

City Hall  
Westwego, Louisiana  
Regular Session  
Monday, September 11, 2017

The Mayor and City Council of the City of Westwego met in Regular Session at 6:00 p.m., Monday, September 11, 2017, in the Council Room at City Hall, 1100 Fourth Street, Westwego, Louisiana.

There were present:

Mayor Joe Peoples  
District 2 Council Member Johnny S. Nobles, Jr.  
District 3 Council Member Lisa H. Valence  
District 4 Council Member Matthew J. Rivere  
District 5 Council Member Johnnie Lynn Thibodeaux

District 1 Council Member Glenn Green, Sr. was unable to attend due to illness.

#### CALL TO ORDER

Mayor Peoples called the meeting to order and asked everyone to stand for the invocation.

#### INVOCATION AND MOMENT OF SILENCE

Mayor Peoples led the assembly in prayer, followed by a moment of silence in memory of the deceased members of our community.

#### PLEDGE OF ALLEGIANCE

Council Member Nobles led the assembly in the Pledge of Allegiance.

Mayor Peoples read letter from Council Member Green and gave update on Council Member Green.

#### ADDRESS THE CITY COUNCIL

##### TIMMY MATHERNE & GARY LABICHE

Timmy Matherne addressed the City Council to request permission to lease part of the property on the corner of Westbank Expressway and Avenue C to Gary Labiche for his food truck.

MOVED by Council Member Rivere, and seconded by Council Member Thibodeaux, to approve Timmy Matherne and Gary Labiche's plan to lease part of Mr. Matherne's property to Mr. Labiche for his food truck.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

##### VINCENT VASTOLA (MARRERO LAND) & MOHAMMAD ABDALLAH

Mohammad Abdalah addressed the City Council to request an Occupational License for the Cricket Wireless business that will replace the old Golden Cleaners in the Westwood Shopping Center.

MOVED by Council Member Valence, and seconded by Council Member Nobles, to grant an Occupational License to Mohammad Abdallah to operate a Cricket Wireless business at 1020 Westbank Expressway, Suite C, subject to the satisfaction of all requirements therefor.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

##### JOHNNY SHADDINGER – 312 AVENUE B

Johnny Shaddinger addressed the City Council to discuss various topics.

##### TIMOTHY RADECKER – 625 CHIPLEY STREET

Timothy Radecker addressed the City Council to request a Home Occupational License for Mail and Telephone Service Only to operate a gutter/siding business from his home at 625 Chipley Street.

MOVED by Council Member Nobles, and seconded by Council Member Valence, to grant a Home Occupational License for Mail and Telephone Service Only to Timothy Radecker to operate a gutter/siding business from his home at 625 Chipley Street.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

#### HEATHER MCDONALD – 202 SALA AVENUE

Heather McDonald, the manager of Vintage Lace Hair Salon on Sala Avenue, addressed the City Council to request an Occupational License to continue operating the Vintage Lace Hair Salon under her own name as the owner of the business. She also requested that her business be put on the Sala Historic Website.

Mayor Peoples explained that we are currently working on the website and that he will inform her when it is complete.

MOVED by Council Member Valence, and seconded by Council Member Nobles, to grant an Occupational License to Heather McDonald to operate the Vintage Lace Hair Salon at 202 Sala Avenue.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

#### MARY CLAIRE GATES – 401 FIFTH STREET

Mary Gates addressed the City Council to discuss the policy on issuing violations. A discussion followed.

City Attorney Joel Levy stated the ordinance has not changed but that the new administration is strictly enforcing the ordinances.

#### KLEIN CONSTRUCTION – 1018 VICTORY DRIVE

Christopher Klein, of Klein Construction, addressed the City Council to request an Occupational License and a fence permit for the property at 1018 Victory Drive. A discussion followed.

Mayor Peoples explained the cranes on this property have been a problem for years and that an Occupational License and fence permit will not be issued until all of the cranes are gone and the property is cleaned.

#### SCOTT PERCLE – 1330 EAST DRIVE

Council Member Rivere addressed the City Council on behalf of Scott Percle to request a Home Occupational License for Mail and Telephone Service Only for Mr. Percle to operate his Fencing Business from his home at 1330 East Drive.

MOVED by Council Member Valence, and seconded by Council Member Rivere, to grant a Home Occupational License for Mail and Telephone Service Only to Scott Percle to operate a Fencing Business from his home at 1330 East Drive.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

#### PRESENTATIONS / ANNOUNCEMENTS / ACKNOWLEDGEMENTS

##### (MJR) Boat Launch Meeting

Council Member Rivere announced there will be a Boat Launch Meeting on Wednesday, September 13<sup>th</sup> at 6:30 p.m. at City Hall, 1100 Fourth Street. The meeting is for the public's input on the rules, regulations and ideas for the boat launch on Louisiana Avenue.

##### (MJR) District 4 Meeting

Council Member Rivere announced there will be a District 4 Meeting on Wednesday, September 20<sup>th</sup> at the Westwego Gymnasium, 1200 Avenue D.

Council Member Rivere encouraged everyone to support our local youth by attending the football games, volleyball and cheerleading at Westwego Park.

Council Member Valence announced the Westwego Historic Museum will be having a World War II display for the Westwego Veterans who fought in that war. She asked that any family member who has any memorabilia they would like to loan to the museum to display for this event please contact her or Lori Guin at the Westwego Historic Museum.

#### HEAR ALL REPORTS

Chief of Police Dwayne J. Munch, Sr. submitted his written report.

Fire Chief Ryan P. Guidroz submitted his written report and then discussed two issues with the construction of the new Fire Station and EMS Complex.

Chief Building Inspector Leslie "Skip" Lombas, Jr. submitted his written report.

Mechanical Inspector Tommy Baxter stated he had nothing to report at this time.

Plumbing Inspector Walter "Bubba" Choquette, Jr. stated he had nothing to report at this time

Electrical Inspector Doyle Guidroz was not present.

EMS Director Joseph J. Aldor, Jr. submitted his written report.

Senior Center Coordinator Brant Fonseca submitted his written report.

Farmers Market Coordinator Keith Bouvier addressed the City Council to present his report. He discussed recent events at the market and announced coming events. Mr. Bouvier presented Mayor Peoples with a plaque from the Red Knights.

#### APPROVE THE MINUTES

MOVED, and seconded, by All Council Members Present, to approve the minutes of the Regular Session of Monday, August 14, 2017.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

MOVED, and seconded, by All Council Members Present, to approve the minutes of the Special Session of Tuesday, August 15, 2017.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

#### RESOLUTIONS FOR ADOPTION

The City Clerk read aloud the following resolutions for adoption:

Offered by Council Member Rivere:

##### RESOLUTION 2017-09(A)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to submit plans to the State of Louisiana for Park Land and Improvements, Including Improvements to Existing Parks and Land Acquisition, Planning and Construction, FP&C Project No. 50-MV4-05-03.

MOVED by Council Member Rivere, and seconded by Council Member Valence, to adopt Resolution 2017-09(A).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Rivere:

##### RESOLUTION 2017-09(B)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to submit Capital Outlay Requests to the State of Louisiana Division of Administration Office of Facility Planning and Control for Fiscal Year 2018-2019.

MOVED by Council Member Rivere, and seconded by Council Member Nobles, to adopt Resolution 2017-09(B).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Rivere:

##### RESOLUTION 2017-09(C)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of Two Hundred Fifty Thousand Dollars (\$250,000.00) of state funds for the Jefferson Performing Arts Society – City of Westwego.

MOVED by Council Member Rivere, and seconded by Council Member Valence, to adopt Resolution 2017-09(C).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Nobles:

RESOLUTION 2017-09(D)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of Seventy Five Thousand Dollars (\$75,000.00) of state funds to the City of Westwego for River Shuttle Services from the Westwego River Landing or improvements to Sala Avenue.

MOVED by Council Member Nobles, and seconded by Council Member Rivere, to adopt Resolution 2017-09(D).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Nobles:

RESOLUTION 2017-09(E)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of Fifty Thousand Dollars (\$50,000.00) of state funds to the City of Westwego for the Creative Arts Center.

MOVED by Council Member Nobles, and seconded by Council Member Valence, to adopt Resolution 2017-09(E).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Valence:

RESOLUTION 2017-09(F)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of Fifty Thousand Dollars (\$50,000.00) of state funds to the City of Westwego for the WHARF Project.

MOVED by Council Member Valence, and seconded by Council Member Rivere, to adopt Resolution 2017-09(F).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Valence:

RESOLUTION 2017-09(G)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of One Hundred Thousand Dollars (\$100,000.00) of state funds to the City of Westwego for the Westwego Farmers and Fisheries Market.

MOVED by Council Member Valence, and seconded by Council Member Thibodeaux, to adopt Resolution 2017-09(G).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Nobles:

RESOLUTION 2017-09(H)

A resolution authorizing Mayor Joe Peoples, on behalf of the City of Westwego, to enter into a Cooperative Endeavor Agreement with the State of Louisiana, for the allocation of Twenty Five Thousand Dollars (\$25,000.00) of state funds to the City of Westwego for the Westwego Fest.

MOVED by Council Member Nobles, and seconded by Council Member Rivere, to adopt Resolution 2017-09(H).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Valence:

RESOLUTION 2017-09(I)

A resolution authorizing the City of Westwego to prepare and submit an application to the Louisiana Department of Wildlife and Fisheries (hereinafter the "Department") through the Sport Fish Restoration (Wallop-Breaux) program for assistance in the implementation of the repairs to and further construction of the Westwego Boat Launch, providing for necessary documentation of the need therefor, and providing for other matters in connection therewith.

MOVED by Council Member Valence, and seconded by Council Member Rivere, to adopt Resolution 2017-09(I).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Valence:

RESOLUTION 2017-09(J)

A resolution authorizing the City of Westwego to prepare and submit an application to the Louisiana Department of Wildlife and Fisheries (hereinafter the "Department") through the Sport Fish Restoration (Wallop-Breaux) program for assistance in the implementation of the construction of the WHARF Project; providing for necessary documentation of the need for the construction and providing other matters in connection therewith.

MOVED by Council Member Valence, and seconded by Council Member Nobles, to adopt Resolution 2017-09(J).

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

ORDINANCES FOR INTRODUCTION

The City Clerk read aloud the following ordinances for introduction:

Offered by Council Member Nobles:

An Ordinance amending Chapter 34 – PLANNING AND ZONING – ARTICLE II – ZONING Sec. 34-70 – Exceptions and modifications. (f) Projections into open areas - subsection (2).

Offered by Council Member Thibodeaux:

An Ordinance amending Chapter 26 – Article VI – Electronic Enforcement – Division 3. Vehicle Speed – Subsection B adding Sec. 26-229 Expenditure of Discretionary Funds.

ORDINANCES FOR ADOPTION

The City Clerk read aloud the following ordinances for adoption:

Offered by Council Member Rivere:

ORDINANCE 1543

An Ordinance of the Westwego Council Amending and Reenacting Chapter 38-Solid Waste, Article I. In General, Sec.38-13 – Fences Enclosing Dumpsters.

MOVED by Council Member Rivere, and seconded by Council Member Valence, to open a public hearing for this ordinance.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Mayor Peoples invited public comment. No one spoke in favor of, or in opposition to, the ordinance.

MOVED by Council Member Valence, and seconded by Council Member Rivere, to close the public hearing.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

MOVED by Council Member Rivere, and seconded by Council Member Nobles, to adopt Ordinance 1543.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Rivere:

ORDINANCE 1544

An ordinance authorizing the City of Westwego to dispose of, in accordance with Louisiana law, certain property that is no longer needed for public use.

MOVED by Council Member Valence, and seconded by Council Member Rivere, to open a public hearing for this ordinance.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Mayor Peoples invited public comment. No one spoke in favor of, or in opposition to, the ordinance.

MOVED by Council Member Rivere, and seconded by Council Member Valence, to close the public hearing.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

MOVED by Council Member Rivere, and seconded by Council Member Valence, to adopt Ordinance 1544.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Thibodeaux:

ORDINANCE 1541

An Ordinance of the Westwego City Council Amending Chapter 1 – General Provisions – Section 1-16 General penalty; continuing violation; to add subsection (e).

MOVED by Council Member Valence, and seconded by Council Member Thibodeaux, to open a public hearing for this ordinance.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Mayor Peoples invited public comment. No one spoke in favor of, or in opposition to, the ordinance.

MOVED by Council Member Rivere, and seconded by Council Member Valence, to close the public hearing.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

MOVED by Council Member Thibodeaux, and seconded by Council Member Valence, to adopt Ordinance 1541.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Offered by Council Member Thibodeaux:

ORDINANCE 1542

An Ordinance of the Westwego City Council Amending Chapter 26 – Motor Vehicles and Traffic - Article I In General – Section 26-97 Deferral.

MOVED by Council Member Thibodeaux, and seconded by Council Member Valence, to open a public hearing for this ordinance.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Mayor Peoples invited public comment. No one spoke in favor of, or in opposition to, the ordinance.

MOVED by Council Member Thibodeaux, and seconded by Council Member Valence, to close the public hearing.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

MOVED by Council Member Thibodeaux, and seconded by Council Member Valence, to adopt Ordinance 1542.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

## OLD BUSINESS

### 1. (JP) Utility Bill Adjustments

MOVED by Council Member Rivere, and seconded by Council Member Valence, to approve the Utility Bill Adjustments as recommended.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

### 2. (JP) City Auction

Mayor Peoples announced that the City Auction will be October 14, 2017 at the Old City Hall, 419 Avenue A, and that the City Council has dedicated the proceeds from this auction to the infrastructure of the City.

### 3. (JP) Sewer Plant Update

Mayor Peoples reported that since the last meeting all council members were able to view the sewer plant and the problems. He stated that Engineer Mo Saleh is working on the pricing for a solution, and that Gretna Mayor Belinda Constant has offered her advice because the City of Gretna had many of the same issues with its sewer plant.

A discussion followed.

### 4. (JP) Ambulance

Mayor Peoples reported that a power lift was not included in the ambulance that the City Council approved for purchase last month.

MOVED by Council Member Valence, and seconded by Council Member Rivere, for discussion of power lift.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

EMS Director "TJ" Aldor discussed how vital the power lift is.

Council Member Valence commended EMS for their service to our community.

MOVED by Council Member Rivere, and seconded by Council Member Thibodeaux, to approve the purchase of the power lift.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

## NEW BUSINESS

### 1. (MJR) Naming of the Boat Launch on Louisiana Street

Council Member Rivere stated that he would like the citizens of Westwego and the local schools to be involved in a contest to select a name for the boat launch on Louisiana Street.

### 2. (JP) Littering

Mayor Peoples stated there is an ordinance in place with a \$500.00 fine for littering and that the City of Westwego will be posting signs and enforcing this ordinance.

### 3. (JP) Bill Pay Options

Mayor Peoples announced that the front desk at city hall will soon be accepting credit cards for payment of utility bills, building permits, etc., and that there will be a convenience fee for this service.

## AMEND THE AGENDA

MOVED by Council Member Nobles, and seconded by Council Member Valence, to amend the agenda to discuss Boasso Construction.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

Mayor Peoples stated that he has asked City Attorney Joel Levy and CPA Jim Butler to research what can be done to rescind the agreement made by the past administration for the completion of the New City Hall.

Mayor Peoples discussed cleaning up the City. He stated that the Complaint Hotline is working very well.

ADJOURN

MOVED by Council Member Rivere, and seconded by Council Member Thibodeaux, to adjourn at 7:13 p.m., Monday, September 11, 2017.

APPROVED: Yeas: Nobles, Valence, Rivere, Thibodeaux; Absent: Green

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Joe Peoples, Mayor

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Lisa Tapia, City Clerk

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The Mayor and City Council of the City of Westwego will meet in Regular Session at 6:00 p.m., Monday, October 9, 2017, in the Council Room at City Hall, 1100 Fourth Street, Westwego, Louisiana.

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On motion by Council Member Rivere, and seconded Council Member Nobles, the following ordinance was introduced:

ORDINANCE 1543

AN ORDINANCE OF THE WESTWEGO COUNCIL AMENDING AND REENACTING *CHAPTER 8-SOLID WASTE ARTICLE I. IN GENERAL SEC.38-13 – FENCES ENCLOSING DUMPSTERS.*

**WHEREAS**, the City of Westwego has interest in the health safety and welfare of its citizens;

**BE IT ORDAINED**, by the mayor and council of the City of Westwego, Louisiana that the Code of Ordinances of the City of Westwego, Louisiana, is hereby amended and reenacted to read as follows:

Chapter 38 – SOLID WASTE  
ARTICLE I. IN GENERAL  
SEC. 38-13 FENCES ENCLOSING DUMPSTERS

Sec. 38-13. - Fences enclosing dumpsters.

- (a) A fence of at least seven feet in height shall enclose all dumpsters located within the city. This fence shall be made of an opaque material such as wood, earth berm, opaque hedge, or any combination thereof. If the barrier consists totally or in part of plant materials, such materials shall be planted in a strip not less than five feet in width.
- (b) The fence surrounding a dumpster shall remain closed at all times except for entering and exiting the dumpster area and from 4:00 p.m. on the day preceding a garbage collection day until 5:00 p.m. on collection day or whenever the garbage is collected.
- (c) The fence surrounding a dumpster for multifamily dwellings shall enclose at a minimum three sides of the dumpster.

Provided that a majority of the City of Westwego Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(C)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

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

Yeas: Nobles, Valence, Rivere, Thibodeaux  
Nays:  
Absent: Green  
Abstained:

WHEREUPON, the presiding officer declared this ordinance duly adopted today, September 11, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

\_\_\_\_\_  
Lisa Tapia, City Clerk

I certify that I presented this ordinance to the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

I acknowledge receipt of this ordinance from the City Clerk on September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I hereby approve this ordinance today, September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I certify that I received this ordinance from the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

On motion by Council Member Rivere, and seconded Council Member Valence, the following ordinance was introduced:

ORDINANCE 1544

An ordinance authorizing the City of Westwego to dispose of, in accordance with Louisiana law, certain property that is no longer needed for public use.

WHEREAS, there is a general concern for the health, safety, and welfare of the citizens of the City of Westwego; and

WHEREAS, the City of Westwego wishes to dispose property that has been declared surplus; and

WHEREAS, Louisiana law provides for the City of Westwego to sell/auction public property that is no longer needed for public use;

NOW THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Westwego, Louisiana, acting as full governing authority of said City that:

Section 1: The equipment and vehicles listed in the attached Appendix A are no longer needed for public use and are hereby declared to be surplus.

Section 2: The City of Westwego is hereby authorized to dispose of the equipment and vehicles listed in the attached Appendix A in the manner provided by law.

This ordinance shall be effective immediately.

After a public hearing was heard on the above Ordinance, the title having been read and the Ordinance considered, on motion by Council Member Rivere, and seconded by, Council Member Valence, to adopt the Ordinance, a record vote was taken and the following result was had:

Yeas: Nobles, Valence, Rivere, Thibodeaux

Nays:

Absent: Green

Abstained:

WHEREUPON, the presiding officer declared the above ordinance duly adopted today, Monday, September 11, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

\_\_\_\_\_  
Lisa Tapia, City Clerk

I certify that I presented this ordinance to the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

I acknowledge receipt of this Ordinance from the City Clerk on September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I hereby approve this ordinance today, September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I certify that I received this ordinance from the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

On motion by Council Member Thibodeaux, and seconded Council Member Valence, the following ordinance was introduced:

ORDINANCE 1541

An Ordinance of the Westwego City Council Amending Chapter 1 – General Provisions  
– Section 1-16 General penalty; continuing violation; to add subsection (e).

WHEREAS, the City of Westwego has interest in the health safety and welfare of its citizens and;

WHEREAS, the City of Westwego has an interest in providing for the appropriate penalty for the violation of the code of ordinances;

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Westwego, Louisiana, that the Code of Ordinances of the City of Westwego, Louisiana, is hereby amended and reenacted as follows:

Chapter 1 – GENERAL PROVISIONS

Sec. 1-16. - General penalty; continuing violations.

(a) In this section, the term "violation of this Code" means any of the following:

- (1) Doing an act that is prohibited or made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code, or by rule or regulation authorized by ordinance.
- (2) Failure to perform an act that is required to be performed by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code or by rule or regulation authorized by ordinance.
- (3) Failure to perform an act if the failure is prohibited or is made or declared unlawful, an offense, a violation or a misdemeanor by ordinance, by statute adopted by reference in this Code, by state rule or regulation adopted by reference in this Code or by rule or regulation authorized by ordinance.

(b) In this section, the term "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty unless it is specifically provided that the failure to perform the duty is to be punished as provided in this section.

(c) Unless a higher penalty is otherwise specified, whenever in this Code or in any ordinance of the city any act is prohibited or is made or declared to be unlawful or an offense, or whenever in this Code or any ordinance the doing of any act is required and the failure to do such act is declared to be unlawful, and no specific penalty is provided, and unless otherwise provided by state law, whoever is found to be in violation of any provision of this Code shall be punished by a fine not exceeding \$500.00 or imprisonment for a term not exceeding 60 days, or by both such fine and imprisonment within the discretion of the court.

(d) Each day any violation of this Code shall continue constitutes a separate offense.

(e) Persons cited for violation of this Code in the discretion of the City Attorney may have the prosecution deferred upon payment of an administrative fee not to exceed \$500. The city attorney, in his discretion, may defer the prosecution thereof for 180 days upon payment of the administrative fee and submission of proof of compliance with conditions of deferral. Failure to pay the administrative fee when due will result in an admission of guilt and imposition of the fine and sentence as set by the Court.

Provided that a majority of the Westwego City Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(C)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

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

Yeas: Nobles, Valence, Rivere, Thibodeaux

Nays:

Absent: Green

Abstained:

WHEREUPON, the presiding officer declared the above ordinance duly adopted today, Monday, September 11, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

\_\_\_\_\_  
Lisa Tapia, City Clerk

I certify that I presented this ordinance to the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

I acknowledge receipt of this Ordinance from the City Clerk on September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I hereby approve this ordinance today, September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I certify that I received this ordinance from the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

On motion by Council Member Thibodeaux, and seconded Council Member Valence, the following ordinance was introduced:

ORDINANCE 1542

An Ordinance of the Westwego City Council Amending Chapter 26 –  
Motor Vehicles and Traffic - Article I In General – Section 26-97 Deferral

WHEREAS, the City of Westwego has interest in the health safety and welfare of its citizens and;

WHEREAS, the City of Westwego has an interest in providing for the appropriate penalty for the violation of the code of ordinances relative to the Louisiana Highway Regulatory Act;

NOW THEREFORE BE IT ORDAINED, by the Mayor and City Council of the City of Westwego, Louisiana, that the Code of Ordinances of the City of Westwego, Louisiana, is hereby amended and reenacted as follows:

Chapter 26 – MOTOR VEHICLES AND TRAFFIC

Sec. 26-97. - Deferral.

Any person cited for violation of rules and regulations of the Louisiana Highway Regulatory Act (R.S. 32:1 et seq.) in the discretion of the City Attorney may have the prosecution deferred upon payment of an administrative fee not to exceed \$250 for each violation. The City Attorney, in his discretion, may defer the prosecution thereof for 180 days upon payment of the administrative fee and submission of proof of the compliance regarding the violations cited.

Provided that a majority of the Westwego City Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(C)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

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

Yeas: Nobles, Valence, Rivere, Thibodeaux

Nays:

Absent: Green

Abstained:

WHEREUPON, the presiding officer declared the above ordinance duly adopted today, Monday, September 11, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

\_\_\_\_\_  
Lisa Tapia, City Clerk

I certify that I presented this ordinance to the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk

I acknowledge receipt of this Ordinance from the City Clerk on September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I hereby approve this ordinance today, September 12, 2017.

\_\_\_\_\_  
Joe Peoples, Mayor

I certify that I received this ordinance from the Mayor on September 12, 2017.

\_\_\_\_\_  
Lisa Tapia, City Clerk