City of Harahan  
6437 Jefferson Highway  
Mayor and Harahan City Council  
Regular Meeting Agenda

Date: May 23, 2019  
Time: 7:00 P.M.

The Public Meeting is called to order by the Mayor, followed by the Pledge of Allegiance.

ROLL CALL

SPECIAL PRESENTATIONS
1. Darlene Schwartz, Community Liaison  
2. Chief Walker - Current State of the Harahan Police Department

APPROVAL OF MINUTES
Reading of the Minutes of the Council Meeting on April 18, 2019.  
Approval of the Minutes of the Council Meeting on April 18, 2019.

Reading of the Minutes of the Special Meeting on May 1, 2019.  
Approval of the Minutes of the Special Meeting on May 1, 2019.

COMMUNICATIONS
Reading of the Minutes of the Planning and Zoning Board on March 20, 2019.  
Approval of the Minutes of the Planning and Zoning Board on March 20, 2019.

Reading of the Minutes of the Board of Adjustments and Appeals on April 17, 2019.  
Approval of the Minutes of the Board of Adjustments and Appeals on April 17, 2019.

RESOLUTIONS
PROPOSED RESOLUTION NO. 2019 – 4  
A resolution adopting the 2019 millage rate(s).

PROPOSED RESOLUTION NO. 2019 – 6  
A Resolution authorizing Mayor Baudier, on behalf of the City of Harahan, to enter into an intergovernmental agreement with the Parish of Jefferson, to provide the City of Harahan funds to be used for a fire truck.

ORDINANCES FOR APPROVAL
PROPOSED ORDINANCE NO. 2018 – 26 (Deferred 04/18/19)  
An Ordinance granting a Franchise to MCIMETRO Access Transmission Corp. D/B/A: Verizon Access Transmission Services to lay, maintain and operate a fiber optic transmission cable for the transmission of telephonic, data and other electronic messages in, on, and/or across public places or ways and prescribing conditions and limitations.

PROPOSED ORDINANCE NO. 2019 – 11 (Deferred 04/18/2019)  
An ordinance amending the Code of Ordinances of the City of Harahan to provide for the imposition of charges for recycling services.

PROPOSED ORDINANCE NO. 2019 – 12 (Deferred 04/18/2019)  
An ordinance to impose for six months a moratorium on the re-subdivision, rezoning, and/or issuance of permits for construction or placement of building structures on property within a portion of the City of Harahan, known as J.W. Colonial Estates.

PROPOSED ORDINANCE NO. 2019 – 13  
An ordinance imposing a monthly service charge to provide commercial and individuals with standard fire service.
ORDINANCE FOR INTRODUCTION (FIRST READING)
None

OLD BUSINESS
None

NEW BUSINESS
None

ADDRESS THE COUNCIL

SECRETARY’S REPORT
Secretary’s report for April, 2019
Total revenue $633,640.00

REPORTS

PAY BILLS
Bill's paid in April, 2019
Total expenditures $727,711.41

EXECUTIVE SESSION
None

ADJOURN
The following Resolution was offered **unanimously** by the Council of the City of Harahan:

**PROPOSED RESOLUTION NO. 2019 – 4**

BE IT RESOLVED, that the following millage(s) are hereby levied on the 2019 tax roll on all property subject to taxation by the City of Harahan:

**MILLAGE**

<table>
<thead>
<tr>
<th>Description</th>
<th>Millage</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONSTITUTIONAL GENERAL ALIMONY</td>
<td>4.100</td>
</tr>
<tr>
<td>1977 GENERAL ALIMONY</td>
<td>1.610</td>
</tr>
<tr>
<td>1982 GENERAL ALIMONY</td>
<td>2.340</td>
</tr>
<tr>
<td>SEWERAGE MAINTENANCE TAX</td>
<td>0.880</td>
</tr>
<tr>
<td>FIRE PROTECTION, CONSTRUCTION AND MAINTENANCE</td>
<td>5.000</td>
</tr>
<tr>
<td>SEWERAGE CONSTRUCTION AND MAINTENANCE</td>
<td>3.000</td>
</tr>
<tr>
<td>POLICE PAYROLL, BENEFITS AND EXPENSES</td>
<td>5.000</td>
</tr>
</tbody>
</table>

**TOTAL TAX** 21.930

BE IT FURTHER RESOLVED that the proper administrative officials of the City of Harahan, State of Louisiana, be and they are hereby empowered, authorized, and directed to spread said taxes, as hereinabove set forth, upon the assessment roll of said City for the year 2019, and to make the collection of the taxes imposed for and on behalf of the taxing authority, according to law, and that the taxes herein levied shall become a permanent lien and privilege on all property subject to taxation as herein set forth, and collection thereof shall be enforceable in the manner provided by law.

The foregoing resolution was read in full, the roll was called on the adoption thereof, and this resolution was adopted by the following votes:

**YEAS:**

**NAYS:**

**ABSENT:**

**ABSTENTION:**

I hereby certify that the foregoing is a true and exact copy of the resolution adopted at the board meeting held on ____________, 2019, at which meeting a quorum was present and voting.

City of Harahan, Louisiana, this ___ day of ____________.

________________________
Nicole Lee
Municipal Clerk/Tax Collector
The following Resolution was offered by Councilman Johnston:

PROPOSED RESOLUTION NO. 2019-6

A Resolution authorizing Mayor Baudier, on behalf of the City of Harahan, to enter into an intergovernmental agreement with the Parish of Jefferson, to provide the City of Harahan funds to be used for a fire truck.

WHEREAS, the City of Harahan, is a City within the Parish of Jefferson; and

WHEREAS, Jefferson Parish Councilman Paul Johnston, District 2, granted the City of Harahan the funds, in the amount of $300,000, to be used as a down payment for a fire truck.

NOW THEREFORE, BE IT RESOLVED by the Harahan City Council acting as governing authority of said city that:

SECTION 1. Mayor Tim Baudier, on behalf of the City of Harahan, is hereby authorized to enter into an intergovernmental agreement with the Parish of Jefferson, to provide the City of Harahan funds to be used as a down payment for a fire truck.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:
NAYS:
ABSENT:
ABSTENTION:

And this resolution was declared adopted on the ___ day of ____________, 2019.

__________________
Nicole Lee
City Clerk
May 14, 2019

Hon. Tim Baudier, Mayor
City of Harahan
6437 Jefferson Highway
Harahan, LA 70123

Dear Mr. Baudier:

Enclosed herewith is a certified copy of Resolution No. 133618 adopted by the Jefferson Parish Council on Wednesday, May 8, 2019, which is self-explanatory.

Yours truly,

[Signature]
Eula A. Lopez, Parish Clerk
Jefferson Parish Council

EAL/kbo
Enclosure
On motion of Ms. Lee-Sheng, seconded by Mr. Johnston, the following resolution was offered:

RESOLUTION NO. 133618

A resolution ratifying an Intergovernmental Agreement with the City of Harahan for the benefit of its Fire Department to defray the cost to purchase a new fire truck at a cost not to exceed $300,000.00. (Council District 2)

WHEREAS, Art. VII, Sec. 14(C) of the Louisiana Constitution of 1974 provides that for a public purpose, the State and its political subdivisions may engage in cooperative endeavors with each other, with the United States or its agencies, or with any public or private association, corporation or individuals; and

WHEREAS, Art. VII, Sec. 14(B) of the Louisiana Constitution of 1974 provides that public funds may be used for programs of social welfare for the aid and support of the citizens of Jefferson Parish; and

WHEREAS, Jefferson Parish desires, as authorized in Sec. 1.01(6) in the Jefferson Parish Charter, to cooperate with the City of Harahan Fire Department in the implementation of the Project as hereinabove provided; and

WHEREAS, the public purpose of the Project is described as: assisting the Fire Department for the City of Harahan in its fire prevention and suppression efforts by providing funding to defray the cost to purchase a new fire truck; in the furtherance of effective fire protection and response, and the promotion of the health and safety initiatives of Jefferson Parish; and

WHEREAS, the Harahan Fire Department provides fire prevention and protection services to the citizens of and visitors to the City of Harahan, which is an incorporated municipality within Jefferson Parish; and

WHEREAS, the Parish of Jefferson has a reasonable expectation of receiving the value of effective fire protection and response for the citizens of Jefferson Parish that is at least equivalent to the $300,000.00 of consideration described in this Agreement; and

WHEREAS, the transfer or expenditure of public funds or property is not a gratuitous donation; and

WHEREAS, the citizens of Jefferson Parish will benefit from the efforts of these agencies working together;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE JEFFERSON PARISH COUNCIL, acting as governing authority of said Parish,

SECTION 1. That the Intergovernmental Agreement with the City of Harahan for the benefit of its Fire Department, to defray the cost to purchase a new fire truck at a cost not to exceed $300,000.00, is hereby ratified.

SECTION 2. That all costs associated with this Agreement shall be charged to Account No. 23010-2782-7680.162 ($30182.00).

SECTION 3. That the Chairwoman of the Jefferson Parish Council, or in her absence the Vice-Chairman, is hereby authorized to sign any and all documents necessary to give full force and effect to this resolution.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:  6  NAYS:  None  ABSENT:  None

The resolution was declared to be adopted this the 8th day of May, 2019.

THE FOREGOING IS CERTIFIED TO BE TRUE & CORRECT COPY

EULA A. LOPEZ
PARISH CLERK
JEFFERSON PARISH COUNCIL
PROPOSED ORDINANCE NO. 2018-26

AN ORDINANCE GRANTING A FRANCHISE TO MCI METRO ACCESS
TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS
TRANSMISSION SERVICES TO LAY, MAINTAIN AND OPERATE A
FIBER OPTIC TRANSMISSION CABLE FOR THE TRANSMISSION OF
TELEPHONIC, DATA AND OTHER ELECTRONIC MESSAGES IN, ON,
AND/OR ACROSS PUBLIC PLACES OR WAYS AND PRESCRIBING
CONDITIONS AND LIMITATIONS.

WHEREAS, the City of Harahan, Louisiana, desires to establish and provide for a fiber
optic transmission cable system for its citizens and to provide for the regulation and use of such system;
and

WHEREAS, MCI Metro Access Transmission Services Corp. d/b/a: Verizon Access
Transmission Services has made application to the City of Harahan, Louisiana, for the franchise and
authority to construct, operate and maintain a fiber optic transmission cable system within public rights of
way within the City of Harahan, Louisiana according to all Federal, State and City statutes, rules, regulations
and ordinances; and

WHEREAS, after examining the adequacy and feasibility of the proposal of MCI Metro
Access Transmission Services Corp., and upon full public proceedings affording due process, it has been
determined that the public interest would be served by adoption of this Ordinance granting to MCI Metro
Access Transmission Services Corp. a franchise and right for the installation, operation and maintenance
of a fiber optic transmission cable system within public rights of way of the said City.

BE IT ORDAINED by the City Council of the City of Harahan that:

OBJECT

The City of Harahan ("City") grants MCI Metro Access Transmission Services Corp. d/b/a
Verizon Access Transmission Services ("Company") for a period of twenty (20) years, the right and authority
to lay, construct, lease and/or operate a fiber optics transmission cable, and all appurtenances and
appendages thereto, for the transmission of telephonic, data, voice, video and other services in, under,
over, along and/or across the City rights-of-way, together with the right to make, install, maintain, repair
and replace all such cable and other usual equipment, supporting structures, facilities or apparatus as may
be reasonably necessary or desirable in the operation of said fiber optics communications transmission
system. The right to use and occupy said streets, alleys, public ways and places for the purposes herein
set forth shall not be exclusive, and the City reserves the right to grant similar use of said streets, alleys,
public ways and places to any person.

If, at any time during the period of this franchise, the City shall lawfully elect to vacate, relocate,
abandon, alter, reconstruct or change the grade of any street, sidewalk, alley or other public right of way to
include drainage and utility areas for any City project, the Company, upon reasonable notice by the City,
shall remove, relay and relocate its poles, wires, cables, underground conduits, manholes and other fixtures
at its own expense in accordance with Louisiana law and City ordinances. Notwithstanding the foregoing,
nothing in this franchise is intended to eliminate or waive any right the Company may have to
reimbursement under applicable law or the terms of any public funding grant for a project.
TERM OF CONTRACT

This contract shall be for a term of twenty (20) years commencing upon effective date of this
Ordinance. The Ordinance shall renew for an additional term of twenty (20) years based on then existing
federal, state and local statutes, rules and regulations.

COMPENSATION

Company, its successors and assigns shall pay to the City in consideration of this franchise an
annual amount equal to five percent (5%) of its gross revenues derived from retail subscribers of its
intrastate telecommunications services who are located within the corporate limits of the City. The
payments required by this section will be calculated quarterly and paid by the end of the subsequent
quarter. Calculations shall begin upon the first calendar quarter in which gross revenues are earned and
the first payment to the City will be due and payable on the 1st day of the end of the following quarter, and
quarterly thereafter. Should the Company withdraw from the City, a final payment will be due and payable
to the City no later than six (6) months after withdrawing.

The City may audit the records (nor more than once every 18 months) to verify the correctness of the
amounts remitted

PERMITS REQUIRED

-Prior to beginning any work in the public rights of way, the Company shall obtain from the City and
pay to City publicly disclosed one-time construction permit fees, all permits required by the City or the State
of Louisiana for the construction and operation of a fiber optic telecommunications system.

RESTORATION

-In case of any disturbance by Company of pavement, sidewalk, driveway, or other surfacing of the
City, Company shall at its own cost and expense, replace and restore all sidewalk, driveway or surface of
any street or alley disturbed, to as reasonably good a condition as before said work was commenced.

SAFETY REQUIREMENTS

(a) The Company shall at all times employ ordinary care and shall install and maintain in use
commonly accepted methods and devices for preventing failures and accidents which are likely to cause
damage, injuries or nuisances to the public.

LIABILITY AND INDEMNIFICATION

(a) By acceptance of this franchise and right, Company agrees that it shall defend, indemnify,
protect and hold harmless the City and its officers, agents and employees from any and all claims
whatsoever, from liabilities, losses, costs, judgments, penalties, damages and expenses, including
attorneys' fees, arising out of Company's negligence or willful misconduct during the installation, operation
or maintenance by the Company of the Company's fiber optic transmission system, provided that the
Company shall have no obligation to indemnify, protect and hold harmless the City under this section in the
event Company's failure to comply with the requirements herein is the result of a force majeure event or
events beyond the control of Company.

(b) The Company agrees that it will provide throughout the term of this franchise, workers
compensation insurance and liability insurance in the minimum amounts of:

1) Commercial General Liability Insurance with a limit of $1,000,000 per occurrence
   for bodily injury and property damage and $2,000,000 general aggregate including
premises-operations, products and complete operations.

2) Commercial Automobile Liability in the amount of $1,000,000 combined single limit
   each accident for bodily injury and property damage covering all covering all
   owned, non-owned and hired vehicles.

3) Company agrees that the above required insurance contracts will contain the
   following provisions:
   a) The City and its officers, employees, board members and elected
      representatives shall be included as additional insured as the interests of
      each may appear under this Agreement as to all applicable coverage;
      except workers compensation and employer’s liability
   b) Upon receipt of notice from its insurer(s) Company shall use commercially
      reasonable efforts to provide the City with thirty (30) days’ prior written
      notice of cancellation; and
   c) Notice required by this Section shall be delivered to the person specified
      in Section 12 herein by first class mail.

TERMINATION CLAUSE

The City reserves the right to terminate the contract for non-compliance with any conditions of this
contract or for the Company’s failure to comply with all applicable laws, future and present. The Ordinance
may only be terminated for cause by the City giving the Contractor thirty (30) days written notice of its
intention to do so and giving the Company the opportunity to cure the non-compliance.

NOTICE

For the purpose of giving notice, the Company’s address is declared to be:

MCI Metro Access Transmission Services Corp.

Attn: Franchise Manager

600 Hidden Ridge

Irving, TX 75038

With Copies to (except for invoices):

Verizon

1320 North Courthouse Road, Suite 900

Arlington, VA 22201

Attn: Vice President and Deputy General Counsel, Network Services

Invoices:

Verizon

Attn: Contract Admin.

6282 N. Lakewood Ave. MD 5.3-4009

Tulsa, OK. 74117

24-Hour Emergency Contact:

1-800-MCI-WORK

The City’s address shall be:

City of Harahan

6437 Jefferson Highway

Harahan, LA 70123

Unless the City is notified in writing to the contrary, the placing of notices in the United States Mail
addressed to the Company as set forth above shall constitute compliance with the provisions of this Section.

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

YEAS:

NAYS:

ABSENT:
ABSTENTION:
This Ordinance was declared adopted on this day of , to become effective immediately upon the signature of the Mayor, or upon the expiration of the time period without the signature of the Mayor.

Tim Baudier, Mayor

Nicole Lee, City Clerk
The following Ordinance was proposed by Councilman Asbill and seconded by Councilman:

PROPOSED ORDINANCE NO. 2019-11

An ordinance amending the Code of Ordinances of the City of Harahan to provide for the imposition of charges for recycling services.

WHEREAS, residents of Harahan did previously benefit from recycling collection and disposal;

WHEREAS, residents have inquired that the recycling service should be reinstated;

WHEREAS, the City has negotiated with its current waste contactor for the collection and disposal of recyclables;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Harahan that:

SECTION 1. Section 78-1 of the Harahan Code of Ordinances shall be amended to add the following term:

Recycling Services means the collection of recyclable materials, as defined in the contract for the services, and transportation and disposal of the recyclable materials to a recycling processor.

SECTION 2. Section 78-44 of the Harahan Code of Ordinances is hereby amended to read as follows:

Section 78-44. — Charges.

a. Basic charges for solid waste disposal shall be as follows:
   i. The basic charge for garbage and trash collection and disposal shall be $4.00 per month per residential unit to which water service is supplied, and such fee shall be assessed on the user's water bill.
   ii. The basic charge for city-wide, curbside recycling services shall be $1.50 per month per residential unit to which water service is supplied, and such fee shall be assessed on the user's water bill.

b. In accordance with the provisions of any contract, presently existing or hereafter arising between the city and any garbage and trash collection and disposal company and/or recycling company, any additional charges which may become due annually as a result of increases in the consumer price index as published by the U.S. Department of Labor are authorized to be billed to the residents and users of the garbage and trash collection and disposal services provided in the city.

c. Any increases in cost to the city for garbage and trash collection and disposal and/or recycling services are authorized to be billed to the residents and users of the garbage and trash collection and disposal services provided by the city.

d. The city is hereby authorized to include in the annual amounts levied on the tax rolls of the city and/or in statements for water services, an amount, in addition to the said basic garbage and trash charge and/or recycling charge, equal to the increases, if any, for said garbage and trash collection and/or recycling services and disposal charges based upon increases in the consumer price index and garbage and trash collection and disposal cost, as provided above.

SECTION 3. If any provision of this ordinance is held to be invalid or otherwise unenforceable by the final judgment of a court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining provisions of this
ordinance that may be given effect without the invalid provision; and to this end, the
provisions of this ordinance are hereby declared to be severable.

SECTION 3. All ordinances or parts thereof of the City of Harahan in conflict with
this ordinance are hereby repealed.

The ordinance having been considered by section and as a whole, a vote was
taken and the vote was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

This Ordinance was declared adopted on this _____ day of ______________, 2019
to become effective immediately upon signature of the Mayor or upon expiration of
the time period without the signature of the Mayor.

__________________________    ________________________
TIMOTHY BAUDIER            NICOLE LEE
Mayor                      City Clerk
Sec. 78-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial refuse means garbage and trash produced in operation of retail stores.

Dwelling unit means a structure occupied by one individual or a family, related by blood or marriage. Double houses, apartments, etc., are considered multiple dwelling units and each unit a separate dwelling unit.

Garbage means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

Refuse means all putrescible and nonputrescible solid wastes (except body wastes), including garbage and rubbish.

Rubbish means nonputrescible solid wastes (excluding ashes), consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery and similar materials.

Sec. 78-44. - Charges.

(a) The basic charge for garbage and trash collection and disposal for residents of the city of $4.00 per month is hereby ratified and maintained.

(b) In accordance with the provisions of any contract, presently existing or hereafter arising between the city and any garbage and trash collection and disposal company, any additional charges which may become due annually as a result of increases in the consumer price index as published by the U.S. Department of Labor are authorized to be billed to the residents and users of the garbage and trash collection and disposal services provided in the city.

(c) Any increases in cost to the city for garbage and trash collection and disposal are authorized to be billed to the residents and users of the garbage and trash collection and disposal services provided by the city.

(d) The city is hereby authorized to include in the annual amounts levied on the tax rolls of the city and/or in statements for water services, an amount, in addition to the said basic garbage and trash charge, equal to the increases, if any, for said garbage and trash collection and disposal charges based upon increases in the consumer price index and garbage and trash collection and disposal cost, as provided above.


The following Ordinance was proposed by Councilman Asbill and seconded by Councilman ____________________:

PROPOSED ORDINANCE NO. 2019 – 12

An ordinance to impose for six months a moratorium on the re-subdivision, rezoning, and/or issuance of permits for construction or placement of building structures on property within a portion of the City of Harahan, known as J.W. Colonial Estates.

WHEREAS, to protect and preserve the health, safety, and property interests of residents from the adverse effects of flooding, and public health hazards resulting from intensification of development within a certain portion of the City of Harahan;

WHEREAS, this temporary moratorium is necessary to allow sufficient time for review of existing land uses and/or permits and to formulate measures to protect residents in and/or near the area more fully described within this ordinance;

WHEREAS, developers of the property described herein have reportedly received instructions from the prior city administration which are contrary to the interests of the City and such instructions must be reviewed to protect the interests of this City and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Harahan that:

SECTION 1. There shall be a six (6) month moratorium on the re-subdivision, rezoning, and/or issuance of permits for construction or placement of any building structures on property within a portion of the City, known as J.W. Colonial Estates, described as follows:

Commence at the southwest intersection of Jefferson Highway and Colonial Club Drive, also the point of beginning; thence follow Colonial Club Drive south to its intersection with Club Drive; thence follow Club Drive west to its intersection with Fortier Lane; thence follow Fortier Lane to its ending point at the Mississippi River Levee; thence follow the Mississippi River Levee west to its intersection with Glenwood Avenue; thence follow Glenwood Avenue North to its intersection with Jefferson Highway; thence follow Jefferson Highway east to its southwest intersection with Colonial Club Drive, also the point of beginning.

SECTION 2. This ordinance shall be effective immediately upon final adoption, unless subsequently vetoed, and shall remain in effect for six consecutive months. The moratorium imposed herein may be vacated or extended, in whole or in part, by subsequent ordinance of this Council.

SECTION 2. If any provision of this ordinance is held to be invalid or otherwise unenforceable by the final judgment of a court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining provisions of this ordinance that may be given effect without the invalid provision; and to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 3. All ordinances or parts thereof of the City or Harahan in conflict with this ordinance are hereby repealed.

The ordinance having been considered by section and as a whole, a vote was taken and the vote was as follows:

YEAS:
NAYS:
ABSENT:
ABSTENTION:
This Ordinance was declared adopted on this _____ day of ________________, 2019
to become effective immediately upon signature of the Mayor or upon expiration of
the time period without the signature of the Mayor.

TIMOTHY BAUDIER
Mayor

NICOLE LEE
City Clerk
The following Ordinance was proposed by Councilman Ashill and seconded by 
Councilman ____________________:

PROPOSED ORDINANCE NO. 2019-13

An ordinance imposing a monthly service charge to provide commercial and 
individuals with standard fire service.

WHEREAS, the Harahan Fire Department has been operating below standards set 
by the National Fire Protection Association for many years;

WHEREAS, the Harahan Fire Chief has requested the support of previous councils 
and administrations by requesting adequate budget allocations to operate within standards, 
and which the City has not adequately funded;

WHEREAS, the safety and welfare of Harahan Fire Department's personnel is in 
grave danger;

WHEREAS, risk of firefighters’ injury also places lives and property of Harahan’s 
citizens in danger;

WHEREAS, Harahan citizens have experienced homeowner’s insurance rate 
increases due to the deficiencies of the Fire Department;

WHEREAS, the City has not assessed rate and/or millage increases for fire service 
and protection in decades;

WHEREAS, the Harahan Fire Chief and other personnel have made the urgent 
needs of the Harahan Fire Department clear to this Council and administration;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Harahan 
that:

SECTION 1. Chapter 34, Section 34-2 of the Harahan Code of Ordinances is hereby 
amended to read as follows:

Section 34-2. — Funding of Fire Department

(a) Annual Service Charge,

i. A service charge of $15.00 per annum is levied and collected on all classes and 
types of residential and commercial real property within the city. All funds 
collected shall be dedicated exclusively for the purpose of creating a 
permanent funding source for the Harahan Fire Department.

ii. The city clerk shall effectuate the implementation and collection of the service 
charge.

iii. The city council shall budget all funds collected from the annual service 
charge for fire department purposes.

iv. All funds budgeted to the fire department shall be disbursed through the use 
of the city’s purchase order system.

(b) Monthly Service Charge,

i. A monthly service charge of $40 per residential unit and $60 per commercial 
unit within the Harahan city limits, and such fee shall be effectuated by the 
city clerk and assessed on the user’s water bill.

ii. Beginning immediately, the monthly service charge shall be directly allocated 
to the Fire Department budget.
The city council may provide for exemptions to certain classes of real property owners by resolution, which may include, but not be limited to, classes based on age, income, use and physical characteristics of property.

SECTION 2. If any provision of this ordinance is held to be invalid or otherwise unenforceable by the final judgment of a court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining provisions of this ordinance that may be given effect without the invalid provision; and to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 3. All ordinances or parts thereof of the City of Harahan in conflict with this ordinance are hereby repealed.

The ordinance having been considered by section and as a whole, a vote was taken and the vote was as follows:

YEAS:
NAYS:
ABSENT:
ABSTENTION:

This Ordinance was declared adopted on this ______ day of ____________, 2019 to become effective immediately upon signature of the Mayor or upon expiration of the time period without the signature of the Mayor.

TIMOTHY BAUDIER NICOLE LEE
Mayor City Clerk
Sec. 34-2. - Funding of fire department.

(a) A service charge of $15.00 per annum is levied and collected on all classes and types of residential and commercial real property within the city. All funds collected shall be dedicated exclusively for the purpose of creating a permanent funding source for the city volunteer fire department.

(b) The city clerk shall effectuate the implementation and collection of the service charge.

(c) The city council shall budget all funds collected from the service charge for fire department purposes.

(d) All funds budgeted to the fire department shall be disbursed through the use of the city's purchase order system.

(e) The city council may provide for exemptions to certain classes of real property owners by resolution, which may include, but not be limited to, classes based on age, income, use and physical characteristics of property.