HOME RULE CHARTER

LIVINGSTON PARISH

Second Amended Charter Nov. 6, 2018

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ARTICLE I. INCORPORATION, FORM OF GOVERNMENT, BOUNDARIES, POWERS.

Section 1-01.
Home Rule Charter.

The Livingston Parish Home Rule Charter Commission has proposed and the electors have adopted this, their home rule charter, hereinafter referred to as "charter," under the authority of Article V1, Section 5 of the Louisiana Constitution of 1974, hereinafter referred to as "constitution. The Livingston Parish government is therefore a local governmental subdivision which operates under a home rule charter and, subject to said charter, is authorized as hereinafter provided to exercise any power and perform any function necessary, requisite or proper for the management of its local affairs.

Section 1-02.
Form of Government.

The plan of government provided by this home rule charter shall be known as the "president-council" form of government. It shall consist of an elected president who shall be the chief executive officer and head of the executive branch and an elected council which shall be called the Livingston Parish Council and shall constitute the legislative branch of the government.

Section 1-03.
Boundaries.

The boundaries of Livingston Parish shall be those in effect as of the effective date of this charter and shall be subject to change thereafter as provided by law.

Section 1-04.
General Powers.

Except as otherwise provided by this charter the parish government shall continue to have all the powers, rights, privileges, immunities and authority heretofore possessed by Livingston Parish under the laws of the state. The government shall have and exercise such other powers, rights, privileges, immunities, authority and functions not inconsistent with this charter as may be conferred on or granted to a local governmental subdivision by the constitution and general laws of the state, and more specifically, the government shall have and 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 by general state law, or inconsistent with the constitution.

Section 1-05.
Special Powers.

The parish government shall have the right, power and authority to pass all ordinances requisite or necessary to promote, protect and preserve the general welfare, safety, health, peace and good order of the parish, including, but not by way of limitation, the right power and authority to pass ordinances on all subject matters necessary, requisite or proper for the management of its affairs, and all other subject matter without exception, subject only to the limitation that the same shall not be inconsistent with the constitution or expressly denied by general law applicable to parish government.

Section 1-06.
Joint Service Agreements.

The parish government is authorized, as provided by state law, to enter into joint service agreements or cooperative efforts with other governmental agencies and political subdivisions.

ARTICLE II. PARISH COUNCIL.

Section 2-01.
Composition, Qualifications and Election.

A. The legislative power of the parish government shall be vested in a council consisting of nine (9) members elected from single-member districts, one from and by the qualified electors in each district as defined in the section "Election of Officials." Council members are limited to three (3) consecutive four (4) year terms of office commencing with the terms beginning on January 14, 2020. [11-06-2018]

B. A council member shall be at least eighteen (18) years of age and a qualified elector of the district from which elected at the time of qualification.

C. A council member shall have been legally domiciled and shall have actually resided for at least one (1) year immediately preceding the time established by law for qualifying for offices in an area which, at the time of qualification, is within the district from which elected.

D. A council member shall continue to be legally domiciled and to actually reside within the district from which elected during the term of office. Should the legal domicile and/or actual residence of a council member change from the district from which elected, unless changed by reapportionment, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter.

Section 2-02.
Reapportionment.

Following official publication of the federal census by the United States Bureau of the Census and at least six (6) months prior to the next election for council members following publication of the census, the council by ordinance shall, if necessary, 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.

Section 2-03.
Forfeiture of Office.

A council member shall forfeit the office if such member during the term of office: (1) lacks any qualification for the office prescribed by this charter, or (2) is convicted of a state or federal felony.

Section 2-04.
Vacancy in Council Office.

A. The office of a council member shall become vacant upon death, resignation, removal from office in any manner authorized by law, forfeiture of office, failure to take office, or as otherwise provided in this charter.

B. A vacancy on the council shall be filled by appointment within fifteen (15) days after the vacancy occurs of a person meeting the qualifications for that office by the favorable vote of a majority of the remaining members of the council.

C. If one (1) year or less of the unexpired term remains when the vacancy occurs, the appointee shall serve out the remainder of the term.

D. If the vacancy occurs more than one (1) year before the expiration of the term, the appointee shall serve until the office is filled by the vote of the qualified electors voting in an election called by the council for that purpose and the person elected assumes the office . The council, within fifteen (15) days after the vacancy occurs, shall call an election to fill the vacancy. The election shall be held according to the timetable and

procedures established by state law for the filling of vacancies in elected local offices.

Section 2-05.
Compensation.

A. The salary of a council member shall be $800 per month.

B. The council may, by ordinance, change the salary of council members, provided that no ordinance increasing the salary shall be adopted during the last year of a term and provided further that a change shall not become effective during the current term of the council members adopting the ordinance. Such increase shall not cause the salary to exceed the maximum authorized by state law for police jury.

C. Council members may be reimbursed for properly authorized vouchered expenses incurred in conducting official business of the parish government except that council members shall not be reimbursed for travel within the parish.

Section 2-06.
Prohibitions.

A. A council member shall hold no other elected public office, nor be a compensated official or employee of the parish government during the term for which elected to the council. Nothing in this section shall prohibit a council member from serving as a member of a charter commission, constitutional convention or political party committee.

B. Except as specifically provided in this charter, neither the council nor any of its members shall remove, direct or supervise any administrative officers or employees whom the president or any subordinates of the president are empowered to appoint.

C. 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.

Section 2-07.
Council Meetings and Rules.

A. At the first regular meeting of a newly elected council and annually thereafter, a chair and vice chair shall be elected by the council from among the council members. The chair shall preside at meetings of the council, supervise or delegate supervision of council employees, and carry out such other duties as the council may authorize.

B. In the absence or disqualification of the chair, the vice chair shall preside. In the absence or disqualification of both the chair and vice chair, the council shall designate one of its other members as temporary presiding officer. The chair, vice chair and temporary presiding officer shall be voting members of the council.

C. The council shall meet regularly at least twice a month at intervals of at least two (2) weeks at such times and places as the council may prescribe. Special meetings may be held on the call of the presiding officer of the council or a majority of the authorized membership of the council with such notice as may be required by state law. To meet a public emergency affecting life, health, property or public safety, the council may meet upon call of the president, the presiding officer of the council or a majority of the authorized membership of the council at whatever notice it shall be convenient to give. The call convening a special or emergency meeting of the council shall state the objects of the meeting. The power of the council to act at a special or emergency meeting shall be limited, under penalty of nullity, to the objects specifically enumerated in the call.

D. All meetings of the council and its committees shall be open to the public in accordance with the

provisions of general state law.

E. The council shall determine by resolution its own rules and order of business and shall provide for keeping a record of its minutes and proceedings. All official actions of the council shall be published in the official journal within thirty (30) days of the action taken.

F. At all regular meetings of the council, the council shall operate from an agenda which shall have been published at least two (2) days, excluding Saturdays, Sundays and holidays, prior to the meeting. The agenda for special or emergency meetings shall be made available to the public as soon as practical prior to the meeting.

G. The council shall provide by ordinance a procedure whereby interested persons shall be given an opportunity to be heard at council meetings on any matter relating to parish government.

H. All voting shall be by roll call, and the ayes and nays shall be recorded in the minutes of the council by the individual vote of each council member. Not less than a majority of the authorized membership of the council shall constitute a quorum to transact business, but if a quorum is lost during a meeting, a smaller number may recess from time to time and compel the attendance of absent members in the manner and subject to the penalties prescribed by council rules.

Section 2-08.
Investigations.

The council may make investigations into the affairs of the parish government and the related conduct of any parish official, officer, employee, department, office, or agency. For this purpose the council may subpoena witnesses, administer oaths, take testimony and require the production of evidence. Investigations shall be for a specified purpose and may be undertaken only by the affirmative vote of a majority of the authorized membership of the council. Any person who fails or refuses to obey any lawful order of the council may be cited for contempt. No council member shall vote on any matter under such investigation in which said council member has a conflict of interest.

Section 2-09.
Independent Audit.

The council shall provide for an annual independent post fiscal year audit, and such additional audits as it deems necessary, of the accounts and other evidence of financial transactions of the parish government, including those of all parish government departments, offices or agencies. Audits may be by the state or the council may designate a private auditor to make such audits. The private auditor shall be without personal interest in the affairs subject to audit, shall not participate in budget preparation and adoption, and shall be a certified public accountant or firm of such accountants. The audit shall be submitted to the council at one of its regularly scheduled meetings and shall be a public record, and a summary thereof shall be published at least once in the official journal.

Section 2-10.
Council Employees.

A. The council shall, by vote of a majority of its authorized membership, appoint a clerk of the council who shall serve at the pleasure of the council. The clerk shall give notice of council meetings to its members and the public, keep the journal of its proceedings, be official secretary of the council and perform such other duties as are assigned to the position by this charter or by the council.

B. The council may, by ordinance approved by two-thirds of its authorized membership, authorize the hiring of such other employees as may be necessary to assist the council in carrying out its duties and responsibilities. Such employees shall serve at the pleasure of the council.

C. The council shall, by ordinance approved by two-thirds of its authorized membership, fix the salaries of its employees.

Section 2-11.
Action Requiring an Ordinance.

A. An act of the council having the force of law shall be by ordinance. An act requiring an ordinance shall include but not be limited to those which:

(1) Adopt or amend an administrative code.
(2) Provide a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty may be imposed.
(3) Levy taxes, assessments and charges.
(4) Adopt the operating budget and capital improvement budget and appropriate funds for the parish government.
(5) Grant, renew or extend a franchise.
(6) Provide for raising revenue.
(7) Regulate the rate or other charges for service by the parish government.
(8) Authorize the borrowing of money in any manner authorized by law.
(9) Incur debt in any manner authorized by law.
(10) Dispose of any real property owned by the parish government.
(11) Convey or lease or authorize the conveyance or lease of any lands or property of the parish government.
(12) Acquire real property on behalf of the parish government.
(13) Adopt or modify the official map.
(14) Adopt or modify regulations for review and approval of plats.
(15) Adopt or modify subdivision controls or regulations.
(16) Adopt or modify the zoning plan, maps and regulations.
(17) Amend or repeal any ordinance previously adopted.
(18) Propose amendments to this charter.

B. All ordinances shall be codified in accordance with Article VI, Section 10 of the constitution.

C. An act of the council which is not to have the force of law may be enacted by resolution. A resolution may be used by the council for purposes such as a formal expression or will of the council; to authorize a person or persons to sign legal and financial documents for a project or purpose previously approved by ordinance; and as may be authorized by this charter. The president's veto authority shall not apply to resolutions.

D. All ordinances and resolutions shall be passed by the favorable vote of at least a majority of the authorized membership of the council except as otherwise provided in this charter.

Section 2-12.
Ordinances in General

A. All proposed ordinances shall be introduced in writing at a meeting of the council in the form required for adoption and, except for codifications, the operating budget and capital improvement budget, shall be confined to one subject expressed clearly in the title.

B. All proposed ordinances shall be read by title when introduced and published in the official journal by title within ten (10) days after introduction, except that ordinances proposing amendments to the charter shall be published in full. Except as otherwise provided in the section on "Emergency Ordinances," no ordinance shall be considered for final passage until at least two (2) weeks from date of introduction and after a public hearing has been held on the

ordinance.

C. With the final approval of ordinances by the president, or the council in case of a veto by the president, such enacted ordinances shall be published in full or in summary at the council's discretion in the official journal by the clerk of the council within fifteen (15) days after adoption. Every enacted ordinance, unless it shall specify another date, shall become effective at the expiration of fifteen (15) days after final adoption.

Section 2-13.
Submission of Ordinances to the President.

A. Every ordinance adopted by the council shall be signed by the presiding officer or the clerk of the council. The clerk of the council shall certify to its passage, and it shall be presented to the president within seven (7) days after adoption, excluding Saturdays, Sundays and holidays. [12-06-2014] The clerk of the council shall record upon the ordinance the date and hour of its delivery to the president.

B. Within ten (10) days after the president's receipt of an ordinance, it shall be returned to the clerk of the council with the president's approval or with the president's veto. The clerk shall record upon the ordinance the date and hour of its receipt from the president. If the proposed ordinance is not signed or vetoed by the president within ten (10) days after receipt, it shall be considered adopted. If the ordinance has been adopted, it shall be considered finally enacted and become effective as provided in the section on "Ordinances in General". If the ordinance is vetoed, the president shall submit to the council through the clerk a written statement of the reasons for the veto. The veto statement shall be published in full in the official journal by the clerk as soon as practical thereafter. All ordinances vetoed by the president shall be vetoed in full, except that the president shall have authority to veto individual appropriation items in the ordinances adopting the operating and capital improvement budgets and amendments thereto.

C. Ordinances vetoed by the president shall be submitted to the council by the clerk of the council no later than the next regular meeting held after publication of the veto statement. Should the council vote, not later than the second regular meeting held after publication of the vetoed ordinance, to override the president's veto of the ordinance by the favorable vote of at least two-thirds of its authorized membership, said ordinance shall be considered finally enacted in accordance with the section on "Ordinances in General" and become law irrespective of the veto by the president. The procedure for overriding vetoed ordinances shall apply to individual appropriation items in the operating and capital improvement budgets vetoed by the president.

D. The right of the president to veto as provided in this section shall apply to all ordinances adopted by the council except ordinances for: plans for reapportionments; amendments to this charter, establishing, altering or modifying council procedure; appropriating funds for auditing or investigating any part the executive branch; or as may be otherwise provided by this charter.

Section 2-14.
Emergency Ordinance.

A. To meet a public emergency affecting life, health, property or public safety, the council may adopt an emergency ordinance at the meeting at which it is introduced, provided that no such ordinance may be used to levy taxes or special assessments; grant or extend a franchise; incur debt, except as provided in the section on "Emergency Appropriations"; adopt or amend an official map, platting or subdivision controls or zoning regulations; or change rates, fees or charges adopted by the parish government. Each emergency ordinance shall contain a specific statement describing the emergency. After adoption, the ordinance shall be printed and published as soon as practical thereafter.

B. Notwithstanding the provisions of the section on "Submission of Ordinances to the President," any emergency ordinance adopted by the council shall be presented to the president within six (6) hours after adoption. Within twelve (12) hours after the president's receipt of an emergency ordinance, it shall be returned to the council with the president's approval, or with the president's veto. If the proposed ordinance is not signed or vetoed by the president within twelve (12) hours after receipt, it shall be considered adopted. If the emergency ordinance has been adopted, it shall become

effective immediately. If the emergency ordinance is vetoed, the president shall submit to the council a written statement of the reasons for the veto. The clerk shall record upon the emergency ordinance the dates and hours of its delivery to and receipt from the president. Should the council vote, not later than twelve (12) hours after receipt of the vetoed emergency ordinance from the president, to readopt the emergency ordinance by the favorable vote of at least two-thirds of its authorized membership, said emergency ordinance shall be considered finally adopted and become law immediately upon readoption, irrespective of the veto by the president. Upon final approval by the president, or the council in case of a veto by the president, such adopted emergency ordinance shall be published by title in the official journal as soon as practical thereafter.

C. Emergency ordinances shall be effective for no longer than thirty (30) consecutive days after final adoption, except that the council, by the favorable vote of two-thirds vote of its authorized membership, may extend the life of the emergency ordinance for a period not to exceed an additional thirty (30) consecutive days.

Section 2-15.
Codes of Technical Regulations.

The council, by ordinance, may adopt any standard code of technical regulations by reference. The procedure and requirements governing the adopting of such codes shall be as prescribed for ordinances generally, except that a period of sixty (60) days shall be allowed between the time of introduction and adoption of the ordinance. During this interim, copies of any proposed code shall be available for public review. A copy of each adopted code of technical regulations as well as the adopting ordinance shall be authenticated and recorded by the clerk of the council in the official records of the parish government. Such adopted codes of technical regulations shall be published by title or by reference in the official journal by the clerk as soon as practical following such final adoption.

Section 2-16.
Authentication and Recording of Ordinances and Resolutions; Printing and Distribution.

A. All finally enacted ordinances and resolutions shall be authenticated, numbered and recorded by the clerk of the council. All ordinances shall be indexed and codified in a book or books kept for this purpose. All resolutions shall be indexed and recorded in the minutes of the council meeting at which the resolution was approved.

B. The council shall cause each ordinance and each amendment to this charter to be printed or otherwise reproduced promptly following enactment. Such printed or reproduced amendments and ordinances, including codes of technical regulations adopted by reference pursuant to the section on "Codes of Technical Regulations", shall be available in the office of the clerk of the council for review by any citizen. Copies may be distributed to the public at no cost or sold to the public at cost.

Section 2-17.
Power to Levy Taxes.

A. The power to perform any service or provide any facility granted to the parish government by this charter or by the constitution and general laws of the state shall in all cases carry with it the power to levy taxes and to borrow money within the limits and in accordance with procedures prescribed by the constitution and general laws of the state. The council shall have and is hereby granted all of the authority to levy and collect taxes, to incur debt, and to issue bonds and other evidence of indebtedness, as is now or hereafter conferred on governing authorities of local governments by the constitution and general laws of the state, or as may be hereafter specially conferred by the electors of the parish.

B. Any tax being levied by Livingston Parish on the effective date of this home rule charter is ratified.

C. All proposals to levy property taxes in excess of that which the constitution authorizes to be levied without a vote of the people shall be submitted to the voters for approval in accordance with the election laws of the state.

D. All proposals to renew, levy a new or increase an existing sales and use tax shall be submitted to the voters

for approval in accordance with the election laws of the state.

Section 2-18.
Powers of Enforcement.

For the purpose of carrying out the powers generally or specially conferred on the parish government, the council shall have the power to grant franchises, to require licenses and permits and fix the fees to be paid therefore, to charge compensation for any privilege or franchise granted or service rendered, and to provide penalties for the violation of any ordinance or regulation, as provided by law.

ARTICLE III. EXECUTIVE BRANCH.

Section 3-01.
Executive Authority.

The president shall be the chief executive officer of the parish government and shall exercise general executive and administrative authority over all departments, offices and agencies of the parish government, except as otherwise provided by this charter.

Section 3-02.
Election.

The president shall be elected at large by the qualified voters of the parish according to the election laws of the state. The president is limited to serving three (3) consecutive four (4) year terms of office commencing with the term beginning on January 14, 2020. [11-06-2018]

Section 3-03.
Qualifications.

A. The president shall be at least eighteen (18) years of age and a qualified elector of the parish at the time of qualification and shall have been legally domiciled and shall have actually resided within the parish for at least the one (1) year immediately preceding the time established by law for qualifying for office.

B. The president shall continue to be legally domiciled and to actually reside within the parish during the term of office. Should the legal domicile and/or actual residence of the president change from the parish, the office shall automatically become vacant, which vacancy shall be filled as set out hereinafter.

Section 3-04.
Forfeiture of Office.

The office of president shall be forfeited if during the term of office the officeholder: (1) lacks at any time any qualification for the office prescribed by this charter, or (2) is convicted of a felony under state or federal law.

Section 3-05.
Vacancy in Office of President.

A. The office of president shall become vacant upon death, resignation, removal from office in any manner authorized by law, forfeiture of office, failure to take office, or as otherwise provided in this charter.

B. A vacancy in the office of president shall be filled by appointment within fifteen (15) days after the vacancy occurs of a person meeting the qualifications for that office by the favorable vote of a majority of the remaining members of the council.

C. If one (1) year or less of the unexpired term remains when the vacancy occurs, the appointee shall serve out the remainder of the term.

D. If the vacancy occurs more than one (1) year before the expiration of the term, the appointee shall serve until the office is filled by the vote of the qualified electors voting in an election called by the council for that purpose and the person elected assumes the office. The council, within fifteen (15) days after the vacancy occurs, shall call an election to fill the vacancy. The election shall be held according to the timetable and procedures established by state law for the filling of vacancies in elected local offices.

E. The person filling the vacancy shall receive the same compensation as the president.

Section 3-06.
President's Temporary Absence.

A. When the president is absent from and unavailable to the parish for more than 72 hours, the powers and duties of the office of president shall be exercised by a department head designated by the president. The president shall file the name of the person so designated with the clerk of the council. In the absence of such a filing, the department head shall be designated by the chair of the council.

B. If a temporary absence of the president extends to more than thirty (30) consecutive days, the office shall become vacant and shall be filled in accordance with the section on "Vacancy in Office of President," except that the council, by the favorable vote of a majority of its authorized membership, may authorize a longer absence.

Section 3-07.
President's Disability.

A. Disability of the president may be determined either by action of the president or by action of the council as follows:

(1) Whenever the president transmits to the clerk of the council a written declaration stating inability to discharge the powers and duties of the office, and until the president transmits to the clerk of the council a written declaration to the contrary, the office of president shall be filled in the same manner as in the section on the "President's Temporary Absence."

(2) Whenever a majority of a panel of three (3) medical physicians, designated by resolution adopted by the favorable vote of at least a majority of the authorized membership of the council, transmits to the clerk of the council its written declaration that the president is unable to discharge the powers and duties of the office, the office of president shall be filled in the same manner as in the section on "President's Temporary Absence." The person filling the office shall serve until a panel of three (3) medical physicians, designated by resolution adopted by the favorable vote of at least a majority of the authorized membership of the council, transmits to the clerk of the council its unanimous written declaration that the president's disability has ended. The medical physicians shall review the president's disability at least once every three (3) months until such time as it has been determined that the disability has ended by a unanimous vote of the three (3) medical physicians.

B. Should the president, due to disability, be unable to discharge the powers and duties of the office for a period exceeding six (6) consecutive months, the council shall have the authority upon the favorable vote of at least a majority of its authorized membership to declare the office of president vacant due to disability or to extend the disability for a period not to exceed an additional six (6) consecutive months. Provided, however, that the council shall hold a public hearing on the issue before any such action.

Section 3-08.
Compensation.

A. The salary of the president shall be fifty thousand one hundred dollars ($50,100) per year.

B. At the beginning of each term of the president, the salary of the president shall be the average of the two

highest salaries among the Livingston Parish sheriff, assessor and clerk of court. No changes in the salary of the president shall be made during the term of office.

C. The president shall be eligible for health and hospital insurance and retirement benefits which are available to employees of the parish government

D. The president shall, upon presentation of properly documented receipts, be reimbursed for reasonable expenses incurred in carrying out the official duties of the office, except that the total in any one year shall not exceed ten (10) percent of the president's salary unless additional expenses are approved by the council.

Section 3-09.
Powers and Duties of the President.

A. The president as chief executive officer of the parish government shall have the following powers and duties:

(1) See that all laws, provisions of this charter and acts of the council, subject to the president's direction and supervision, are faithfully executed.

(2) Appoint and suspend or remove for just cause all parish government employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by this charter or other personnel rules adopted pursuant to this charter. The president may authorize any administrative officer who is subject to the president's direction and supervision to exercise these powers with respect to subordinates in the officer's department, office or agency.

(3) Direct and supervise the administration of all departments, offices and agencies of the parish government, except as otherwise provided by this charter.

(4) Prepare and submit the annual operating budget and five (5) year capital improvement budget to the council.

(5) Sign contracts for projects, equipment, professional services and materials and supplies specifically identified in the approved operating and capital improvement budgets or as specifically identified by ordinance. Contracts for projects, equipment, professional services or materials and supplies not so identified shall be submitted to the council for approval.

(6) Submit to the council and make available to the public, within ninety (90) days after the end of the fiscal year, a complete report on the finances and administrative activities of the parish government as of the end of the fiscal year.

(7) Make such other reports as the council may reasonably request to enable the council to conduct its functions.

(8) The president or designee shall attend all meetings of the council and keep the council fully advised as to the financial condition and future needs of the parish government and make such recommendations to the council concerning the affairs of the parish government as deemed desirable. Perform such other duties as are specified in this charter or may be required by the council, not inconsistent with this charter.

Section 3-10.
Prohibitions.

A. The president shall be a full-time official and shall hold no other elected public nor any other compensated appointive parish government office or employment during the term of office for which elected. The president shall not engage in any activity unrelated to parish government business that would interfere with or detract from the performance of duties as president.

B. Nothing in this section shall prohibit the president from serving as an elected member of a political party committee, charter commission or constitutional convention.

ARTICLE IV. ADMINISTRATION.

Section 4-01.
General Provisions.

A. Except as otherwise provided by this charter, all departments, offices and agencies shall be under the direction and supervision of the president. The directors of all departments created by or under this charter shall be appointed by the president, subject to council approval, and shall serve at the pleasure of the president.

B. The salaries of the directors of the departments appointed by the president shall be set by the president subject to approval by the council.

Section 4-02.
Legal Department.

A. The district attorney of the judicial district serving Livingston Parish shall serve as legal adviser to the council, president and all departments, offices and agencies and represent the parish government in legal proceedings.

B. No special legal counsel shall be retained by the parish government except by written contract for a specific purpose approved by the favorable vote of a majority of the authorized membership of the council. Such authorization shall specify the compensation, if any, to be paid for such services.

Section 4-03.
Finance Department.

A. The director of finance, at the time of appointment, shall have a bachelor's degree in accounting from an accredited college or university, and at least two (2) years' experience in a responsible governmental accounting position or a bachelor's degree in business administration or a related field from an accredited college or university, and at least three (3) years' experience in a responsible governmental accounting position or an associate's degree in accounting from a community college and at least five (5) years' experience in a governmental accounting position. [12-06-2014]

B. The director of the finance department shall direct and be responsible for:

(1) Collection (except where specifically otherwise provided for by law) and custody of all monies of the parish government from whatever source

(2) Assistance to the president in the preparation of the annual operating budget and the capital improvement budget.

(3) Maintenance of a record of indebtedness and the payment of the principal and interest on such indebtedness.

(4) Ascertaining that funds are available for payment of all contracts, purchase orders and any other documents which incur a financial obligation for the parish government, and that such documents are in accordance with established procedures.

(5) Disbursement of parish funds.

(6) Administration of a uniform central accounting system for all parish departments, offices and agencies.

(7) Preparation of a monthly statement of revenues and expenditures which shall be completed and made available for public inspection not later than thirty (30) days after the end of each month.

(8) Procurement of all personal property, materials, supplies and services required by the parish government under a central purchasing system for all departments, offices and agencies in accordance with applicable state law, council policy and administrative requirements.

(9) Investment of idle funds, as permitted by law.

(10) Preparation of all intergovernmental grant applications on behalf of the parish government and informing departments, offices and agencies of all relevant local, state and federal programs.

(11) Maintenance of an inventory of all parish real and personal property.

(12) Other such activities as may be directed by the president.

Section 4-04.
Public Works Department.

A. The director of public works, at the time of appointment, shall be a graduate registered civil engineer with at least two (2) years related experience in a responsible engineering position OR at least five (5) years related public works experience in a responsible managerial or administrative engineering position.

B. The director of the public works department shall direct and be responsible for:

(1) Engineering services for all departments and agencies.
(2) Supervision of all contract construction work.
(3) Maintenance of parish government property.
(4) Mapping and surveying.
(5) Construction and maintenance performed by the parish government on roads, sidewalks, bridges and drainage facilities.
(6) Garbage and trash collection and disposal.
(7) Operation of a central facility for the repair and maintenance of parish government vehicles and equipment.
(8) Other such activities as may be directed by the president.

Section 4-05.
Personnel Policies and Procedures

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:

(1) Prepare and administer personnel rules and regulations governing the classified service, including working hours, attendance regulations, leaves of absence, sick leave and vacation leave.
(2) Prepare, install and maintain a uniform classification and pay plan for all positions in the classified service.
(3) 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 president for presentation to the council in the same manner used for adoptions of the original policies

D. A personnel board shall consist of three (3) members appointed by a majority vote of the council membership. 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 shall be appointed to a two-year term; one member to a three-year term; and one member to a four-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:

(1) 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.
(2) 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 following shall not be members of the classified personnel system of the parish:

(1) All elected officials of the parish government.
(2) Employees hired on a temporary or contractual basis.
(3) Department heads.
(4) Employees appointed directly by the council.

J. 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.

Section 4-06.
Other Departments.

Except as otherwise provided by this charter, all parish government departments, offices, agencies and functions in existence on the effective date of this charter shall continue in existence as organized on that date until reorganized in accordance with the section on "Administrative Reorganization".

Section 4-07.
Administrative Reorganization.

A. The president may propose to the council the creation, change, alteration, consolidation or abolition of parish departments, offices and agencies and/or the reallocation of the functions, powers, duties and responsibilities of such departments, offices or agencies, including those provided for in this charter.

B. Upon receipt of the president's proposed plan of reorganization, the presiding officer of the council shall cause to be introduced an ordinance to implement the proposed reorganization plan. The ordinance shall follow the same procedure as provided in the section on "Ordinances in General" of this charter, except that the council may make changes in the proposed reorganization plan only with the consent of the president.

C. The reorganization plan submitted by the president shall become effective if the council fails to act on the proposed reorganization within sixty (60) days of its submission to the council.

ARTICLE V. FINANCIAL PROCEDURES.

Section 5-01.
Fiscal Year.

The fiscal year of the parish government shall be January 1 through December 31, subject to change by the council by ordinance.

Section 5-02.
Operating Budget Preparation and Adoption

A. At least ninety (90) days prior to the beginning of each fiscal year, the president shall submit to the council a proposed operating budget in the form required by this charter. At the meeting of the council at which the operating budget is submitted, the council shall order a public hearing and shall cause to be published in the official journal, at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed budget and the times and places where copies of the proposed budget are available for public inspection. At the time and place so

advertised, the council shall hold a public hearing on the budget as submitted. Changes in the proposed operating budget by the council shall be by the favorable vote of at least a majority of the authorized membership of the council. The budget shall be finally adopted not later than the second-to-last regular meeting of the fiscal year. Upon final adoption, the budget shall be in effect for the budget year and copies shall be filed with the clerk of the council. The budget as finally adopted shall be reproduced and sufficient copies shall be made available for use by all offices, departments and agencies of the parish government. Copies shall be available for public use in the office of the clerk of the council. Additional copies may be purchased at cost.

B. Upon the failure of the Parish Council to adopt a budget by the end of the current fiscal year, the budget for the previous fiscal year shall continue in effect for no more than six (6) months into the next fiscal year and expenditures shall be limited to no more than 50% of the amount appropriated for the prior fiscal year. [12-06-2014]

Section 5-03.
The Operating Budget Document.

The operating budget for the parish government shall present a complete financial plan for the ensuing fiscal year and shall consist of at least three (3) parts as follows:

Part I shall contain: (1) a budget message, prepared by the president, which shall outline the proposed fiscal plan for the parish government and describe significant features of the budget for the forthcoming fiscal period; and (2) a general budget summary which, with supporting schedules, shall show the relationship between total proposed expenditures and total anticipated available funds for the forthcoming fiscal period and which shall compare these figures with corresponding actual figures for the last completed fiscal year and estimated figures for the year in progress.

Part II shall contain: (1) detailed estimates of all proposed expenditures, showing the corresponding estimated expenditures for each item for the current fiscal year and actual figures for the last preceding fiscal year with explanations of increases or decreases recommended related to performance standards or workload measurements, to the extent of availability of such information; (2) manning of organizational tables for each of the departments, agencies or programs; (3) detailed estimates of all anticipated revenues and other income available for appropriation, showing the corresponding estimated revenue or income for each item for the current fiscal year and actual figures of the last preceding fiscal year with explanations of increases or decreases; (4) delinquent taxes for current and preceding years, with the estimated percentage collectible: (5) statement of the indebtedness of the parish government, showing debt redemption and interest requirements, debt authorized and unissued, and conditions of the sinking funds; and (6) such other information as may be requested by the council. The total of proposed expenditures shall not exceed the total of estimated revenues and other funds legally available for expenditure.

Part III shall contain a proposed complete draft of the appropriation ordinance. All appropriations shall be by department and/or programs.

Section 5-04.
Amendments to Operating Budget.

A. Supplemental Appropriations: If during the fiscal year the president certifies that there are available for appropriation funds in excess of those estimated in the operating budget, the president may present supplement to the budget for the disposition of such funds, and the council by ordinance may make supplemental appropriations for the year up to the amount of such excess in the same manner required for adoption of the budget.

B. Emergency Appropriations: To meet a public emergency affecting life, health, property or the public peace, the council may make emergency appropriations. Such appropriations shall be made by emergency ordinance in accordance with the provisions of this charter. To the extent that there are no available unappropriated funds to meet such appropriations, the council may by such emergency ordinance borrow money in sums necessary to meet the emergency. The repayment of such sums shall be a fixed charge upon the revenues of the fiscal year next following the fiscal year

in which the sums are borrowed.

C. Reduction of Appropriations: If at any time during the fiscal year it appears to the president that the funds available will be insufficient to meet the amount appropriated, the president shall report to the council, without delay, indicating the estimated amount of the deficit, any remedial action taken and recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent a deficit.

D. Subject to the limitations in Subsection F of this section, the council may, by ordinance, reduce any appropriation at any time.

E. Transfer of appropriations: At any time during the fiscal year the president may transfer part or all of any unencumbered appropriation within programs, except that no transfer shall be made to or from the salary account unless approved by the council by ordinance. Such transfers shall not cause the total appropriated to be increased. An unencumbered appropriation balance may be transferred from one department, office or agency to another or from one program to another only upon council action by ordinance.

F. 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 .

Section 5-05.
Capital Improvement Budget.

A. Each year, no later than the time of submission of the operating budget for the ensuing fiscal year, the president shall prepare and submit to the council a capital improvement budget covering a period of at least five (5) years. The amount indicated to be spent during the first year of the capital improvement budget shall be the capital improvement budget for that year.

B. The capital improvement budget shall include:

(1) A general summary of its contents.

(2) A list of all capital improvements and acquisitions which are proposed to be undertaken for at least the five (5) fiscal years next ensuing with appropriate supporting information as to the necessity for such improvements and acquisitions.

(3) Cost estimates, method of financing and recommended time schedules for each such improvement or acquisition.

(4) The estimated annual cost of operating and maintaining the capital improvement to be constructed or acquired.

The information shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

C. At the meeting of the council at which the capital improvement budget is submitted, the council shall order a public hearing on such capital improvement budget and shall cause to be published in the official journal at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed capital improvement budget and the times and places where copies of the proposed capital improvement budget are available for public inspection. At the time and place so advertised, the council shall hold a public hearing on the capital improvement budget as submitted. Changes in the proposed capital improvement budget by the council shall be by the favorable vote of at least a majority of the authorized membership of the council. The capital improvement budget shall be finally adopted not later than the second-to-last regular meeting of the fiscal year. The capital improvement budget as finally adopted shall be reproduced and sufficient copies shall be made available for use by all offices, departments and agencies of the parish government. Copies shall be available for public use in the offices of the clerk of the council. Additional copies may be purchased at cost.

D. Amendments to the finally adopted capital improvement budget shall be by ordinance in accordance with provisions of this charter relative to ordinances.

Section 5-06.
Administration of Operating and Capital Improvement Budgets.

A . No payment shall be made or obligation incurred against any allotment or appropriation except in accordance with the approved operating budget and capital improvement budget and appropriations duly made and unless the president or the president's designee first certifies that there is a sufficient unencumbered balance in such allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable. However, this provision shall not limit the authority to borrow funds in anticipation of revenues as provided in the general laws of the state. Any authorization of payment or incurring of obligation in violation of the provisions of this charter shall be void and any payment so made illegal; such action shall be cause for removal of any official, officer or employee who knowingly authorized or made such payment or incurred such obligation or who caused such payment to be authorized or made or obligation to be incurred. Such persons shall also be liable to the parish government for any amount so paid.

B. Nothing in this charter shall be construed to prevent passage of any ordinance making or authorizing of payments or making of contracts for capital improvements to be financed wholly or partly by the issuance of bonds or to prevent the making of any contract or lease providing for payments beyond the end of the fiscal year. Contracts for services not covered by the public bid law shall be for a period not to exceed the term for which the council members and the president are elected.

C. Deficit spending is prohibited except for emergencies as provided in the section on "Amendments to Operating Budget".

Section 5-07.
Lapse of Appropriations.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriations shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation.

Section 5-08.
Bonded Debt.

The parish government is empowered to incur bonded debt in accordance with this chapter and the constitution and general laws of the state. When voter approval is required, no resolution shall be passed calling for a referendum to incur a bonded debt until an engineering and economic feasibility report shall have been made to the council and a summary thereof published in the official journal at least sixty (60) days prior to the proposed date of the election, unless the council is required to call such an election pursuant to a petition as provided for under the general laws of this state.

Section 5-09.
Facsimile Signatures.

Facsimile signatures are authorized for negotiable instruments and multiple certificates of indebtedness in those cases where an official is required by law to sign.

ARTICLE VI. INITIATIVE, REFERENDUM, RECALL AND REMOVAL BY SUIT

Section 6-01.
Initiative and Referendum.

The electors of the Livingston Parish government shall have the power, except as herein restricted, to propose to the council passage, amendment or repeal of ordinances and to vote on the question if the council refuses action. This power shall not extend to the proposing or repealing of ordinances making or reducing the appropriation of money, to the repeal or reduction of any taxes, or to changing the salaries of the government's officers or employees. The initiative power shall be exercised in the following manner:

(1) The person or persons proposing the exercise of this power shall submit the proposal to the council which shall specify within thirty (30) days 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.

(2) 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 ten (10) percent of the total registered voters of the Parish. There shall be noted after each signature on the petition the date signed and the 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.

(3) The signed petition(s) shall be filed with the council within sixty (60) days of the specification of the form of the petition and, upon filing, the council shall order a canvass of the signatures through the office of the parish registrar of voters to determine their sufficiency and authenticity. 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 of such sufficiency or deficiency and allow thirty (30) days for filing of additional papers, at the end of which time the sufficiency and correctness of the petition(s) shall be determined finally.

(4) Within thirty (30) days after a petition shall have been certified as sufficient and correct by the council, the council shall cause the proposed ordinance, and a summary thereof, to be published in the official journal of the parish government at least once together with a notice of the date, time and place when and where it will be given a public hearing, which notice shall appear at least seven (7) days prior to the time advertised for the hearing. At the time and place so advertised the council shall hold a public hearing. No later than ten (10) days after the public hearing, the council shall either:

a. Adopt the proposed ordinance submitted in an initiative petition, without substantive amendments, or effect the repeal referred to by such petition; or

b. Determine to submit the proposal to the electors.

(5) 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 (1) year following the date of submission of the petition proposing the ordinance, but it may submit proposals amending or repealing such ordinances to a vote of the electors. After the expiration of one (1) year, the ordinance may be amended or repealed as any other ordinance.

(6) If an initiative ordinance is submitted to a vote of the electors as provided above, the election shall take place at the first election already scheduled for other purposes which occurs at least thirty (30) days after the date the council votes to submit the proposal to the electors. The results shall be determined by a majority vote of the electors voting on the proposal.

(7) If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. 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.

(8) An ordinance adopted by the electorate through the initiative process shall not be amended or repealed by council action for a period of one (1) year after the election at which it was adopted, but it may be amended or repealed any time by a vote of the electorate. After one (1) year, such ordinance may be amended or repealed in the same manner as any other ordinance.

(9) Ordinances adopted through the initiative process shall not be subject to veto by the president.

Section 6-02.
Recall.

A. Any elected official of the parish government may be removed from office by the electors of the parish through a recall process. The recall procedure shall be the same as is provided in the general laws of the state.

B. If, in a recall election, the majority of those voting vote for recall, the official named in the recall petition shall be removed ipso facto from office, and the vacancy thereby created shall be filled as in the case of ordinary vacancies in accordance with this charter. The person recalled shall not be eligible for appointment to fill the vacant position.

Section 6-03.
Removal by Suit.

Any elected official of the parish government may be removed from office by court suit as provided for in the constitution and general laws of the state.

ARTICLE VII. GENERAL PROVISIONS.

Section 7-01.
Legal Process.

Legal process against the parish government shall be served upon the president or in his absence. Upon the presiding officer of the council.

Section 7-02.
Code of Ethics.

All officers, officials and employees of the parish government shall be subject to provisions of the state code of ethics pertaining to local governments.

Section 7-03.
Amending or Repealing the Charter.

A. Proposals to amend or repeal this charter may be made by a two-thirds vote of the authorized membership of the council or by petition signed by not less than ten (10) percent of the total number of registered voters of the parish government. A petition shall contain the full text of the proposed amendment, amendments, or repeal of the charter. The procedures and time limits for filing such a petition shall be the same as for an initiative ordinance as provided in Section 6-01 (1), (2) and (3).

B. Within thirty (30) days after a petition shall have been certified as sufficient and correct by the council, the council shall cause the amendment, amendments, or repeal provisions being proposed to be published in the official journal of the parish government.

C. Proposals to amend or repeal this charter shall be submitted for ratification to the qualified electors of the parish government at an election already authorized for other purposes which occurs at least thirty (30) days after publication of the proposed amendments or repeal. The results shall be determined by a majority vote of the electors voting on any particular proposal.

D. Proposals by the council and by petition may be submitted to the voters at the same election and

voters may, at their option, accept or reject any or all such proposals. Should conflicting proposals be approved at the same election, the one receiving the greater number of affirmative votes shall prevail to the extent of such conflict.

E. Upon passage or rejection of a proposal by the voters, at least one (1) year shall lapse before the same issue can again be submitted to the voters.

F. Except as provided in the section on "Severability", no proposal to amend or repeal this charter shall be submitted during the first one (1) year of operations under this charter. No proposal to repeal this charter shall be submitted during the first three (3) years of operations under this charter. No amendment or repeal shall shorten the term for which any incumbent official was elected or reduce the salary of office for that term.

Section 7-04.
Bonding of Officers.

Parish government officers or employees as the council may designate shall give bond in the amount and with the surety prescribed by the council. The premiums on such bonds shall be paid by the parish government.

Section 7-05.
Oaths of Office.

All elected officials of the parish government shall take the following oath of office to be administered by any qualified person:

"I, . . ., do solemnly swear (or affirm) that I will support the constitution and laws of the United States and the constitution, laws of this state and the charter of this parish and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as . . ., according to the best of my ability and understanding, so help me God."

Section 7-06.
Advisory Boards and Commissions.

A. The council, by resolution, and the president may appoint advisory boards and commissions to provide advice regarding the operations of the parish government. No such board or commission shall have any administrative or legislative authority.

B. A member of an advisory board or commission shall receive no compensation for service and shall serve at the pleasure of the appointing authority.

C. Members of all existing advisory boards and commissions shall complete their terms of office, except as may be provided by this charter or by action of the council.

D. All meetings of advisory boards and commissions shall be open to the public.

E. This section shall not apply to a board or commission created by ordinance or in accordance with general state law.

Section 7-07.
Administrative Boards and Commissions.

A. This section pertains to boards and commissions created by ordinance or in accordance with general state law.

B. The council and the president may appoint members to boards and commissions as provided in ordinances and general state laws creating such boards and commissions.

C. No such board or commission shall have legislative authority.

D. Members of all existing administrative boards and commissions shall complete their terms of office, except as may be provided by this charter or by action of the council.

E. All meetings of administrative boards and commissions shall be open to the public in accordance with state law.

F. The council may, by ordinance, create, consolidate, merge, abolish or reorganize any administrative boards or commissions in existence at the date this charter becomes effective or as may be created in the future.

Section 7-08.
Reconstitution of Government.

In the event of war or public disaster that incapacitates the president and/or a majority of the council, the remaining members of the council may act on an emergency basis and shall appoint such other officials as are necessary to reconstitute the parish government. It shall be the intent of this section that these emergency powers shall subsist only so long as an emergency exists and the regularly constituted elections shall be held as soon as it is judicially determined that conditions permit their being held.

Section 7-09.
Control Over Local Agencies and Special Districts.

A. The parish council shall have general power over any agency heretofore created by the governing authority of Livingston Parish or hereafter created by the council including, without limitation, the power to abolish the agency and require prior approval of any charge, tax levy or bond issue by the agency.

B. The parish government may consolidate and merge into itself any special district or local public agency, except a school district, situated and having jurisdiction entirely within the boundaries of the parish. Upon the consolidation and merger, the parish government shall succeed to and be vested with all of the rights, revenues, resources, jurisdiction, authority, and powers of the special district or local public agency. A consolidation and merger shall become effective only if approved by a majority of the electors voting thereon in the parish as a whole and by a majority of the electors voting thereon in the affected special district. A local public agency shall be consolidated and merged only if approved by a majority of the electors voting in the parish as a whole.

C. If the special district or local public agency which is consolidated and merged has outstanding indebtedness, the authority provided by this section shall not be exercised unless provision is made for the retirement or assumption of the indebtedness.

ARTICLE VIII. TRANSITIONAL PROVISIONS.

Section 8-01.
Continuation of Actions.

A. All writs, actions, suits, proceedings, civil or criminal liabilities, prosecutions, judgments, sentences, contracts, franchises, debt or other obligations due by Livingston Parish, rights or causes of action, claims, demands, titles and rights existing on the effective date of this charter shall continue unaffected. All sentences for punishment for ordinance violations or for crime shall be executed according to their terms.

B. All actions, ordinances, and administrative rules and regulations of Livingston Parish in force prior to the effective date of this charter shall, insofar as they are not inconsistent with this charter, remain in full force and effect until amended or repealed by the council or until they expire by their own limitation.

Section 8-02.
Special Districts.

Any special district heretofore established and existing in Livingston Parish shall continue to exist to effectuate the purpose for which it was created, to complete any works begun or authorized therein, to pay the debts of the district and to levy taxes and other charges as may have been or may be legally authorized in the district.

Section 8-03. Fees, Charges and Tax Levies.

A. Constitutional limitations on the maximum property tax millages that can be levied without voter approval shall continue to be applicable to Livingston Parish.

B. No special assessment for improvements shall be imposed on property owners until such proposal has been submitted to the electors of the area affected in an election called for that purpose. The results shall be determined by a majority vote of the electors voting on the proposal.

C. All fees, charges and, taxes levied by Livingston Parish shall continue to be levied by the parish government until changed by the council by ordinance or by a vote of the people when a vote is required for tax purposes.

D. Receipts from fees, charges, rentals and royalties, taxes, federal and state grants, and shared revenues and taxes applicable to special districts which are less than parishwide geographically shall be used only for services to be rendered in those geographic areas.

E. The levy of property tax millages above the constitutional maximum previously approved by the voters of Livingston Parish or a special district shall continue to be levied by the parish government and used for the approved purposes. Such levies may be renewed upon the favorable vote of the electors within the geographical area involved.

Section 8-04. Special Legislative Acts.

All special legislative acts pertaining to Livingston Parish, insofar as they are in conflict with the provisions of this charter, shall henceforth be inoperative and of no effect.

Section 8-05. Retirement Systems.

No pension and retirement plans for employees of Livingston Parish in existence at the time this charter is approved shall be affected in any way by this charter. The plans shall remain in full force and effect and shall be carried out and regulated in accordance with applicable laws and procedures.

Section 8-06. Declaration of Intent.

This charter shall be liberally construed in aid of its declared intent which is to establish for the people of Livingston Parish effective home rule free from legislative interference as to the structure and organization of its local government, and with the power and authority to manage its local affairs, all as contemplated and intended by the provisions of Article VI, Sections 5 and 6 of the constitution.

Section 8-07. Severability.

If any provision of this charter is declared invalid for any reason, that provision shall not affect the validity of this charter or any other provisions thereof.

Section 8-08.
Violation of Voting Rights Act.

In the event the Civil Rights Division of the United States Department of Justice or any court of competent jurisdiction declares any part of this charter to be in violation of the Voting Rights Act prior to the date the charter becomes effective, the Livingston Parish Charter Commission shall reconvene for a period not to exceed ninety (90) days for the purpose of drafting and proposing amendments to the charter to the electors of Livingston Parish.

Section 8-09.
Schedule of Transition.

The provisions of this charter pertaining to the election of parish government officials created hereunder shall become effective on the date this charter is adopted. The remaining provisions of this charter shall become effective on the date of taking of office of the newly elected officials provided for by this charter, such date being established in the section on "Election of Officials".

Section 8-10.
Election of Officials.

A. The first election for officials under this charter shall be held at the same time as the primary and general elections for the governor of Louisiana in 1995. Subsequent elections shall be held on corresponding dates every fourth year thereafter.

B. Officials elected under provisions of this charter in the election of 1995 shall take office on the second Monday in January next following their election. Thereafter, officials elected under provisions of this charter shall take office at noon on the second Monday in January next following their election.

C. All elected officials of the Livingston Parish elected under provisions of the police jury system shall continue to hold their offices and discharge the duties thereof until the officials elected under provisions of the charter take office. Thereafter, their offices shall cease to exist.

D. Districts for council members shall be the same as those existing for police jurors at the time the charter is adopted or as may be changed by action of the Civil Rights Division of the United States Department of Justice, any court or competent jurisdiction or reapportionment.

Note: Red brackets indicate date of an election that amended the Home Rule Charter.

The Home Rule Charter Commission

Representing District 1	Kenny Rayborn
Representing District 2	Charles Leroy Shilling, Chairman
Representing District 3	Henry Sharpe
Representing District 4	Robert Seals
Representing District 5	Albert "Buddy" Mincey
Representing District 6	Richard Harris
Representing District 7	J. Hue Galloway
Representing District 8	Nicholas Lattimore
Representing District 9	Resigned
Police Jury Representative	Lloyd "Bee" Martin
Police Jury Representative	Pat Scivicque

The First Elected Parish Council and Parish President

(L-R seated) Councilmen Jimmy Ziegler, Wayne Carter, Randy Delatte, Bill Hawkins, Jr., Marshall Harris, (L-R standing) Dewey Harrell, Sam Digirolamo, Albert "Buddy" Mincey, Rollie Bigner and Parish President Dewey Ratcliff.