

MUNICIPAL MINUTES, TOWN OF CHURCH POINT, STATE OF LOUISIANA

REGULAR MEETING MARCH 2ND, 2020

ATTENDANCE

MAYOR: Ryan “Spanky” Meche

ALDERMEN: Christine Semien (Ward 1), Kim Cormier (Ward 2), Pat O’Pry (Ward 3), Chris Lebas (Ward 4),
Errol “Slu” Comeaux (Ward 5)

CHIEF OF POLICE: Dale Thibodeaux

TOWN ATTORNEY: Brad Andrus

MUNICIPAL CLERK: Rowdy Latiolais

COMMENCEMENT

CALL TO ORDER

Mayor Meche called the Regular Council Meeting to order.

INVOCATION AND PLEDGE

Prayer lead by Councilman Pat O’Pry / Pledge led by Councilman Chris Lebas

READING AND APPROVAL OF PREVIOUS MINUTES

It was moved by O’Pry, seconded by Cormier to accept the regular and special meeting minutes as written.

Vote: All in favor

Minutes unanimously accepted

APPROVAL OF FINANCIAL REPORT

It was moved by Cormier, seconded by Comeaux to accept the January 2020 financial report.

Vote: All in favor

Financial report unanimously accepted.

OLD BUSINESS

It was moved by Lebas, seconded by Comeaux to amend the previously introduced North Street name-change ordinance to include a dedication of North Street as Pavlu Way, while keeping the official name of North Street as such.

Vote: All in favor

Proposed ordinance unanimously amended

It was moved by Lebas, seconded by Comeaux to adopt the proposed ordinance dedicating North Street as Pavlu Way, while keeping the official name as North Street.

Vote: All in favor

Ordinance unanimously adopted; posted in appendix

It was moved by O'Pry, seconded by Cormier to adopt an ordinance correcting the spelling of Murel Street.

Vote: YEAS: Comeaux, O'Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

It was moved by Comeaux, seconded by O'Pry to adopt an ordinance correcting the spelling of Estilette Street.

Vote: YEAS: Comeaux, O'Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

It was moved by O'Pry, seconded by Comeaux to adopt an ordinance correcting the spelling of Eby Street.

Vote: YEAS: Comeaux, O'Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

It was moved by O'Pry, seconded by Comeaux to adopt an ordinance correcting the spelling of Roger Street.

Vote: YEAS: Comeaux, O'Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

It was moved by Cormier, seconded by Semien to adopt an ordinance correcting the spelling of Delahoussaye Street.

Vote: YEAS: Comeaux, O'Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

NEW BUSINESS

It was moved by Comeaux, seconded by O'Pry to accept, upon proper research bearing no errors or issues, the apparent low bid of \$133,667 by Southern Constructors, LLC for the Michelle & Marie Street water line replacement project. (Other bids were as follows: Bihm Construction \$166,906; Cade Frey Construction \$208,568; EB Feucht & Sons \$149,410).

Vote: All in favor

Bid unanimously accepted

LAW ENFORCEMENT

It was moved by O’Pry, seconded by Cormier to accept Chief Thibodeaux’s appointment of reserve officers Jared Daigle and Brandon Hollier.

Vote: All in favor

Reserve appointments unanimously accepted

LEGAL

It was moved by Cormier, seconded by Semien to adopt an ordinance allowing for fireworks on July 4, Christmas Eve, Christmas Day, New Year’s Eve and New Year’s Day.

Vote: YEAS: Comeaux, O’Pry, Cormier, Semien NAYS: Lebas

Ordinance adopted; posted in appendix

It was moved by O’Pry, seconded by Comeaux to adopt an ordinance regulating the removal of dead and diseased trees.

Vote: All in favor

Ordinance unanimously adopted; posted in appendix

It was moved by O’Pry, seconded by Semien to adopt an ordinance designating the areas located within the borders of, by and between South Main Street, Canal Street and POW MIA Street as a C-2 Zone.

Vote: All in favor

Ordinance unanimously adopted; posted in appendix

It was moved by O’Pry, seconded by Semien to adopt an ordinance setting the annual salary of the Mayor to be one dollar more than the highest paid employee of the town.

Vote: All in favor

Ordinance unanimously adopted; posted in appendix

It was moved by Comeaux, seconded by O’Pry to adopt an ordinance increasing the monthly salary of the elected members of the Church Point Town Council to \$500.00 per month.

Vote: All in favor

Ordinance unanimously adopted; posted in appendix

MISC/DISCUSSION

It was moved by O’Pry, seconded by Semien to approve a liquor license exemption for the OMP Dinner Auction to be held on March 21, 2020 at the Gertrude Wimberly Community Center.

Vote: All in favor

Liquor license exemption unanimously approved

CLOSING

It was moved by Cormier, seconded by Semien to adjourn the meeting.

Vote: All in favor

Meeting unanimously adjourned

APPROVED AS TO AUTHENTICITY:

RYAN MECHE, MAYOR

DATE

ROWDY LATIOLAIS, CLERK

DATE

APPENDIX

ORDINANCE # 030220-1

**AN ORDINANCE DESIGNATING NORTH STREET AS PAVLU WAY AND
KEEPING THE OFFICIAL NAME AS NORTH STREET.**

WHEREAS, the Board of Alderman for the Town of Church Point, recognizes all of its right, duties and obligations.

WHEREAS, the Board of Alderman for the Town of Church Point, in accordance with town ordinances governing such, hereby adopts the designation of North Street as Pavlu Way, while keeping the official name of said street as North Street.

Severability: In the event any section, part or portion of this ordinance shall be found unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, Lebas, O’Pry, Cormier, Semien

NAYS: None

ABSTAINING: None

ABSENT: None

THEREUPON, the above resolution was duly adopted.

RYAN “SPANKY” MECHE
Mayor

Attest:

ROWDY LATIOLAIS, CLERK

ORDINANCE # 030220-2

**AN ORDINANCE CORRECTING SUCH CLERICAL ERRORS MADE IN THE
SPELLING OF MURREL STREET, ESTILETTE, EBY STREET, ROGER STREET
AND DELAHOUSAYE STREET**

WHEREAS, the Board of Alderman for the Town of Church Point, recognizes all of its right, duty and obligation to correct the names of certain street spelled incorrectly at the time of adoption

WHEREAS, the Town of Church, deems it necessary to deems it necessary and adopts the following findings to correct such clerical error and properly name the following streets: Murrel Street, Estilette Street, Eby Street, Roger Street and Delahoussaye Street as spelled herein.

Severability: In the event any section, part or portion of this ordinance shall be found unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to an individual vote and the results were as follows:

MURREL STREET:

YEAS: Comeaux, O’Pry, Cormier, Semien

NAYS: Lebas

ABSTAINING: None

ABSENT: None

ESTILETTE STREET:

YEAS: Comeaux, O’Pry, Cormier, Semien

NAYS: Lebas

ABSTAINING: None

ABSENT: None

EBY STREET:

YEAS: Comeaux, O’Pry, Cormier, Semien

NAYS: Lebas

ABSTAINING: None

ABSENT: None

ROGER STREET:

YEAS: Comeaux, O’Pry, Cormier, Semien

NAYS: Lebas

ABSTAINING: None

ABSENT: None

DELAHOUSSAYE STREET:

YEAS: Comeaux, O’Pry, Cormier, Semien

NAYS: Lebas

ABSTAINING: None

ABSENT: None

THEREUPON, the above resolution was duly adopted.

RYAN “SPANKY” MECHE
Mayor

Attest:

ROWDY LATIOLAIS, CLERK

ORDINANCE # 030220-3

**INTRODUCTION OF A FIREWORKS/PYROTECHNICS ORDINANCE BY ADOPTING LOUISIANA
REVISED STATUTE 51:650 THROUGH LOUISIANA REVISED STATUTE 51:660 AND ESTABLISHING
SPECIFIC DATES DURING THE CALENDAR YEAR ALLOWED TO DISCHARGING OR SELL
FIREWORKS WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT**

FIREWORKS ORDINANCE

The Church Point Board of Alderman hereby adopts by reference, and incorporates into this Ordinance, all of the provisions of La. Revised Statutes 51:650 et seq. and amendments thereafter

Definitions

The following words, terms and phrases, when used in this herein shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adult means someone who has reached and surpassed 18 years of age. The term "adult supervision" will thus be defined as the occurrence of an adult overseeing the activity and verifying the safety of persons under the age of 18 years of age.

Established vendor means a business operation within the Town which collects sales taxes on all sales, including the sales of fireworks.

Fireworks means those fireworks enumerated as permissible fireworks in R.S. 51:650 ET SEQ and shall exclude those certain fireworks prohibited from use in R.S. 51:650 ET SEQ

Sales to minor prohibited.

No person or entity, vendor or retailer shall offer to sell or sell fireworks to a person less than 18 years of age.

Possession and use.

No person under the age of 18 years of age shall use, handle, set off, shoot, or have in possession any fireworks without adult supervision.

Selling of and Using Fireworks within the corporate limits of the Town of Church Point not allowed; Exception:

It shall be unlawful for any person, firm, or corporation to discharge, sell, store, manufacture, set off, or shoot any fireworks of any kind or character, including but not limited to firecrackers, roman candles, torpedoes, sky rockets, and any other fireworks of any similar kind or character, within the corporate limits of the Town of Church Point except as may be specially permitted by the town, in writing;

Exception: It shall **not** be unlawful for any person, firm, partnership or corporation to **sell** at retail from noon, June 30 through midnight, July 5, and from noon December 20th through midnight January 1st. It shall not be unlawful to discharge, set off or shoot any fireworks of any kind or character, including but not limited to firecrackers, roman candles, torpedoes, sky rockets, and any other fireworks of any similar kind or character, within the corporate limits of the Town of Church Point on the following dates: July 4th, December 24th, December 25th, December 31st, and January 1st. ***The Town of Church Point hereby formally acknowledges and agrees that nothing allowed herein shall override any type a “burn ban” or “fire ban” issued by the Louisiana State Fire Marshall’s Office. Such “ban” shall immediately override any provisions of this ordinance and no fireworks of any kind will be allowed to be discharged, set off or shot off.***

Annexations:

Not withstanding the provisions hereof, this section shall not apply for a period of five (5) years from the date of annexation of any property into the corporate limits of the town.

Sale or possession of certain materials or certain types of fireworks similarly related to fireworks near a parade route prohibited

(a) *Material labeled as flammable, snaps, pop or cracker balls.* It shall be unlawful for any person to sell or possess for his personal use any material labeled as flammable, snaps, pops, or cracker balls within 300 feet of any parade route within the city on any day a parade is scheduled.

(b) *Silly string.* It shall be unlawful for any person to sell or possess for his personal use any silly string within 300 feet of any parade route within the city on any day a parade is scheduled.

(c) *Stink bombs.* It shall be unlawful for any person to sell or possess for his personal use any stink bomb within 300 feet of any parade route within the city on any day a parade is scheduled.

Posting of notices

The provisions of this article concerning sales, possession and use, dates and times of sale and use, and penalties, shall be posted on a legible sign of not less than 20 inches by 30 inches on the premises of any establishment selling fireworks. It shall be the responsibility of the establishment to prepare and post said signs.

Permits (cost)

The cost of obtaining a permit from the town for a firework displays shall be \$100.00. Fireworks sales licenses shall not be issued to any individual who has not attained the age of 21 years.

Penalties

(a) Whoever violates section 10-24 shall be guilty of a misdemeanor punishable by the following:

(1) First offense: A fine of not more than \$50.00;

(2) Second offense: A fine of not more than \$100.00 or imprisonment in jail for not more than 30 days, or both;

(3) Third offense: A fine of not more than \$250.00 or imprisonment in jail for not more than 30 days, or both, plus forfeiture of his fireworks sales license for a period of two years. There shall be no refund of fireworks sales license fees to any third offense violator.

(b) Whoever violates this section shall be guilty of a misdemeanor punishable by a fine not to exceed \$100.00 or imprisonment for not more than 30 days, or both for each violation

Severability: In the event any section, part or portion of this ordinance shall be found to be unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, O’Pry, Cormier, Semien
NAYS: Lebas
ABSTAINING: None
ABSENT: None

THEREUPON, the above resolution was duly adopted.

RYAN “SPANKY” MECHE
Mayor

Attest:

ROWDY LATIOLAIS, CLERK

ORDINANCE # 030220-4

INTRODUCTION OF AN ORDINANCE DEFINING, REGULATING, PRESERVING, CONTROLLING THE PRUNING, TRIMMING, REMOVAL, DISPOSAL OF, CARE OF AND PRESERVATION OF TREES LOCATED ON PUBLIC AND PRIVATE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE TOWN OF CHURCH POINT; TO PROVIDE AND ESTABLISH RULES , REGULATIONS, PROCEDURES AND PRACTICES FOR FULFILLING THESE PURPOSES

WHEREAS, the Board of Alderman for the Town of Church Point, recognizes all of its right, duty and obligation to regulate and maintain the integrity and safety of the public;

WHEREAS, the Town of Church, deems it necessary to protect the health, safety and welfare of the Public, in part, by regulating and controlling the pruning, trimming, replanting, removal, disposal of, care and preservation of trees and shrubs located on the streets and public grounds within the Town and to provide and establish procedures and practices for fulfilling these purposes.

WHEREAS, the Town of Church Point, makes and adopts the following findings and purposes::

SECTION 1:

(A) Definitions:

(1) **Public Trees**- are herein defined as trees, shrubs, bushes and all other woody vegetation located or lying on all property owned, leased or controlled by the Town of Church Point which includes but is not limited town streets, sidewalks, right of ways, servitudes, easements, public parks and the like;

(2) **Private Trees**: are herein defined as trees, shrubs, bushes and all other woody vegetation located or lying on property owned , leased or controlled by a private person or persons as defined herein located within the corporate limits of the Town of Church Point;

(3) **Arborist**:. Expert in tree care and maintenance that is licensed by the State of Louisiana

(4) **Person(s)**: An individual, firm, association, partnership or corporation or any other entity that is not defined as public.

(6) **Tree service**: Work performed on shade or ornamental trees including but limited to removal, planting, trimming, spraying, controlling and fertilizing of trees.

SECTION 2: TREES LOCATED ON PUBLIC PROPERTY:

(a) The Town of Church Point shall have the right to prune, maintain or remove or caused to be removed all trees, plants and shrubs located **on property owned , leased or controlled by the Town, as may be necessary**, to ensure the safety of town employees, the public, those who are tasked with servicing town utilities or to preserve the symmetry and beauty of such public grounds;

(b) The town may remove or cause or order to be removed, any tree or part thereof which is in an unsafe condition which constitute a potential threat to the safety of the public or public property, harbor insects or other pests, is affected with any injurious fungus or disease which constitute a potential threat to the safety of the public or public property or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements; or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines or other public improvements or is affected with any injurious fungus, insect or other pest.

(c) The authority to prune, maintain or remove or cause or order to be removed, any tree(s) or any part(s) thereof located on public property, shall be vested in the Mayor or anyone he so authorizes.

SECTION 3: TREES LOCATED ON PRIVATE PROPERTY;

(a) **Overhanging tree(s):** Every private person or persons who owns any tree(s) or any parts thereof, shrubs or other wooded vegetation overhanging any town street, right-of-way, sidewalk, servitude, easement or any other public grounds located within the corporate limits of the Town, shall have a clearance height of 15 feet; such private owner shall have a duty to prune, cut and/or remove any trees(s) and any parts thereof, shrubs and any other wooded vegetation:

- (1) That are dead, diseased, broken and/or decayed
- (2) That harbor insects, disease
- (3) That obstructs the light from a street light,
- (4) That obstructs the view of any street intersection, traffic sign, traffic control device;
- (5) That creates a menace to the safety of the public or creates a hazardous condition that is detrimental to the safety of the public
- (6) Any other obstruction that creates a safety hazard to the public as determined by the Mayor;

(b) **Right of the town to prune, cut and/or remove any tree(s) or any parts thereof located on private property:** The town shall have the right enter and to prune, cut and/or remove any tree(s) located **on private property** when:

- (1) When such creates or constitutes a hazard to life or property;

- (2) When such trees are dead or rotting or harbor insects or disease which constitute a potential threat to other trees within the Town;
- (3) That obstructs the light from a street light;
- (4) That obstructs the view of any street intersection, traffic sign, traffic control device;
- (5) Any other obstruction that creates a safety hazard to the public or creates an unsafe condition that endangers the public welfare ;

(c) Licensed Arborist

Prior to pruning, cutting or removing tree(s) in accordance with this section a licensed Arborist may be hired to assess such tree or trees and determine the health of such tree or trees. If in the opinion of such arborists such tree(s) is determined to be in an unsafe condition then such tree(s) shall be removed. However, the Mayor may override any decision or determination made by such arborist in regards to the removal of such tree(s).

(d) Notice to Owner, hearing; notice filed with recorder of mortgages binds transferees

No tree(s) may be removed in accordance with this section unless and until such owner of such tree(s) is given proper notice and an opportunity to be heard in the following manner:

Before the board of alderman may require a tree be removed that is located on private property , there shall be submitted to it a written report from a licensed arborist recommending the removal of the tree(s), such report must be signed by the licensed arborist. The Town of Church Point shall thereupon serve notice on the owner of the property where the tree(s) is located requiring him to show cause at a meeting of the Board of Alderman, regular or special, why the tree(s) should not be removed. The date and hour of the meeting shall be stated in the notice which shall be served at least ten days prior to the date of the hearing, except in case of grave public emergency wherein no notice is required. The notice may be served by mailing it via the United States Postal Service, by either registered or certified mail, return receipt requested, to the owner at the owner's last known address.(b) Service by registered or certified mail shall be considered personal service if the certified return

receipt or the return form is signed by the addressee. Service by registered or certified mail shall be considered domiciliary service if the certified return receipt or the return form is signed by anyone other than the addressee.(c) If the registered or certified mail is returned for failure to obtain a signature on the return receipt form or returned due to refusal of delivery, service may be accomplished by first class mail, with a certificate of mailing. Service by first class mail in accordance with this Subparagraph shall be considered personal service and is effective when mailed. (3) The notice may also be served by the marshal of the municipality or by any sheriff or deputy sheriff or constable having jurisdiction and power to serve legal process where the owner of the property is found in the state of Louisiana, and the officer shall make return of the service as in ordinary cases. B. If the owner is absent from the state or unrepresented therein, then the notice shall be served upon the occupant of the property , if any, and also upon an attorney at law appointed by the mayor to represent the absentee. Domiciliary service may be made as in ordinary cases. C. In case of grave public emergency where the condition of the building is such as to cause possible immediate loss or damage to person or property, the town may remove the tree(s) after twenty-four hours notice served upon the owner or his agent or the occupant and attorney at law appointed to represent the absentee owner. Any such notice may be attached to a door or a main entrance of the premises or in a conspicuous place on the property and shall have the same effect as delivery to or personal service on the owner, occupant, or attorney at law appointed to represent the absentee owner. D.(1) Any notice served pursuant to this Section shall be filed by the town with the recorder of mortgages where the property is located. Once filed, said notice shall be deemed notice to all subsequent transferees. Any transferee of such property takes the property subject to all recorded liens, mortgages, and notices thereunto pertaining. The last known address of the owner of the property that is listed as the Acadia Parish Tax Assessment from the Acadia Parish Tax Assessors Office and such shall be considered that owners proper address for notification purposes

After the hearing, if, in the opinion of the Board of Alderman, the facts justify it, an order shall be entered condemning the tree and ordering that it be removed within a certain delay. The Board of Alderman may grant the owner the option of removing the tree(s) on his own and at his own costs, but in such a case the time allowed to remove shall be specified in the decision of the Board of Alderman .B. The decision and order of the Board of Alderman shall be in writing and shall be final unless appealed from within five days as hereinafter provided

Compliance with decision of the Board of Alderman; removal by town where owner fails to comply; notice;

The owner or his designated agent may proceed to remove the tree(s) in accordance with the order of the Board of ALderman, provided the owner or his agent executes a contract in writing obligating himself to have the work done within the required time and files with the mayor a copy of the contract, together with a bond to

guarantee performance. B. In the event the owner of the property where such tree(s) are located fails or refuses to comply with the decision of the board of alderman, then, in that event, the mayor may proceed with the removal of the tree(s) in which case neither mayor nor the Town of Church Point shall be liable in damages. C.(1) Prior to the removal of the tree(s) by the town, the mayor, or some official designated by the appropriate authority shall serve notice on the owner, or his agent, and on any occupant of any building located on the property where the tree(s) are located, if any there be, or upon the attorney at law appointed to represent the minor, interdict, or absentee owner, giving the time when work will begin upon the removal of the tree(s). Notwithstanding the contents of this Subsection, in cases of grave public emergency, the posting of the notice attached to the door or main entrance of the premises or in a conspicuous place on the premises giving the time when work will begin upon removal of the tree(s) shall be considered sufficient notice to the owner, occupant or attorney at law appointed to represent the absentee owner.

Lien and privilege for cost of removal; interest; attorney fees

A. The Town of Church Point has a privilege and lien upon an immovable and its improvements, and the owner is personally liable for: (1) The cost for the removal of such tree(s) and (2) The costs of all attorney fees incurred by the Town of Church Point in connection with such removal. B. The privilege and lien shall be preserved and enforced only after the owner has refused, after notification by the town and reasonable opportunity to be heard, to pay the costs incurred by the town. C. The privilege and lien shall be preserved by the filing and recording of an affidavit signed by the mayor or his designee in the mortgage office of the parish in which the tree(s) is situated. The affidavit shall include a description of the property sufficient to reasonably identify such and a statement of facts listing the approximate cost or costs incurred by the town. D.(1) The privilege and lien shall be enforced by ordinary process in the district court having jurisdiction within three years after it is perfected. Alternatively, the privilege and lien may be enforced by assessing the amount of the privilege and lien against the immovable as a tax against the immovable, to be enforced and collected as any ordinary property tax lien to be assessed against the property; the lien and privilege may be collected in the manner fixed for collection of taxes and shall be subject to the same civil penalties for delinquencies. After the town has incurred such costs as constitute the lien and privilege on the property, the mayor or his designee may send an attested bill of said costs and expenses which constitute the lien and privilege to the tax assessor of Acadia Parish in which the property is located, who shall add the amount of the bill to the next tax bill of the owner. The lien obtained by the town pursuant to proper notification and filing shall include not only the costs provided for in Subsection A of this Section but shall include all attorney fees and all costs of court incurred in the locating of the owner, the notification of the owner, and the enforcement and collection of the amount secured by the lien against the immovable and the improvements. (2) If authorized by a municipal ordinance, the parish or municipality may also recover interest on the amounts secured by the lien. The interest shall not exceed the rate of legal interest provided in R.S. 9:3500 and shall be computed from

the date of recordation of the lien until paid. The privilege and lien of the parish or municipality shall prime all other liens or privileges against the property filed after the notice to the owner to show cause is filed with the recorder of mortgages pursuant to R.S. 33:4762(D), regardless of the date on which the lien and privilege of the parish or municipality is perfected, except that the lien and privilege of the town will not prime other tax liens against the property. F. The lien of the town shall not be cancelled until after payment of all amounts, including costs, attorney fees, and interest. G. In addition to the lien and enforcement procedures authorized under this Section, the town has a cause of action against the owner personally for the costs incurred by the town, if such owner is not indigent and has the ability to pay a judgment obtained by the town. Such action may be brought by ordinary proceeding in any court of competent jurisdiction. H.(1) If property, which may be subject to a lien and privilege granted in favor of the town under this Section, is owned in indivision and the owners in indivision, with their proportionate share in the property, are listed separately by the tax assessor on the ad valorem tax roll for the town, then the town shall notify each owner in indivision of his liability under this Section.(2) Upon failure of each owner in indivision to pay his proportionate share of the charges incurred under this Section, that part of the property for which the charges are not paid shall be subject to a lien and privilege in favor of the town as provided in this Section. (3) Notwithstanding the provisions of Subsection F of this Section to the contrary, upon payment by an owner in indivision of his proportionate share listed on the ad valorem tax roll for the town of the charges, attorney fees, and interest incurred under this Section, and after certification of such proportionate interest by the assessor, the lien and privilege granted under this Section shall be removed from the proportionate interest of the paying owner in indivision. If outstanding charges levied under this Section are added to the annual ad valorem tax bill, the proportionate payment by the paying owner in indivision shall be reflected on the bill, and his interest in the property free of such charge shall be distinguished on the tax bill. (4) Notice of the lien and privilege required herein shall be made upon the owners in indivision at their actual address or the last known address listed on the tax rolls of the parish.

The Town shall notify, in writing, the owners of the property where such tree or trees are located.. Such removal shall be done by said owners at their own expense within sixty (60) days after date of service of notice and in the event of failure of owners to comply with such provisions, the Town shall have the authority to enter such property where tree(s) are located remove such trees The Town cannot be held liable for any damages to any property in pursuit of the terms of this section. All expenses and costs associated with the removal of such tree(s) will be assessed to the owner(s) and such must be paid within sixty (60) days of receipt, via United States Postal Service, of expenses and costs of removal of such tree(s) to the owner(s).

- (g) **Permit:** It shall be unlawful for any person or firm to engage in the business or occupation of trimming, planting, cutting, pruning, treating or removing trees

within the Town of Church Point without first applying for and procuring a permit. The permit fee shall be fifty dollars (\$50.00) per permit or two-hundred dollars (\$200.00) for a one (1) year permit, annually, in advance, provided, however, that no permit fee shall be required of any public service utility company. Before any such permit shall be issued, each applicant shall first file written evidence of possession of liability insurance in the minimum amount of one million dollars (\$1,000,000.00) for bodily injury and one million dollars (\$1,000,000.00) for property damage.

(J) Severability: In the event any section, part or portion of this ordinance shall be found unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

(k) Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

(I) THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, Lebas, O’Pry, Cormier, Semien

NAYS: None

ABSTAINING: None

ABSENT: None

THEREUPON, the above resolution was duly adopted.

RYAN “SPANKY” MECHE
Mayor

Attest:

ROWDY LATIOLAIS, CLERK

ORDINANCE #030220-5

AN ORDINANCE DESIGNATING THE AREAS LOCATED WITHIN THE BORDERS OF, BY AND BETWEEN SOUTH MAIN STREET, CANAL STREET AND POW/MIA STREET AS A C-2 ZONE

WHEREAS, the Board of Alderman for the Town of Church Point, are tasked with making changes to zones that are necessary to make such more compatible;

WHEREAS, the Town of Church, deems it necessary to change and designate the areas located within the borders of, by and between South Main Street, Canal Street and POW/MIA Street designated as a C-2 Zone.

Severability: In the event any section, part or portion of this ordinance shall be found unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, Lebas, O’Pry, Cormier, Semien

NAYS: None

ABSTAINING: None

ABSENT: None

THEREUPON, the above resolution was duly adopted.

RYAN “SPANKY” MECHE
Mayor

Attest:

ROWDY LATIOLAIS, CLERK

ORDINANCE # 030920-6

**AN ORDINANCE SETTING THE ANNUAL SALARY OF THE MAYOR OF THE TOWN
OF CHURCH POINT**

WHEREAS, the Town Council, Town of Church Point, Louisiana, desires to create an Ordinance in order to set the annual salary of the Mayor, Town of Church Point.

WHEREAS, by the power granted to the Town Council by way of *Louisiana Revised Statute 33:404.1* and adopting such herein, hereby set the annual salary of the Mayor at one dollar (\$1.00) more than the highest paid employee (not including any employee of the Church Point Police Department) employed by the Town of Church Point. Such amount shall be based on a forty-hour work week. However, once this ordinance goes into effect the Mayor is not allowed to give a pay raise to such highest paid employee as such duty will be that of the Town Council. Such determination regarding the highest paid employee shall be determined by way of a forty (40) hour work week. At the end of every fiscal year there shall be a determination made at the next subsequent town council meeting by the Town Council whether an increase in the annual salary is required.

NOW THEREFORE, BE IT ORDAINED that the annual salary of the Mayor, Town of Church Point be one dollar (\$1.00) more than the highest paid employee, (not including any employee of the Church Point Police Department) employed by the Town of Church Point; in addition the Town of Church Point will provide a vehicle to the Mayor at no cost to the Mayor, in order for the Mayor to conduct the business of the Town.

SEVERABILITY: In the event any section, part or portion of this ordinance shall be found to be unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

REPEAL OF CONFLICTING ORDINANCES. All ordinances and laws or parts of ordinances and laws Not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, Lebas, O’Pry, Cormier, Semien

NAYS: None

ABSTAINING: None

ABSENT: None

THEREUPON, the above ordinance was duly adopted.

This Ordinance shall take effect immediately upon being adopted.

RYAN “SPANKY” MECHE
Mayor

ATTEST:

ROWDY LATIOLAIS, CLERK

ORDINANCE # 030920-7

**AN ORDINANCE INCREASING THE MONTHLY SALARY OF
THE CHURCH POINT TOWN COUNCIL**

WHEREAS, the Town Council for the Town of Church Point, Louisiana, desires to create an ordinance which increases the monthly salary of the elected members of the Church Point Town Council from \$345.45 per month to \$500.00 per month, along with the inclusion of future cost of living raises.

NOW THEREFORE, BE IT ORDAINED THAT, the salary for all town councilman shall be increased to \$500.00 per month, along with the inclusion of future cost of living raises.

Severability: In the event any section, part or portion of this ordinance shall be

found unconstitutional, or otherwise unenforceable, the remaining portion shall be valid and of full force and effect.

Repeal of conflicting ordinances: All ordinances and laws or parts of ordinances and laws not specifically noted above which are in conflict with this ordinance are hereby repealed.

THUS DONE AND PASSED, at Church Point, Louisiana, this 2nd day of March, 2020, after due reading of the whole.

The above being submitted to a vote and the results were as follows:

YEAS: Comeaux, Lebas, O’Pry, Cormier, Semien

NAYS: None

ABSTAINING: None

ABSENT: None

THEREUPON, the above ordinance was duly adopted.

This Ordinance shall be take effect immediately upon being adopted.

RYAN “SPANKY” MECHE
Mayor

ATTEST:

ROWDY LATIOLAIS, CLERK

