

ORDINANCE NUMBER 10-2017-08

CODE OF CRIMINAL PROCEDURE

TO ENACT A CRIMINAL CODE FOR THE TOWN OF SIMMESPORT, TO REULATE OR PROHIBIT CERTAIN ACTIVITIES; TO PROVIDE PENALTIES FOR VIOLATION OF SUCH REGULATIONS OR PROHIBITIONS; TO PROVIDE FOR THE EFFECTIVENESS OF THIS ORDINANCE TO PRIOR ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND TO PROVIDE FOR RELATED MATTERS.

Be it ordained by the Mayor and Board of Aldermen of the Town of Simmesport, Louisiana in regular session assembled that:

Section 1 – Title

The Title of this Ordinance shall be the “Code of Criminal Procedure for the Town of Simmesport”

Section 2 – Code of Criminal Procedure Adopted

Pursuant to La. R.S. 33:1368, The Louisiana Code of Criminal Procedure and Title 15 of the Louisiana Revised Statutes titled “Ancillaries to the Code of Criminal Procedure” in current form and as may be amended from time to time are incorporated herein by reference thereto as fully and completely as though set forth herein in its entirety except insofar as a particular provision is incompatible with the general nature and organization of, or special procedures established or authorized by law for this court.

Section 3

The sections, paragraphs, sentences, clauses, and phrases of the Statutes or Titles adopted herein by reference and made part of this Code shall be severable. If any section, paragraph, sentence, clause, or phrase of any of the Statutes or Titles referenced herein is declared unconstitutional, illegal, or otherwise invalid by judgment or decree of a court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of the Statutes and Titles adopted herein by reference and made part of this Code.

Section 4

All previous ordinances adopting and purporting to adopt by reference any previous municipal criminal code are hereby repealed and superseded.

Section 5



This ordinance shall not affect or supersede any duly enacted ordinance of the Town of Simmesport that does not directly conflict with a provision of the Louisiana Code of Criminal Procedure or a provision of Title 15 of the Louisiana Revised Statutes.

Section 6

Not less than two copies of the most current version (in pamphlet form) of Louisiana Code of Criminal Procedure and Title 15 of the Louisiana Revised Statutes, in pertinent part, shall be permanently retained in the office of the Town Clerk, said copies to be made available for public inspection during regular office hours.

Section 7

The repeal of any provision of any section, paragraph, sentence, clause, phrase, or other provision or part of any of the Statutes or Titles adopted herein by reference and made part of this Code shall not affect any offense committed or act done prior to the effective date of such repeal, or any penalty or forfeiture incurred for an offense committed under the provision repealed or any prosecution or suit pending at the time of such repeal for an offense committed under the provisions repealed.

Section 8

This ordinance shall become effective upon passage.

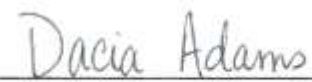
Said Ordinance having been introduced at the meeting of the Board of Aldermen held on December 11, 2017 by the Town of Simmesport, copies of the Ordinance having been provided to all members of the Board of Aldermen and the Mayor, the title of the proposed Ordinance and notice of the time and place where the Board of Aldermen will consider the adoption of the Ordinance having been published once in the official journal of the municipality on November 9, 2017, and a public hearing having been held, the title of this Ordinance having been read and the Ordinance considered, on motion by Alderman Marsh and seconded by Alderman Brown, to adopt the Ordinance, a record vote was taken and the following result was had:

	FOR	AGAINST	ABSTAIN
Alderman Bell	<u> X </u>	<u> </u>	<u> </u>
Alderman Brown	<u> X </u>	<u> </u>	<u> </u>
Alderman Coco	<u> X </u>	<u> </u>	<u> </u>
Alderman Marsh	<u> X </u>	<u> </u>	<u> </u>
Alderman Turner	<u> X </u>	<u> </u>	<u> </u>

Whereupon, the motion receiving the affirmative vote of a majority of the members of the Board of Aldermen, the presiding officer declared the above Ordinance duly adopted on the 11th day of December, 2017.



Leslie Draper III, Mayor



Dacia Adams, Town Clerk

