

**REGULAR MEETING
BLANCHARD MAYOR AND TOWN COUNCIL
Tuesday, October 12, 2021 – 6:00 P.M.**

PRESENT: Mayor Galambos, Alderpersons Lee, Fuller, Guin, Presley, Chief Presswood, candy Foshee,
Town Clerk, Perry Fuller, Utility Supervisor

ABSENT: Alderman Whittington

Pledge of Allegiance led by Guin

Invocation given by Lee

Questions and Statements of Citizens - None

Approval of meeting minutes of September 14, 2021 – motion made by Lee, second by Fuller. All voted
yea.

OLD BUSINESS

None

NEW BUSINESS

Public Hearing – Ordinance 20 of 2021 – An Ordinance to Amend the Code of Ordinances Chapter 30 and Authorize the Creation of a Renter’s Code, Housing Code, Enforcement Management Provisions, to Provide the Mayor with Authority to Designate an Individual to Manage all matters related therewith, and to provide for all other matters related thereto

Public Hearing was opened at 6:03 p.m. There being no comments in favor of or against Ordinance 20 of 2021, the public hearing was closed at 6:04 p.m.

Vote on Ordinance 19 of 2021

ORDINANCE 20 OF 2021

**AN ORDINANCE TO AMEND CHAPTER 30 - THE RENTER’S CODE,
HOUSING CODE, ENFORCEMENT MANAGEMENT PROVISIONS,
TO PROVIDE THE MAYOR WITH AUTHORITY TO DESIGNATE
AN INDIVIDUAL TO MANAGE ALL MATTERS RELATED THEREWITH,
AND TO PROVIDE FOR ALL OTHER MATTERS RELATED THEREO.**

WHEREAS, the Town of Blanchard (“**Town**”) has determined that it should establish minimum standards for all rental property and the agreements related thereto; and

WHEREAS, March 9, 2021, the Town created and adopted Ordinance 17 of 2020, Renter’s Code, Housing Code, and Manufactured Homes Code; and

WHEREAS, the Town has determined that the previously adopted legislation is far more restrictive than originally intended, and

WHEREAS, the Town amends and re-establishes this Chapter 30 for the health, welfare and safety of all its residents;

NOW THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Blanchard, in due, legal and regular session convened:

The aforementioned Chapter 30 is hereby amended by Ordinance 20 of 2021, replacing Ordinance 17 of 2020 as previously adopted and added to the Code of Ordinances of the Town of Blanchard:

LANDLORD-TENANT REGULATIONS

Sections:

01 POLICY DECLARATION

02 APPLICATION

03 SCOPE

04 DEFINITIONS

05 EFFECTIVE DATE

06 CRIME FREE HOUSING

07 MAINTENANCE OF PREMISES

08 SEVERABILITY CLAUSE

09 OTHER RIGHTS AND REMEDIES

10 NO TRESPASS AGREEMENTS

01 – POLICY DECLARATION

It is the purpose of this Chapter and the policy of the Town of Blanchard to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of the landlord and the tenant in the rental units in the Town and to encourage the landlord and the tenant to resolve disputes and to maintain and improve the quality of rental housing.

02 - APPLICATION

The landlord and tenant may include in any rental agreement, terms and conditions not prohibited by this Chapter and other rules of law including rent, length of the agreement and other provisions governing the rights and obligation of the parties. However, terms and conditions contained in rental agreements shall not conflict with any of the provisions contained herein. All such conflicting terms and conditions shall be void as against public policy. Regardless of the enforceability of such conflicting terms, it shall be a violation of this ordinance for a landlord to propose or to enter into an agreement in violation of this Chapter (or other Town Ordinance), which violation shall be punishable by a fine for each day that such violation exists or is permitted to persist.

03 - SCOPE

a) This Chapter applies to, regulates and determines the rights, obligations and remedies related to the operation and occupancy of residential rental units located within the Town of Blanchard. However, the following are exempt from application of this chapter:

1. Residence at an institution, public or private, if incidental to detention or the provision of medical, geriatric, counseling, religious or similar service;
2. Transient occupancy in a hotel, motel, bed and breakfast, tourist home or tourist court;
3. Residence at a property wholly owned by the state or federal government or by the local Housing Authority.

4. - DEFINITIONS

a) Definitions as used in this Chapter:

Landlord: the owner or lessor and his/her agents of the rental unit or the building of which it is a part.

Owner: one or more persons, jointly, severally or in common, or any organization, in whom is vested all or part of the legal title to property, or all or part of the beneficial ownership and a right to present use and enjoyment of the premises, including a mortgagee in possession. As used herein, an organization shall include a corporation, government, governmental subdivision or agency, trust, estate, partnership, association or any other legal or commercial entity.

Rental Agreement: all agreements concerning the use and occupancy of a rental unit.

Rental Property: rental units and structures.

Rental Unit: one or more rooms in a structure or portion thereof arranged, designed and used as a residence or living quarters by one (1) or more persons who maintain a household.

Structure: a building which contains one (1) or more rental units, including rooming houses, single-family attached or detached dwellings, two-family attached dwellings, and multifamily dwellings.

Tenant: a person or organization entitled under a rental agreement to occupy a rental unit to the exclusion of others, or a person or organization, excluding minor children and legal dependents of the owner that reside in the home more than twenty days in a single month. For purposes of Sections 06, 07, 12 and 13, notice to one tenant is sufficient for notice to all signatories of a rental agreement.

05 - EFFECTIVE DATE

The provisions of this Chapter shall become effective as provided by law and shall apply to all rental agreements executed on or after that date.

06 – CRIME FREE HOUSING

The owner of the rental property shall be responsible for any nuisance activity that habitually occurs at the rental property occupied by his/her tenant.

- a. Upon the first summons or arrest for any nuisance activity as defined in this Code, including but not limited to violent or drug related criminal activity, engaged by, facilitated by or permitted by

the tenant, member of the household, guest or other party under the control of the tenant, the Town shall notify the property owner of the violation.

- b. Upon the second violation, the property owner shall be cited with a civil violation by the Town in accordance with this Code of Ordinances.
- c. Upon the third violation, the property owner shall be cited with either a misdemeanor or civil violation with fine, but not both, OR Blanchard utility water service disconnection in accordance with this Code of Ordinances.

07 - MAINTENANCE OF PREMISES

The landlord shall maintain the premises in substantial compliance with applicable codes of the Town and Louisiana State Statutes.

08 - SEVERABILITY CLAUSE

Should any section, paragraph, sentence, clause, phrase, or word of this Chapter be declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining words, phrases, clauses, sentences, paragraphs, or sections of this Chapter, since the same would have been enacted by the Town Council without the incorporation in this Chapter of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph or section.

09 - OTHER RIGHTS AND REMEDIES

To the extent that this Chapter provides no right or remedy in a circumstance, the rights and remedies available to landlords and tenants under the laws of the United States, the State of Louisiana and any other local law shall remain applicable.

10 - NO TRESPASS AGREEMENTS

The Chief of Police or his designee is and shall be authorized to enter into No Trespass Agreements with landlords, property managers or other property owners (whether of rental property or otherwise), in a form acceptable to the Chief of Police and the property owner, providing that sworn personnel from the Town's Police Department shall be authorized to give persons trespassing on private property notice to leave, and to sign complaints against such persons should they remain on or return to the private property.

This ordinance shall become effective immediately upon its adoption by the Town.

Said Ordinance having been introduced and read on the 14th day of September, 2021 by Galambos, notice of a public hearing having been published, said public hearing having been held, the title having been read and the ordinance considered, on motion of Lee, second by Fuller, to adopt the ordinance, a roll call vote was taken, and the vote was as follows:

YEAS: Lee, Fuller, Guin, Presley

NAYS: None

ABSENT: Whittington

ABSTAIN: None

And Ordinance 20 of 2021, was adopted this 13th day of October, 2021.

Amendment 1 to Ordinance 10 of 2021 – An Ordinance to Amend the Budget for the Town of Blanchard for the Fiscal Year Ending June 30, 2021 and otherwise providing with respect thereto, to amend Ordinance 10 of 2021 to read as “Ordinance 10-A of 2021

AMENDMENT 1 TO ORDINANCE 10 OF 2021

**AN ORDINANCE TO AMEND THE BUDGET FOR THE TOWN OF
BLANCHARD FOR THE FISCAL YEAR ENDING JUNE 30 2021 AND
OTHERWISE PROVIDING WITH RESPECT THERETO**

WHEREAS, the Town of Blanchard (“Town”) recently adopted an ordinance known as Ordinance 10 of 2021 on the 28th day of June, 2021 titled “An Ordinance to Amend the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2021 and otherwise providing with respect thereto;

WHEREAS, another Ordinance was numbered 10 and in order to avoid any confusion in the future, this amendment is necessary to renumber this ordinance from Ordinance 10 of 2021 to Ordinance 10-A of 2021;

WHEREAS, the sole purpose of this Amendment is to change the number from “10” to “10-A”;

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Board of Alderpersons of the Town of Blanchard, Louisiana, in due, legal and regular session convened, as follows:

That heretofore, Ordinance 10 of 2021 - An Ordinance to Amend the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2021 and otherwise providing with respect thereto, will be known as

Ordinance 10-A of 2021 - An Ordinance to Amend the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2021 and otherwise providing with respect thereto.”

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance that can be given effect without the invalid provisions, items of applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED all ordinances or resolutions or parts hereof in conflict herewith are hereby repealed.

This ordinance shall become effective immediately upon its adoption by the Town.

Motion made by Lee, seconded by Fuller, to adopt Amendment 1 to Ordinance 10 of 2021, a roll call vote was taken and the following was had:

YEAS: Lee, Fuller, Guin, Presley

NAYS: None

ABSENT: Whittington

ABSTAIN: None

And Amendment 1 to Ordinance 10 of 2021 was adopted this 13th day of October, 2021.

Amendment 1 to Ordinance 11 of 2021 – An Ordinance to Adopt the Budget for the Town of Blanchard for the Fiscal Year Ending June 30, 2022 and otherwise providing with respect thereof, to amend Ordinance 11 of 2021 to read as “Ordinance 11-A of 2021

AMENDMENT 1 TO ORDINANCE 11 OF 2021

**AN ORDINANCE TO ADOPT THE BUDGET FOR THE TOWN OF
BLANCHARD FOR THE FISCAL YEAR ENDING JUNE 30, 2022 AND
OTHERWISE PROVIDING WITH RESPECT THERETO,**

WHEREAS, the Town of Blanchard (“Town”) recently adopted an ordinance known as Ordinance 11 of 2021 on the 28th day of June, 2021 titled “An Ordinance to Adopt the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2022 and otherwise providing with respect thereto;

WHEREAS, another Ordinance was numbered 11 and in order to avoid any confusion in the future, this amendment is necessary to renumber this ordinance from Ordinance 11 of 2021 to Ordinance 11-A of 2021;

WHEREAS, the sole purpose of this Amendment is to change the number from “11” to “11-A”;

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Board of Alderpersons of the Town of Blanchard, Louisiana, in due, legal and regular session convened, as follows:

That heretofore, Ordinance 11 of 2021 - An Ordinance to Adopt the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2022 and otherwise providing with respect thereto, will be known as

Ordinance 11-A of 2021 - An Ordinance to Adopt the Budget for the Town of Blanchard for the Fiscal Year ending June 30, 2022 and otherwise providing with respect thereto.”

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance that can be given effect without the invalid provisions, items of applications and to this end the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED all ordinances or resolutions or parts hereof in conflict herewith are hereby repealed.

This ordinance shall become effective immediately upon its adoption by the Town.

Motion made by Lee, seconded by Fuller, to adopt Amendment 1 to Ordinance 11 of 2021, a roll call vote was taken and the following was had:

YEAS: Lee, Fuller, Guin, Presley

NAYS: None

ABSENT: Whittington

ABSTAIN: None

And Amendment 1 to Ordinance 11 of 2021 was adopted this 13th day of October, 2021.

September 2021 financials

Financial reports to be emailed when completed

REPORT FROM:

Perry Fuller, Utility Manager – 3 road bores, 3 onsite, 30 locates, 5 main repairs, Bel-Di-Gil project is progressing

Gary Presswood, Chief of Police – Chief Presswood recommends the hiring of Andre Anthony, patrol officer, at \$15.25 per hour, to be effective as of October 1, 2021. Motion made by Fuller, second by Lee to accept Chief Presswood’s recommendation to hire Andre Anthony as a patrol officer at \$15.25 per hour to be effective as of October 1, 2021. Second by Lee. All voted yea.

COMMENTS BY THE MAYOR – Chief Presswood and I visited nine different neighborhoods for National Night Out on October 5, 2021. Pizza Hut donated two pizzas per site. Some tshirts were made for the neighborhood leaders, and got good response to them. So we will have similar tshirts made and they will be available for sale at future events such as A Small Town Christmas, Poke Salad, Fourth of July, etc. BCBS renewal is in, we will be working on calculations and will get back by the next meeting.

Jim Galambos, Mayor

Candy Foshee, Town Clerk