

**A**

**Home Rule Charter**

**Form of Government**

**for the**

**Parish of West Feliciana**

Prepared by the

West Feliciana Parish Home Rule Charter Commission

May 2012

# WEST FELICIANA PARISH HOME RULE CHARTER

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# **HOME RULE CHARTER OF WEST FELICIANA PARISH**

## **PREAMBLE**

We, the People of the Parish of West Feliciana, grateful to Almighty God for our civil and political liberties, in the State of Louisiana, in order to secure for ourselves the benefits and responsibilities of home rule, do adopt, under God, this Home Rule Charter and plan of government.

## **ARTICLE I ESTABLISHMENT OF HOME RULE**

West Feliciana Parish is a local governmental subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974. The Parish shall operate under this Home Rule Charter under authority of Article VI, Section 5 of the Constitution.

## **ARTICLE II POWERS AND FUNCTIONS OF THE PARISH**

Except as otherwise provided by this Charter, West Feliciana Parish shall continue to have all powers, functions, rights and privileges, immunities, and authority previously possessed under the laws of the State. The Parish shall have and exercise such other powers, rights, privileges, immunities, authority and functions not inconsistent with the Charter as may be conferred on or granted to a local governmental subdivision by the constitution and laws of the State. The Parish is hereby granted the right and authority to exercise any power and perform any function necessary, requisite, or proper for the management of its affairs, not denied by this Charter or general law, or inconsistent with the Constitution. The Parish shall have the right and authority to exercise general police power.

**ARTICLE III  
ORGANIZATION, STRUCTURE AND DISTRIBUTION OF POWERS AND  
FUNCTIONS**

**SECTION A. THE GOVERNING AUTHORITY**

**1. Name, Composition and Qualifications of Members**

- a.** The name of the governing authority shall be the West Feliciana Parish Council, in the form of Council/President, which shall consist of five (5) members. Members shall be elected as follows:
  - i.** One (1) of the members shall be elected at large by all qualified electors of the Parish, but shall qualify by possessing residency requirements as set forth below.
  - ii.** Four (4) members shall be elected from single member districts as established by the governing authority.
- b.** All Council Members must be at least eighteen (18) years of age.
- c.** All Council Members shall reside in and be qualified voters of the Parish, and shall reside in and be qualified voters of their respective districts, for at least three (3) years.
- d.** No Council Member shall hold any other elected public office or other paid public office or public position of profit except the office of Notary Public, member of the armed services or the position of principal, teacher or employee in the public education system.

**2. Compensation**

- a.** The Members of the Parish Council shall receive a monthly allowance in the amount of \$800, with no eligibility for benefits or retirement under Parish personnel resources.
- b.** Council members may not be reimbursed for travel within the Parish.

### **3. Council Districts and Reapportionment**

- a.** There shall be four (4) Parish Council districts.
- b.** Following official publication of each federal census by the United States Bureau of the Census for the area covered by West Feliciana Parish, and at least six (6) months prior to the time established by law for qualifying for office in the next regular election for Council Members, the Council by ordinance shall alter, change or rearrange Council district boundaries so as to provide for population equality among the districts as near as reasonably practicable. To the extent possible, Council districts shall be compact and be composed of contiguous territory.
- c.** No ordinance effecting apportionment shall be considered for final passage by the Council until at least three (3) advertised public hearings have been held on approval.

### **4. Term of Office**

- a.** Council Members may serve a four (4) year term, with a maximum of two (2) full terms.
- b.** No holder of any seat on the Council who shall have served two consecutive complete terms in the same seat shall be eligible to serve a third consecutive term for such seat.

### **5. Continuing Domicile and Qualified Elector Requirements for Members of the Council**

- a.** A Council Member shall continue to be a qualified elector and legally domiciled within the Parish and, if elected from a single member district, shall continue to be legally domiciled within the district during the term of office for which he/she is elected. If a Council Member ceases to be a qualified elector or changes his/her legal domicile from the district from which elected, the member shall forfeit the office and the office shall be vacant. However, a temporary change of actual residence made for just cause shall not be a ground for forfeiture of office.

## **6. Organization; Council Officers; Council Secretary**

- a.** On the second Monday of the second month following their election, the members of the Parish Council shall meet at the courthouse, organize and proceed to discharge their duties. The Council shall elect from among their members a Chairperson and a Vice-Chairperson. The Chairperson shall preside at Council meetings and shall perform such other duties as the Council, or this Charter, may impose. In the absence of the presiding officer, the Vice-Chairperson shall serve as the presiding officer.
- b.** The Council shall employ a Secretary to the Council or shall require a Parish employee approved by the Parish President to serve as Secretary. The Secretary shall give public notice of the meetings of the Council, prepare the Council agenda, keep the record of its proceedings and perform such other duties as the Charter and Council shall prescribe.
- c.** The Council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than once each month. Special meetings of the Council may be held on twenty-four hours effective public notice and notice to each Member by the Secretary, upon the call of the Council Chairperson or of a majority of the Members. The public notice of special meetings shall contain a statement of the specific item or items of business to be transacted at the meeting. All meetings shall be public except those as provided for by law.
- d.** The Council shall determine its own rules and order of business and shall require the Secretary to keep a record of its proceedings which shall be a public record. Three (3) Members of the Council shall constitute a quorum but a smaller number may adjourn from time to time and compel the attendance of absent members in such a manner and subject to such penalties as may be prescribed by the rules of the Council. No action of the Council shall be valid or binding unless adopted in an open public meeting by the affirmative vote by at least three (3) Members, except where at least four (4) favorable votes are identified as necessary by this document. Notwithstanding the foregoing, procedural or administrative matters may be adopted by a favorable vote of a majority of the members present and voting.

## **7. Vacancies; Forfeiture of Office; Filling of Vacancies**

- a. Vacancies:** The office of a Council member shall become vacant upon his death, resignation, removal from office in any manner authorized by law, forfeiture of his office or failure to take office for any reason.
- b. Forfeiture of Office:** Whenever any member ceases to be a qualified elector of the Parish, ceases to be a resident of the district he represents or fails to attend four (4) meetings without good cause within one calendar year, or is convicted of a felony, he shall immediately forfeit his office.
- c. Filling of Vacancies:**
  - i.** Any vacancy on the Council shall be filled within ten (10) days by at least a majority vote of the remaining Members. The presiding officer of the Council shall not vote on such appointment unless a tie vote occurs thereon, in which case he shall vote to break the tie.
  - ii.** If the unexpired portion of the term is more than one year, the vacancy shall be filled by special election called by the Parish Council within ten (10) days after the vacancy occurs and held in not more than six (6) months nor less than three (3) months. The appointee shall serve in office until the person elected to fill the vacancy assumes the office.
  - iii.** If the unexpired portion of the term is one year or less, the appointee shall serve out the remainder of the term.
  - iv.** Any vacancy occurring on any agency heretofore or hereafter created by the Parish Governing Authority shall be filled within thirty (30) days by majority vote of the Parish Council.

## **8. Powers and Duties of the Parish Council**

- a.** The Parish Council shall be vested with and shall exercise all legislative power in the Parish of West Feliciana.
- b.** The Parish Council may enact any ordinance necessary, requisite or proper to promote, protect, and preserve the general welfare, safety, health, peace and good order of West Feliciana Parish not inconsistent with the Constitution of the State of Louisiana or denied by general law or by this Charter.

- c.** Without limitation of the foregoing authority or other powers given to it by the Charter, the Council may:
  - i.** Levy and collect taxes, only after holding a public hearing to place such tax levy on a ballot with subsequent approval by a majority of the voters of the parish; levy and collect special assessments, service charges, license charges, fees and other revenues; and borrow money in such manner and subject to such limitations as may be provided by law. All elections involving issues of taxation in and for the Parish of West Feliciana shall be held on approved election dates that include on the ballot at least one of the following:
    - 1.** The general election for the Office of the President of the United States of America;
    - 2.** The general election for the Office of United States Senator or United States House of Representatives;
    - 3.** The general election for a full term of the Office of Governor for the State of Louisiana, Lieutenant Governor, Secretary of State, Attorney General or Commissioner of Insurance;
    - 4.** The general election for a full term for the members of the Louisiana House of Representatives or Louisiana State Senate;
    - 5.** The general election for a full term of the West Feliciana Parish Offices of Sheriff, Clerk of Court, Tax Assessor, Parish President or Parish Council Person;
    - 6.** The general election for a full term of the Office of District Judge or District Attorney in and for the Parish of West Feliciana.
  - ii.** Make appropriations for all Parish purposes.
  - iii.** Require periodic and special reports from all Parish officers concerning the affairs of their respective departments, offices, agencies or special districts, which reports shall be submitted by and through the Parish President in the case of departments, offices, agencies and special districts subject to his jurisdiction.

- iv.** Make investigation of Parish government affairs and make inquiries into the conduct of any department, office, agency or special district of the Parish, including the investigation of the accounts, records and transactions of the department, office, agency or special district; and for the purpose of investigation, subpoena witnesses, administer oaths, take testimony and require the production of books, papers and other evidence; and any person who fails or refuses to obey any lawful order of the Council shall, upon conviction, be punished in such manner as the Council shall fix by ordinance.
- v.** Create Parish departments, offices or agencies in addition to those created by this Charter.
- vi.** By ordinance, abolish or consolidate any Parish department, office, agency, board or commission or provide for the consolidation and transfer of any of the functions of such departments, offices, agencies, boards or commissions.
- vii.** Enter into contracts with other governmental units within or outside the boundaries of the Parish for joint performance or performance by one unit in behalf of the other of any authorized function or activity.
- viii.** By ordinance, establish, merge, reorganize, consolidate and/or abolish special districts within which may be provided fire protection, recreation, police protection, water, streets, drainage, sidewalks, street lighting, waste and garbage collection and disposal, sewerage and sewerage disposal systems and other similar facilities and services. All Parish funds for such districts shall be provided by service charges, special assessments, general tax levies or as otherwise provided by law, with such districts only. When acting as the governing body of special districts as provided by this Charter, the Parish Council shall have the same jurisdiction and powers as when acting as the Council.
- ix.** Provide, in manner and in amounts consistent with State law, penalties for the violation of this Charter and of Parish ordinances.

- x. Provide budgetary, fiscal and other controls over all special boards, commissions, agencies, districts or any device having governmental functions, which it or its predecessor has created, to insure the maximum possible coordination of government at the local level in West Feliciana Parish.
  - xi. Perform any other acts consistent with State law deemed to be for the best interest of the people of West Feliciana Parish.
  - xii. The Parish government is authorized to enter into joint service agreements or cooperative endeavor agreements with other entities, as provided by State law.
- d. The Council shall have the power of eminent domain and the right to expropriate property for necessary public purposes as provided by law. The Council shall make fair and just compensation to the full extent of an expropriated owner's loss for any properties or servitudes acquired in the exercise of its powers, duties or functions. Notwithstanding any provision to the contrary, raising Parish tax revenue shall never be deemed a sufficiently necessary public purpose to justify the expropriation of private property. The expropriation of private property for the purpose of subsidizing private non-utility development projects shall be strictly prohibited.

## **SECTION B. THE PARISH PRESIDENT**

### **1. Election of the Parish President**

- a. The Chief Executive Officer of West Feliciana Parish shall be the Parish President who shall be elected by the qualified voters of the Parish for a term of four (4) years.
- b. No person who shall have served two consecutive complete terms for the office of Parish President following the election authorizing this Charter shall be eligible to serve a third consecutive term for such office. The Parish President shall be at least thirty (30) years of age, a qualified voter of the Parish, and shall have resided in the Parish for a minimum period of five (5) years prior to assuming office.

## **2. Compensation**

- a.** The Parish President shall be a full-time employee of the Parish with position qualifications and compensation as further outlined in this Charter.
- b.** At the beginning of each term of the Parish President, the salary of the President shall be the average of the salaries of the West Feliciana Parish Sheriff, Tax Assessor and Clerk of Court. The salary of the President shall be adjusted on January 1 of each year to the average of the salaries of the West Feliciana Parish Sheriff, Tax Assessor and Clerk of Court.
- c.** The Parish President shall be eligible for health and hospital insurance, retirement benefits, and any other such benefits which are available to employees of the Parish government and to three weeks of vacation each year.
- d.** The Parish President shall, upon presentation of properly documented receipts, be reimbursed for reasonable expenses incurred in carrying out the official duties of the office.
- e.** The Parish President, in carrying out the official duties of the office, shall have the option of using an automobile provided by the Parish government, or to use his personal automobile and be reimbursed for mileage in accordance with mileage reimbursement authorized by the United States Internal Revenue Service.

## **3. Powers and Duties of the Parish President**

- a.** Except as otherwise provided in this Charter, the Parish President shall be the Chief Executive Officer of the Parish and shall be vested with the executive power of the Parish. He shall be responsible for carrying out the policies adopted by the Parish Council and for the administration, direction and supervision of all Parish departments, offices, agencies and special districts, the heads of which are appointed by him. The Parish President shall submit for confirmation, by majority vote of the Council, the Department Head designee with Parish government. A confirmation hearing shall be held within thirty (30) days to confirm or reject such designee.
- b.** The Parish President shall have the following powers, duties and responsibilities:
  - i.** He shall appoint and remove, subject to the provisions of this Charter or any personnel rules adopted by the Council pursuant thereto, all

administrative officers and employees of the Parish responsible to him; or he may, at his discretion authorize the head of a department or office responsible to him to appoint and remove subordinates in such department or office, subject to the provisions of this Charter, or personnel rules adopted by the Council pursuant thereto.

- ii.** He shall attend all Council meetings and shall have the right to take part in discussion but may not vote.
- iii.** He shall see that all laws, provisions of this Charter and acts of the Council, subject to enforcement by him or officers subject to his direction or supervision, are faithfully executed.
- iv.** He shall prepare and submit an annual operating budget and capital outlay program to the Council and shall be responsible for executing the budget and capital program after adoption by the Council.
- v.** He shall submit to the Council and make available to the public monthly reports no later than 14 calendar days after the end of each month on the finances and administrative activities of the Parish. No later than 30 calendar days following the close of each fiscal year, he shall present the Council with a complete financial and operating report on the affairs of the Parish.
- vi.** He shall make such other reports as the Council may require concerning the operations of Parish departments, offices and agencies subject to his direction and supervision.
- vii.** He shall keep the Council fully advised as to the financial condition and the needs of the Parish and shall make recommendations to the Council concerning the affairs of the Parish.
- viii.** He shall perform such other duties as are specified in this Charter or which may be required by the Council.
- ix.** Only the Parish President shall sign contracts for purchase of materials and services provided to the Parish for the operation of the departments under the Parish Presidents scope of authority. All contracts must fall

under a budgeted account. Any contracts for items not included in the budget will require Council approval.

- x. Except as otherwise provided by this Charter, the Parish President may veto any line item in a budget ordinance. Any item vetoed shall be void unless the veto is overridden as prescribed for the passage of an ordinance over a veto. The Parish President shall veto line items, or use means provided in the budget ordinance, so that total appropriations for the year shall not exceed anticipated revenues for that year.
- xi. The Parish President shall have the authority to declare a state of emergency for the Parish of West Feliciana subject to guidelines established by the Charter.

#### **4. Temporary Absence or Disability of the Parish President**

- a. In the case of a temporary absence or disability, the Finance Director shall assume the duties of the Parish President.

#### **5. Vacancy of the Office of the Parish President**

- a. The office of Parish President shall become vacant upon his death, resignation, removal from office in any manner authorized by law, forfeiture of his office or failure to take office for any reason. The Parish President shall immediately forfeit his office if he lacks at any time during his term of office any qualifications for the office prescribed by this Charter, or is convicted of a felony.
- b. Any vacancy occurring in the office of Parish President shall be filled within ten (10) days by a majority vote of the Parish Council. The presiding officer of the council shall not vote on such appointment unless a tie vote occurs thereon, in which case he shall vote to break the tie. The person so chosen to fill the vacancy must possess the qualifications necessary for the position established by this Charter.
- c. If the unexpired portion of the term is more than one year, the vacancy shall be filled by special election called by the Parish Council within 60 days after the vacancy occurs and held in not more than six (6) months nor less than three (3) months. The appointee shall serve in office until the person elected to fill the vacancy assumes the office.

- d. If the unexpired portion of the term is one year or less, the appointee shall serve out the remainder of the term.

## **SECTION C: ADMINISTRATIVE DEPARTMENTS, OFFICES AND AGENCIES**

### **1. General Provisions**

- a. The Parish Council may, by ordinance, establish Parish departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies, except that no function assigned by this Charter to a particular department, office or agency may be discontinued or, unless this Charter specifically so provides, assigned to any other.
- b. Each Parish department, office or agency, except those excluded by this Charter shall be administered by an officer appointed by and subject to the direction and supervision of the Parish President. The Parish President may serve as the head of one or more such departments, offices or agencies or may appoint one person as the head of two or more departments, offices or agencies.
- c. Parish administrative officers appointed by and under the supervision of the Parish President may be suspended or removed by written order of the Parish President.

### **2. Department of Finance**

- a. There shall be a Department of Finance headed by a Finance Director, appointed by the Parish President, who shall administer the financial affairs of the Parish and who shall be Ex-Officio Parish Treasurer. His duties shall include, but shall not be restricted to the following:
  - i. Assist the President in the preparation and execution of the Parish budget and capital program.
  - ii. Assist the President and the Council in negotiating loans and in the issuance and sale of bonds whenever this becomes necessary as a result of Council action.
  - iii. Maintain records of Parish indebtedness and have charge of the payment of interest and principle thereon.

- iv.** Have custody of all public funds belonging to or controlled by the Parish or any Parish department, office, agency or special district, except those of the School Board, the 20<sup>th</sup> Judicial District and officers thereof, or the Sheriff or Tax Assessor; and to deposit all such funds in banks or trust companies designated as depositors by resolution of the Council, subject to the requirements imposed by law as to surety and guarantee of deposits.
  - v.** Disburse all funds in the Parish treasury; and no money shall be paid out of the treasury unless he first (a) verifies the appropriation, allotment and availability of funds to cover the claim concerned and certifies thereto, and (b) determines that such claim is regular in form, correctly computed and constitutes a legal obligation. All checks and warrants drawn against the Parish treasury and signed by the Director of Finance shall be co-signed by the Parish President or in his absence, by some other officer designated by the Parish President.
  - vi.** Administer a general accounting system for the Parish and each of its departments, offices and agencies and special districts.
  - vii.** Prepare and submit to the Parish President a monthly statement of the revenues and expenditures for the preceding month and for the fiscal year up to and including the preceding month, which statement shall be sufficiently detailed as to appropriations, allotments and funds to show the exact financial condition of the Parish.
  - viii.** Prepare and submit to the Parish President at the end of each fiscal year a report of the financial transactions of that year and a complete statement of the financial condition of the Parish at the end of the year; and
  - ix.** Perform such other duties as the Parish President may prescribe.
- b.** As soon as possible after the adoption of this Charter, the Parish Council, after consultation with the Finance Director and the Parish President, shall by ordinance establish a system of treasury management which will include procedures and controls for the receipt, custody and disbursement of all funds belonging to, or under the control of the Parish Council, and for the investment of

idle fund balances, such ordinance to be in conformity with the general procedures set forth in this Charter.

### **3. Parish Legal Advisor**

The District Attorney of the 20<sup>th</sup> Judicial District shall continue to serve as the legal advisor to the Parish Council and Parish President and all Parish departments, offices and agencies, provided, however, that at such time the Council determines that the Parish would be better served by a separate full or part-time legal department, it may create such a department and provide for its organization and functions by ordinance in accordance with general provisions of Section C, Sub-Section 1 of this Article. In special matters, the Council may retain special attorneys to represent the Parish or perform certain duties subject to the restrictions imposed by the statutes of this State.

### **4. Department of Public Works**

There shall be a Department of Public Works for the Parish of West Feliciana headed by a Director of Public Works, appointed by, and under the direction of the Parish President.

**a.** The Director shall be responsible for the repair, maintenance, upgrading, and installation of infrastructure, including roads, bridges, utilities, water, and sewer systems. However, the Parish Gas Utility shall remain under the supervision of the West Feliciana Parish Gas Utility District #1, until such entity ceases to exist, and at which time services provided by West Feliciana Parish Gas Utility District #1 will fall under the supervision and control of the Department of Public Works.

**b.** Nothing shall prevent the Department of Public Works, with the approval of the Council, from entering into any cooperative endeavor agreements, or memorandum of understanding with other entities, either public or private, in order to provide necessary infrastructure improvements and services.

### **5. Department of Planning and Zoning**

**a.** The seven (7) member Planning Commission heretofore created by the West Feliciana Parish Police Jury shall continue in existence, and the members thereof holding office on the effective date of this Charter shall each continue to hold office until the expiration of the term for which he was appointed. As the terms of these members expire, the successors shall be appointed by the Parish Council. In addition to the members already appointed, the Council shall designate that one

of its members, a member of the Parish School Board designated by the School Board, a member of the Parish Fire Board designated by the Fire Board, and the Parish President or an administrative employee designated by him shall serve as ex-officio, non-voting members of the Commission. Each person so designated shall serve at the pleasure of the body or official who appointed him.

- b.** The Planning Commission shall constitute the Zoning Commission for the Parish of West Feliciana, and shall exercise all the powers, duties and functions which are conferred or imposed on Parish Zoning Commissions by the general laws of the State or by special laws applicable to West Feliciana Parish.
- c.** There shall be a Planning and Zoning Department headed by a Planning and Zoning Director appointed by the Parish President. Under the supervision of the President and with the advice of the Planning Commission, the Planning and Zoning Director shall:
  - i.** Conduct studies necessary to prepare official maps and other maps, plats, charts and reports which, taken together, will constitute a proposed master plan for the social, economic and physical development of the Parish. Such proposed plan shall be submitted to the Planning Commission for review and shall include, but shall not be limited to recommendations for: the most desirable density of population in the various parts of the Parish; the most desirable use of land for residential, commercial, agricultural, industrial and other purposes; a system of principle streets, highways and other public ways, parks, playgrounds and recreation; the general location, relocations and improvements of public buildings; the extent and general location of public utilities, whether privately or publicly owned, for water, sewerage, drainage, light, power, transit and other purposes; the extent and general location of air, water, rail and bus terminals; the extent and location of public housing projects.
  - ii.** After review by the Planning Commission, prepare and recommend ordinances designed to effectuate the plans, including, but without limitation, zoning, subdivision and other regulations necessary to insure the application of such regulations to all situations in the Parish. The

recommended ordinances, or changes and amendments thereto shall be presented by the President to the Council in accordance with the provisions of general and special laws of the State applicable to West Feliciana Parish.

- iii. Advise the Planning Commission in the exercise of its responsibilities and in connection therewith, provide necessary staff assistance.

## **6. Personnel Policies and Procedures**

The Parish of West Feliciana shall not operate under the rules of the Louisiana State Civil Service System until such time as required by State Law.

- a. It shall be the policy of the Parish government to employ those persons best qualified to perform the functions of the Parish government and to foster effective career service in Parish government. All appointments and promotions in the service of the Parish government and of each of its departments, offices and agencies shall be made on the basis of merit and fitness.
- b. The Director of Finance shall serve as Personnel Officer until such time as the President, upon approval of the Council, appoints a Personnel Director. The Personnel Officer shall:
  - i. Prepare and administer personnel rules and regulations governing the classified service, including working hours, attendance regulations, leaves of absence, sick leave and vacation leave.
  - ii. Prepare, install and maintain a uniform classification and pay plan for all positions in the classified service.
  - iii. Perform such other duties and functions as may be directed by the President.
- c. The administration of the classified service, including the classification and pay plans of the Parish government, shall be governed by written rules and regulations to be known as "Personnel Policies". The Personnel Officer shall prepare such policies and recommend their adoption to the President. Upon approval by the President, the Personnel Policies shall be presented to the Council for adoption by ordinance. The Council shall act within thirty (30) days upon such proposed personnel policies. Thereafter, the Personnel Officer shall recommend additions

to, modifications of, or deletions from such policies to the Parish President for presentation to the Council in the same manner used for adoptions of the original policies.

- d. A Personnel Board shall be created, which will consist of two (2) members appointed by a majority vote of the Council membership, and one (1) member appointed by the Parish President. The members of the Personnel Board shall hold no elected public office nor hold a public position in the Parish.
- e. The terms of the first members of the Personnel Board shall be as follows: one member to a two (2) year term; one member to a three (3) year term; and one member to a four (4) year term. Thereafter, all appointments shall be for a four (4) year term. Members of the Board shall receive no compensation.
- f. The Personnel Board shall:
  - i. Hold hearings on dismissals, demotions and other disciplinary matters as may be provided in the rules. The decisions of the Personnel Board shall be final.
  - ii. Perform such other quasi-judicial duties as may be required under the rules developed pursuant to this section.
- g. On appeal to the Personnel Board by an employee relative to the actions of the employer, the burden of proof shall be on the employee.
- h. An employee of the Parish who has been employed by the Parish at least one year prior to the time of adoption of this Charter shall continue to be an employee of the Parish and shall continue without competitive test or other method approved by the Council, but shall be subject in all other respects to this section.
- i. The personnel policies and rules in effect in the Parish at the time this Charter becomes effective shall continue in effect until amended by the Council or as they may conflict with this Charter.

## **7. Prohibitions**

- a. Except as specifically provided by this Charter, neither the Council nor any of its members, shall in any manner dictate the appointment or removal of any Parish administrative officer or employee whom the Parish President or any of his subordinates are empowered to appoint, but the Council may discuss with the

President, anything pertaining to the appointment and removal of such officers and employees.

- b. Except for the purpose of inquiry and investigation, the Council and its members shall deal with Parish officers and employees who are subject to the direction and supervision of the Parish President solely through the President and neither the Council nor its members shall give any orders to any such officer or employee, either publicly or privately.

## **SECTION D: BOARDS AND COMMISSIONS**

This section shall govern Boards and Commissions appointed solely by the governing body of West Feliciana Parish.

### **1. Board / Commission Size and Terms**

- a. All Boards and Commissions appointed by the West Feliciana Parish Council shall consist of not less than five (5) members and not more than nine (9) members.
- b. The terms for members of Boards and Commissions shall be two (2) years with the terms of the members staggered to maintain continuity.
- c. Board/Commission members shall serve a maximum of four (4) terms consecutively.

### **2. Qualifications to serve on Boards and Commissions**

- a. All Board/Commission members shall be qualified voters of West Feliciana Parish.
- b. All Board/Commission members shall reside in the geographic area for which the Board or Commission on which they serve has authority.
- c. All Board/Commission members shall have reached the age of eighteen (18) years prior to appointment.
- d. No Board/Commission member shall hold elected or appointed office while serving on a Board or Commission unless specifically exempted by the Charter.
- e. Prior to appointment to a Board or Commission candidates shall submit to the Parish Council for review a statement of interest in serving on a Board or

Commission along with a resume' that indicates qualifications for the position t which they wish to serve.

- f.** Board/Commission members shall be appointed based solely on qualification with no respect to gender, ethnicity, religion, or national origin.
- g.** The appointing authority shall verify and the presiding officer of the Parish Council shall certify that all qualifications for appointment have been met before placing a candidates name for consideration for appointment.
- h.** No Council member shall serve on a Board or Commission of the Parish government having administrative or policy making authority unless the ordinance or State law creating such Board or Commission specifies that one or more members of the Council shall serve on such Board or Commission.
- i.** No member of any Board or Commission may serve or advise any other Board or Commission from which that member, Board, Commission, receives any funding or compensation.

### **3. Removal from Office**

- a.** Members of a Board or Commission shall be removed from office if during their term of office they:
  - 1.** Plead guilty, nolo contendere, or are found guilty of a felony or other crime involving an abuse of the public trust.
  - 2.** Miss more than 1/3 of the regularly scheduled meetings of the Board of Commission on which they serve in a period of twelve (12) consecutive months.
  - 3.** Are found guilty of a violation of the provisions of the Louisiana Code of Governmental Ethics, specifically La. R.S. 42:1101-1123, as amended.
  - 4.** No longer meet the residency requirements for membership, unless displaced by a natural disaster or fire. In the event of displacement, the member shall be granted a period of time deemed reasonable by the Parish Council to re-establish residency as required by the Charter.
- b.** No member of a Board or Commission shall be removed without cause.

- c. The Parish Council may remove a member of a Board or Commission with cause in a properly called public meeting after stating the cause for which the member is to be removed and with four (4) votes in favor of removal by the Parish Council.

#### **4. Requirements**

- a. All Boards/Commissions shall provide financial oversight for the organizations to which they are appointed.
- b. All Boards/Commissions shall provide training in ethics, public bid law, open meeting laws, and organization specific training to new appointees who must complete said training within six (6) weeks of their appointment.

#### **5. Exemptions as to the Economic Development Board**

The West Feliciana Parish Economic Development Board shall be made up of nine voting members. The West Feliciana Parish Council shall appoint four (4) members from the qualified electorate in the Parish that meet the previously described Board qualifications. These four (4) members shall be subject to term limit requirements as established in this Article. The Sheriff of West Feliciana Parish, the West Feliciana Parish Hospital District, Fire Protection District #1 of West Feliciana Parish, and the West Feliciana Parish School Board shall each appoint one (1) member to the Economic Development Board on which there are no restrictions as to holding a second elected or appointed office. The four (4) members appointed by those other than Parish Council shall not be subject to term limits but may be removed by the appointing authority at will. The Parish President shall serve as a member of the Board and shall serve as its Chairperson.

## **ARTICLE IV ORDINANCES AND RESOLUTIONS**

### **SECTION A: ACTS REQUIRING AN ORDINANCE**

An act of the Parish Council, which is to have the force of law, shall only be enacted by ordinance. An act requiring an ordinance shall include but not limited to one which:

1. Provides for the reapportionment of the Parish Council of the Parish;
2. Levies taxes or assessments;
3. Appropriates funds or adopts a budget;

4. Grants, renews, modifies, or extends a franchise;
5. Provides for raising revenue;
6. Regulates the rate or other charge for service by the Parish;
7. Incurs debt in any manner;
8. Abandons any property owned by the Parish;
9. Conveys or leases or authorizes a conveyance or lease;
10. Acquires real property on behalf of the Parish;
11. Adopts or modifies the official map, plat, subdivision ordinance, regulations, or zoning plan;
12. Amends or repeals any ordinance previously adopted;
13. Proposes amendments to this Charter;
14. Creates, abolishes or consolidates any Parish department, office, agency, or provides for the consolidation and transfer of any of the functions of such department, office or agency; or
15. Provides a fine or penalty or establishes a rule or regulation or violation of which a fine or other penalty may be imposed.

## **SECTION B: ENACTMENT OF AN ORDINANCE**

### **1. Exclusive Method of Enactment**

- a. Except as provided in Section E hereof, an ordinance shall be enacted only in the manner provided in this section.

### **2. Enacting Clause**

- a. Each ordinance shall begin with the words: “The West Feliciana Parish Council hereby ordains:” Repetition of the ordaining clause in succeeding portions shall not be required.

### **3. Introduction, Form, Title, Adoption and Publication**

- a. Each ordinance shall be introduced in type-written or printed form. No ordinance shall contain more than one subject which shall be clearly expressed in its title, except in the case of a codification or revision of ordinances, annual budget ordinances, or ordinances proposing related amendments to the general purpose and scope thereof.

- b.** An ordinance may be introduced by any Council member, or by the Parish President, at any regular or special meeting of the Council. Upon introduction of any ordinance, the Council Secretary shall distribute at least one copy to each of the Council members and to the Parish President. After the ordinance has been introduced, and unless it is rejected at the same meeting by the affirmative vote of not less than four (4) of the Council members, the Council shall cause the ordinance, or a summary thereof to be published in the Official Parish Journal at least once together with a notice of the date, time, and place, when and where it will be given a public hearing and be considered for final passage. The publication shall be at least one week prior to the time advertised for the hearing. No ordinance may be adopted at the same meeting at which introduced unless declared an emergency ordinance, and no ordinance shall be declared invalid by reason of any defect in publication or title if the publication gives reasonable notice of its intent.
- c.** At the time and place so advertised or any time or place to which such hearing may be adjourned from time to time, a summary of the ordinance shall be read in full and, after the reading, all interested persons shall be given an opportunity to be heard.
- d.** After all persons have been given the opportunity to be heard, the Council may pass the ordinance with or without amendments and the ordinance as finally adopted shall be published in full in the Official Parish Journal within ten (10) days after it is approved by the Parish President as provided in Section C hereof, or within ten (10) days after Council action overriding a presidential veto. The vote on final passage shall be recorded in the minutes of the Council by the individual vote of each Council member. To comply with the provisions of this sub-section, approved ordinances shall be published either individually or as part of the minutes of the Council meetings.
- e.** Any member of the Parish Council who shall have any personal pecuniary interest in the adoption or passage of any ordinance, resolution, motion or

measure shall declare such fact to the Parish Council and shall refrain from voting on the same at any time whether on final passage or otherwise. Any person who shall knowingly violate the above provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred (\$500.00) dollars, or imprisonment for not more than sixty (60) days, or both fine and imprisonment.

- f. The effective date of any ordinance shall be prescribed therein, but shall not be earlier than five (5) days after its publication in the Official Journal.
- g. A proposed ordinance shall not be altered or amended during consideration to nullify its original purpose or to accomplish an object not consistent with its original purpose.
- h. An ordinance shall be enacted at a public meeting, when voted upon favorably by at least a majority of the members of the Parish Council; except that an ordinance to increase a tax, service charge, occupational license fee or special fee shall only be enacted when voted upon favorably by at least four (4) of the members of the Parish Council.
- i. The provision of this Section shall not apply to or affect any emergency or budget ordinance or an ordinance enacted by initiative or referendum as provided for elsewhere in this Home Rule Charter.

### **SECTION C: SUBMISSION OF ORDINANCES AND RESOLUTIONS TO THE PARISH PRESIDENT**

1. Every ordinance and resolution, except those hereinafter enumerated, adopted by the Parish Council shall be signed by the Council Secretary and Chairman of the Council and presented to the Parish President within two (2) days after adoption.
2. An ordinance shall become effective and enforceable following its promulgation, according to law, unless the Parish President vetoes the ordinance within seven (7) days.
3. Ordinances vetoed by the Parish President shall be presented by the Secretary to the Council at its next regular meeting and should the Council then or at its following

regular meeting, adopt the ordinance by an affirmative vote of four (4) of its members, said ordinance shall become law irrespective of the veto thereof by the Parish President.

4. The right of the President to veto as provided in this section shall apply to all ordinances adopted by the Council, except those which propose amendments to this Charter, establish, alter or modify Council procedure, create staff agencies or officers for the Council, or which the Council is required by law to take or perform pursuant to a petition, this Charter or the general laws of this State or which the Council has received specific approval to enact following a referendum vote of the people. The right to veto shall also extend to disapproving or reducing individual appropriation items in the budget or any ordinance, except appropriations for auditing or investigating any part of the executive branch.

#### **SECTION D: ENACTMENT OF A CODE**

The Parish Council may enact a building, electrical, plumbing, traffic, or other code by ordinance in the manner required in Section B of this Article, provided that:

1. Only the title of the code need be published;
2. Copies of the text of the code shall be available to the public after introduction;
3. A general public hearing shall be held.

#### **SECTION E: EMERGENCY ORDINANCES**

To meet a public emergency affecting life, health, property, or public safety the Parish Council by a vote of four (4) of its members may adopt an emergency ordinance at the meeting at which it is introduced and may make it effective immediately; except that no such ordinance may be used to levy a tax, grant, extend or modify a franchise. An emergency ordinance shall be published in full in the Official Journal of the Parish within ten (10) days after adoption.

#### **SECTION F: AUTHENTICATION AND RECORDING; PRINTING AND DISTRIBUTION OF ORDINANCES AND RESOLUTIONS**

1. The Council Secretary shall authenticate by his signature and record in a properly indexed book or books kept for the purpose all approved ordinances and

resolutions. Each such approved ordinance and resolution shall be given a number for reference and identification.

2. The Council shall cause each ordinance and resolution having the force and effect of law and each amendment to this Charter to be printed or otherwise reproduced promptly following its approval and such printed or reproduced resolutions, amendments and ordinances, including code of technical regulations adopted by reference pursuant to Section D shall be distributed or sold to the public at reasonable prices.

## **SECTION G: CODIFICATION**

As soon as practical after the adoption of this Charter, the Council shall have prepared a general indexed codification of all Parish ordinances and resolutions having the effect of law. The general codification thus prepared shall be adopted by the Council in a single ordinance. After adoption, the Council shall have codification printed immediately in an appropriate manner together with the Parish Charter and such rules and regulations, as the Council may direct. Additions or amendments to the Code shall be prepared, adopted and printed as often as deemed necessary by Council.

## **SECTION H: RESOLUTIONS**

An act of the Parish Council which is not to have the force of law may be enacted by resolution. Acts which may be adopted by resolution shall include but shall not be limited to one which:

1. Establishes a commemorative day, week, month or year;
2. Authorizes a person to sign or execute on behalf of the Parish Council a contract which has been previously approved;
3. Authorize a person to execute, sign or counter-sign a check or draft on an account of the Parish Council;
4. Declares a statement of public policy of the Parish Council;

## **ARTICLE V FINANCIAL PROCEDURES**

### **SECTION A: FISCAL YEAR**

The fiscal year of the Parish shall begin on the first day of July and end on the last day of June.

### **SECTION B: SUBMISSION OF BUDGETS**

At least seventy-five (75) days before the beginning of each fiscal year, the President shall submit a line item operating budget and a capital budget in accordance with accepted accounting procedures in a format established by the Parish Council. The budgets so submitted shall be balanced.

### **SECTION C: BUDGET MESSAGE**

The Parish President shall submit with the budget, a message containing recommendations concerning the fiscal policy of the Parish, a description of the important features of the budgets, and an explanation of all major increases or decreases in budget recommendations as compared with expenditures for prior years.

### **SECTION D: ACTION ON THE BUDGETS**

1. Budgets shall be amended only during the public hearings before adoption except no item for debt service shall be reduced below the amount certified by the Parish President as necessary. In no event shall the Parish Council cause the total proposed expenditures to exceed anticipated revenues. If the Parish Council shall fail to act on either budget within the time limit as provided in the Section herein, it shall be adopted as submitted by the Parish President.
2. Non-recurring revenues may not be budgeted for reoccurring expenses.

### **SECTION E: ADOPTION OF BUDGETS**

The Parish Council shall hold one (1) public hearing and shall adopt budgets not less than thirty days before the commencement of the fiscal year. Any resident of the Parish shall have the right to speak on the proposed budgets at the public hearing. The budgets as adopted shall

constitute an appropriation of funds for all purposes contained therein. A budget ordinance shall become effective on the first day of the fiscal year, unless otherwise provided therein.

## **SECTION F: AMENDMENTS AFTER ADOPTION**

### **1. Supplemental Appropriations:**

If during the fiscal year the President certifies that there are available revenues in excess of those estimated in the budget, he shall present a supplemental budget for the disposition of such excess revenues. The Parish Council by ordinance may make supplemental appropriations up to the amount of the excess.

### **2. Emergency Appropriations:**

To meet a public emergency affecting life, health, property, or the public peace, the Parish Council may make emergency appropriations. The appropriations may be made by emergency ordinance in accordance with the provisions of Article IV, Section E. To the extent that there are no available unappropriated revenues, the governing authority may borrow money to meet the emergency. The repayment shall be a fixed charge upon the revenue of the following year and shall be included in the operating budget for that year.

### **3. Reduction of Appropriations:**

If during the fiscal year it appears probable that the revenues available will be insufficient to meet the amount appropriated, the President shall report to the Parish Council without delay, indicating the estimated amount of the deficit, any remedial action taken and recommendations as to any other steps to be taken. In any event, the Parish Council shall take action as it deems necessary to prevent any deficit.

### **4. Transfer of Appropriations:**

During the fiscal year the President may transfer part or all of any unencumbered appropriation balance among programs within a department or office of the Parish Council. Upon written request by the President, the Parish Council may transfer part of all of any unencumbered appropriation balance from one department or office to another.

**5. Limitations:**

No appropriation for debt service may be reduced or transferred, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof.

**6. Effective Date:**

The ordinance authorizing a supplemental appropriation, or a reduction or transfer of appropriations may be made effective immediately upon adoption but may not be adopted at the same meeting as introduced.

**SECTION G: BONDED DEBT**

The Parish is empowered to incur bonded debt in accordance with the Constitution and laws of this state and this charter.

**SECTION H: ANNUAL AUDIT**

An independent audit of all accounts and financial transactions of the Parish shall be completed within one hundred twenty (120) days after each fiscal year. The audit shall be conducted by a certified public accountant that has no interest in the records of transactions being audited and who is selected from an approved list published by the Legislative Auditors Office. An independent audit shall not be required if the legislative auditor or his successor conducts an audit which meets these requirements.

**SECTION I: SURETY BONDS**

Any member of the Parish Council or employee of the Parish having financial responsibility shall be bonded. The bond shall be in an amount commensurate with his financial responsibility and secured from a company authorized to issue bonds in this State. These premiums shall be paid by the Parish.

## **ARTICLE VI INITIATIVE AND REFERENDUM**

### **SECTION A: GENERAL PROVISIONS AND PROCEDURE**

1. The electors of the Parish shall have the power except as herein restricted to propose to the Parish Council passage or repeal of ordinances and to vote on the question if the Council refuses action. These powers shall comprise the Initiative Power. The Initiative Power shall not extend to the proposing or repealing of ordinances making or reducing the appropriation of money, fixing the salaries of Parish officers or employees or authorizing the repeal or reduction of the levy of any taxes. The initiatory power shall be exercised in the following manner:

- a. The person or persons proposing the exercise of this power shall submit the proposal to the Council, which without delay shall specify a form of petition for circulation in one or multiple copies as the proposer may desire. The petition shall contain the full text of the proposed ordinance.
- b. Within sixty (60) days after the form of the petition shall have been specified, the person or persons circulating the petition shall obtain the signatures of at least fifteen percent (15%) of the total registered voters of the Parish. There shall be noted after each signature on the petition the date signed, the mailing address and the physical address of the signer. Each person circulating a copy of the petition shall attach a sworn affidavit to it, stating the number of signers and the fact that each signature was made in the presence of the circulator of the petition.
- c. The signed petition shall be filed with the Council within sixty (60) days of the specification of the form of the petition, and within thirty (30) days the Council shall order a canvass of the signatures thereon to determine the sufficiency and authenticity of the signatures. The Council's canvass shall be completed within thirty (30) days. If the number of signatures is insufficient or the petition is deficient as to form or compliance with this Section, the Council shall notify the person or persons filing the petition and allow thirty (30) days for filing of additional papers, a the end of

which time the sufficiency or insufficiency of the petition shall be determined finally.

- d.** Within thirty (30) days after a petition shall have been certified as sufficient by the Council, the Council shall cause the proposed ordinance, or a summary thereof, to be published in the Official Parish Journal at least once together with a notice of the date, time, and place when and where it will be given a public hearing and be considered for passage, which notice shall appear at least one week prior to the time advertised for the hearing. This public hearing shall be conducted as required generally for public hearings by this Charter. After all persons have been given the opportunity to be heard, the Council shall either:

  - i.** Adopt the proposed ordinance, without substantive amendments, submitted in an initiatory petition, or the repeal referred to by such petition, or
  - ii.** Determine to submit the proposal to the electors.
- e.** If the Council adopts an ordinance following the submission of an initiatory petition as provided above, it shall not amend or repeal the ordinance by its own action within one year following the date of submission of the petition proposing the ordinance, but it may, at its discretion, submit proposals amending or repealing such ordinances to a vote of the electors. After the expiration of one year, the ordinance may be amended or repealed as any other ordinance.
- f.** If an initiatory ordinance is submitted to a vote of the electors as provided in sub-section “d” above, the election shall take place within 180 days after the date the petition is presented to the Council, preferable in an election already scheduled for other purposes, otherwise in a special election. The results shall be determined by a majority vote of the electors voting on the proposal.
- g.** If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certifications of the election results and shall be treated in all respects in

the same manner as ordinances of the same kind adopted by Council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

2. Nothing in this Section shall be construed as preventing the people of any given area of the Parish to petition the Parish Council proposing the adoption or repeal of any ordinance or adjustment of any grievance or the establishment of any special taxing or service district which may be authorized by the laws of this State; or preventing the Parish Council from calling a referendum election on such proposals for that district or area only. The Parish Council, on its own motion, may call a referendum election on any issue at any time it so desires, either Parish-wide or for a certain area of the Parish, and take such action following such referendum election as it deems appropriate.

## **ARTICLE VII GENERAL PROVISIONS**

### **SECTION A: LEGAL PROCESS**

Legal process against the Parish shall be served upon the President, or in his absence, upon the Secretary.

### **SECTION B: RECONSTITUTION OF GOVERNMENT**

If a majority of the Parish Council is incapacitated by war or public disaster, the remaining members of the government shall act on an emergency basis and appoint such other officials necessary to reconstitute a government of the Parish. It is the intent of this Section that these emergency powers shall subsist only so long as an emergency exists, and that regularly constituted elections shall be held as soon as conditions permit to fill any vacancy created by such emergency.

### **SECTION C: DECLARATION OF INTENT**

This Charter shall be liberally construed to establish for the people of this Parish effective Home Rule, free from legislative interference as to the structure, organization and distribution of

powers and functions of its government, and with the power and authority to manage its affairs as contemplated and intended by the Constitution.

#### **SECTION D: RECALL**

Any elected public official of the Parish may be removed from office by the qualified electors of the Parish through the recall process as provided by Title 18, the “Louisiana Election Code”.

#### **SECTION E: ETHICS**

All officers, officials and employees of the Parish government shall be subject to the provisions of the Louisiana State Code of Ethics.

#### **SECTION F: GENERAL LIMITATIONS**

This Charter shall not affect the School Board, the offices of the District Attorney, Sheriff, Clerk of Court, Assessor, or Coroner, and shall not affect Courts and their officers as provided in Article V of the Constitution; nor shall the Parish Council enact any ordinance defining and providing for the punishment of a felony or, except as provided by law, enact an ordinance governing private or civil relationships.

#### **SECTION G: SEVERABILITY**

If any provision of this Charter is declared invalid for any reason, it shall not affect the validity of this Charter or any provision thereof.

#### **SECTION H: RIGHT TO DIRECT PARTICIPATION**

The Council shall allow public comment at any point in a Council meeting prior to action on an agenda item upon which a vote is to be taken, pursuant to Louisiana R.S. 42:14, as amended. Council shall adopt reasonable rules and restrictions regarding such comment.

## **ARTICLE VIII AMENDMENT OR REPEAL**

### **SECTION A: ORIGINATION**

An amendment to or the repeal of this Charter may be proposed by at least four (4) of the members of the Parish Council after holding a public hearing or by a petition.

### **SECTION B: PROCEDURE BY PETITION**

If the proposed amendment or repeal is proposed by petition, the following procedure shall be followed:

1. Any qualified elector may submit the proposal to the Parish Council which shall specify within thirty (30) days a form of petition for circulation. The petition shall contain the full text of the proposed amendment or repeal.
2. The signatures of at least fifteen percent (15%) of the qualified electors as of the date of submission shall be obtained. After each signature, the mailing and physical address, and ward or precinct of the signer and the date of signing shall be noted. Each person circulating the petition shall attach an affidavit stating the number of signers and verifying that each signature was made in the presence of the circulator.
3. The petition shall be filed at the office of the Parish Council within sixty (60) days of the specification of the form of the petition. Within thirty (30) days thereafter, the Parish Council shall order and complete a canvass of the signatures to determine sufficiency and authenticity. If the number of signatures is insufficient or the petition is deficient as to form, the Parish Council shall give written notice to the person filing the petition as to the deficiencies. Thirty (30) days shall be allowed to correct deficiencies. The final sufficiency of the petition shall be determined within ten (10) days thereafter.

### **SECTION C: ELECTION**

The ordinance proposing an amendment or repeal shall provide for submission to the qualified electors. The Parish Council shall call the election to be held at the earliest date provided by law after enactment of the ordinance or the final sufficiency of the petition is determined. Such proposal shall be adopted when approved by a majority of the electors voting

thereon and shall become effective on the tenth (10) day following promulgation of the election results.

**SECTION D: RESTRICTIONS**

1. Substantially the same proposal to amend or repeal this Charter shall not be submitted to the electors more frequently than every two (2) years.
2. No amendment shall reduce the term for which any official was elected or the remuneration of any such official during his term.

**ARTICLE IX  
TRANSITIONAL PROVISIONS**

**SECTION A: EFFECTIVE DATE**

The provision of this Charter pertaining to the organization and structure of the Parish Council created hereunder shall go into effect at the end of the term of the present members of the West Feliciana Parish Police Jury. The remaining provisions of the Charter shall become effective at midnight of the thirtieth (30<sup>th</sup>) day after the date on which the election results are promulgated by the appropriate election officials certifying adoption of this Charter.

**SECTION B: CONTINUATION OF ACTIONS, FRANCHISES,  
CONTRACTS, LICENSES AND ORDINANCES:  
REPEAL OF CONFLICTING ORDINANCES**

1. All writs, actions, suits, civil or criminal proceedings, liabilities, prosecutions, judgments, sentences, contracts, franchises, debts or obligations due by the Parish, rights or causes of action, claims, demands, titles and rights existing on the effective date of this Charter shall continue unaffected.
2. All existing ordinances not in conflict with this Charter shall remain in full force and effect until amended or repealed by the Parish Council, or until they expire by their own limitation. All acts of the prior governing authority and

all administrative rules and regulations not in conflict with this Charter shall remain in full force and effect until changed or repealed.

3. All existing ordinances in conflict with this Charter are repealed upon its effective date.
4. During the transition period, four (4) members of the Council shall constitute a quorum.
5. During the transition period, the provisions of the Charter requiring four (4) votes for approval shall require five (5) votes for approval.

### **SECTION C: SCHEDULE OF TRANSITION**

The provisions of this Charter pertaining to the election of Parish President created hereunder shall become effective on the date this Charter is adopted by the voters of West Feliciana Parish. Upon such adoption of Charter, the Police Jurors in office at that time shall continue to serve as Police Jurors until the date the first Parish President assumes office with their then current remuneration. On the date the first Parish President assumes office, those Police Jurors shall become Council members, and all remaining provisions of this Charter shall become effective on the date the newly elected Parish President takes office. The term of each of those initial Council members (the former Police Jurors) shall end at the expiration date of his/her current elected term as Police Juror.

### **SECTION D: ELECTION OF OFFICIALS**

1. Following the adoption of this Charter by the voters of West Feliciana Parish, and at the earliest date permitted by law, but not fewer than ninety (90) days, the Parish President shall be elected, in accordance with the Election Laws of the State of Louisiana, for a term coincident with and equal to the remaining terms of office of the then-serving members of the Police Jury. The initial term of office of the first Parish President shall commence at noon on the tenth day after his election. Upon election and qualification for the initial term provided herein, the President shall thereupon become the President of the Parish vested with all of the powers and authorities set forth in the Charter.

After the end of that initial term of office, the Parish President is eligible to be elected and hold office for two more terms of four (4) years.

2. Thereafter, election for the officials provided for by this Charter shall coincide with the elections for Governor within the State of Louisiana and subsequent elections shall be held on corresponding dates every fourth year thereafter. The terms of all those being elected to the positions provided for by this Charter shall begin at noon on the second Monday in January next following the election.
3. Districts for Council members shall be the same as those existing for Police Jurors at the time the Charter is adopted. Immediately upon adoption of the Charter, redistricting to reduce the number of districts from seven (7) to (4) as required by the Charter shall begin.

**ARTICLE X  
CHARTER BALLOT**

The ballot form for the referendum on this proposed Charter shall be:

Shall the Home Rule Charter plan of government for West Feliciana Parish prepared and submitted by the duly constituted Home Rule Charter Commission according to Article VI, Section 5 of the Constitution of Louisiana be adopted?

YES\_\_\_\_\_ NO\_\_\_\_\_