construction of a public roadway on any area dedicated for a road or street within any subdivision, the municipality shall provide at least sixty days advance written notice in accordance with the Open Meetings Law. Such notice shall include the proposed action and the date, time, and place of a public hearing on the matter. In addition, a conspicuous and visible sign containing the same information shall be placed on the dedicated area proposed to be constructed for the same period of time. (Ordinance No. 1 of 1990)

Section 1.11 Board committees; creation, composition, and duties

- (a) There shall be seven permanent committees of the Town Council. Each committee shall take into consideration matters properly pertaining to the subjects and purposes assigned to each by the mayor or the council. The committees shall be as listed below and the membership of each committee shall be in the number set forth after the name of the committee:
 - (1) Finance Committee, three members

- (2) Government Affairs Committee, three members
- (3) Personnel Committee, three members
- (4) Planning and Zoning Committee, three members
- (5) Police Committee, three members
- (6) Recreation Committee, three members
- (7) Public Works Committee, three members
(Ordinance No. 3 of 2002)

(b) Committee members shall be appointed and removed by the mayor, subject to approval by the council.

(c) The mayor shall appoint one member of each permanent committee as chairman. The mayor may remove any member so appointed from such office. Appointment and removal of a committee chairman shall be subject to board approval.

(d) Each matter assigned to committee shall be on the basis of the subject matter contained therein, to the committee having jurisdiction as provided in the following enumeration of subject matter jurisdiction:

(1) Finance Committee, all matters relating to:

- (i) Appropriation of municipal funds
- (ii) Budgetary requirements and procedures
- (iii) Municipal purchasing
- (iv) Expenditure of funds
- (v) Fiscal controls
- (vi) Utilities franchises
- (vii) Municipal insurance programs
- (viii) Business licenses and fees
- (ix) Taxes and raising revenue
- (x) Revenues, generally
- (xi) Revenue collection
- (xii) Deposit and investment of municipal monies
- (xiii) Bonds and debt

(2) Government Affairs Committee, all matters relating to:

- (i) Cultural affairs and celebrations
- (ii) Preservation of historic landmarks and objects
- (iii) Municipal buildings, including maintenance, care, and assignment of space
- (iv) Creation of special committees for specific purposes
- (v) Municipal holidays
- (vi) Miscellaneous matters not covered by other standing committees

(3) Personnel Committee, all matters relating to:

- (i) Municipal employees, except for matters assigned to the Police Committee
 - (ii) Personnel policies, generally
 - (iii) Pay plan and benefits for municipal employees
 - (iv) Evaluation of municipal employees
 - (v) Recommendations concerning personnel actions
 - (vi) Health and safety of municipal employees
- (4) Planning and Zoning Committee, all matters relating to:
- (i) Municipal planning, generally
 - (ii) Municipal zoning, generally
 - (iii) Building regulations, generally
 - (iv) Review of proposed zoning changes
 - (v) Review of proposed subdivision plats
- (5) Police Committee, all matters relating to:
- (i) Municipal police department, generally
 - (ii) Police department policies and regulations
 - (iii) Police vehicles and equipment
 - (iv) Liaison with chief of police
- (6) Recreation Committee, all matters relating to:
- (i) Municipal recreation, generally
 - (ii) Liaison with Parish Recreation Department

Section 1.11 (d) (7) Amended as follows:

- (7) Public Works, all matters relating to:
- (i) Municipal roads and drainage, generally
 - (ii) Street and sidewalks, generally
 - (iii) Traffic, generally
 - (iv) Vehicles and equipment used for roads or drainage
 - (v) Liaison with Parish on parish roads and drainage
 - (vi) Liaison with State on state roads and drainage
 - (vii) Municipal sewer system, generally
 - (viii) Municipal solid waste, generally
 - (ix) Vehicles and equipment used for sewer or solid waste disposal.
(Ordinance No. 1 of 1996; Ordinance No. 3 of 2002)

Section 1.11 (d) (8) Delete (Ordinance No. 3 of 2002)