

ORDINANCE 2012-24

**AN ORDINANCE TO AMEND AND RE-ENACT BAKER
CODE OF ORDINANCES, CHAPTER 24 (Traffic and
Vehicles) ARTICLE 6 (Stopping, Standing and Parking) SO
AS TO ADD Sec. 24-207 – Regulate Pedestrians Soliciting
Charitable Contributions, Business and/or Employment in the
City of Baker**

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the City of Baker, Parish of East Baton Rouge, Louisiana, in regular session assembled, a proper quorum being there and then assembled, on the 28th day of August, 2012, as follows, to wit:

SECTION 1:

The Baker Code of Ordinances, Chapter 24 (Traffic and Vehicles) Article 6 (Stopping, Standing and Parking) is amended and re-enacted so as to add the following:

“Sec. 24-207. Regulate Pedestrians Soliciting Charitable Contributions, Business and/or Employment in the City of Baker.

No person shall be upon or go upon any street or roadway or shall be upon or go upon any shoulder of any street or roadway, nor shall any such person be upon or go upon any neutral ground of any street or roadway for the purpose of soliciting charitable contributions, business and/or employment of any kind from the occupant of any vehicle, except for a member(s) of a bona fide church, non-profit or charitable organization, or a member(s) of the Baker Fire Department or a professional firefighter’s association or a member(s) of the Baker Police Department or its DARE program or a professional law enforcement association, and only upon a permit being applied for with the City of Baker and after the application is granted by the City of Baker, not later than 2 business days before the permit can be exercised.”

SECTION 2: REPEAL

All ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

All ordinances not in conflict herewith and not affected by the amendment hereinabove set forth are hereby maintained in full force and effect as if re-enacted herein.

The repeal of an ordinance shall not effect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceedings pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 3: SEVERABILITY

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by any Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrases, clauses, sentence, paragraph or section. If the provisions of this ordinance, or the application thereof to any person, fact, situation or circumstance are held invalid, the remainder of this ordinance and the application of such provisions to the other persons, facts, situations or circumstances, shall not be affected thereby.

SECTION 4: INVALIDATION

If any provision of this ordinance, or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications and, to that end, any and all provisions of this ordinance and applications thereof are declared to be severable.

And the Ordinance was presented on the 14th day of August, 2012 at the regular meeting of the Baker City Council held at the City Hall Building in Baker, Louisiana.

This ordinance having been submitted to a vote, the vote thereon was recorded as follows:

YEAS: Burges, Givens, Heine, Young

NAYS: None

ABSENT: Vincent

ABSTAIN: None

And the Ordinance was declared adopted on this, the 28th day of August, 2012, at the regular meeting of the Baker City Council held at the City Hall Building in Baker, Louisiana.

ATTEST:

/s/Angela Canady, Clerk of Council

/s/Harold M. Rideau, Mayor