

**Minutes  
Regular Meeting  
Town of Iowa  
115 N. Thomson  
March 14, 2016  
7:00 p.m.**

Mayor and Council met in regular session this date in compliance with all requirements as to notice.

Present: Mayor Carol Ponthieux; Council Members: Julie Fontenot, Errol Marshall, Thomas Talbot, Gerald Guidry (quorum present)

Absent: Larry Hardy

Invocation given by Mayor Ponthieux; followed by Pledge

Approval of Minutes: Talbot motioned to approve minutes of February 8, 2016 as written; Guidry seconded. Motion carried.

**Agenda Items**

1. Calvin Thibodeaux Entergy Reliability Program - not present.
2. Joe & Alice Fowler – re: property at 407 N. Kinney - Fowlers own adjacent property and are in process of purchasing this property. Appearing in order to get affirmation as to when this property needed to be demolished. Intentions are to demolish but will need to have time to do this and are here requesting such time. A 90 day continuation is being requested as their attorney is in the process of working purchase and closing of the property. Fowlers are asking till July 1<sup>st</sup> to have everything demolished. Talbot asked the Fowlers to inform Town Hall when the closing has finished and at that point the 90 day clock starts provided the closing is within just a few days. Talbot motioned to approve a 90 day extension; Marshall seconded. Motion carried.
3. Shalon Latour – discussion relative to Recreation District – not present.
4. 2016 Summer Food Service Program – approve and authorize Cooperative Endeavor Agreement – continuation of program which has been approved for the last several years. Cost is \$2500 per year. Marshall motioned to approve and authorize CEA for Summer Food Service Program 2016; Talbot seconded. Motion carried.
5. IVFD – Chief Miller – updates, reports-Chief Miller provided the monthly states citing number of training hours, number of call and number of structure fires
6. Arnie Natali – discuss ways to revitalize the I-10 Outlet Mall –Mr. Natali informed Council he’s in talks with owners of Mall building and is proposing another entrance through where Emery’s was located. Part of his agreement to take over this complex is to have this preliminary agreement in place to seal the purchase. Jessen says it would necessitate an 800 ft. long street and would require right of way from Mr. Natali to place this street. Jessen would need to get in touch with DOTD to review all their rules and regulations. This conceptual street would be two lanes [25 ft.]. Fontenot asked about the traffic flow in this area – such as traffic light, turning lane. Jessen stated this is one of the reasons we will need to speak to DOTD. Marshall and Guidry asked if this would be a two way

or a one way. Jessen stated a two way is proposed. Jessen says it all has to do with anticipated trips. Natali needs a preliminary approval that Town will invest in this new road. Town owns the property and will put it in and will come through a small part of Natali property. Natali is proposing a swap for swap on the property. Natali has a picture of what he'd like to do with this area and he just wants it to get revised. The mall has got to be rearranged from one end to another.

Public comment: C. Caesar would like to see someone from the Town to sit in on these negotiations since the Town owns the land.

Public comment: J. Lapearous – says he thinks the mall is a 99 year lease and if Town does nothing with it, property will return the original property owners --- so says Mr. Lapearous. He says Mr. Bouquet should review the property documents. Bouquet states the Town granted a 99 year lease for the building and Town owns the property. Lapearous wants to see the Town do the economic development.

Fontenot stated she is all for getting the mall back like it was at the beginning. Maybe expanding it and making it an outdoor mall.

Natali says he brought the documents to a bonding attorney for review. Natali says he is giving the access to the mall. I want to trade you the value of that land. I'm buying a lease and the building. I'm here to try and help get it out of the mud. Marshall stated this third entrance is it part of your plan or someone else?

We've got to have an entrance and a good wide one. Jessen: the thing needed this evening is to get preliminary concurrence from the Town to put this road/street. Natali says he needs to have this in order to secure Vanity Fair to continue and renew. Mayor says it is a cooperative endeavor agreement to put this street in and swap value for value for the exchange for Natali property to put in this street. If you have a businessman who has a vision/dream and is asking us to buy into that dream, I think it is worth a jump into this business plan. We will have to check with DOTD as Mr. Jessen indicated. I'm willing to put my name on the dance card to see how far we can go. Marshall asked what cost estimate. Jessen says possibly about \$300,000. Mayor says it would be a onetime expense and we already have it set aside from casino funds. Practice is to collect it for a year and at end of year see what amount we have and you would place that amount in next year's fiscal budget and know exactly what we would have to spend for a one time project – non recurring project. Mayor believes we have the money set aside for it. Jessen it's kind of build it and they will come. Talbot motions to request preliminary concurrence for the Town of Iowa to construct a new access road, approximately 800 feet long, from Thomson Avenue East to VF Factory Outlet Drive, and to enter into a Cooperative Endeavor Agreement between the Town of Iowa and Arnold Natali for the required new road right-of-way across his property abutting Thomson Ave.; Guidry seconded. Motion carried. Natali stated he wants to see a pretty development.

7. Engineer's Report - recommendations/updates – Entergy has moved their poles and thus we are progressing on N. Kinney drainage project. Two change orders signed on John Dale Lift Station.
  - a. Ashridge Phase 3 – approved by Council poll – Bouquet says official action needs to be recorded regarding a poll was taken in order to allow for recordings prior to March meeting. Bouquet stated the punch list was completed and Engineer confirmed. All five Council members were called/pollled regarding this matter. Talbot motioned the Council approved Phase 3 of Ash Ridge by poll based on engineer's recommendation and by this motion confirms action previously taken confirming acceptance of Ashridge Phase 3 confirmed by unanimous vote by telephone poll; Marshall seconded. Motion carried.
  - b. Sidewalks – presented preliminary sidewalk plans. \$110,000 project for the Third St. sidewalk from Bowers to Thomson. Asking for authority to advertise for bids. Talbot motioned to approve bid

process; Guidry seconded. Motion carried. Jessen provided permanent sidewalk easements and Mayor will start working on these.

Guidry inquired about starting to work and look at upgrading the lift station located in the park.

Guidry request the engineer begin looking at this upgrade as to what is needed and cost involved.

Need info in order to begin preliminary planning.

Public comment: J. Lapearous – people should be made to walk on the sidewalks rather than in the streets.

8. Ordinance 2016-02 - amending Utilities Chapter 50 Article 2 – Mayor stated the highlighted yellow words are the only additions. Mayor adjourned regular meeting at 8:26 p.m. for public hearing.
  - a. Public Hearing – J. Lapearous asks about tampering issue. C. Caesar says it needs to be cleared up about the reconnection fee if temporarily disconnected. Caesar town needs to advertise to call police department about emergency cut offs. Marshall feels tampering needs to be defined as removal of locks or seal placed on water meter.
  - b. Action/vote – regular meeting resumed at 8:38 p.m. with Guidry motioning to approve and accept the ordinance; Fontenot seconded. Motion carried.

#### **ORDINANCE 2016-02**

#### **AN ORDINANCE AMENDING CHAPTER 50 ARTICLE 2 - WATER SECTIONS 50 -34; 50-40; 50-42 OF THE TOWN OF IOWA CODE OF ORDINANCES.**

**BE IT ORDAINED** by the Mayor and the Town Council of the Town of Iowa, Louisiana, that Chapter 50 ARTICLE 2 – Water – Sections 50-1 thru 50-42 of the Town of Iowa, is hereby amended to read as follows:

**Sec. 50-34. Turning on water: reconnection charge.**

(b) If the water has been scheduled for cut off or disconnected for nonpayment of the bill, temporarily cut off at the request of a customer or for other reasons, there shall be a reconnection charge of \$25.00. The fee shall be paid before water is reconnected.

**Sec. 50-40. Rates; billing.**

(d) The water supply may be cutoff/terminated from any customer for which the water bill remains unpaid for a period of ten days after the due date, which due date is the tenth (10<sup>th</sup>) of each month. When scheduled for cutoff or terminated, water shall not be turned on except upon the payment of the fee as specified by resolution of the governing body and approved by the mayor. All notifications/penalties to be printed on water bills.

**Sec. 50-42. Tampering.**

It shall be unlawful for any unauthorized person to tamper with or alter any part of the municipal water works or supply system. A minimum \$150.00 penalty fee will be assessed to any tampered water meter. Meters will not be turned back on until the account is paid in full. Violators will be prosecuted.

The above and foregoing addition to the Code of Ordinances, Town of Iowa, Louisiana, has been read and adopted and is only intended as an addition to said Ordinances and the remaining Ordinances and the past enacted Ordinances are still in full force and effect.

This ordinance shall become effective upon final adoption.

Said Ordinance having been introduced on February 8, 2016, the title having been read with public hearing set on March 14, 2016 with notification.

The above ordinance was adopted at a duly convened meeting on motion by Guidry and seconded by Fontenot upon a vote taken as follows:

YEAS: Guidry, Fontenot, Marshall, Talbot

NAYS: none

ABSENT: Hardy

ABSTAIN: none

THUS ADOPTED AND APPROVED during regular session at Iowa, Louisiana on this 14<sup>th</sup> day of March 2016.

9. Resolution 2016-01 – regarding utility fees – Council reviewed resolution and asked to eliminate late penalty and to keep a \$25 reconnection charge. This reconnection fee will be automatically assessed if utility bill is not received and posted to customer account on or before the close of business day on or prior to the 20<sup>th</sup> of the month. Bill payments are due by the 10<sup>th</sup> of the month. Disconnection is once the process has been initiated. Marshall motioned to approve with the addition/change of the wording discussed; Talbot seconded. Motion carried.

**RESOLUTION 2016-01**

**A RESOLUTION ESTABLISHING A LATE PENALTY FEE  
FOR NON-PAYMENT OF UTILITY BILL AND A RECONNECTION FEE FOR  
SCHEDULED CUTOFF/DISCONNECTION OF WATER, AND ALL NOTIFICATIONS TO PRINTED ON MONTHLY UTILITY  
BILLS**

- WHEREAS,** The Town of Iowa Water Works has established rules for the non-payment of utility bills [which includes water, sewer, garbage] and scheduled cut-off or disconnection fee for water; notifications shall printed on each utility bill; and
- WHEREAS,** The Town of Iowa Water Works/Utility which includes water, sewer, garbage hereby establishes for any account not paid by the close of business day on or before the 20<sup>th</sup> of each month [Payment must be received and posted to customer account BEFORE the close of business day on or prior to the 20<sup>th</sup> of each month]; and
- WHEREAS,** once the disconnection process has been initiated a \$25.00 reconnection fee shall be assessed.
- WHEREAS,** a \$25.00 fee shall be charged for any customer request for water turn off after regular business hours.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Town Council of Iowa, Louisiana, in regular session convened on the 14<sup>th</sup> day of March 2016 that the Iowa governing body adopts these fees.

YEAS: Marshall, Talbot, Guidry, Fontenot

NAYS: none

ABSTAIN: none

ABSENT: Hardy

PASSED AND ADOPTED at Iowa, Louisiana, on this 14<sup>th</sup> day of March, 2016.

10. Ordinance 2016-03 – Animal Control to adopt Parish language -
- a. Public Hearing – regular meeting adjourned at 8:57 p.m.  
Lapearous inquired about livestock and animal carcass. Mayor says call animal control for instructions or they will come pick it up. There being no further comments regular meeting resumed.
- b. Action/vote – Talbot motioned to accept/approve the ordinance 16-03; Marshall seconded.  
Motion carried.
- Public comment: Lapearous asked about livestock in the Town in reference to ordinance. Bouquet stated he will look at it but he does not interpret it this way but will check on this and if it needs to be modified it will be done.

**ORDINANCE 2016 – 03**

**AN ORDINANCE AMENDING CHAPER 8 ANIMALS OF THE CODE OF ORDINANCES  
OF THE TOWN OF IOWA; DELETING EXISTING ARTICLE 1, AND ARTICLES II, III AND  
SUBSTITUTING IN THEIR PLACE THE BELOW ARTICLES I, II, III**

WHEREAS, the Town Council of the Town of Iowa believe that the Town of Iowa ordinances addressing animals and animal control, and the Town of Iowa's work associated therewith, would be improved by up-dating and revising the ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Code of Ordinances, Town of Iowa, Louisiana, is hereby amended by deleting in their entirety the existing animal control ordinances Article I, Articles II, III and substituting in their place the below Articles I, II, III all of which shall read as follow:

#### ARTICLE I. – CRUELTY AND DISPOSITION OF CARCASSES

##### Sec. 8-1. – Cruelty

It shall be unlawful to be cruel or inhumane to any animal or fowl. Such cruelty or inhumanness shall include, but not be limited to, beating; torturing; overloading; overdriving; mutilating; failing to provide adequate food, adequate water, appropriate shelter, basic medical or veterinary care; abandoning; poisoning or cruelty killing any animal or fowl. It shall be unlawful to encourage or permit any dog fight, cock fight, or other combat between other animals, or between humans and animals.

State Law references: Cruelty, to animals, R.S. 14:102

##### Sec. 8-2. – Disposition of Livestock and Animal Carcasses

In an effort to prevent, control or eradicate contagious or communicable diseases of mules, horses, cattle, sheep, goats, and swine throughout the state, it is unlawful to dispose of and/or bury the carcasses of livestock within the Town limits. Further, all domestic animals shall be disposed of in a sanitary manner by deep burial. Burial in this sense means that the animal carcass shall be placed in a hole or pit not less than four (4) feet as applying to carcasses of domestic pets. It shall be unlawful to allow the carcass of any dead animal to remain on the property of the owner of the animal, or on the property of another person, without disposing of the carcass in the sanitary manner of deep burial or other legal burial or disposition outside of the Town limits.

State law references: Similar provisions, R.S. 3:2131.

Secs. 8-3—8-20. - Reserved.

#### ARTICLE II. – LIVESTOCK

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State law references: Livestock not to run at large on highways, R.S. 3:2803; election thereon, R.S. 3:2801

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#### DIVISION 1. GENERALLY

##### Sec. 8-21. - Definitions.

For the purpose of this article, the following terms are defined:

*At-large:* Shall apply to any animal of a type mentioned in Section 8-24 which is found at any time unattended by the owner or agent or employee of the owner, at any place within the prohibited zones other than fenced and enclosed land either belonging to the owner of the animal or under his use and control by virtue of a lease or other contract.

*Livestock:* Any animal of the species of horses, mules, asses, cattle, swine, sheep, goats, ratites, and poultry general bred for profit.

*Owner of livestock:* Any person owning or having control of livestock.

##### Sec. 8-22. – Enforcement of this article

The designated employees of the Town of Iowa, and during the term of any relevant Joint Services Agreement, the officers and employees of the Calcasieu Parish Animal Services and Adoption Center operated by the Calcasieu Parish Police Jury, shall enforce this article and shall take possession of and impound any livestock found at large in violation of this article.

##### Sec. 8-23. – Civil Penalties

Any owner, harbinger, or possessor of livestock found to be in violation of the provisions of 8-1, 8-2, 8-4, 8-24, 8-26 or 8-28, shall be subject to the fines as provided herein.

#### DIVISION 2. STOCK LAWS

##### Sec. 8-24. – Prohibited zones.

As provided in L.R.S. Section 3:3007 et seq., it shall be unlawful for the owner to harbor, possess or keep or to allow any livestock to rove, roam, or be at large or to sleep upon or at any place within the Town limits, which for the purpose of this article shall be known as the “prohibited zones.”

Sec. 8-25. – Reserved.

#### DIVISION 3. PROHIBITION IN OTHER AREAS

##### Sec. 8-26. - Prohibited on parish road rights-of-way.

It shall be unlawful for the owner to allow any livestock to rove, roam, or be at large on any of the parish road rights-of-way.

Sec. 8-27. – Reserved.

Sec. 8-28. – Prohibited on enclosed cemetery land.

It shall be unlawful to willfully or negligently permit any such livestock to run, roam, or be at large on any land wherein there is a public or private cemetery which has an independent or separate enclosure within the Town limits or within the confines of the parish.

Section. 8-29 – 8-35. Reserved

### ARTICLE III. – DOMESTIC ANIMALS

#### DIVISION 1. GENERALLY

Sec. 8-36. – Definitions

For the purpose of this article, the following terms, phrases, words, and derivations shall have the meaning given in this division unless it shall be apparent from the context that a different meaning is intended:

*Abandonment* shall mean the act of relinquishment of the custody of an animal without making arrangements for its care, or leaving an animal confined without providing adequate shelter, water and feed.

*Adequate feed* shall mean the provision at certain intervals, not to exceed twenty-four (24) hours, of a quantity of wholesome foodstuff suitable for the species and age, sufficient to maintain an adequate level of nutrition in each animal.

*Adequate shelter* shall mean a structurally sound enclosure made with such materials so as to provide the animal with shade and protection from extreme temperatures or elements.

*Adequate water* shall mean constant access to a supply of clean, fresh water provided in a sanitary manner or provided at certain intervals appropriate for the species, not to exceed twenty-four (24) hours at any interval.

*Animal* shall mean mammals, birds, fowl, reptile, amphibian, and fish, except when referring specifically to the control of rabies when the word “animal” shall mean only mammal. For the purposes of this article, animal shall not include Homo sapiens.

*Animal Services* and Adoption Center shall mean the Calcasieu Parish Animal Services and Adoption Center operated by the Calcasieu Parish Police Jury.

*At-large Animal* shall be deemed at large if, while unaccompanied by its owner or keeper, it is unrestrained on any road, street, public place, or trespasses on the premises of any person other than its owner. Hunting, law enforcement and stock dogs while being worked by a responsible person shall not be defined as at-large.

*Attack* shall mean aggressive, unprovoked behavior by an animal that would involve biting and/or shaking of its victim.

*Basic medical care* shall mean general health treatment expected for the care of the animal, as prescribed by the American Veterinary Medical Association.

*Bird* shall mean any of a class (Aves) of warm-blooded vertebrates distinguished by having the body more or less completely covered with feathers and the forelimb modified as wings. For the purpose of this article, fowl, poultry, or ratites are not defined as birds.

*Bite* shall mean for purpose of this ordinance any puncture, tear, or abrasion of the skin inflicted by an animal.

*Cat* shall mean a feline or the family thereof, either domestic or feral.

*Collar* shall mean a band, chain, harness, or other device worn around the neck of an animal to which a vaccination tag may be affixed.

*Confinement devices* shall mean an electronic or signal system designed to act as a boundary or enclosure.

*Confinement requirements (dangerous)* shall mean a securely enclosed and locked pen or structure suitable to prevent a dog from coming into contact with a human being other than the owner or any other animal and designed to prevent the animal from escaping. The pen shall be constructed of 9-gauge material or stronger. The pen shall be no smaller than one hundred (100) square feet in area with sides no shorter than six (6) feet. The sides must be embedded into the ground not less than one (1) foot if the pen is not on a concrete slab. Pen or dog run area must also have a secure top connected to the sides to assure that the animal cannot climb out. It shall also include a material, dog house or area to provide the dog with shade and protection from the elements. The pen shall provide a humane existence for the dog in addition to protection from the elements. When allowed on a leash, owner will muzzle dog.

*Confinement requirements (general)* shall mean a securely enclosed yard, premises, pen, structure, or device with adequate shelter, on the owner’s property, suitable to prevent a dog from leaving the owners property. Any dog confined within a fenced yard must have an adequate space for exercise having dimensions not less than one hundred (100) square feet. Where dogs are kept or housed on property without a fenced yard, the enclosure for such dogs shall be constructed of chain link or other material that permits adequate ventilation with all sides enclosed and shall contain an area of not less than one hundred (100) square feet. The enclosure shall be of sufficient height to prevent the dog from escaping. The area shall have a top, a dog house, or other area constructed with such materials so as to provide the dog with shade and protection from the elements.

*Cruelty* shall mean an act inflicted upon an animal with malicious intent to cause pain and or suffering to the animal.

*Dangerous animal* shall mean any animal that has demonstrated in overt ways a propensity to endanger the safety of humans or other animals by threatening, chasing, or growling without provocation on or off the premises of the owner.

*Director* shall mean the Director of the Calcasieu Parish Animal Services and Adoption Center.

*Dog* shall mean relating to canines, the family canidae, not including wildlife.

*Domesticated animal* shall mean an animal whose species has adapted to life in close association with a human caretaker.

*Euthanasia* shall mean the humane destruction of any animal accomplished by a method that involves the use of an agent which produces painless loss of consciousness and subsequent death during such loss of consciousness.

*Exotic species* shall mean any species of animal born or whose natural habitat is outside the continental United States as well as any non-domesticated animal indigenous to the U.S.A. which can normally be found in the wild state which is legally marketed within the pet market (see also wildlife/wild animal below).

*Health unit* shall mean the Calcasieu Parish Health Unit operated by the Calcasieu Parish Police Jury for disease control.

*Humane society* shall mean a not-for-profit 501(c) 3 status organization acting on behalf of the welfare of animals.

*License shall mean* a license given at the time the animal is vaccinated against rabies identifying the animal as residing in the parish.

*License fee* shall mean a fee as set by the Calcasieu Parish Police Jury for the licensing of any animal as defined by this article within the parish.

*Micro-chip* shall mean an identification device approved by the Animal Services and Adoption Center which is intended to be implanted within an animal for identification purposes.

*Mutilating* shall mean a physical alteration of any domesticated animal by anyone not trained to do so.

*Owner* shall mean any person, business, corporation, or other legal entity who keeps in his care, harbors, acts as custodian or guardian, permits an animal to remain on his premises, or feeds the animal for more than three (3) days.

*Provoke* shall mean any action which arouses, tempts, stimulates, or stirs an animal to action.

*Town Employees* shall mean the employees and officers of the Town of Iowa designated for enforcement of this Ordinance.

*Unsanitary conditions* shall mean any conditions which encourage the breeding of parasites, insects, and flies and causes odors offensive to a reasonable person.

*Vaccination against rabies* shall mean an inoculation with a recognized anti-rabies vaccine by a licensed veterinarian or other qualified person under the direct supervision of a veterinarian.

*Vaccination license certificate* shall mean a serially numbered certificate, approved by the Director, giving the name of the animal owner, description of animal, year issued, valid time period, and certifying the animal was vaccinated against rabies and licensed by the parish.

*Vaccination license tag* shall mean a suitable tag approved by the Director bearing the same number as the vaccination license certificate and the year issued.

*Veterinarian* shall mean any person duly licensed to practice veterinary medicine by the state of his residency.

*Veterinary hospital* shall mean a place where medical and surgical treatment is administered to the animals by or under the direct supervision of a veterinarian.

*Wildlife/wild animal* shall mean any animal which occurs naturally, either presently or historically, in a wild state within the boundaries of the United States, including, but not limited to animals indigenous to Louisiana. This includes any animal which is part wildlife (hybrids) as classified in the Compendium of Animal Rabies Control and the National Association of State Public Health Veterinarians.

Sec. 8-37. Reserved.

Sec. 8-38. Enforcement by Director.

The provisions of this Ordinance shall be enforced, during the term of any relevant Joint Services Agreement by the Director and his designated agents with the assistance of parish or municipal law enforcement officials and the Calcasieu Parish Health Unit, and by the Town Employees. Notwithstanding the provisions of Section 8-41, the Director or his designated agents shall have the authority to review, waive, or amend any violation of this Ordinance.

Sec. 8-39. Interference with Director or designated agents.

No person shall interfere with, hinder, or molest the Director or his designated agents, or the Town Employees, in the performance of any duty of such agents or seek to release any animal in the custody of the Director or his designated agents, or in the custody of the Town Employees, except as provided in this article.

Sec. 8-40. Citation.

The Director or his designated agent and the Town Employees each shall have the authority to issue a citation for violation of the provisions of any Section of this Ordinance subject to the fine as provided in Section 8-78.

Sec. 8-41. Reserved.

Sec. 8-42. Reserved.

Sec. 8-43. Nuisance animal.

(a) The Director or his designated agent, and Town Employees, may designate an animal a nuisance if it engages in any of the following non-exclusive behaviors or activities:

- (1) Molests passersby, moving vehicles, or other animals while at-large;
- (2) Damages private or public property;
- (3) Barks, whines, or howls in an excessive, continuous, or untimely manner; or
- (4) Causes unsanitary conditions or odors about the premises of the owner or others through urination or defecation.

Upon sworn statements of two (2) witnesses, not in the same household, in the immediate neighborhood, and upon investigation by the Director or his designated agents, and upon declaration that an animal is a public nuisance under this Section, the animal may be seized by the Director or his designated agents, or by Town Employees, and impounded at the Animal Services and Adoption Center. Repeat offenses will require the same pattern.

(b) Provided further, upon the third offense by the owner of the animal, the owner shall be served written notice that upon the fourth offense the animal shall be impounded by the Director or his designated agents and shall receive a citation with a specified time period during which to respond to the Director. Failure to respond shall cause said animal to become the property of the Animal Services and Adoption Center and the animal may be destroyed by euthanasia or placed with a suitable person upon proof that this person shall prevent the animal from further nuisance offenses.

Sec. 8-44. – Dangerous animals.

The owner of any animal deemed dangerous as defined in this Ordinance, shall be subject to the following:

- (a) Shall effectively confine and control the animal at all times in accordance with the dangerous confinement requirements.
- (b) Shall be issued a written notice of confinement requirements (dangerous) stating the animal shall not be

in violation of said requirements as defined by this section. Confinement shall be immediate. If confinement requirements (dangerous) as defined herein are not immediately available, the animal must be confined at the Animal Services and Adoption Center, a veterinarian clinic, or some other location as approved by the Director, at the expense of the owner.

- (c) Any owner seeking to reclaim a dangerous animal impounded under the authority of Section 8-62 shall also be notified in writing of confinement requirements (dangerous).
- (d) Shall have the animal micro-chipped and two (2) color photographs will be provided for ID purposes, and the information shall be turned over to the Animal Control Services and Adoption Center, and the permanent confinement area shall be inspected before the release of the animal to the owner.
- (e) Shall not permit a "dangerous" dog to go beyond said confinement unless such dog is securely leashed and muzzled or otherwise securely restrained and muzzled. Said muzzle must be made in a manner that will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.
- (f) Any person found in violation of the confinement requirement (dangerous) shall have their animal impounded and shall receive a citation with a specified time period during which to respond to the Director. Failure to respond to the citation shall cause said animal to become property of the Animal Services and Adoption Center and further cause disposal of the animal by euthanasia in accordance with this ordinance and shelter policies as ordered by the Director or his designated agent without further notice to its owner who will be assumed to have abandoned the animal.
- (g) The owner shall notify the Animal Services and Adoption Center upon animal ownership changes.

These stated requirements will remain the same as stated herein throughout the life of the animal.

(State Law References: Similar provisions, R.S. 14:102.12 – 102:18 )

Sec. 8-45. Dogs in public parks and recreation areas, school grounds, or cemeteries.

It shall be unlawful for dogs to be permitted on any designated areas within Lawrence Toups, Jr. Memorial Park (picnic, playground, and sports playing fields) provided that this section not apply to Seeing Eye (guide) dogs.

Notices/signs shall be placed in a conspicuous place or places at each drive-in or pedestrian access provided by the Town to such public parks and/or playgrounds.

(State Law references – Municipal authority to regulate dogs running at large, R.S. 3:2731; dogs not to run at large, R.S. 3:2771)

All dogs permitted in any school grounds, other public places, or cemeteries shall be on a leash, unless otherwise permitted by specific policy or Town ordinance.

Sec. 8-46. Dogs in tenement yards.

It shall be unlawful for the owner or keeper of any dog to allow such dog to be unrestrained on the property of any multi-family dwellings.

Sec. 8-47. Reserved

Sec. 8-48. Dogs running at large – Prohibited.

No person shall suffer or permit any dog in his possession, or kept by him about his premises, to run at-large on any unenclosed land or trespass upon any enclosed or unenclosed lands of another.

Any citizen may, or law enforcement officer shall, seize any dog found unaccompanied by its owner or keeper and running at-large on any road, street, or other public place or trespassing on any premises other than the owners'. Citizen must contact Animal Services and Adoption Center to provide details regarding the animal.

For purposes of this section, any person, business, corporation, or other legal entity that keeps in his care, harbors, acts as custodian, or permits an animal to remain on or about his premises, or is the registered owner of such animal shall be deemed the owner or keeper of said animal.

Any person owning, harboring, or controlling a dog whether vaccinated or unvaccinated, licensed or unlicensed, shall always keep such animal from running at-large by either:

- a. Securely confining such animal within an appropriate fence, enclosure, or confinement device as prescribed herein or within a house, garage or other building or by accompanying the animal at all times or where otherwise required, on a leash.
- b. For the purpose of this Section, "secure confinement" means securing the dog in an area from which the dog cannot escape based on the size and breed of the dog while providing for appropriate and humane care of the animal while in such confinement.
- c. No person shall chain, tie, fasten or otherwise tether a dog to a dog house, a tree, a fence or other stationary object as a means of secure, permanent confinement to property, except by a system approved by the Director or his designated agent.

Sec. 8-49. Reserved.

Sec. 8-50 Dogs Running at Large – Penalty

In addition to the fines specified herein, the owner, harbinger or possessor of a dog who is found at-large must have the dog micro-chipped in accordance with Section 8-65. If the dog has not already been rendered sterile, the owner shall be encouraged to have the animal spayed or neutered within seven (7) days of redemption or return. If the impoundment for said animal is a second offense, the provisions of this Section will be mandatory. Verification from the veterinarian performing surgery for sterilization shall be provided by the animal's owner to the Animal Services and Adoption Center in writing within seven (7) days of the procedure. The provisions of this Section do not apply to a dog owned by and working for a governmental or law enforcement agency.

Sec. 8-51 – 8-55. Reserved.



## DIVISION 2. RABIES CONTROL

Sec. 8-56. Reserved.

Sec. 8-57. Mandatory Vaccination.

Every owner of a dog, cat, or ferret shall cause said animal to be vaccinated initially with a series of two vaccination, the first to be administered at or about three (3) months of age, the second to be administered at or about one (1) year after the initial vaccination. Dogs, cats, or ferrets initially vaccinated later than three (3) months of age shall be administered a series of two vaccines, the second vaccine to be given at or about one (1) year after the initial vaccination. Subsequent booster vaccines shall be administered at or about one (1) year after the administration of the vaccine that confers one (1) year of immunity and or about three (3) years after the administration of a vaccine that confers three (3) years of immunity. Any animal not vaccinated according to this section shall be subject to impoundment.

Sec. 8-58. Same – Who administers.

The owner may take his animal to a veterinarian of his choice for all required vaccinations and licensing by the parish or may avail himself of the clinics provided for in this article. Any individual or entity offering vaccinations to the public is responsible for contacting Animal Services and Adoption Center and obtaining approved license certificates and tags and follow departmental guidelines for issuing same.

Sec. 8-59. Clinics: Vaccine and Micro-chipping.

The health unit is authorized to sponsor public clinics at any place or time of its choosing for rabies vaccinations and to arrange for the services of veterinarians at the clinics. At the clinics the veterinarian shall supply the vaccine, and the Director shall supply the vaccination license certificates and tags. The parish health unit shall supply administrative personnel. Authority shall be granted for the Animal Service and Adoption Center to sponsor public clinics to facilitate vaccinations and micro-chipping of animals. The fees of the clinic services shall be set by the Calcasieu Parish Police Jury after consultation with Calcasieu Parish Veterinarian Association and the health unit.

Sec. 8-60. Issuance of license certificate.

Upon having an animal vaccinated for rabies, the owner is required to pay the parish license fee as set forth by the Animal Services and Adoption Center. At such time the owner shall be issued the appropriate vaccination license certificate. If a three (3) year immunity vaccine has been administered, the owner is required to purchase the second and third year vaccination license on or about the anniversary of the original three (3) year vaccination.

Sec. 8-61. Lost tag replacement.

Lost vaccination license tags may be replaced on presentation of a vaccination license certificate and payment of a fee as set by the Animal Services and Adoption Center.

Sec. 8-62. Confinement of rabies and suspect animal.

The owner of any animal that has rabies or symptoms thereof or has been exposed to rabies or has bitten or scratched anyone, whether the animal be on or off the owner's private property, whether vaccinated or not, shall hereby notify the Director or his designated agents, and on demand, transfer the animal to the Animal Services and Adoption Center for the purposes of observation. All charges related to the observation/quarantine period shall be paid in full, in advance, at the time of transfer. However, if the owner chooses, he may transfer the animal to a veterinary clinic for observation for a period not less than ten (10) days and provide the Animal Services and Adoption Center with proof thereof at the time of transfer.

Sec. 8-63. Impoundment required of untagged dogs, exceptions.

Any dog not wearing a collar with a current license tag may be impounded by the Animal Services and Adoption Center, whether said dog is on or off the premises of its owner, and thereafter returned to its owner or humanely euthanized, as the circumstance may require, all according to the conditions, rules, regulations, and requirements concerning the impounding of dogs as herein set forth. Animals received or impounded are eligible to be micro-chipped, at the discretion of the Director.

As an alternative to impoundment, if said dog is not wearing a collar with a current license tag, the animal be allowed to remain on the property after compliance with confinement requirements as set forth herein.

The owner of the dog may be fined as provided for in Section 8-78.

Sec.8-63.1 Reasons for impoundment.

Whenever animals are kept within any building or on any premises without food, water, or basic veterinary cares and attention; are kept in violation of the provisions of this Chapter; are infected with disease; or are kept under conditions which could endanger the public health or create a nuisance, it shall be the duty of the Animal Services and Adoption Center to enter said building or premises and impound said animals. Animals so impounded shall not be released before the reason for causing said impoundment has been corrected in the opinion of the Director or his designated agents.

Sec. 8-64. Same – Holding period.

An animal impounded at the Animal Services and Adoption Center shall be kept for a period of five (5) days excluding weekends and holiday and unless claimed by its owner in said time, all right of the animal held by the owner shall be forfeited and title to the animal shall pass to the Animal Services and Adoption Center. All animals not claimed after the ten (10) day observation/quarantine period shall also be considered forfeited. Failure by an owner to claim an animal, traceable to that owner by means of license tag registration, micro-chip or owner acknowledgement does not relieve said owner of charges and penalties assessed as provided for herein. Repeated offenses will incur fines.

Sec. 8-65. Same-Redemption and micro-chipping.

The owner upon producing satisfactory proof of ownership may reclaim his animal upon complying with the vaccination, collar, tag, and violation penalties, as provided for in this article, together with the payment of impoundment and board expenses as set by the Calcasieu

Parish Police Jury. All animals adopted or redeemed which do not already have implanted in them a micro-chip, shall have the same implanted in them prior to release at the owner's expense.

Sec. 8-66. Adoption.

Any animal held by the Animal Services and Adoption Center may be adopted by a new owner provided the Director or his designated agents deem it suitable for release and the prospective owner agrees to the adoption procedure set by the Director and makes payment of all fees imposed. No dog or cat shall be released for adoption without being spayed or neutered or without written agreement from adopter guaranteeing that the animal will be altered within a specified time.

Sec. 8-67. Same-Disposition or unclaimed or diseased animals.

When an animal has been impounded for five (5) full days, excluding weekends and holidays, and its owner has not appeared to reclaim it, it shall be disposed of by euthanasia unless the prospects of finding it a home or any other reason justified detention for a longer period of time, all of which shall be at the discretion of the Director or his designated agents. However, a diseased or injured animal may be destroyed immediately and prior to the expiration of five (5) days, if in the opinion of the Director or his designated agents and a licensed veterinarian, if possible, its condition is such that imminent destruction is necessary as a humane gesture and for the protection of other animals with which an animal may come in contact. A licensed veterinarian need not be contacted in the case of an animal without collar and tags or identifiable tattoo or registered micro-chip.

Sec. 8-68 – 8-75. Reserved

DIVISION 3. EXOTIC/WILD ANIMALS

Sec. 8-76. Prohibited.

- (a) For purposes of this division, "exotic/wild animal" shall mean (1) any animal or fowl which is not normally domesticated or kept as a pet; (2) any animal or fowl, traditionally considered as a non-domesticated animal; (3) any animal or fowl which, as a species has demonstrated in overt ways or is commonly known to have a propensity to bite or inflict harm on human beings without provocation, including, but not limited to lions, tigers, cougars, leopards, bears, poisonous snakes, poisonous lizards, poisonous amphibians, alligators, squirrels, skunks, raccoons, foxes, wolves, otters, monkeys, prairie dogs, and kangaroos; and (4) wild animals crossbred with domestic animals to create hybrids considered wildlife by the Compendium of Public Health Veterinarians and the Department of Health and Hospitals.
- (b) It shall be unlawful to own, keep, possess, maintain, or harbor any exotic/wild animal.
- (c) It shall be unlawful to harbor any snake in any apartment house in the parish.

(Ord. No. 3842, 3, 12-5-96)

Sec. 8-77. Exceptions.

This article shall not apply to exotic/wild animals that are totally helpless and, because of such helplessness, require the care of human beings in order to survive. Said animal shall be required to be under the care and custody of a licensed, accredited, and/or permitted person or organization.

This article also shall not apply to animals in traveling shows, exhibitions, and carnivals which present non-domesticated animals for display or use such animals, as set forth herein, in their acts, as permitted under the United States Department of Agriculture, Animal and Plant Health Inspection Service-Animal Welfare Act, nor does it exempt such animals protected under L.R.S. 14:102.

DIVISION 4. FINES AND EXPENSE CHARGES

Sec. 8-78. Expense Charges.

In addition to the assessment of a fine under this ordinance, where appropriate, the Director or his designated agents may assess a charge for reimbursement of overhead and expenses incurred in the enforcement of the provisions of this Section.

- a. The charge which may be assessed for all infractions of any provision shall be in accordance with the fee schedule as set by the Calcasieu Parish Police Jury.

Fines for violations of this ordinance are as follows:

- a. For Section 8-1 Cruelty/Neglect: \$250                      Second Offense: \$500
- b. Section 8-2 Disposition of carcasses: \$100                      Second Offense: \$250                      Third offense: \$500
- c. Section 8-4 Reserved
- d. Section 8-24; 8-26 and 8-28 Livestock at large: \$250   Second Offense: \$500   Third offense: \$1500.00
- e. Section 8-39 Interference with Director or designated agents or Town employees: \$500
- f. Section 8-43 – Nuisance Animal: \$100   Second offense \$200; Third Offense \$500  
Fourth offense, impoundment in accordance with Section 8-43.
- g. Section 8-44 – Dangerous Animals – Confinement \$500
- h. Section 8-45 – Dogs in public parks, etc.: \$25   Second Offense: \$50; Third Offense: \$100
- i. Section 8-46 Dogs in tenement yards: \$25   Second Offense: \$50; Third Offense: \$100
- j. Section 8-47 Dogs running at large: \$40;   Second Offense: \$60; Third Offense: \$100;  
Fourth Offense: \$500
- k. Section 8-57 Mandatory vaccination: \$50
- l. Section 8-63 Impoundment: \$30;   Second Offense: \$50; Third offense: \$70

The above and foregoing addition to the Code of Ordinances, Town of Iowa, Louisiana, has been read and adopted and is only intended as an addition to said Ordinances and the remaining Ordinances and the past enacted Ordinances are still in full force and effect.

The foregoing ordinance was read and considered as a whole. A vote thereon was called for, with the following results:

Yeas: Talbot, Marshall, Guidry, Fontenot  
Nays: none  
Absent: Hardy  
Abstain: none

APPROVED AND ADOPTED at Iowa, Louisiana on this the 14th day of March 2016.

#### 11. Ordinance 2016-04 – Clerk compensation/salary

a. Public Hearing – the regular meeting adjourned at 9:04 p.m.

Lapearous wished to ask if this was additional and Mayor answered merit and certifications.

Caesar – help me here - I want to know if this compensation is for statutory duties. Mayor indicated this is for above and beyond duties.

Hesse explained we're talking about raising this person's compensation for a reasonable salary based on duties performed. A clerk's salary has to be set by ordinance.

Marshall asked if the salary is for Ms. Turley or for Clerk's salary. Mayor stated this is for Ms. Turley. Any future individual in the position of Municipal Clerk that compensation will be based on their education, experience etc.

b. Action/vote - regular meeting resumes at 9:18 p.m. Guidry motioned to approve; Talbot seconded. Motion carried with 3 yeas, 1 abstain, 1 absent Marshall explained it was the retroactive dating of salary change as the reason he abstained.

#### **ORDINANCE 2016-04**

#### **An ordinance amending Chapter 2, Article III Administration, of the Code of Ordinances of the Town of Iowa, Louisiana; Providing for the fixing of the salary of Clerk.**

**BE IT ORDAINED** by the Mayor and the Town Council of the Town of Iowa, Louisiana, that the salary of the Municipal Clerk be increased by \$1.08 per hour.

The effective date of this ordinance shall be January 22, 2016, and shall be effective immediately upon signing by the Mayor.

The above and foregoing addition to the Code of Ordinances, Town of Iowa, Louisiana, has been read and adopted and is only intended as an addition to said Ordinances and the remaining Ordinances and the past enacted Ordinances are still in full force and effect.

The foregoing ordinance was read and considered as a whole. A vote thereon was called for, with the following results:

YEAS: Guidry, Talbot, Fontenot  
NAYS: none  
ABSTAIN: Marshall  
ABSENT: Hardy

WHEREUPON, the Ordinance was declared adopted on the 14<sup>th</sup> day of March, 2016.

12. Zoning – discussion to begin – Fontenot wants to move forward in looking at this. Mayor recommends two council members form a committee to take a look at how some zoning is set up in surrounding area and bring back a recommendation. [Mayor adjourned meeting for 5 minute recess at 9:22 p.m.] Meeting resumed at 9:27 p.m. Mayor recommends form a study committee and look at what examples have been submitted to us [Welsh and Vinton]. Talbot request a copy of DeQuincy as well. Talbot and Fontenot will serve on the committee and start looking at the pros and cons and evaluating.

Public comment: Lapearous can see the point of zoning and asked about grandfathering and would the citizens be allowed to vote on it. Bouquet says he will have to look at it more carefully but he does not think citizens are required to vote on it.

13. Review of Town Code – begin review process of certain sections - Mayor will look at some special meeting dates. This is to afford Council opportunity to review certain sections of the code which need updating.

14. Proposed repeal of Ordinance 14-08- no parking on west side 100 block N. Kinney – Mayor read the title. This original ordinance was put in place due to problems with traffic issues during Rabbit Festival attendance. Marshall asked if we can repeal or amend any ordinance. Bouquet says yes. Only concern Mayor has if we repeal it and if four or five years down the road if Rabbit Festival comes back then we'll run back into the same problem. Council said they would deal with it again at that time. Public hearing and vote upon this ordinance will be at the April 11, 2016 meeting, 115 N. Thomson at 7:00 p.m.

#### **Ordinance 2016- 05**

**AN ORDINANCE TO REPEAL  
Ordinance 2014-08 which prohibited parking on the west side of the  
100 block of North Kinney, south to the Stop signs at end of dead end  
and designated a tow zone**

15. Police Department – updates, reminder, reports – Chief presented his stats for the department for the month.

- a. Recommend Erik Johnson for promotion from Patrolman 1<sup>st</sup> Class to Corporal – Talbot motioned to approve; Guidry seconded. Motion carried.
- b. Recommend for part time, temporary dispatch – Colleen Stringer – Talbot motioned to approve; Guidry seconded. Motion carried.
- c. Resolution 2016- 03 - purchase of new 2016 Ford Explorer – Talbot motioned to approve with two corrections made to resolution; Fontenot seconded. Motion carried.

#### **RESOLUTION 2016-03**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF IOWA, LOUISIANA (“TOWN”) TO AUTHORIZE THE MAYOR TO OBTAIN APPROVAL FROM THE LOUISIANA STATE BOND COMMISSION ON AN EXPEDITED BASIS TO APPROVE A LEASE-PURCHASE AGREEMENT FOR THE ACQUISITION OF ONE POLICE UNITS/VEHICLES FROM FORD MOTOR THROUGH FORD MOTOR MUNICIPAL CREDIT AND TO PERFORM ALL ADDITIONAL AND NECESSARY ACTS TO PERFECT A LEASE-PURCHASE AGREEMENT FOR ACQUISITION OF THE EQUIPMENT**

WHEREAS, the Town of Iowa (“Town”), under the authority of Article VII, Section 14 (c) of the State of Louisiana, desires to enter into a Lease Purchase-Agreement (“Agreement”) with Ford Motor Credit Company, based on the terms and conditions recited in the agreement attached hereto for the lease-purchase of movable property, to wit: One (1) 2016 Ford Police Interceptor Utility and to acquire said property from a vendor, Bill Hood Ford Hammond, Louisiana consistent with the terms described in the lease, attached hereto, and **not to exceed** \$25,264.00 and **not to exceed** 6.45% annual percentage rate, and not to exceed 48 months.; and

WHEREAS, the Town desires to authorize the Mayor to act on behalf of the Town in performing all necessary acts and in executing the necessary Agreements to facilitate the described lease-purchase; and

WHEREAS, the Town desires to obtain expedited approval from the Louisiana State Bond Commission, in accordance with Title 71, Section 1101 eq seq. of the Louisiana Administrative Code; and

WHEREAS, in satisfaction of the requirements of Title 71, Section 1101 et seq., the Town submits the foregoing Resolution, a copy of its current budget, a certificate of compliance, along with copies of the pertinent agreements evidencing the lease purchase of the movable that is the subject of the proposed transaction.

BE IT THEREFORE RESOLVED that the Town of Iowa hereby authorizes the Mayor of the Town of Iowa, acting in the name and under the authority of the Town, to perform such acts and to execute such agreements to the full extent necessary to affect the lease-purchase of the described equipment from Bill Hood Ford Hammond, LA. through Ford Motor Credit.

BE IT FURTHER RESOLVED that the Mayor is authorized to obtain expedited approval of the lease-purchase of (1) 2016 Ford Police Interceptor Utility from the Louisiana State Bond Commission.

BE IT FURTHER RESOLVED that Town makes the following declarations, in satisfaction of the requirements of Title 71, Section 1101 et seq. of the Louisiana Administrative Code:

The 1 new 2016 Ford Police Interceptor Utility that the Town proposes to acquire, will be acquired using the funding and financing to be approved by the Bond Commission, to provide essential governmental services related to law enforcement [public safety] and emergency response. The Town has excess or sufficient revenues to cover annual debt service in accordance with the provisions of R.S. 33:2922. The total amount of the annual indebtedness is \$25,264.00 which does not exceed the greater of \$100,000 or 10 percent of the Town of Iowa's annual revenues. The Town has not defaulted on any debt obligation within the previous five (5) years. The provisions of the public bid law have been complied with.

By virtue of applicant/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matters(s) subject to the approval(s) including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancements(s) covered thereby.

THUS DONE AND READ IN FULL, AND CONSIDERED SECTION BY SECTION AND ADOPTED at a regular meeting of the Mayor and Councilmen of the Town of Iowa, Louisiana on this 14<sup>th</sup> day of March 2016 by a vote :

16. Authorize Town to advertise for bids for a dump truck – Town needs to replace our old one. Funds are available. Estimated cost from \$70-90,000. Marshall motioned to approve to advertise for bids; Talbot seconded. Motion carried.

Sign checks: Talbot

Round Table:

Dist. A – Rabbit Festival this weekend at Burton Coliseum

Dist. D – Happy Easter, baseball around the corner so watch out for children at play.

Mayor asked us to remember other municipalities that are dealing with flooding.

There being no further business, meeting adjourned at 9:55 p.m.

ATTEST:

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Sandra Turley, CMC

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Carol Ponthieux, Mayor