



AGENDA  
REGULAR MEETING  
MONDAY, DECEMBER 20, 2021 6:00 PM  
CARENCRO CITY HALL  
210 E. ST. PETER ST.  
CARENCRO, LOUISIANA

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENT PRAYER.**
- C. ANNOUNCEMENTS:**
  - 1. MAYOR PRO-TEM EFFECTIVE JANUARY 1, 2022.
  - 2. RECOGNIZE JUDGE ORTEGO- CANDIDATE OF 3<sup>RD</sup> CIRCUIT JUDGE.
- D. GUESTS:**
- E. PROCLAMATION:**
  - 1. A PROCLAMATION COMMEMORATING CITY OF CARENCRO SCHOOL CHOICE WEEK.
- F. APPROVAL OF MINUTES OF PREVIOUS MEETINGS & FINANCIAL REPORTS:**
  - 1. NOVEMBER 15, 2021 PUBLIC BUDGET HEARING
  - 2. NOVEMBER 15, 2021- REGULAR MEETING
  - 3. DECEMBER 2, 2021- SPECIAL MEETING
  - 4. FINANCIAL REPORTS
- G. RECOGNIZE DEPARTMENT HEADS/CONSULTANTS FOR PRESENTATION OF MONTHLY REPORTS**
- H. UPDATES:**
  - 1. STREET OVERLAY PROJECTS AND STRIPING
  - 2. FIRE STATION ON GLORIA SWITCH ROAD

3. AMAZON – INFRASTRUCTURE PROJECTS
4. ARCENEUX RD.- DRAINAGE IMPROVEMENTS

**I/J RESOLUTIONS:**

1. RESOLUTION NO. 2021-040: A RESOLUTION AUTHORIZING THE CITY OF CARENCRO (HEREIN REFERRED TO AS THIS “GOVERNMENTAL UNIT”) TO JOIN WITH THE STATE OF LOUISIANA AND THE LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE LOUISIANA STATE-LOCAL GOVERNMENT OPIOID LITIGATION MEMORANDUM OF UNDERSTANDING (THE “MOU”) AND ANY SUBSEQUENT FORMAL AGREEMENTS NECESSARY TO IMPLEMENT THE MOU, INCLUDING BUT NOT LIMITED TO, THE SUBDIVISION SETTLEMENT PARTICIPATION FORM(S) IN EXHIBIT K OF THE DISTRIBUTOR SETTLEMENT AGREEMENT AND THE JANSSEN SETTLEMENT AGREEMENT.
2. RESOLUTION NO. 2021-041: A RESOLUTION OF THE CARENCRO CITY COUNCIL AUTHORIZING THE DONATION BY THE CARENCRO POLICE DEPARTMENT OF TWO PUBLICLY OWNED VEHICLES NO LONGER NEEDED FOR PUBLIC PURPOSES.
3. RESOLUTION NO. 2021-042: A RESOLUTION OF THE CARENCRO CITY COUNCIL AMENDING THE 2021/2022 CAPITAL OUTLAY FUND BY PROVIDING \$228,000.00 FOR THE 2021 DRAINAGE IMPROVEMENTS PROJECT.
4. RESOLUTION NO. 2021-043: A RESOLUTION APPROVING THE APPOINTMENT OF A DIRECTOR AND AN ALTERNATE DIRECTOR TO REPRESENT THE CITY OF CARENCRO, STATE OF LOUISIANA, ON THE BOARD OF DIRECTORS OF THE LOUISIANA MUNICIPAL NATURAL GAS PURCHASING AND DISTRIBUTION AUTHORITY AS PROVIDED BY CHAPTER 10-B OF TITLE 33 OF THE LOUISIANA REVISED STATUTES OF 1950.
5. RESOLUTION NO. 2021-044: A RESOLUTION OF THE CARENCRO CITY COUNCIL AUTHORIZING THE SALE BY THE CITY OF CARENCRO OF TWO PUBLICLY OWNED POLICE VEHICLES NO LONGER NEEDED FOR PUBLIC PURPOSES.

**K. INTRODUCTORY ORDINANCES:**

1. ORDINANCE NO. 2021-013: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES, REGARDING ELECTRONIC TRAFFIC ENFORCEMENT.

2. ORDINANCE NO. 2021-014: AN ORDINANCE OF THE CARENCRO CITY COUNCIL ADOPTING THE MODEL CRIMINAL CODE.
3. ORDINANCE NO. 2021-015: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES REGARDING DRIVEWAYS AND CULVERTS.

**PUBLIC HEARING:**

**L. ORDINANCES FOR FINAL ADOPTION:**

1. ORDINANCE NO. 2021-008: AN ORDINANCE OF THE CARENCRO CITY COUNCIL REGULATING AND PERMITTING THE USE OF GOLF CARTS AND SLOW-MOVING VEHICLES UPON MUNICIPAL STREETS IN THE CITY OF CARENCRO, LOUISIANA.
2. ORDINANCE NO. 2021-009: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES REGARDING THE RETAIL SALE OF FIREWORKS.
3. ORDINANCE NO. 2021-010: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES REGARDING THE LOUISIANA AGE OF MAJORITY.
4. ORDINANCE NO. 2021-011: AN ORDINANCE OF THE CARENCRO CITY COUNCIL REPEALING ORDINANCE NUMBER 2019-007, AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES REGARDING THE PERFORMANCE LAND USE REGULATIONS, IN ITS ENTIRETY.
5. ORDINANCE NO. 2021-012: AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO CODE OF ORDINANCES REGARDING SIGNS AND BILLBOARDS.

**M. PUBLIC HEARINGS:**

**N. DISCUSSIONS:**

1. DISCUSS APPOINTMENT THAT EXPIRED ON THE PARK AND RECREATION COMMISSION BOARD.

TOM MEYERS APPOINTED BY THE COUNCIL-TERM EXPIRED 12/1/21.

**O. PUBLIC COMMENTS:**

**P. ADJOURN:**

**PLEASE NOTE:** THE MEETING CAN BE VIEWED VIA OUR CITY OF  
CARENCRO WEBSITE: [www.carencro.org](http://www.carencro.org)  
CLICK THE LINK TAB “LIVE” AT THE TOP OF THE PAGE.

**“REASONABLE ACCOMMODATIONS WILL BE MADE FOR THE HEARING  
OR VISUALLY IMPAIRED WISHING TO ATTEND AND PARTICIPATE IN  
CITY COUNCIL MEETINGS UPON GIVING AT LEAST THREE (3) DAYS  
PRIOR NOTICE BY CALLING (337) 896-8481.**

**Posted at City Hall 12/17/21 AT 0900 HOURS**

## ORDINANCE NUMBER 2021-008

### AN ORDINANCE OF THE CARENCRO CITY COUNCIL REGULATING AND PERMITTING THE USE OF GOLF CARTS AND SLOW-MOVING VEHICLES UPON MUNICIPAL STREETS IN THE CITY OF CARENCRO, LOUISIANA

**BE IT ORDAINED** by the City Council of the City of Carencro, that:

#### SECTION 1:

The Carencro City Council now finds it necessary to amend the City of Carencro Code of Ordinances Chapter 74 -Traffic and Vehicles in order to establish a golf cart ordinance within the city to promote the health, safety, and welfare of persons operating carts within the city and to protect the safety of their passengers and other users of roads.

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets, roads and highways, hereinafter "roads," and the city in no way advocates or endorses their operation on roads. The adoption of this article is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this article. All persons who operate or ride upon carts on the roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads on the city.

#### SECTION 2:

In consideration of Section 1 herein above, the Council does hereby amend Chapter 74 – Traffic and Vehicles by creating Article VII. – Use of Golf Carts and Slow-moving Vehicles, Section 74-150 Use of golf carts and slow-moving vehicles, such that same shall hereafter read as follows:

- Chapter 74 – Traffic and Vehicles
- ARTICLE VII. - USE OF GOLF CARTS AND SLOW-MOVING VEHICLES
- Sec. 74- 150. - Use of golf carts and slow-moving vehicles.

(a) *Statement of need and purpose.*

(1) The purpose of this article shall be to establish a golf cart ordinance within the city to promote the health, safety, and welfare of persons operating carts within the city and to protect the safety of their passengers and other users of roads.

(2) The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf carts are not designed or manufactured to be used on public streets, roads and highways, hereinafter "roads," and the city in no way advocates or endorses their operation on roads. The adoption of this article is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this article. All persons who operate or ride upon carts on the roads do so at their own risk and peril and must be observant of and attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. Any person who operates a cart must procure liability insurance sufficient to cover the risks involved in using a cart on the roads in the city.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

*DOTD* means the department of transportation and development.

*Driver* means every person who drives or physically controls a golf cart or slow-moving vehicle as defined herein.

*Golf cart* means an electric motorized pleasure vehicles capable of traveling a maximum speed of not more than 25 miles per hour on a straight and level surface.

*Highway* means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries; synonymous with the term "street".

*Local municipal authority* means every council, commission, or other board given authority by the constitution and laws of the state to govern the affairs of the municipality.

*Municipality* means an incorporated village, town or city created under the authority of the constitution or laws of this state.

*Operator* means every person, who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

*Owner* means a person who holds a legal title to a golf cart or slow-moving vehicle or, in the event of such, are the subject of an agreement for the conditional sale, lease, or transfer of possession thereof with the right of purchase upon the performance of the conditions stated in the agreement, with the right of immediate possession in the vendee, lessee, possessor, or in the event such similar transaction is had by means of mortgage and the mortgagor of a vehicle is entitled to possession, then the conditional vendee, lessee, possessor, or mortgagor shall be deemed the owner for the purposes of this article.

*Police officer* means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

*Private road or driveway* means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

*Right-of-way* means the privilege of the immediate use of the highway.

*Roadway* means that portion of a highway improved, designed, or ordinarily used for vehicular traffic, exclusive of the shoulder. A divided highway has two or more roadways.

*Shoulder* means the portion of the highway contiguous with the roadway for accommodation of stopped vehicles, for emergency use, pedestrian use, mobility aid use or bicyclists when other accommodations are not available, and for lateral support of base and surface

*Sidewalk* means that portion of a highway between the curb lines, or the lateral lines of highway, and the adjacent property lines, intended for the use of pedestrians.

*Slow-moving vehicle* means a "low speed vehicle" as defined in R.S. 32:1(40) which is a four-wheeled, electric-powered vehicle with a maximum speed of not less than 20 miles per hour but not more than 25 miles per hour and is equipped with the minimum motor vehicle equipment appropriate for vehicle safety as required in 49 CFR 571.500.

*State maintained highway* means any highway in the state which is contained in the state highway system as defined by law or which is maintained by the department.

*Street* means the entire width between the boundary lines of every way or place of whatever nature publicly maintained and open to the use of the public for the purpose of vehicular travel, including bridges, causeways, tunnels and ferries; synonymous with the term "highway."

*"Towable equipment"* means equipment that is permanently affixed to or integrated upon a trailer intended for use when the trailer is not traveling on a road and where its capability for road travel or transport of other property is incidental or secondary to the primary operational purpose of the equipment including but not limited to towable signage, message boards, generators, lighting tower masts, speed monitoring and traffic cameras, air compressors, water pumps, crash attenuators, or road maintenance equipment such as a pothole patcher or a chipper brush. "Towable equipment" does not include portable facilities primarily intended for human or animal occupancy, hygiene, or similar accommodations, including but not limited to portable toilets, livestock trailers, and enclosed facilities for food service preparation and distribution.

*Traffic* means pedestrians, vehicles, and other conveyances either singly or together while using any highway for purposes of travel.

*Traffic control device* means all signs, signals, markings, and devices, not inconsistent with this article, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

*Traffic control signal* means a type of highway traffic signal, manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

*"Trailer"* means every single vehicle without motive power designed for carrying property or passengers wholly on its own structure, drawn by a motor vehicle which carries no part of the weight and load of the trailer on its own wheels and having one or more load carrying axles including but not limited to utility trailers, boat trailers, recreational trailers, semitrailers, livestock trailers, tow dollies and dump trailers, and excluding towable equipment as defined in this Article.

*Vehicle* means every device by which persons or things may be transported upon a public highway or bridge, except devices moved by human power or used exclusively upon stationary rails or tracks. A bicycle or a ridden animal shall be a vehicle, and a trailer or semitrailer shall be a separate vehicle.

(c) *Rules and regulations.*

(1) This article allows for the operation of golf carts, as defined herein, on public streets, roads, pathways within the jurisdiction of the city and on designated future highway crossings, to be determined, as may be authorized by any statute, rule or regulation enacted by the legislature of the state or the DOTD.

(2) This article pertains to golf carts as defined herein. This article does not pertain to the operation of lawn mowers, tractors, four-wheelers, ATV's or any other conveyance, other than those described herein.

(3) Golf carts are not generally designed to be operated and used on public streets, roads, paths, or highways. The city by adopting this article does not endorse nor advocate the use of golf carts on the public streets, road, paths, or highways within its jurisdiction.

(4) By adopting this article, the city is merely providing for the regulation and permitting of the operation of such vehicles by addressing public safety issues and concerns. All operators and passengers of golf carts which operate within the jurisdiction of the city do so at their own risk and peril.

(5) This article does not imply that operation of these vehicles on said streets, roads, paths, and highways, is safe or advisable, even if done so in compliance with this article. All operators of golf carts and their passengers must be observant of and attentive to the



safety of themselves, motorists, pedestrians, bicyclists, and the personal and real property of others.

(6) The city shall bear no liability whatsoever under any theory of liability for permitting the operation of golf carts on streets, roads, paths, or highways, under its jurisdiction as allowed by state statutes and/or special legislation enacted by the state legislature, but governed by this article.

(7) Any person or persons, driving, operating or riding in or upon golf carts or slow-moving vehicles on the streets, roads, paths, or designated highway crossings under the jurisdiction of the city does so at his own risk and peril, and must drive, operate and use said vehicles with due regard for the safety and convenience of other motor vehicles, bicyclist, and pedestrians.

(8) The golf cart or slow-moving vehicle owner and registrant must sign a release from liability for the city which is as follows:

The undersigned owner and registrant hereby agrees to indemnify, defend, and hold the city, its officers, agents, servants, employees, assistants, legal representatives and their heirs, executives, executors, administrators, and assigns, completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines, or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs of investigation and defense thereof, including, but not limited to, attorney fees, court costs, and expert fees, of any nature whatsoever arising out of an incident to the acts or omissions of the owner and registrant, its officers, agents, employees, contractors, subcontractors, subleases, licensees, invitees, or any third persons in the use of the owner's and registrant's golf cart or slow-moving vehicle, regardless of where the injury, death or damage may occur.

(9) Golf carts and slow-moving vehicles may only be operated on streets, roads, paths, and designated highway paths within the city in accordance with the following and regulations of this article.

(10) Before golf carts or slow-moving vehicles can be operated on the designated streets, roads, pathways, or highways within the jurisdiction of the city, the owner thereof must purchase and maintain liability insurance in at least the minimum amount required by the state for a licensed motor vehicle which said vehicles. Proof of insurance must be provided to the city at the time of application for a permit to operate vehicles.

(11) Any person who drives, operates or uses a golf cart or slow-moving vehicle in the city, including passengers therein or thereon, takes full responsibility for all liability associated with the operation of said vehicles. Any person who rides or sits as a passenger on a golf cart or slow-moving vehicle in the city takes full responsibility for all liability associated with such activity.

(12) Any person that drives or operates a golf cart or slow-moving vehicle on the streets, roads, pathways, or designated highway paths within the city jurisdiction shall hold a valid driver's license issued by state DOTD, and said operator shall have this driver's license on their person at all times while driving or operating said vehicles.

(13) Golf carts and slow-moving vehicles may be operated only during daylight hours, between sunrise and sunset.

(14) Golf carts and slow-moving vehicles are not allowed to travel upon state highways or in their rights-of-way.

(15) Golf carts and slow-moving vehicles may not be operated during inclement weather, including weather in which visibility is reduced or impaired by rain, snow, fog, or other conditions, nor at any time when there is insufficient light to clearly see a person or another vehicle upon the roadway at a distance of 500 feet.

(16) Any person who operates a golf cart or slow-moving vehicle within the city jurisdiction must adhere to all municipal, parish and state traffic laws, and all other laws, governing the use of, or the possession of, alcoholic beverages and controlled substances.

(17) Drivers and operators of golf carts must yield the right-of-way to pedestrians and overtaking vehicles at all times.

(18) All passengers, including children, must be properly seated while the golf cart or slow-moving vehicle is in motion and shall not be transported in a negligent manner. No children under the age of six are permitted on golf carts or slow-moving vehicles. The maximum number of persons on a golf cart or slow-moving vehicle shall be two persons per seat.

(19) Golf carts nor slow-moving vehicles shall not be allowed to operate on any city sidewalks.

(20) Golf cart and slow-moving vehicles may travel on roads with posted speed limits of 25 miles per hour or less, unless otherwise restricted by this code or State Statute.

(21) Golf carts nor slow-moving vehicles shall not be allowed to *tow trailers* or *towable equipment* as defined in this article and as may be amended in Louisiana Revised Statute 32:1252.

(d) *Required equipment.*

(1) Golf carts must be equipped with a rear vision mirror on the exterior of the driver's side, and a mirror on the passenger side or an interior mirror capable of providing the operator with a 100 feet clear rear sight picture, and must be equipped with front and rear turn signals, head lights and brake lights.

(2) Slow-moving vehicles must be equipped with the minimum motor vehicle equipment appropriate for vehicle safety as required in 49 CFR 571.500.

(e) *Permit, application, and revocation.*

(1) All golf carts and slow-moving vehicles operated within the jurisdiction of the city must display, on the left side of the windshield a valid "permit of operation" sticker issued by the Carencro Police Department.

(2) The non-refundable annual fee for said sticker shall not exceed \$75.00 per vehicle, and said fee will be used for implementation and maintenance of this privilege. The permit must be renewed annually. The chief of police or his designee shall have the right to refuse to issue and/or revoke any permit sticker and may remove said sticker from any golf cart and slow-moving vehicle at any time and for any reason that he feels it appropriate to ensure the safety and well-being of the citizens, and the motoring or pedestrian traffic, of the city.

(3) Permit application form. The application form shall include the full name, address, and telephone number of the applicant; the applicant's date of birth; the applicant's driver's license information to include state of issuance and the driver's license number (a photocopy of the applicant's driver's license shall be attached to the application form); the name of the applicant's insurance company and the applicant's insurance policy number, along with the date of expiration of said policy; the date of the application; and the applicant's signature attesting to his reading and understanding and complying of the ordinances enacted city ordinance regulating and permitting the operation and use of golf carts or slow-moving vehicles within the city.

(4) Any "permit of operation" may be revoked by the chief of police or their designee if there is any evidence of material misrepresentation made in the permit application, if liability insurance has been revoked, suspended, expired, or is no longer in effect, or if there is any evidence that the permitted cannot safely operate a golf carts and slow-moving vehicles.

(5) A permit shall be revoked by the chief of police or his designee if it is found that the operator's, or any person that the operator allows to operate said vehicle, driver's license has been suspended, revoked, or has expired.

(6) The chief of police or his designee shall issue a "notice of revocation" in the event that a permit is revoked and shall hand deliver said revocation notice to the permit holder, or the chief of police may send said notice by certified mail to the address of the applicant. The revocation shall be effective immediately upon hand delivery or three days after mailing by certified mail.

(7) Any person who violates any section or part of this article, or fails to comply with any section or part of this article, shall be held responsible for an infraction and shall be required to pay a penalty in the amount of \$200.00.

SECTION 3: EFFECTIVE DATE OF ORDINANCE:

This ordinance shall become effective immediately upon return of the ordinance to the City Clerk (after execution by the Mayor), on the tenth (10<sup>th</sup>) day after receipt of the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

SECTION 4: REPEALER:

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NUMBER: 2021-009**

**AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO  
CODE OF ORDINANCES REGARDING THE RETAIL SALE OF FIREWORKS**

**BE IT ORDAINED by the Carencro City Council that:**

**SECTION 1:**

The Carencro City Council (“Council”) now finds it necessary and expedient to amend the Carencro Code of Ordinances (Code) in order to enhance the safety of the citizens of the City of Carencro by revising those provisions of the Code regulating the retail sale of fireworks, in order to further define and prescribe the allowable use of aerial firework devices within the corporate limits of the City of Carencro.

The use of aerial firework devices in neighborhoods with tightly spaced housing has contributed to an increasing number of fire department incidents and damage to personal property.

**SECTION 2:**

In consideration of Section 1 above, the Council hereby amends Chapter 50 - OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE III. - FIREWORKS AND RELATED MATERIALS so that the following sections shall read as follows:

**Section 50-61. – Definitions.**

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

*Aerial device is designed to produce its effects in the air.*

*Permissible aerial devices shall include the following fireworks as defined by Revised Statute 51:651:*

Helicopter aerial spinner, Mine or shell, Missile-type rocket, Roman candle, Sky rockets and bottle rockets, and Multiple tube fireworks.

*Firework* means a broad composition or device used for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. Fireworks includes but is not limited to Roman candles, torpedoes, skyrockets, or any other fireworks of similar kind or character.

*Material labeled as flammable* means any commodity using a propellant that would cause the product label to include a warning that the product is flammable or inflammable.

*Silly string* means any chemical product which, upon activation, emits a string-like substance by means of a propellant.

*Snaps, pops and cracker balls* mean any product that is manufactured for the purpose of being thrown against a hard surface or stepped on to make a popping noise.

*Stink bomb* means any device designed to emit an odor which is offensive to persons of normal sensibilities upon activation, use, opening or breakage. Stink bombs shall include, but shall not be limited to, devices designed to release sulfur compounds such as ammonium sulfide upon activation, use or breakage. Stink bombs shall not include any device which releases odorized natural gas, shall not include any device which accidentally or incidentally releases offensive odor from industrial or construction operations, and shall not include any device which accidentally or incidentally releases offensive odor from business or commercial operations which are not temporary or transient.

#### **Sec. 50-62. - Penalties.**

Whoever commits the offense of selling fireworks to minors shall be fined not more than \$50.00 for the first offense; not more than \$100.00 or imprisonment in the parish jail for not more than 30 days, or both, for a second offense; and not more than \$100.00 or imprisonment in the parish jail for not more than 30 days, or both, and the perpetrator shall forfeit his fireworks license or permit for a period of two years for a third or subsequent offense.

Any person violating the provisions of this article shall be fined \$50.00 for the first offense and \$100.00 for any subsequent offense.

**Section 50-64. – Possession and use.**

No person under the age of 18 years shall use, handle, set off, shoot or have in possession any fireworks without adult supervision who shall also provide for the cleanup and removal of any and all resulting debris immediately following such discharge or display.

Aerial devices may not be ignited in residential areas where the structures are less than 50 feet apart.

**SECTION 3: EFFECTIVE DATE OF ORDINANCE:**

This ordinance shall become effective immediately upon return of the ordinance to the City Clerk (after execution by the Mayor), on the tenth (10th) day after receipt of the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

**SECTION 4: REPEALER:**

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NUMBER: 2021-010**

**AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE CARENCRO  
CODE OF ORDINANCES REGARDING THE LOUISIANA AGE OF MAJORITY**

**BE IT ORDAINED by the Carencro City Council that:**

**SECTION 1:**

The Carencro City Council (“Council”) now finds it necessary and expedient to amend the Carencro Code of Ordinances (Code) in order to further define the age of a minor as defined by Louisiana Civil Code Title 1, Article 29 Age of majority, which states; *Majority is attained upon reaching the age of eighteen years.*

**SECTION 2:**

In consideration of Section 1 above, the Council hereby amends Chapter 50 - OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE I. – IN GENERAL so that the following sections shall read as follows:

**Sec. 50-4. - Curfew for minors.**

**Definition of a minor: Majority is attained upon reaching the age of eighteen years.**

- (a) *Established.* A curfew for minors is hereby established, and it shall be unlawful for any minor under the age of 18 years to loiter, idle, wander, stroll, or drive any motorized vehicle or bicycle in or upon public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m. from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. Friday through Saturday in the city; provided, however, that the provisions of this subsection do not apply to a minor accompanied by his parents, guardian or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand of legitimate purpose directed by



his parents, guardian or other adult person having the care and custody of the minor. Each violation of the provisions of this subsection shall constitute a separate offense.

(b) *Parental responsibility.* It shall be unlawful for the parent, guardian or other person having the care and custody of a minor under the age of 18 years to permit the minor to loiter, idle, wander, stroll, or drive any motorized vehicle or bicycle in or upon public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. and 5:00 a.m. from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. Friday through Saturday in the city; provided, however, that the provisions of this subsection do not apply to a minor accompanied by his parents, guardian or other adult person having the care and custody of the minor, or when the minor is upon an emergency errand or legitimate purpose directed by his parents, guardian or other adult person having the care and custody of the minor. Each violation of the provisions of this subsection shall constitute a separate offense.

(c) *Duties of business operators.* It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment or other business place to permit any minor under the age of 18 years to remain in those places during the hours prohibited by subsection (a) of this section in the city. The provisions of this subsection shall not apply when the minor is accompanied by his parents, guardian or other adult person having the care and custody of the minor.

(d) *Presumption of violation.* Any minor under the age of 18 years who shall be found to loiter, idle, wander, stroll, or drive any motorized vehicle or bicycle in or upon public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, bus stations, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 p.m. to 5:00 a.m. from Sunday through Thursday and from 12:00 midnight to 5:00 a.m. Friday through Saturday, in the city, unless accompanied by his parents, guardian or other adult person having the care and custody of

the minor, shall be presumed to be acting without the authority or permission of his parents, guardian or other adult person having the care and custody of the minor, which presumption may be rebutted by the testimony of the parents, guardian or other adult person having the care and custody of the minor.

- (e) *Exceptions.* The curfew hours imposed by subsection (a) of this section shall not be imposed on designated nights during the year whereon public and parochial schools and fraternal and social organizations shall be engaged in athletic, musical, dramatic or social activities for the benefit or entertainment of their students, or any designated certain nights during the year designated as entertainment nights at the time as the fraternal and social organizations and parochial and public schools shall be engaged in athletic, musical, dramatic or social activities for the benefit or entertainment of the children of the city or the parish (movie theaters included). The provisions of this section shall not apply to any student under the age of 18 years or his parents, guardian, or other adult having the care and custody of the minor who is lawfully going to, attending or returning from any duly designated school night or entertainment provided the student returns home within 30 minutes after the termination of the civic, school or church activity or function, or movie.
- (f) *Penalties.* Any minor violating the provisions of subsection (a) of this section shall be dealt with in accordance with juvenile court law and procedures. Any parent, guardian or other adult person having the care and custody of a minor found guilty of violating subsection (b) of this section shall be fined not more than \$100.00 and imprisoned not more than 30 days, or both, at the discretion of the court. Any person operating or in charge of any place of amusement, entertainment or refreshment in the city who shall be found guilty of violating subsection (c) of this section, upon conviction, shall be fined not more than \$100.00 or imprisoned not more than 30 days, or both, at the discretion of the court.

#### **Sec. 50-6. - Obscenity.**

- (a) *Defined.* Obscenity is the intentional:
- (1) Exposure of one's person in a public place in such manner that any part of a sex organ may be seen by another person, with the intent of arousing sexual desire.

- (2) Production, sale, exhibition, gift, or advertisement with the intent to primarily appeal to the prurient interest of the average person, of any lewd, lascivious, filthy or sexually indecent written composition, printed composition, book, magazine, pamphlet, newspaper, story paper, writing, phonograph record, picture, drawing, motion picture film, figure, image, wire or recorded matter of sexually indecent character which may or may not require mechanical or other means to be transmitted into auditory, visual or sensory representations of such sexually indecent character.
  - (3) Possession with the intent to sell, exhibit, give or advertise any of the pornographic material of the character as described in subsection (a)(2) of this section, with the intent to primarily appeal to the prurient interest of the average person.
  - (4) Performance by any person in the presence of another person with the intent of arousing sexual desire, of any lewd, lascivious, sexually indecent dancing, lewd, lascivious or sexually indecent posing, lewd, lascivious or sexually indecent body movement.
  - (5) Solicitation or attempt to entice any unmarried person under the age of 18 years to commit any act prohibited by this section.
  - (6) Requirement by a person, as a condition to a sale, allocation, consignment or delivery for resale of any paper, magazine, book, periodical or publication to a purchaser or consignee, that such purchaser or consignee receive for resale any other article, book or publication reasonably believed by such purchaser or consignee to contain articles or material of any kind or description which are designed, intended or reasonably calculated to, or which do in fact appeal to the prurient interests of the average person in the community, as judged by contemporary community standards; or the denying or threatening to deny any franchise or to impose any penalty, financial or otherwise, by reason of the failure of any person to accept such articles or things or by reason of the return thereof.
  - (7) Display of nude pictures of a man, woman, boy or girl in any public place, except as works of art exhibited in art galleries.
  - (8) Solicitation for viewing or the distribution of adult videos, literature and sexual toys.
- (b) *Lack of knowledge of age or marital status, no defense.* In prosecutions for obscenity, lack of knowledge of age or marital status, shall not constitute a defense.
- (c) *Prohibited.* Whoever commits obscenity shall be guilty of a misdemeanor.

(d) *Urination and/or defecation in public.*

(1) Urination in public is the willful and intentional urination by a person in a public place, in a place not intended for such purposes or in a place open to the public view.

(2) Defecation in public is the willful and intentional defecation by a person in a public place, in a place not intended for such purposes or in a place open to the public view.

(3) Whoever commits the crime of urination and/or defecation in public shall be guilty of a misdemeanor and shall be fined not more than \$130.00 or imprisoned not more than ten days, or both, for the first such offense, and fined not more than \$250.00 or imprisoned not more than 30 days, or both, for the second and any subsequent such offense, subject to the discretion of the court.

#### SECTION 3: EFFECTIVE DATE OF ORDINANCE:

This ordinance shall become effective immediately upon return of the ordinance to the City Clerk (after execution by the Mayor), on the tenth (10th) day after receipt of the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

#### SECTION 4: REPEALER:

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed.

**ORDINANCE NO: 2021-011**

**AN ORDINANCE OF THE CARENCRO CITY  
COUNCIL REPEALING ORDINANCE NUMBER  
2019-007, AN ORDINANCE OF THE CARENCRO  
CITY COUNCIL AMENDING THE CARENCRO CODE OF  
ORDINANCES REGARDING THE PERFORMANCE  
LAND USE REGULATIONS, IN ITS ENTIRETY**

**BE IT ORDAINED** by the City Council of the City of Carencro, that:

**SECTION 1:**

It has been determined by the Carencro City Council that the best interests of the City of Carencro and its citizens will be served by eliminating the effects of specific provisions Ordinance No. 2019-007 upon the Code of Ordinances of the City of Carencro, especially with respect to the enforcement of said Code, and the Carencro City Council has further determined that the most effective and efficient process by which to accomplish the above is through the repeal of Ordinance No. 2019-007 in its entirety, such that the legal and practical effects of same shall hereafter cease to exist.

**SECTION 2:**

In consideration of Section 1 above and the intent of the Carencro City Council to repeal Ordinance No. 2019-007, it is hereby ordained that Ordinance No. 2019-007 shall be, and is hereby, repealed in its entirety, such that the Carencro Code of Ordinances shall revert to its original composition, meaning and legal effect as existed prior to the adoption of Ordinance No. 2019-007, with said ordinance to hereafter have no effect whatsoever upon said Code.

**SECTION 3:**

This ordinance shall become effective immediately upon return of the ordinance

to the City Clerk (after execution by the Mayor), on the tenth (10<sup>th</sup>) day after receipt of the ordinance by the Mayor without signature or veto, or upon an override of a veto, whichever occurs first.

**SECTION 4:**

If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated, unless said provisions cannot be interpreted to substantially fulfill the policy and purposes set forth herein, or should any interpretation thereafter of all or a portion of the remaining provisions of this Ordinance lead to a ludicrous result, in which event that portion or all of the remaining portions of this Ordinance shall be construed to be null and void.

**SECTION 5:**

Any City of Carencro ordinance or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

**ORDINANCE NUMBER: 2021-012**

**AN ORDINANCE OF THE CARENCRO CITY COUNCIL AMENDING THE  
CARENCRO CODE OF ORDINANCES REGARDING SIGNS AND BILLBOARDS**

**BE IT ORDAINED** by the Carencro City Council that:

SECTION 1:

The Carencro City Council (“Council”) now finds it necessary and expedient to amend the Carencro Code of Ordinances (Code) in order to enhance the safety of the citizens of the City of Carencro by revising those provisions of the Code regulating signs and billboards within the corporate limits of the City of Carencro.

SECTION 2:

In consideration of Section 1 above, the Council hereby amends **Chapter 62 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, ARTICLE V. – SIGNS, Section 62-125. Ground signs applicable to designated areas** so that the following sections shall read as follows:

**Sec. 62-125. Ground signs applicable to designated uses.**

- (a) *Definition of ground signs.* Ground signs are specifically defined in section 62-122, but they consist of monument signs and pole signs. Monument signs and pole signs are allowed as provided for in section 62-123.
- (b) *Number of monument signs.* One monument sign shall be allowed for each 1,000 feet of street frontage or fraction thereof in excess of the 1,000-foot increments. A property with more than one street frontage shall be allowed one monument sign for each 1,000 feet of street frontage or fraction thereof in excess of the 1,000-foot increments.
- (c) *Location of monument signs.* A monument sign, or monument signs if more than one is allowed, may be located at any place from the street property line, as long as it is set back from the street property line at least five feet. Monument signs shall not be located within a sight clearance triangle as defined below:
  - (1) The open, unobstructed triangular area on a corner lot, formed by the intersection of two property street right-of-way lines and a straight line drawn between the property

right of way lines. The length of two sides of the triangle, as measured along each property street right of way line is 30 feet from the intersection forming the corner.

(d) *Monument signs for designated uses.*

- (1) *Where allowed.* Monument signs are allowed to be erected and displayed for commercial, industrial and institutional uses.
- (2) *Area.* The total sign area for each allowed monument sign constructed shall not exceed the following limits:

Building Type	Single Faced Per Side	Double Faced Per Side
Single Occupancy	40 sq. ft.	32 sq. ft.
Multiple Occupancy	80 sq. ft.	70 sq. ft.

- (3) *Height of monument signs.* The height of monument signs shall not be greater than nine feet.

(e) *Number of pole signs.* One pole sign shall be allowed for each 1,000 feet of street frontage or fraction thereof in excess of 1,000-foot increments. A property with more than one street frontage shall be allowed one pole sign for each 1,000 feet of street frontage or fraction thereof in excess of the 1,000-foot increments.

(f) *Location and height of pole signs.* A pole sign, or pole signs if more than one is allowed, may be located at any place from the street property line, including the street planting area, back to the building facade as long as it is set back from the street property line at least five feet. If there is no building facade behind the sign, then the sign may be located up to 50 feet back from the property line. Pole signs shall not be located within a sight clearance triangle as defined below:

- (1) The open, unobstructed triangular area on a corner lot, formed by the intersection of two property street right of way lines and a straight line drawn between the property right of way lines. The length of two sides of the triangle, as measured along each property street right of way line is 30 feet from the intersection forming the corner.

- (2) Pole signs shall not exceed 12 feet in height.

- (3) **Area. The total sign area for each allowed pole sign constructed shall not exceed the following limits:**

Building Type	Single Faced Per Side	Double Faced Per Side
Single Occupancy	80 sq. ft.	64 sq. ft.
Multiple Occupancy	160 sq. ft.	140 sq. ft.

(g) *Billboards for designated uses.*



- (1) *Where allowed.* Billboards are allowed to be erected and displayed for commercial, industrial and institutional uses, located within 250 feet of an interstate highway. Billboards are prohibited elsewhere.
  - (2) *Area.* The area of billboards is limited to a maximum measurement of 14 feet high by 48 feet wide equaling 672 square feet of advertising surface on one side.
  - (3) *Height of billboards.* The height of billboards shall not be greater than 50 feet. The bottom of the billboard shall be no higher than 25 feet from the roadbed toward where the advertising is directed.
- (h) Electronic billboards are permitted subject to the following:
- a. Only one electronic billboard is permitted per lot.
  - b. Each message or image displayed on an electronic billboard shall be static or depicted for a minimum of eight seconds. Animation, streaming video, and images that move or give the appearance of movement are prohibited.
  - c. No illumination from any electronic billboard may shine into any residential premises or interfere with the safe movement of motor vehicles on public thoroughfares.
  - d. An electronic billboard shall not exceed a maximum illumination of 6,000 candela per square meter ( $\text{cd/m}^2$ ) during daylight hours, and a maximum illumination of 500 candela per square meter ( $\text{cd/m}^2$ ) between dusk and dawn, as measured from the sign's face at maximum brightness. All electronic billboards shall have ambient light monitors which automatically adjust the brightness level of the digital sign based on ambient light conditions.
  - e. No nonconforming billboard may be converted to an electronic billboard.
- (i) No billboard may have audio speakers or any audio component.

(Ord. No. 2004-026, § 4, 2-21-2005; Ord. No. 2007-002, § 1 c., 3-19-2007)