

ORDINANCE NUMBER 10-2017-10

CODE OF EVIDENCE

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All previous ordinance adopting and purporting to adopt by reference any previous municipal criminal code are hereby repealed and superseded.



Section 5

Not less than two copies of the most current version (in pamphlet form) of Louisiana Code of Evidence 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 6

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the effective date of such repeal, or any penalty or forfeiture incurred for an offense committed under the provision repealed or any prosecution or suit pending at the time of such repeal for an offense committed under the provisions repealed.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 7


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, copy 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 Turner and seconded by Alderman Marsh, 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

