

Introduced March 24th, 1981 by
Councilman Martinez, seconded by
Councilman Washington

Item No. 81-3-294

ORDINANCE NO. 1382

An ordinance amending Section 9-1 and 9-3 of Chapter 9 of the
City of Slidell Code of Ordinances.

BE IT ORDAINED by the Slidell City Council, in legal session convened,
that Sections 9-1 and 9-3 of Chapter 9 of the City of Slidell Code or Ordinances
are amended to read as follows:

Section 9-1. Model Municipal Criminal Code - Adopted. Delete the
word and numbers "September, 1965" and replace with the following: 1978.
Delete the present Section 9-3 and replace with a new Section 9-3 to read as follows:

Section 9-3. Same - Amendments. The Model Municipal Criminal Code dated 1978,
is amended and modified in the following respects:

Article 1 of said Code is amended to read as follows:

This Code may be cited as the City of Slidell Criminal Code.

Article 2 of said Code is amended to read as follows:

The ninth sentence of Article 2 of said Code is amended to read as
follows: Unless otherwise specified, local references are to those who function
in the City of Slidell, Louisiana.

The last sentence of Article 2 of said Code is amended to read as follows:
City and municipality means the City of Slidell, Louisiana, or any agency, board,
commission, department or institution of same.

Article 35 of said Code is amended to read as follows:

Add: Whoever commits the crime of theft shall be fined not more than
Five Hundred Dollars (\$500.00), or confined for not more than sixty (60) days in
jail or both.

Article 52 of said Code is amended to read as follows:

Section (A) - first sentence, add: The City of Slidell

Section (B) - fifth sentence, add: City of Slidell

Article 61 of said Code is amended as follows: Article 61: Illegal
Carrying of Weapons - The provisions of this Section, except paragraph
(4) of this Article, shall not apply to sheriffs and their deputies, state and
city police, constables and town marshals, or other persons vested with police
power in the City of Slidell.

1 Article 62. Trash Fires. Specifically excepted from the terms of this
2 Article are bona fide land developers, contractors or other persons engaged in
3 clearing land who have obtained the prior written consent to burn trash or debris
4 from the St. Tammany Fire Protection District No. 1 and the Mayor and City
5 Council, but developers, contractors or other persons are prohibited from using
6 old tires, crude oil, or any other agent or substance to facilitate their burning
7 which will create dark or noxious smoke, and the overall dimensions of the pile to
8 be burned cannot exceed five (5) feet in height by thirty (30) feet in length
9 and thirty (30) feet in width; and must be under constant supervision of the
10 permit holder or his representative as long as the fire is burning.

11 The St. Tammany Fire Protection District No. 1 and Mayor and City Council
12 and Slidell Police Department may continuously inspect the burning to insure that
13 no undue nuisance to populated areas is caused and may have the authority to
14 revoke the permit if the contractor, developer or other persons are not complying
15 with reasonable standards of care.

16 The fire chief or person in charge at the St. Tammany Fire Protection District
17 No. 1 Central Station can sign the permit for the fire department. A copy of the
18 permit is to be supplied the St. Tammany Fire Protection District No. 1 and
19 Slidell Police Department immediately after the permit is issued. The time
20 limit for this permit shall be fifteen (15) days from the date of issuance.

21 Article 69 of said Code is amended to read as follows:

22 Article 69. Possession of Weapons Where Alcoholic Beverages are Sold.

23 Section A. It shall be unlawful for any person to have in his possession
24 a firearm, or other instrumentality customarily used or intended for probable use
25 as a dangerous weapon in any premises where alcoholic beverages are sold and
26 consumed on the premises except the owner or lessee of the premises, or their
27 employees, sheriffs, deputy sheriffs, state police, city police, constables, town
28 marshals, or person vested with police power in the City of Slidell.

29 Section B. Any person vested with police power in the City of Slidell
30 may search upon probable cause any person found in any place where alcoholic
31 beverages are sold and consumed on the premises and shall confiscate any firearm
32 or other instrumentality customarily used or intended for probable use as a
33 dangerous weapon which such peace officer may find; this search shall be limited
34 to only weapons unless probable cause for a wider search exists.

1 SECTION C. Premises where alcoholic beverages are sold and consumed on
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3 the premises shall include all of the licensed premises and shall include the
4 parking lot.

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7 SECTION D. Any gun or other instrumentality customarily used or for probable
8 use as a dangerous weapon found on any person while on the premises of a place
9 where alcoholic beverages are sold and consumed may be used as evidence in court.

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11 SECTION E. Any guns or other dangerous instrumentalities seized under the
12 provisions of this ordinance shall be held by the police until the disposition
13 of charges against the defendant; in the event of a conviction, the weapon shall
14 be destroyed unless otherwise ordered by the judge, who shall have the authority
15 to order the weapon either destroyed or otherwise disposed of.

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17 SECTION F. The Director of Finance shall adopt rules to insure that each
18 applicant for a license or for renewal of a license to sell alcoholic beverages
19 shall be given a copy of this ordinance and the applicant shall sign an appropriate
20 form indicating receipt of a copy of this ordinance. The owner of any establishment
21 concerned by this ordinance may display said ordinance in the establishment.

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23 SECTION G. Any violation of this ordinance shall be punishable by a fine
24 of Two Hundred and No/100th (\$200.00) Dollars or sixty (60) days in jail or both.

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26 Article 78 of said Code is amended to read as follows:

27 Article 78. Fireworks

28 Exceptions. (b). To pyrotechnic display of fireworks in public parks or
29 other open places, where a permit for such display has been issued by the Chief
30 of the Fire Department of Slide11.

31 Article 79, Section (2)(h) of said Code is amended to read as follows:

32 Article 79. Unnecessary Noise.

33 (2)(h) Construction and Repairing of Buildings. The erection (including
34 excavating), demolition, alteration or repair of any building in any residential
35 district or section, the excavation of streets or highways in any residential
36 district or section other than between the hours of 7:00 A.M. and 6:00 P.M. on
37 week days, except in case of urgent necessity, in the interest of public health
38 and safety, and then only with a permit from the Chief of Police of Slide11,
39 which permit may be granted for a period not to exceed thirty (30) days while
40 the emergency continues. If the Chief of Police of Slide11 should determine
41 that the public health and safety will not be impaired by the erection, demolition,
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1 alteration or repair of any building or the excavation of streets and highways
2 between the hours of 6:00 P.M. and 7:00 A.M., and if he shall further determine
3 that loss or inconvenience would result to any party in interest, he may grant
4 permission for such work to be done within the hours of 6:00 P.M. and 7:00 A.M.
5 upon application being made at the time the permit for the work is awarded or
6 during the progress of the work.

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12 (3)(c) Exceptions. The reasonable use of amplifiers or loud speakers
13 in the course of public addresses which are noncommercial in character, and for
14 which a permit is first obtained from the Chief of Police of Slidell.

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18 Article 80 of said Code is amended to read as follows:

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20 Article 80. Soliciting upon Private Residences. Add the following
21 paragraph: The provisions of this Article shall not apply to bona fide charitable
22 and civic organizations registered with the Secretary of State in accordance with
23 R.S. 12:501.

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28 Article 81 of said Code is amended to read as follows:

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30 Article 81. Regulating Parades.

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32 C. Application. (1) Filing Period. An application for a parade
33 permit shall be filed with the Chief of Police not less than fourteen (14) days
34 nor more than sixty (60) days before the date on which it is proposed to conduct
35 the parade. Application for a carnival parade permit must be submitted sixty (60)
36 days before the date on which it is proposed to conduct the parade.

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42 (3) Late Applications. The Chief of Police, where good cause is shown,
43 therefore, shall have the authority to consider any application hereunder which is
44 filed less than thirty (30) days before the date such parade is proposed to be
45 conducted.

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50 (4) Delete this section in its entirety.

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52 E. Notice of Rejection.

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59 If the Chief of Police disapproves the application, he shall mail
60 to the applicant within ten (10) days after the date upon which the application
61 was filed, a notice of his action.

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68 F. Alternative Permit. - Second sentence, add: Five (5)

1 Article 87.
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3 The said Code is further amended by adding Article 87, to read as
4 follows:
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6 Article 87. Truck Routes.
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8 I-10, I-12, U.S. Highway 11 (Front Street), U.S. Highway 190E (Gause
9 Boulevard), U.S. Highway 190E (Fremaux Avenue), U.S. Highway 190W, Louisiana 433
10 (Rigolets Road or Old Spanish Trail) and Louisiana 433 (Bayou Liberty Road) and
11 Louisiana 1090 (Robert Road), as shown on the map attached hereto and made a part
12 hereof*, are established as designated truck routes, and shall be posted as such.
13 No road, street, avenue, boulevard, alley, etc., shall be used, traversed or
14 occupied by a truck or other vehicle of similar nature over the load capacity
15 of one and one-half (1½) ton except for local delivery and for which no other
16 route exists. Trucks and other similar vehicles over one and one-half (1½) ton
17 load capacity shall use established truck routes only except for local delivery
18 and for which no other route exists.
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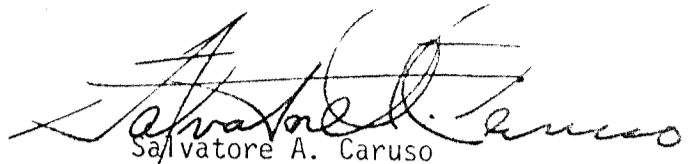
20 BE IT FURTHER ORDAINED that it is hereby declared to be the intention
21 of the Slidell City Council that the sections, subsections, sentences, clauses
22 and phrases of the Criminal Code of the City of Slidell, Louisiana, are severable,
23 and, if any section, subsection, paragraph, clause or phrase of such Code shall
24 be declared unconstitutional and invalid, such unconstitutionality or invalidity
25 shall not affect any of the remaining sections, subsections, paragraphs, sentences,
26 clauses, and phrases of this Code, since the same would have been enacted by
27 this body without the incorporation in such Code of any such unconstitutional or
28 invalid section, subsection, paragraph, sentence, clause or phrase.
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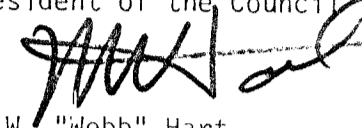
30 BE IT FURTHER ORDAINED that the 1978 Model Municipal Criminal Code, as
31 amended, shall replace the 1965 Model Municipal Criminal Code, as amended, as
32 the Criminal Code of the City of Slidell, Louisiana.
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34 BE IT FINALLY ORDAINED that all ordinances or parts of ordinances in
35 conflict herewith are hereby repealed.
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37 ADOPTED this 28th day of April , 1981.
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Salvatore A. Caruso
Councilman, District C
President of the Council


M. W. "Webb" Hart
Mayor


for Emily M. Mills
Clerk of the Council

DELIVERED 4-30-81
12:30 P.M. to the Mayor
RECEIVED 5-7-81
12:20 P.M. from the Mayor