2024 Regular Session

HOUSE BILL NO. 186

BY REPRESENTATIVE VILLIO

PARISH/ORDINANCES: Provides relative to maximum penalties for violations of ordinances in Jefferson Parish

1	AN ACT
2	To amend and reenact R.S. 33:1243(B), relative to the parish of Jefferson; to provide
3	relative to parish ordinances; to provide relative to the violation of such ordinances;
4	to provide relative to the maximum penalties for any such violation; and to provide
5	for related matters.
6	Notice of intention to introduce this Act has been published
7	as provided by Article III, Section 13 of the Constitution of
8	Louisiana.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 33:1243(B) is hereby amended and reenacted to read as follows:
11	* * *
12	B. (1) In the parish of Jefferson the maximum penalty which may be imposed
13	for violation of any parish ordinance shall be a fine of five hundred dollars and
14	imprisonment of six months in the parish jail as provided by ordinance adopted by
15	the parish governing authority.
16	(2) Notwithstanding the provisions of Paragraph (1), the governing authority
17	of any such parish may provide for a fine not to exceed five thousand dollars and a
18	sentence of imprisonment not to exceed six months in the parish jail for violation of
19	any ordinance prohibiting the dumping of trash, debris, refuse, garbage, other solid
20	and liquid waste, greases and oils, such as but not limited to cooking oil and fats,

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	motor oil, antifreeze, truck and automotive fluids, paint, paint thinners, and gasoline
2	into drainage culverts, lines, or canals, upon any public place within the parish, upon
3	private property within the parish not owned by the person accused of the violation,
4	upon property owned or controlled by the parish, or in or on the waters within the
5	parish, whether from a vehicle or otherwise, including but not limited to any public
6	highway, public park, beach, campground, forest land, recreational area, trailer park,
7	highway, road, street, or alley. Notwithstanding any provisions to the contrary, this
8	Paragraph shall not apply to any activity permitted or authorized by a state or federal
9	program and also shall not apply to any activity during the servicing of scheduled
10	pickup routes pursuant to commercial, municipal or local government contracts, or
11	en route to an authorized pickup station, transfer station or disposal facility by
12	persons owning or operating duly licensed commercial vehicles engaged in the
13	collection and transportation of solid waste, construction or demolition debris or
14	wood waste as such terms are defined by the rules and regulations of the Louisiana
15	Department of Environmental Quality.
16	* * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Provides that maximum penalties for violations of Jefferson Parish ordinances are established by the parish governing authority.

<u>Present law</u> provides that the maximum penalty that may be imposed for a violation of a parish ordinance is a \$500 fine and imprisonment of 30 days in the parish jail. Provides that the maximum penalty that may be imposed for certain ordinances in East Baton Rouge Parish is a \$1,000 fine and imprisonment of six months in the parish jail.

<u>Present law</u> authorizes the imposition of a civil penalty not to exceed \$1,000 a day for each violation of certain waste treatment ordinances. Additionally authorizes the imposition of up to 100 hours of community service, in addition to, or in lieu of, penalties authorized by <u>present law</u> for a violation of a parish ordinance.

Proposed law retains present law.

<u>Present law</u> provides that the maximum penalty that may be imposed for the violation of a parish ordinance in Jefferson Parish is a \$500 fine and imprisonment of six months in the

parish jail. <u>Present law</u> additionally authorizes the parish governing authority to impose a fine of not more than \$5,000 and imprisonment of six months in the parish jail for the violation of certain ordinances, including any ordinance prohibiting the dumping of trash, debris, garbage, or other solid and liquid waste.

<u>Proposed law</u> removes <u>present law</u> and provides instead that the maximum penalty that may be imposed for a violation of any parish ordinance in Jefferson Parish shall be established by ordinance.

(Amends R.S. 33:1243(B))