

## CHAPTER 1

### GENERAL PROVISIONS

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#### Section 1.1 How Code designated and cited

The provisions embraced in the following chapters and sections shall constitute and be designated the “Code of Ordinances, Town of Livonia, Louisiana” and may be so cited.

#### Section 1.2 Construction; definitions

A. In the construction of this Code and of all ordinances, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent.

(1) Computation of time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day on which the notice is given or the act is done shall be counted in computing the time, but the day on which the proceeding is to be had shall not be counted.

(2) Gender. A word importing one gender only shall exceed and be applied to other genders and to firms, partnerships, and corporations as well.

(3) Joint authority. All words giving “joint authority” to three (3) or more persons or officers shall be construed as giving the authority to a majority of the persons or officers.

(4) Nontechnical and technical words. Words and phrases shall be construed according to the common and accepted usage of the language, but technical words and phrases and others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

(5) Number. A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing.

(6) Oath. The word “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases, the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed”.

(7) Or, and. “or” may be read “and”, and “and” may be read “or”, if the sense requires it.

(8) Other officials or officers, etc. Whenever reference is made to officers, agencies, or departments by title only, i.e., “clerk”, “town clerk”, “town attorney”, “street commissioner”, “chief of police”, etc., they shall mean the officers, agencies, or departments of this town.

(9) Signature or subscription. A signature or subscription includes a mark when a person cannot write.

(10) Tense. Words used in the past or present tense include the future as well as the past and present.

B. As used in this Code, the following terms shall have the following meanings, unless the context requires otherwise:

(1) “Clerk” means the town clerk.

(2) “Council” or “town council” means the board of alderman of this town.

(3) “Council member” means a member of the board of aldermen of this town.

(4) “Mayor” means the chief executive of this town.

(5) “Month” means a calendar month.

(6) “Parish” means the parish of Pointe Coupee, Louisiana.

(7) “Person” extends and applies to a number of persons and to associations, clubs, societies, firms, partnerships, and bodies politic and corporate, as well as to individuals.

(8) “Preceding, following” mean next before and next after, respectively.

(9) “Property” includes immovable and movable property.

(10) “State” means the state of Louisiana.

(11) “Street” includes streets, avenues, boulevards, roads, alleys, lanes, viaducts, and all other public highways in this town.

(12) “Town” means the town of Livonia.

(13) “Week” means seven days.

(14) “Year” means a calendar year.

### Section 1.3 Catchlines of sections; citations

The catchlines of sections of this Code are intended to indicate the contents of the section and shall not be deemed or taken to be titles of the sections nor as any part of the section; nor, unless expressly so provided, shall they be so deemed when any of the sections, including the catchlines, are amended or reenacted.

### Section 1.4 Effect of repeal of ordinances

A. The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.

B. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution, or proceeding pending at the time of the repeal for an offense committed under the ordinance repealed.

### Section 1.5 Severability of parts of Code

It is hereby declared to be the intention of the mayor and council that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable; and if any phrase, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional, illegal, or otherwise invalid by the valid judgement or decree of court of competent jurisdiction, the unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

### Section 1.6 Amendment to Code; effect of new ordinances; amendatory language

A. All ordinances subsequent to this Code of Ordinances which amend, repeal, or in any way affect this Code of Ordinances may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section, or subsection or any portion thereof, the repealed portions may be excluded from this Code by omission from reprinted pages.

B. Amendments to any of the provisions of this Code shall be made by amending the provisions by specific reference to the section of this Code in substantially the following language:

“Be it ordained by the town council of the Town of Livonia, Louisiana, that Section      of the Code of Ordinances of the Town of Livonia, Louisiana, is hereby amended and reenacted to read as follows:” (Set out new provision in full.)

C. When the council desires to enact an ordinance of a general and permanent nature on a subject not heretofore existing in the Code, which the council desires to incorporate into the Code, a section in substantially the following language shall be made part of the ordinance:

“Section      . Be it ordained by the town council of the Town of Livonia, Louisiana, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the Town of Livonia, Louisiana, and the sections of this ordinance may be renumbered to accomplish this intention.”

D. All sections, articles, chapters, or provisions of this Code desired to be repealed should be specifically repealed by section or chapter number, as the case may be.

#### Section 1.7 Altering Code

It is unlawful for any person to change or amend by additions or deletions any part or portion of this Code or to insert or delete pages or portions thereof or to alter or tamper with this Code in any manner whatsoever which will cause the law of the town to be misrepresented thereby.

#### Section 1.8 Designation as town

The name of this town shall be known as the Town of Livonia, Louisiana. The village is officially classified as a town.  
(Ordinance 50 adopted 10/25/83)

#### Section 1.9 Town to be governed by Lawrason Act

The town shall operate under the provisions of Title 33, Chapter 2, Part I of the Revised Statutes of Louisiana, (R.S. 33:321 et seq.), which provisions are commonly known as the Lawrason Act.

#### Section 1.10 Corporate limits established

A. The corporate limits of the town include all annexations made through and including the date of adoption of this Code.

B. Per Ordinance adopted on April 2, 1974, all facilities of the town were extended to the area annexed thereby, except gas, water, and sewerage and that same, if available, shall be extended thereto upon the residents of the area causing the utility systems of the town to be extended to the area at their expense.

C.(1) Per Ordinance 48 adopted on January 11,1983, the annexation was not an acceptance by the town of any existing or future street or drainage system; the town shall not be obligated to repair, maintain, or improve any existing or future street or drainage system in any manner whatsoever; the owners of the annexed property shall be obligated to install natural gas and water lines to service the property and upon inspection and acceptance of the lines, they shall become the property of the town, subject to the owners' furnishing a maintenance bond for the lines; and the owners of the property shall include these conditions on any act transferring ownership of the annexed property.

(2) Ordinance 48 was not intended and, in fact, does not preclude the owners of the property thereby annexed from constructing thereon roads, streets or other improvements, and upon compliance with the Pointe Coupee Parish Subdivision Ordinance and/or the requirements of the town. Said roads, streets and other improvements may be accepted the town for maintenance and upkeep.

(Ordinance adopted 10/2/73; Ordinance adopted 4/2/74; Ordinance 48 adopted 1/11/83; Ordinance 49 adopted 3/8/83; Resolution adopted 5/17/83; Ordinance 87 adopted 10/11/94; Ordinance 111 adopted 2/9/99; Ordinance 113 adopted 5/11/99)