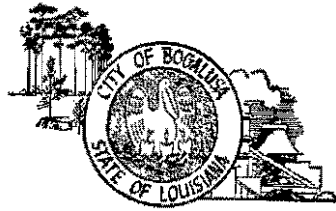


Judge's Office



MUNICIPAL CRIMINAL CODE  
of the  
CITY OF BOGALUSA, LOUISIANA

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INTRODUCED: SEPTEMBER 14, 1965

ADOPTED: OCTOBER 5, 1965

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Published by  
Order of the Commission Council

OFFICIALS  
of the  
CITY OF BOGALUSA, LOUISIANA  
AT THE TIME OF THIS CODIFICATION

MAYOR  
JESSE H. CUTRER, JR.

COMMISSIONERS

FINANCE.....ANDY OVERTON  
SAFETY.....ARNOLD D. SPIERS  
STREETS AND PARKS.....JAMES K. TALBOT  
HEALTH AND PROPERTY....MARSHALL HOLLOWAY

CITY CLERK  
BERTHA PIERCE

CITY ATTORNEY  
ROBERT T. RESTER

MUNICIPAL JUDGE  
A. J. JONES

## PREFACE

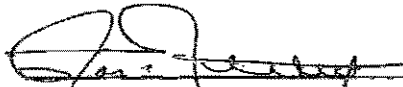
The Municipal Criminal Code of the City of Bogalusa, Louisiana was based upon the Model Municipal Code published by the Louisiana City Attorneys Association, Louisiana Municipal Association and the Junior Bar Section of the Louisiana Bar Association.

The Code replaces Chapter 18 and Chapter 11 of the City of Bogalusa Code which were considerably too narrow and poorly worded.

The Code does not cover many fields of municipal law in which criminal sanctions are necessary, such as traffic regulations, zoning regulations, and building codes.

The Code was adopted by the procedure prescribed in R.S. 33:1368-1369. The authority to adopt the Code is found in R.S. 33:1361.

I wish to express sincere appreciation to Mrs. Sydney Wheat for her able assistance in preparing the Code.

A handwritten signature in dark ink, appearing to read 'Robert T. Rester', is written over a horizontal line.

Robert T. Rester  
City Attorney

ORDINANCE NO. 723

AN ORDINANCE ADOPTING AND ENACTING A CRIMINAL CODE FOR THE CITY OF BOGALUSA, LOUISIANA; REGULATING THE EFFECT OF REPEAL OF CERTAIN ORDINANCES; PROVIDING PENALTIES FOR THE VIOLATION OF SAID CODE AND FOR THE VIOLATION OF AMENDMENTS TO SAID CODE; ESTABLISHING THE EFFECTIVE DATE OF SAID CODE; PROVIDING A SAVING CLAUSE.

Section 1. BE IT ORDAINED by the Commission Council of the City of Bogalusa, Louisiana, in legal session convened, that this ordinance shall be known, shall constitute and may be referred to as the Municipal Criminal Code of the City of Bogalusa, Louisiana, and that any and all additions and amendments to said Code, when adopted in such form as to indicate the intention of the Commission Council of the City of Bogalusa, Louisiana, to make the same a part hereof, shall be deemed to be incorporated in such Code so that a reference to the "Municipal Criminal Code of the City of Bogalusa, Louisiana" shall be understood and intended to include such additions and amendments.

Section 2. BE IT FURTHER ORDAINED that all provisions of this Code shall be in full force and effect on and after October 5, 1965.

Section 3. BE IT FURTHER ORDAINED that the repeal hereinafter provided for in Section 9 hereof shall not affect any of-

fense or act committed or done, or any penalty or forfeiture incurred, before the effective date of this ordinance.

Section 4. BE IT FURTHER ORDAINED that it shall be unlawful for any person to violate or fail to comply with any provision of this Code or any amendments to such Code, and, where no specific penalty is provided therefor, the violation of, or failure to comply with any provision of this Code, or any amendments to such Code, shall be punished by a fine not exceeding one hundred dollars and confinement for a term not exceeding ninety days, or both, such fine and confinement, within the discretion of the Court, together with Court costs. Each day any violation of, or failure to comply with, any provision of this Code continues shall constitute a separate offense.

Section 5. BE IT FURTHER ORDAINED that the repeal of any provision of this Code shall not affect any offense committed or act done prior to the effective date of such repeal, or any penalty or forfeiture incurred for an offense committed under the provision repealed or any prosecution or suit pending at the time of such repeal for an offense committed under the provision repealed.

Section 6. BE IT FURTHER ORDAINED that the Commission Council of the City of Bogalusa, Louisiana, declares that this

Code is being adopted pursuant to the provisions of Section 1368 through 1369 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, provided that this body further declares that it is its desire and intention to adopt and enact said Code under any authority which it may have.

Section 7. BE IT FURTHER ORDAINED that the following provisions are hereby adopted as Articles of the Municipal Criminal Code of the City of Bogalusa, Louisiana, as indicated, and may be cited and referred to as Articles of such Code:

Article 1. Definitions

In this Code the terms enumerated shall have the designated meanings:

"Another" refers to any person or legal entity, including the State of Louisiana or any subdivision thereof.

"Anything of value" must be given the broadest possible construction, including any conceivable thing of the slightest value, movable or immovable, corporeal or incorporeal, public or private. It must be construed in the broad popular sense of the phrase, and not necessarily as synonymous with the traditional legal term "property."

"Dangerous weapon" includes any gas, liquid or other substance or instrumen-

tality, which, in the manner used, is calculated or likely to produce death or great bodily harm.

"Foreseeable" refers to that which ordinarily would be anticipated by a human being of average reasonable intelligence and perception.

"Person" includes a body of persons, whether incorporated or not.

"Property" refers to both public and private property, movable and immovable, and corporeal and incorporeal property.

"Public officer", "public office", "public employee", or "position of public authority" means and applies to any executive, ministerial, administrative, judicial, or legislative officer, office, employee or position of authority respectively, of the State of Louisiana or any parish, municipality, district, or other political subdivision thereof, or of any agency, board, commission or institution of said state, parish, municipality, district or other political subdivision.

"State" means the State of Louisiana, or any parish, municipality, district, or other political subdivision thereof, or any agency, board, commission, department or institution of said state, parish, municipality, district or other political subdivisions.

"Whoever" in a penalty clause refers only to natural persons insofar as imprisonment is provided, but insofar as a fine may be imposed "whoever" in a penalty clause refers to any person.

"City" or "Municipality" means the City of Bogalusa, Louisiana, or any agency, board, commission, department or institution of same.

## Article 2. Interpretation

The articles of this Code cannot be extended by analogy so as to create crimes not provided for herein; however, in order to promote justice and to effect the objects of the law, all of its provisions shall be given a genuine construction, according to the fair import of their words, taken in their usual sense, in connection with the context, and with references to the purpose of the provision.

## Article 3. Civil remedies not affected

Nothing in this Code shall affect any civil remedy provided by the law pertaining to civil matters, or any legal power to inflict penalties for contempt.

## Article 4. Crime defined

A crime is that conduct which is defined as criminal in this Code.



Article 5. Criminal conduct

Criminal conduct consists of:

(1) An act or a failure to act that produces criminal consequences, and which is combined with criminal intent; or

(2) A mere act or failure to act that produces criminal consequences, where there is no requirement of criminal intent; or

(3) Criminal negligence that produces criminal consequences.

Article 6. Criminal consequences

Criminal consequences are any set of consequences prescribed in the various articles of this Code as necessary to constitute any of the various crimes defined therein.

Article 7. Criminal intent

Criminal intent may be specific or general:

(1) Specific criminal intent is that state of mind which exists when the circumstances indicates that the offender actively desired the prescribed criminal consequences to follow his act or failure to act.

(2) General criminal intent is present

whenever there is specific intent, and also when the circumstances indicate that the offender, in the ordinary course of human experience, must have adverted to the prescribed criminal consequences as reasonably certain to result from his act or failure to act.

Article 8. Criminal intent; how expressed.

The definitions of some crimes require a specific criminal intent, while in others no intent is required. Some crimes consist merely of criminal negligence that produces criminal consequences. However, in the absence of qualifying provisions, the terms "intent" and "intentional" have reference to "general criminal intent".

Article 9. Criminal negligence

Criminal negligence exists when, although neither specific nor general criminal intent is present, there is such disregard of the interest of others that the offender's conduct amounts to a gross deviation below the standard of care expected to be maintained by a reasonably careful man under the circumstances.

Article 10. Insanity

If the circumstances indicate that because of a mental disease or mental defect the offender was incapable of

distinguishing between right and wrong with reference to the conduct in question, the offender shall be exempt from criminal responsibility.

#### Article 11. Intoxication

The fact of an intoxicated or drugged condition of the offender at the time of the commission of the crime is immaterial, except as follows:

(1) Where the production of the intoxicated or drugged condition has been involuntary, and the circumstances indicate this condition is the direct cause of the commission of the crime, the offender is exempt from criminal responsibility.

(2) Where the circumstances indicate that an intoxicated or drugged condition has precluded the presence of a specific criminal intent or of special knowledge required in a particular crime, this fact constitutes a defense to a prosecution for that crime.

#### Article 12. Mistake of fact

Unless there is a provision to the contrary in the definition of a crime, reasonable ignorance of fact or mistake of fact precludes the presence of any mental element required in that crime is a defense to any prosecution for that crime.

### Article 13. Mistake of law

Ignorance of the provision of this Code is not a defense to any criminal prosecution. However, mistake of law which results in the lack of an intention that consequences which are criminal shall follow, is a defense to a criminal prosecution under the following circumstances:

(1) Where the offender reasonably relied on an act of this municipality in repealing an existing criminal provision or in otherwise purporting to make the offender's conduct lawful; or

(2) Where the offender reasonably relied on a final judgment of a competent court of last resort that a provision making the conduct in question criminal was unconstitutional.

### Article 14. Justification; general provisions.

(1) When the offender's conduct is an apparently authorized and reasonable fulfillment of any duties of public office; or

(2) When the offender's conduct is a reasonable accomplishment of an arrest which is lawful under the laws of the State of Louisiana, or of this Code; or

(3) When for any reason the offender's conduct is authorized by law; or

(4) When the offender's conduct is reasonable discipline of minors by their parents, tutors or teachers; or

(5) When the crime consists of a failure to perform an affirmative duty and the failure to perform is caused by physical impossibility; or

(6) When any crime is committed through the compulsion of threats by another of death or great bodily harm, and the offender reasonably believes the person making the threats is present and would immediately carry out the threats if the crime were not committed; or

(7) When the offender's conduct is in defense of persons or of property under any of the circumstances described in Articles 19 through 22 of the Louisiana Criminal Code.

Article 15. Use of force or violence in defense

The use of force or violence upon the person of another is justifiable, when committed for the purpose of preventing a forcible offense against the person or a forcible offense or trespass against property in a person's lawful possession; provided that the force or violence used must be reasonable and apparently necessary to prevent such offense, and that this

article shall not apply where the force or violence results in a homicide.

Article 16. Aggressor cannot claim self defense

A person who is the aggressor or who brings on a difficulty cannot claim the right of self-defense unless he withdraws from the conflict in good faith in such a manner that his adversary knows or should know that he desires to withdraw and discontinue the conflict.

Article 17. Defense of others

It is justifiable to use force or violence in the defense of another person when it is reasonably apparent that the person attacked could have justifiably used such means himself, and when it is reasonably believed that such intervention is necessary to protect the other person.

Article 18. Principals

All persons concerned in the commission of a crime, whether present or absent, and whether they directly commit the act constituting the offense, aid and abet in its commission, or directly or indirectly counsel or procure another to commit the crime, are principals.

## Article 19. Attempt

Any person, who, having a specific intent to commit a crime does or omits an act for the purpose of and tending directly toward the accomplishing of his object is guilty of an attempt to commit the offense intended; and it shall be immaterial whether under the circumstances he would have actually accomplished his purpose.

Mere preparation to commit a crime shall not be sufficient to constitute an attempt; but lying in wait with a dangerous weapon with the intent to commit a crime, or searching for the intended victim with a dangerous weapon with the intent to commit a crime, shall be sufficient to constitute an attempt to commit the offense intended.

An attempt is a separate but lesser grade of the intended crime; and any person may be convicted of an attempt to commit a crime, although it appears on the trial that the crime intended or attempted was actually perpetrated by such person in pursuance of such attempt.

Whosoever attempts to commit any crime shall be fined or confined or both in the same manner as for the offense attempted; but such fine or confinement shall not exceed one-half of the largest fine or one-half of the

longest confinement prescribed for the offense so attempted or both.

Article 20. Battery defined

Battery is the intentional use of force or violence upon the person of another; or the intentional administration of a poison or other noxious liquid or substance to another.

Article 21. Aggravated battery

Aggravated battery is a battery committed with a dangerous weapon.

Whoever commits an aggravated battery shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

Article 22. Simple battery

Simple battery is a battery, without the consent of the victim, committed without a dangerous weapon.

Whoever commits a simple battery shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 23. Assault defined

Assault is an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of



receiving a battery.

Article 24. Aggravated assault

Aggravated assault is an assault committed with a dangerous weapon.

Whoever commits an aggravated assault shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 25. Simple assault

Simple assault is an assault committed without a dangerous weapon.

Whoever commits a simple assault shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 26. Negligent injuring

Negligent injuring is the inflicting of any injury upon the person of another by criminal negligence.

The violation of an ordinance shall be considered only as presumptive evidence of such negligence.

Whoever commits the crime of negligent injuring shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

## Article 27. False imprisonment

False imprisonment is the intentional confinement or detention of another, without his consent and without proper legal authority.

Whoever commits the crime of false imprisonment shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

## Article 28. Criminal damage to property

Criminal damage to property is the intentional damaging of any property of another, without the consent of the owner.

Whoever commits the crime of criminal damage to property, when the damage done amounts to five hundred dollars or more, shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

## Article 29. Contaminating water supplies

Contaminating water supplies is the intentional performance of any act tending to contaminate any private or public water supply.

Whoever commits the crime of contaminating water supplies shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

## Article 30. Criminal mischief

Criminal mischief is the intentional performance of any of the following acts:

(1) Tampering with any property of another, without the consent of the owner, with the intent to interfere with the free enjoyment of any rights of anyone thereto, or with the intent to deprive anyone entitled thereto of the full use of the property; or

(2) Driving of any tack, nail, spike or metal over one and one-half inch in length into any tree located on lands belonging to another, without the consent of the owner, or without the later removal of the object from the tree; or

(3) The felling, topping, or pruning of trees or shrubs within the right of way of a municipal street, without the prior written approval of the Chief of Police; or

(4) Taking temporary possession of any part or parts of a place of business, or remaining in a place of business after the person in charge of such business or portion of such business has ordered such person to leave the premises and to desist from the temporary possession of any part or parts of such business.

## Article 31. Burglary

Burglary is the unauthorized entering of any vehicle, water craft, dwelling or other structure, movable or immovable, with the intent to commit any forcible felony or any theft therein.

Whoever commits the crime of burglary shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

## Article 32. Criminal trespass

### A. Criminal trespass is:

(1) The unauthorized and intentional taking possession of any tract of land or structure without the consent of the owner thereof; or

(2) The unauthorized and intentional entry upon any:

(a) Plot of immovable property in excess of one acre which is posted but not enclosed, unless said property is situated in an open range; or

(b) Plot of immovable property which is posted and enclosed, including property situated in open range areas; or

(c) Posted lands belonging to public institutions; or

(d) Structure, water craft or movable.

Where an entry is made from a waterway for emergency purposes the party in distress may use the banks of said waterway without violating the provisions of paragraph 2.

## B. Definitions

For the purpose of criminal trespass, the following definitions are adopted:

(1) "Posted" property means any immovable property which is designated as such by the owner, lessee or other person lawfully authorized to take such action, provided the following requirements are satisfied:

(a) The owner or person seeking to post the property shall place and maintain signs along the boundaries of the property or area to be posted, which signs shall contain the words, "Posted", or, "Private Property", or words to that effect.

(b) The signs shall have letters at least five inches in height and shall be of sufficient

size and clarity to give notice to the public of the location and boundary of the posted property. The signs shall be placed and maintained at intervals of not more than one-eighth of a mile and shall be at least three but not more than nine feet above the ground or water level.

(c) At the main entrance to the property and at no less than four extremities along the boundary of said property the party seeking to post same shall include his name and address on the posted signs in addition to the words "Posted", or "Private Property", or words to that effect.

(d) In woodland, or areas where land is heavily overgrown, the party seeking to post the property, in addition to placing and maintaining signs as prescribed in this section, must be fenced with not less than three strand wire, or its equivalent.

(e) In marsh lands, posted signs shall also be placed at all major points of ingress or egress.

(2) "Enclosed" property means any immovable property which is surrounded or encompassed by natural and/or artificial barriers:

Natural barriers include:

(a) Lakes or ponds or other bodies of water which hold water during twelve months of the year.

(b) Any river, stream, bayou or canal in which water is held or runs during twelve months of the year.

(c) Other similar natural barriers.

Artificial barriers include:

(d) Any wall or wire, stone, metal or wooden fence.

(e) Any cattle-guard being used as part of a fence.

(f) Other similar barriers.

(3) "Open Range" area means any area in which livestock are not prohibited by law to freely rove, provided that any road or highway which is required by law to be fenced, and which passes through any area in which livestock are not otherwise prohibited by law to freely rove, shall not prevent such area from being classified as "open range".

## C. Penalties

Whoever commits the crime of criminal trespass shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

### Article 33. Destruction, defacing or removal of posted signs

No person shall intentionally and without authority destroy, deface or remove posted signs, or signs designating or purporting to designate the boundary lines of immovable property.

Whoever violates the provisions of this section shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

### Article 34. Entry on or remaining in places after being forbidden

No person shall without authority of laws go into or upon or remain in or upon any structure, water craft or any other movable which belongs to another, including public buildings and structures ferries and bridges, or any part, portion or area thereof, after having been forbidden to do so, either orally or in writing, including by means of any sign hereinafter described, by any owner, lessee, or custodian of the property or by any authorized person. Providing, however, nothing herein contained shall apply



a bona fide legitimate labor organization or to any of its legal activities, such as picketing, lawful assembly or concerted activity in the interest of its members for the purpose of accomplishing or securing more favorable wage standards, hours of employment and working conditions. For the purposes of this article, the above mentioned signs mean a sign or signs posted on or in the structure, water craft or any other movable, including public buildings and structures, ferries and bridges, or part, portion or area thereof at a place or places where such sign or signs may be reasonably expected to be seen.

Whoever violates the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or confined for not more than ninety days, or both.

Article 35. Aiding and abetting others to enter or remain on premises where forbidden

A. No person shall incite, solicit, urge, encourage, exhort, instigate or procure any other person to go into or upon or to remain in or upon any structure, water craft or any other movable or immovable, which belongs to another, including public buildings and structures, ferries and bridges, or any part

portion or area thereof, knowing that such other person has been forbidden to go or remain there, either orally or in writing, including by means of any sign hereinafter described, by the owner, lessee or custodian of the property or by any other authorized person.

Providing, however, nothing herein contained shall apply to a bona fide legitimate labor organization or to any of its legal activities such as picketing, lawful assembly or concerted activity in the interest of its members for the purpose of accomplishing or securing more favorable wage standards, hours of employment and working conditions.

For the purposes of this article, the above mentioned sign means a sign or signs posted on or in the structure, water craft or any other movable or immovable, including public buildings and structures, ferries and bridges, or part, portion or area thereof, at a place or places where such sign or signs may be reasonably expected to be seen.

B. Any law enforcement officer investigating a complaint that the provisions of this article are being or have been violated or any such officer making any arrest for violation of the provisions of this article, is hereby vested with authority to require any person involved in such investigation or arrest to identify himself to such officer. Upon

demand of such officer, the person involved shall inform the officer of his true name and address.

C. Whoever violates the provisions of sub-section A or sub-section B above, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars or confined for not more than ninety days, or both.

#### Article 36. Robbery

Robbery is the theft of anything of value from the person or any other or which is in the immediate control of another, by use of force or intimidation.

Whoever commits the crime of robbery shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 37. Theft

Theft is the misappropriation or taking of anything of value which belongs to another, either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices or representations. An intent to deprive the other permanently of whatever may be the subject of the misappropriation or taking is essential.

Whoever commits the crime of theft shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

When there has been misappropriation or taking by a number of distinct acts of the offender, the aggregate of the amount of the misappropriations or takings shall determine the grade of the offense.

Article 38. Unauthorized use of  
movables

Unauthorized use of movables is the intentional taking or use of any movable which belongs to another, either without the other's consent, or by means of fraudulent conduct, practices or representations, but without any intention to deprive the other of the movable permanently. The fact that the movable so taken or used may be classified as an immovable, according to the law pertaining to civil matters, is immaterial.

Article 39. Receiving stolen things

Receiving stolen things is the intentional procuring, receiving, or concealing of anything of value which has been the subject of any robbery or theft under circumstances which indicate that the offender knew or had good reason to believe that the thing was the subject of one of these offenses.

Whoever commits the crime of receiving stolen things shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 40. Issuing worthless checks

Issuing worthless checks is the issuing in exchange for anything of value, with intent to defraud, of any check, draft or order for the payment of money upon any bank or other depository, knowing at the time of the issuing that the offender has not sufficient credit with the bank or other depository for the payment of such check, draft or order in full upon its presentation.

The offender's failure to pay such check, draft or order within ten days after the receipt by him of written notice of its non-payment upon presentation, shall be presumptive evidence of his intent to defraud.

Whoever commits the crime of issuing worthless checks shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 41. Forgery

Forgery is the false making or altering, with intent to defraud, of any signature to, or any part of, any writing purporting to have legal efficacy.

Issuing or transferring, with intent to defraud, a forged writing, known by the offender to be a forged writing, shall also constitute forgery.

Whoever commits the crime of forgery shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 42. Indecent behavior with juveniles

Indecent behavior with juveniles is the commission by anyone over the age of seventeen of any lewd or lascivious act upon the person or in the presence of any child under the age of seventeen with the intention of arousing or gratifying the sexual desires of either person. Lack of knowledge of the child's age shall not be a defense.

Whoever commits the crime of indecent behavior with juveniles shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 43. Prostitution

Prostitution is the practice by a female of indiscriminate sexual intercourse with males for compensation.

Whoever commits the crime of prostitution shall be fined not more than one

hundred dollars, or confined for not more than ninety days, or both.

Article 44. Soliciting for Prostitutes

Soliciting for prostitutes is the soliciting, inviting, inducing, directing, or transporting a person to any place with the intention of promoting prostitution.

Whoever commits the crime of soliciting for prostitutes shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 45. Letting premises for prostitution

Letting premises for prostitution is the granting of the right of use or the leasing of any premises, knowing that they are to be used for the practice of prostitution, or allowing the continued use of the premises with such knowledge.

Whoever commits the crime of letting premises for prostitution shall be fined not more than one hundred dollars or confined for not more than ninety days, or both.

Article 46. Letting premises for obscenity

Letting premises for obscenity is the granting of the right of use or the leasing of any premises, knowing that they are to be used for the practice of obscenity or allowing the continued use of the premises with such knowledge.

Whoever commits the crime of letting premises for obscenity shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 47. Crime against nature

Crime against nature is the unnatural carnal copulation by a human being with another of the same or opposite sex or with an animal. Emission is not necessary, and, when committed by a human being with another, the use of the genital organ of one of the offenders of whatever sex is sufficient to constitute the crime.

Whoever commits the crime against nature shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 48. Air guns

The use, firing, shooting and explosion of "air guns" or "air rifles" and "blow guns" within the corporate limits of this municipality is hereby declared to be a



nuisance, and it shall be unlawful for any person to use, fire, shoot, or explode "air guns" or "air rifles" or "blow guns" within the municipal limits.

Whoever fires an "air gun" or "air rifle" or "blow gun" within the municipal limits shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days or both.

#### Article 49. Discharging firearms

It shall be unlawful for any person to discharge either in the daytime or nighttime, any firearm within the corporate limits of this municipality, except law enforcement officers in the discharge of their duties, and except other persons acting in the necessary defense of life or property.

Whoever discharges a firearm within the corporate limits of this municipality shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 50. Obstruction of street

It shall be unlawful to obstruct a highway of commerce intentionally or in a criminally negligent manner by the placing of anything or performance

of any act on any railway, railroad, navigable waterway, road, street, highway, thoroughfare, or runway of an airport, which will render movement thereon more difficult.

Whoever commits this crime shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 51. Obstruction of walk

It shall be unlawful to willfully obstruct the free, convenient and normal use of any public sidewalk, street, alley, road or other passageway, or the entrance, corridor or passage of any public building, structure, watercraft or ferry, by impeding, hindering, stifling, retarding or restraining traffic or passage thereon or therein.

Whoever commits this crime shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

#### Article 52. Escape

It shall be unlawful for any person to commit an escape. The crime of escape is the intentional departure of a person from lawful custody of an officer or from any place where he is fully detained by any officer.

Whoever commits an escape shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

Article 53. Trash fires

It shall be unlawful for any person to start or set any trash fire or to burn paper, grass, trash or debris where such fire is not protected by a proper furnace or incinerator, within the municipality limits.

Whoever starts or sets a trash fire within the municipal limits without protection by a proper furnace or incinerator shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 54. Obstruction of fireman

It shall be unlawful for any person to in any way interfere, meddle with, or obstruct a fireman in the discharge of his duties at a fire or on the way to a fire.

Whoever obstructs a fireman shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

Article 55. Obstruction of fire prevention

It shall be further unlawful to interfere with fire prevention by the intentional performance of any of the following acts:

(1) Defacing or destroying fire warning notices or posters.

(2) Injuring, destroying, removing or in any manner interfering with the use of any tools, equipment, towers, buildings or telephone lines used in the detection, reporting or suppression of fire.

Whoever interferes with fire prevention shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 56. Spitting in public places

It shall be unlawful for any person to expectorate or spit upon any sidewalk or on any hall, stairway or floor of any public building or conveyance.

Whoever spits in a public place shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 57. Defacing buildings

It shall be unlawful to deface any building or property within the corporate limits of the municipality, by making signs or figures thereon, or write any indecent or obscene word, words, or sentences on any building, room, hall, closet, wall, or fence.

Whoever defaces a building shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 58. Gambling

Gambling as hereinafter defined is declared to be a misdemeanor and is prohibited within the corporate limits of this municipality.

Gambling is defined as any one of the following acts:

(1) The intentional conducting, or directly assisting in conducting, as a business, of any game, contest, lottery, or contrivance whereby a person risks the loss of anything of value in order to realize a profit.

(2) The intentional betting, wagering, or risking the loss of anything of value in order to realize a profit at any table, bank, alley, lottery, or contrivance.

(3) The intentional betting, wagering, or risking the loss of anything of value in order to realize a profit at any game conducted with cards, dice, dominoes or other contrivance.

Exceptions from provisions as to private residences:

The provisions of this article shall not apply to gambling as hereinabove defined conducted within a bona fide private residence. For purpose of this section, "bona fide private residence" shall be defined as a structure actually used and occupied as a dwelling or place of abode, provided such structure is not a hotel, motel, rooming house or place of transient residence, and provided further that such structure is not used for or attached to any other structure used for the wholesale or retail of any material, substance or commodity of whatsoever kind or description.

Any owner, proprietor, lessee or tenant of a building who knowingly permits gambling as elsewhere prohibited in above sections in such building may be charged as a principal under above sections.

Any gambling paraphernalia or apparatus seized upon premises wherein any gambling herein prohibited is subsequently determined to have occurred,

such determination to be the conviction of any person for gambling on such premises, may be destroyed and any moneys seized thereat will be forfeited to the city and paid into the general fund upon order of the court adjudging such conviction.

Any person who commits the crime of gambling shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 59. Unlawful sales to minors  
and purchases by minors

Unlawful sales to minors is the selling, or otherwise delivering for value by anyone over the age of seventeen of any intoxicating or spirituous liquors or any firearm or other instrumentality customarily used as a dangerous weapon, to any person under the age of twenty-one. Lack of the knowledge of the minor's age shall not be a defense.

It is unlawful for any person over the age of seventeen and under the age of eighteen to purchase any alcoholic beverage either of high or low alcoholic content.

It is unlawful for any adult to purchase on behalf of a person under

the age of eighteen any alcoholic beverage either of high or low alcoholic content.

Nothing in this article shall be construed as relieving any licensed retail dealer in beverages of either high or low alcoholic content of any responsibilities imposed upon said dealer under the provisions of Title 26 of the Louisiana Revised Statutes of 1950, as amended.

Whoever commits this crime shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

Article 60. Illegal carrying of weapons

Illegal carrying of weapons is:

(1) The intentional concealment of any firearm, or other instrumentality customarily used or intended for probable use as a dangerous weapon, on one's person; or

(2) The ownership, possession, custody or use of any firearm or other instrumentality customarily used as a dangerous weapon, at any time by an enemy alien; or

(3) The ownership, possession, custody or use of any tools, or dynamite or



nitroglycerine, or explosives, or other instrumentality customarily used by thieves or burglars at any time by any person with the intent to commit a crime; or

(4) The manufacture, ownership, possession, custody or use of any switch blade knife, spring knife or other knife or similar instrument having a blade which may be automatically unfolded or extended from a handle by the manipulation of a button switch, latch or similar contrivance.

(5) 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 persons vested with police power when in the actual discharge of official duties.

Whoever illegally carries a weapon shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 61. Operating a vehicle while under the influence of alcoholic beverages or narcotic drugs

Operating a vehicle while intoxicated is the operating of any motor vehicle, aircraft, vessel or other means of

conveyance while under the influence of alcoholic beverages or narcotic drugs.

Whoever commits the crime of operating a vehicle while intoxicated shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 62. Reckless operation of a vehicle

Reckless operation of a vehicle is the operation of any motor vehicle, aircraft, vessel or other means of conveyance in a criminally negligent or reckless manner.

Whoever operates a vehicle recklessly shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 63. Hit and run driving

Hit and run driving is the intentional failure of the driver of a vehicle involved in or causing any accident, to stop such vehicle at the scene of the accident, to give his identity and to render reasonable aid.

To give his identity, for the purpose of this article, shall mean that the driver of any vehicle involved in any accident shall give his name, address and the

license number of his vehicle, or shall report the accident to the police.

Whoever commits hit and run driving shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 64. Cruelty to animals

Cruelty to animals is the intentional or criminally negligent mistreatment of any animal by any act, or omission whereby unjustifiable physical pain, suffering or death is caused or permitted upon said animal.

Whoever commits an act of cruelty to animals shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 65. Disturbing the peace

Any person disturbing the peace of the city shall be guilty of a misdemeanor. Disturbing the peace is the doing of any of the following in such a manner as would disturb or alarm the public:

(1) Engaging in a fistic encounter;  
or

(2) Using of any unnecessarily

loud, offensive, or insulting language;  
or

(3) Making rude or obscene remarks or gestures, or indecent proposals to or toward another or others while in a public place; or

(4) Appearing in an intoxicated condition; or

(5) Engaging in any act in a violent and tumultuous manner by any two or more persons; or

(6) Holding of an unlawful assembly;  
or

(7) Interruption of any lawful assembly of people; or

(8) Commission of any other act in such a manner as to disturb or alarm the public.

(9) Using physical force or overt intimidations by threat of physical violence or reprisal to prohibit any person or persons from entering or leaving any place of business within the city limits, provided that this section shall not apply to any peaceful picket lines unless any person or persons comprising such picket line shall use physical force or overt intimidations by threat of physical violence or reprisal to prohibit any

person or persons from entering or leaving any place of business within the city limits; or

(10) The hurling or throwing of missiles and projectiles such as rocks, bottles and bricks at any motor vehicle, bicycle or motorcycle.

Whoever violates the provisions of this article shall be punished by a fine not exceeding one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 66. Keeping a disorderly place

Keeping a disorderly place is the intentional maintaining of a place to be used habitually for any illegal purpose or for any immoral sexual purpose.

Whoever commits the crime of keeping a disorderly place shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 67. Letting a disorderly place

Letting a disorderly place is the granting of the right to use any premises knowing that they are to be used as a disorderly place, or allowing the

continued use of the premises with such knowledge.

Whoever commits the crime of letting a disorderly place shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 68. Obscenity

Obscenity is the intentional:

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

(2) Production, sale, exhibition, gift, or advertisement with the intent to primarily appeal to the prurient interest of the average person, of any lewd, lascivious, filthy or sexually indecent written composition, book, magazine, pamphlet, newspaper, story paper, writing, phonograph record, picture, drawing, motion picture film, figure, image, wire or tape recording or any written, printed or recorded matter of sexually indecent character which may, or may not require mechanical or other means to be transmitted into auditory, visual or sensory representations of such sexually indecent character.

(3) Possession with the intent to sell, exhibit, give or advertise any of

the pornographic material of the character as described in paragraph (2) above with the intent to primarily appeal to the prurient interest of the average person.

(4) Performance by any person or persons in the presence of another person or persons with the intent of arousing sexual desire, of any lewd, lascivious, sexually indecent dancing, indecent posing, or indecent body movement.

(5) Solicitation or attempt to entice any unmarried person under the age of seventeen years to commit any act prohibited by this section.

In prosecutions for obscenity, lack of knowledge of age or marital status shall not constitute a defense.

Whoever commits the crime of obscenity shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 69. Vagrancy

The following persons are and shall be guilty of vagrancy:

(1) Habitual drunkards; or

(2) Persons who live in houses of ill fame or who habitually associate with prostitutes; or

(3) Able-bodied persons who beg or solicit alms, provided that this article shall not apply to persons soliciting alms for bona fide religious, charitable or eleemosynary organizations with the authorization thereof; or

(4) Habitual gamblers or persons who for the most part maintain themselves by gambling; or

(5) Able-bodied persons without lawful means of support who do not seek employment and take employment when it is available to them; or

(6) Able-bodied persons of the age of majority who obtain their support gratis from persons receiving old age pensions or from persons receiving welfare assistance from the state; or

(7) Persons who loaf on the streets habitually or who frequent the streets habitually at late or unusual hours of the night, or who loiter around any public place of assembly, without lawful business or reason to be present; or

(8) Persons found in or near any structure, movable, vessel, or private grounds, without being able to account for their lawful presence therein; or

(9) Prostitutes; or



(10) Persons upon whom or in whose possession shall be found any instrument tool or other implement for picking locks or pockets, or any implement that if usually employed or that reasonably may be inferred to have been designed to be employed in the commission of any felony, misdemeanor or the violation of any ordinance, and who shall fail to account satisfactorily for the possession of the same.

Whoever commits the crime of vagrancy shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 70. Resisting an officer

Resisting an officer is the intentional opposition or resistance to, or obstruction of, an individual acting in his official capacity and authorized by law to make a lawful arrest or seizure of property, or to serve any lawful process or court order, when the offender knows or has reason to know that the person arresting, seizing property, or serving process is acting in his official capacity.

The phrase "obstruction of" as used herein shall, in addition to its common meaning, signification and connotation, mean:

(1) Flight by one sought to be arrested before the arresting officer can restrain him and after notice is given that he is under arrest.

(2) Any violence toward or any resistance or opposition to the arresting officer after the arrested party is actually placed under arrest and before he is incarcerated in jail.

(3) Refusal by the arrested party to give his name and make his identity known to the arresting officer.

Whoever commits the crime of resisting an officer shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 71. False personation

False personation is the performance of any of the following acts with the intent to injure or defraud, or to obtain or secure any special privilege or advantage:

(1) Impersonating any public officer, or private individual having special authority by law to perform an act affecting the rights or interests of another, or the assuming, without authority, of any uniform or badge by which such officer or person is lawfully distinguished; or

(2) Performing any act purporting to be official in such assumed character.

Whoever commits the crime of false personation shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Article 72. Minors under seventeen not to be permitted in pool or billiard halls

No person, whether as proprietor, agent, manager, employee, lessee, or otherwise, conducting or carrying on any place where pool or billiard games of any sort are operated, for pay or otherwise, shall allow or permit minors under the age of seventeen years within the place or to be employed therein, or to engage or take part in any game of pool or billiards, or to use or play upon any pool or billiard tables.

Whoever commits the crime of permitting minors under seventeen in pool or billiard halls shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 73. Peeping Tom

No person shall perform such acts as will make him a "Peeping Tom" on or

about the premises of another, or go upon the premises of another for the purpose of becoming a "Peeping Tom".

"Peeping Tom" as used in this article means one who peeps through windows or doors, or other like places, situated on or about the premises of another for the purpose of spying upon or invading the privacy of persons spied upon without the consent of the persons spied upon. It is not a necessary element of this offence that the "Peeping Tom" be upon the premises of the person being spied upon.

Whoever commits the crime of a "Peeping Tom" shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 74. Use of obscene or indecent language in telephone conversation

No person shall engage in or institute a local telephone call, conversation or conference of any anonymous nature and therein use obscene, profane, vulgar, lewd, lascivious or indecent language, suggestions or proposals of an obscene nature and threats of any kind whatsoever.

Whoever commits the crime of use of obscene or indecent language in a tele-

phone conversation shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 75. Abandoning or discarding ice boxes or other air tight containers

It shall be unlawful for any person, firm or corporation to leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded ice box, refrigerator, or any other container of any kind which has an airtight door or doors or which may not be released for opening from the inside of said ice-box, refrigerator or container. It shall further be unlawful for any person, firm or corporation to leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator, or any other container of any kind which is airtight and has a snap lock or locks, or door or doors, from said icebox, refrigerators or containers.

Whoever commits the crime of abandoning or discarding ice boxes or other air tight containers shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 76. Demonstrations in or near building housing a court or occupied as residence by judge, juror, witness or court officer

Whoever, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty, pickets or parades in or near a building housing a court of the State of Louisiana, or in or near a building or residence occupied or used by such judge, juror, witness, or court officer, or with such intent uses any sound truck or similar device or resorts to any other demonstration in or near any such building or residence, shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

Article 77. Fortune telling prohibited

It shall be unlawful to practice or engage in "Fortune Telling", "Palmistry", "Reading Futures", "Character Readings", and the like.

Whoever violates the provisions of this article shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 78. False alarms

It shall be unlawful for any person to intentionally make, turn in, or report a false alarm of fire or of need for police or ambulance assistance.

Whoever violates the provisions of this article shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 79. False report of crime

It shall be unlawful for any person to intentionally make to or file with, the police authorities, any false, misleading or unfounded statement or report concerning the commission or alleged commission of any crime.

Whoever violates the provisions of this article shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

#### Article 80. Fireworks

(1) Definition. The term "pyrotechnics", whenever used in this article, shall be held to mean any sparkler, squib, rocket, firecracker, roman candle, signal lights, fireworks, or other devices or composition used to obtain visible or audible pyrotechnic display.

(2) Possession or sale prohibited.

It shall be unlawful for any person to have, keep, store, use, manufacture, offer to sell, handle, or transport any pyrotechnics within the corporate limits except as herein provided, it being the intention of this article to prohibit the sale of, distribution of, or discharge of pyrotechnics of any kind or description whatsoever within the corporate limits.

(3) Exceptions: Nothing contained in this article shall be held to apply:

(a) To the possession or use of signaling devices for current daily consumption by railroads, trucks or vessels requiring them.

(b) To pyrotechnic display of fireworks in public parks or other open places, where a permit for such display has been issued by the Commissioner of Public Safety or in his absence, the Chief of Police.

(c) To the possession, sale or use of normal stacks of flashlight compositions by photographers or dealers in photographic supplies.

Article 81. Unnecessary noise

(1) Unnecessary noise prohibited. It shall be unlawful for any person to make, continue, or cause to be made or continued



any loud, unnecessary or unusual noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the corporate limits.

(2) Non-exclusive enumeration of unnecessary noise. The following acts, among others, are declared to be loud, disturbing and unnecessary noises and noises in violation of this article, but this enumeration shall not be deemed to be exclusive, namely:

(a) Horns or signal devices. The sounding of any horn or signal device on any automobile, motor cycle, bus, street car or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, except as a danger signal after or as brakes are being applied and deceleration of the vehicle is intended; the creation by means of any such signal device of any noise for any unreasonable period of time.

(b) Radio, phonograph or any musical instrument. The playing of any radio, phonograph or any musical instrument in such a manner or with such volume, particularly between the hours of 11 P.M. and 7 A.M., as to annoy or disturb

the quiet, comfort or repose of persons in any office, hospital, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

(c) Yelling, shouting, etc. Yelling, shouting, hooting, whistling, or singing on the public streets particularly between the hours of 11 P.M. and 7 A.M., or any time or place so as to annoy or disturb the quiet, comfort, repose of persons in any hospital, dwelling, hotel, or other type of residence, or of any persons in the vicinity.

(d) Animals, birds, etc. The keeping of any animal, bird or fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person in the vicinity.

(e) Defect in vehicle or load. The use of any automobile, motorcycle, street car or vehicle so out of repair or loaded in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.

(f) Steam whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin

or stop work, or as a warning of fire or danger, or upon the request of proper authorities.

(g) Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle or motor boat engine except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.

(h) Construction and repairing of buildings. The erection (including excavation), demolition, alteration or repair of any building in any residential district or section, the excavation of streets or highways in any residential district or section other than between the hours of 7 A.M. and 6 P.M. on week days, except in case of urgent necessity, in the interest of public health and safety, and then only with a permit from the Commissioner of Public Safety or in his absence, the Chief of Police, which permit may be granted for a period not to exceed thirty (30) days while the emergency continues. If the Commissioner of Public Safety should determine that the public health and safety will not be impaired by the erection,

demolition, alteration or repair of any building or the excavation of streets and highways between the hours of 6 P.M. and 7 A.M., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the hours of 6 P.M. and 7 A.M. upon application being made at the time the permit for the work is awarded or during the progress of the work.

(i) Schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same are in use or adjacent to any hospital, which unreasonably interferes or which disturbs or unduly annoys patients in a hospital.

(j) Loading, unloading. The creation of a loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates and containers.

(k) Drums, loud speakers. The use of any drum, loud speakers or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of

merchandise.

(1) Loud speakers on trucks.

The use of mechanical loud speakers or amplifiers on trucks or other moving or standing vehicles for advertising or other purposes.

(m) Loud speakers for advertising.

The use or operation, or the causing to be used or operated, in front of or outside of any building, place or premises, or through any window, doorway or opening of such building abutting upon the public street, or upon any public street any device or apparatus for tapping windows, or for amplifying sound from any radio or phonograph or any sound reproducing device.

(n) Hawkers, peddlers and vendors. The shouting or crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.

(3) Exceptions. None of the terms or prohibitions hereof shall apply to or be enforced against:

(a) Any publicly owned vehicle while engaged upon necessary public business.

(b) Excavations or repairs of bridges, streets, or highways by or on behalf of any public agency during the night, when the public welfare and convenience renders it impossible to perform such work during the day.

(c) The reasonable use of amplifiers or loud speakers in the course of public addresses which are non-commercial in character, and for use in political campaigns, during the hours of 12 Noon and 7 P.M. The use of loudspeakers or amplifiers during any other hours are prohibited unless a special permit is first obtained from the Commissioner of Public Safety or in his absence, the Chief of Police.

(4) Penalty. Whoever violates the provisions of this article shall be fined not more than one hundred dollars or shall be confined for not more than ninety days, or both.

Article 82. Soliciting upon private residence

The going in and upon private residences in this municipality by solicitors, peddlers, hawkers, itinerant merchants, and transient vendors of merchandise, not having been requested

or invited to do so by the owner or owners, occupant or occupants of said private residences, for the purpose of soliciting orders for the sale of goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same, is hereby declared to be a nuisance, and punishable as such as a misdemeanor.

Whoever violates the provisions of this article shall be fined not more than one hundred dollars, or confined for not more than ninety days, or both.

### Article 83. Regulating parades

A. No person or persons, groups, organizations, or corporations shall participate in, aid, form or start any parade, demonstration, procession or march within the city limits of this municipality unless they shall have given the Commissioner of Public Safety or the Chief of Police twenty-four hours' notice of such parade, demonstration, procession or march.

B. Any person or persons, groups, organizations, or corporations shall at the time of giving such notice, file the following information in writing with the Commissioner of Public Safety or the Chief of Police:

(1) Time and date of such parade,

demonstration, procession, or march.

(2) Proposed route of parade, demonstration, procession, or march.

(3) Approximate number of persons to participate in such parade, demonstration, procession or march.

(4) The name and address of at least one person responsible for the orderly conduct of the parade, demonstration, procession, or march.

C. Failure of any person or persons, group, organizations, or corporations to give the proper notice and information as set forth in sections A and B above shall be grounds for denial by the Commissioner of Public Safety or the Chief of Police of this municipality of the use of public streets and sidewalks for such parade, demonstration, procession, or march.

D. No parades, demonstrations, processions, or marches shall be permitted on Columbia Street between its intersection with Sixth Street and Willis Avenue, or on any other street intersecting Columbia Street and Willis Avenue between the intersections of Columbia Street and Sixth Street and Columbia Street and Willis Avenue between the hours of 6:00 A.M. and 8:00 A.M., and between the hours of 12:00



Noon and 2:30 P.M., and between the hours of 4:00 P.M. and 5:30 P.M., and between the hours of 9:30 P.M. and 10:30 P.M.

E. No person or persons, groups, organizations or corporations shall hold a parade, march, or demonstration within the city limits of this municipality between the hours of 6:00 P.M. and 8:00 A.M.

F. Exceptions:

This article shall not apply to:

(1) Funeral processions.

(2) Students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities.

(3) A governmental agency acting within the scope of its functions.

G. Penalty.

Whoever violates the provisions of this article shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

#### Article 84. Public drunkenness


It shall be unlawful for any person to appear upon the public streets, parks, grounds, in any public building of the city, or in any theater, dance hall, or other place of amusement, or in any public assembly, or in any other public place, in a drunken or intoxicated condition.

Whoever commits the crime of public drunkenness shall be fined not more than one hundred dollars, or shall be confined for not more than ninety days, or both.

Section 8. BE IT FURTHER ORDAINED that it is hereby declared to be the intention of the Commission Council of the City of Bogalusa that the articles, paragraphs, sentences, clauses and phrases of the Municipal Criminal Code of the City of Bogalusa, Louisiana, are severable, and, if any article, paragraph, sentence, clause or phrase of such code shall be declared unconstitutional and invalid, such unconstitutionality and invalidity shall not affect any of the remaining articles, paragraphs, sentences, clauses and phrases of this Code, since the same would have been enacted by this body without the incorporation in such Code of any such unconstitutional or invalid article, paragraph, sentence, clause, or phrase.

Section 9. BE IT FURTHER ORDAINED  
that Chapter 18 and Chapter 11 of the  
City of Bogalusa Code be and the same  
are hereby repealed, and all other  
ordinances or parts of ordinances in  
conflict herewith are hereby repealed.

  
Jesse H. Cutrer, Jr.  
Mayor

  
Bertha Pierce  
City Clerk

Introduced: September 14, 1965

Adopted: October 5, 1965

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