The Fleuve

HOW LOCAL LAWS ARE MADE?

A 9-Step Checklist for Following a Local Ordinance in Louisiana's River Parishes

An ordinance is a local law adopted by a parish council or other governing authority. Ordinances may address land use, public safety, parish finances, development, infrastructure, and other matters that affect everyday life.

Residents can follow an ordinance from its introduction through final publication and codification. Here is what to REVIEW AND CONFIRM at each step:

STEP 1. INTRODUCTION

A proposed ordinance must be prepared in writing. A councilmember or the Parish President may introduce it during a regular or special Parish Council meeting.

REVIEW AND CONFIRM:

□ The proposed ordinance in writing
Date completed: ____/____/____
□ The ordinance listed on the meeting agenda under "Introduction of Ordinances"
Date completed: ____/____/____
□ The name of the councilmember or Parish President introducing it
Date completed: ____/____/____
□ The Council's vote to accept the ordinance for introduction
Date completed: ____/____/____

STEP 2. PUBLIC NOTICE

After an ordinance is introduced, the public must be notified before it can be considered for final passage. The ordinance or a summary of its main provisions is published in the parish's official journal.

REVIEW AND CONFIRM:

□ The ordinance or a summary published in the official journal
Date completed: ____/____/____
□ The date, time, and location of the public hearing
Date completed: ____/____/____
□ A statement that the ordinance will be considered for final passage
Date completed: ____/____/____
□ Publication at least one week before the public hearing
Date completed: ____/____/____

STEP 3. PUBLIC HEARING

The public hearing must be held on the advertised date and at the advertised time and location. The ordinance or a summary is read, and interested residents are allowed to speak.

REVIEW AND CONFIRM:

□ The public hearing held as advertised
Date completed: _____/_____/_____
□ The ordinance or its summary read in full
Date completed: _____/_____/_____
□ An opportunity for interested members of the public to comment
Date completed: _____/_____/_____
□ The public hearing and comments included in the meeting record
Date completed: _____/_____/_____

STEP 4. COUNCIL VOTE

After the public hearing, the Parish Council may discuss, amend, approve, or reject the ordinance. An ordinance generally must receive the favorable vote of at least a majority of the Council's members.

REVIEW AND CONFIRM:

□ Any proposed amendments presented in writing
Date completed: _____/_____/_____
□ The title of the ordinance read before the final vote
Date completed: _____/_____/_____
□ The final vote held during a public meeting
Date completed: _____/_____/_____
□ A majority of the Council voting in favor of adoption
Date completed: _____/_____/_____
□ Each councilmember's vote recorded in the meeting minutes
Date completed: _____/_____/_____

STEP 5. REQUIRED SIGNATURES

After adoption, the ordinance is signed by the Council Secretary and the chair of the Parish Council. It is then presented to the Parish President within the time required by the parish's home rule charter.

REVIEW AND CONFIRM:

□ The Council Secretary's signature
Date completed: _____/_____/_____
□ The Parish Council chair's signature
Date completed: _____/_____/_____
□ The date the ordinance was presented to the Parish President
Date completed: _____/_____/_____

STEP 6. APPROVAL OR VETO

The Parish President may approve or veto the ordinance. The decision must be made within the period provided by the parish's home rule charter. If the ordinance is vetoed, the Parish President provides written reasons. The Council may then reconsider the ordinance and vote on whether to override the veto.

REVIEW AND CONFIRM:

□ The Parish President's approval or veto
Date completed: _____/_____/_____
□ The date the ordinance was returned to the Council Secretary
Date completed: _____/_____/_____
□ Written reasons for a veto, if applicable
Date completed: _____/_____/_____
□ A Council vote on whether to override the veto, if applicable
Date completed: _____/_____/_____

STEP 7. AUTHENTICATION AND FINAL PUBLICATION

Once the ordinance has completed the approval process, the Council Secretary authenticates it by signature. The ordinance is then published in the official parish journal with its effective date.

REVIEW AND CONFIRM:

□ Authentication by the Council Secretary
Date completed: _____/_____/_____
□ All required signatures on the final ordinance
Date completed: _____/_____/_____
□ The complete ordinance published in the official journal
Date completed: _____/_____/_____
□ The ordinance's effective date included in the publication
Date completed: _____/_____/_____

STEP 8. OFFICIAL RECORD

The Council Secretary retains the parish's official ordinance records. Each approved ordinance receives an official number and is placed in a properly indexed ordinance book.

REVIEW AND CONFIRM:

□ An official ordinance number
Date completed: _____/_____/_____
□ The ordinance entered into the parish's indexed ordinance records
Date completed: _____/_____/_____
□ The adoption date and effective date recorded
Date completed: _____/_____/_____
□ The authentic signed ordinance preserved as part of the public record
Date completed: _____/_____/_____

STEP 9. CODIFICATION

Some ordinances are added to the parish's Code of Ordinances. This process is called codification. Codification brings local laws of a general and permanent nature together and organizes them into the parish code so residents and public officials can find them more easily.

REVIEW AND CONFIRM:

□ The ordinance submitted for codification
Date completed: _____/_____/_____
□ The ordinance added to the appropriate section of the parish code
Date completed: _____/_____/_____
□ The online Municode version updated
Date completed: _____/_____/_____
□ The codified language corresponding to the ordinance that was adopted
Date completed: _____/_____/_____

SOURCES

"St. John the Baptist Parish Home Rule Charter, Article IV: Ordinances and Resolutions, Section A: Enactment, Recording, and Publication of Ordinances." Code of Ordinances, St. John the Baptist Parish, Louisiana, Municode. Accessed 28 Sept. 2022.

"St. Charles Parish Home Rule Charter, Article IV: Ordinances and Resolutions,
Section B: Enactment of Ordinances." Code of Ordinances, St. Charles Parish, Louisiana, Municode. Accessed 28 Sept. 2022.

"St. James Parish Home Rule Charter, Article IV: Ordinances and Resolutions, Section B: Enactment of Ordinances." Code of Ordinances, St. James Parish, Louisiana, Municode. Accessed 28 Sept. 2022.

"Enactment, Recording, and Publication of Ordinances and Resolutions." Louisiana Revised Statutes, sec. 33:406, Louisiana State Legislature. Accessed 28 Sept. 2022.

"Supplementation of Code." Code of Ordinances, St. Charles Parish, Louisiana, sec. 1-9, Municode. Accessed 28 Sept. 2022.

Montgomery v. St. Tammany Parish Government. No. 2017-C-1811, Supreme Court of Louisiana, 27 June 2018. Southern Reporter, 3rd ser., vol. 319, p. 209.

State v. Thurston. Supreme Court of Louisiana, 1946. Louisiana Reports, vol. 210, p. 797; Southern Reporter, 2nd ser., vol. 28, p. 274.

IMPORTANT NOTE

This guide was developed to help residents understand and follow the local lawmaking process in Louisiana. It focuses particularly on the River Parishes and parishes governed by home rule charters.

The procedures for St. John the Baptist, St. James, and St. Charles parishes were reviewed in preparing this guide. Procedures may vary depending on a parish's form of government, home rule charter, code of ordinances, and applicable state laws.

A resolution may approve an action, express the governing authority's position, or address administrative business. Unlike an ordinance, a resolution is not a local law, either temporary or permanent.

There are also three different kinds of ordinances. Ordinances may be included in the Code of Ordinances, excluded from the Code, or adopted as emergency ordinances.

This guide presents general civic information. Residents should review the laws governing their specific parish.

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