

ACT No. 253

House Bill No. 577

By Mr. Carter

AN ACT

To amend, revise, renew, and re-enact the special legislature charter of the City of Bastrop, Louisiana, in the Parish of Morehouse; to classify Bastrop, Louisiana, as a city, to define the boundaries of the City of Bastrop, Louisiana, to provide for the administration of its affairs, to define its powers and those of its officers, to change the name of the Municipal Court of the Town of Bastrop, and to repeal Act No. 219 of 1924, Act No. 96 of 1932, and Act No. 19 of 1940, and all acts and portions of acts inconsistent or in conflict herewith.

Whereas, Due notice of the intention to introduce this Act has been published in accordance with Section 6 of Article IV of the Constitution of the State of Louisiana and satisfactory proof of said publication exhibited to the Legislature;

Section 1. Incorporation and boundaries. Be it enacted by the Legislature of Louisiana, that all inhabitants within the corporate limits of the present "Town of Bastrop" in the Parish of Morehouse, State of Louisiana, embraced within the following limits, to-wit:

From the South one quarter ( $\frac{1}{4}$ ) corner of Section 31, Township 21 North, Range 6 East, Morehouse Parish, Louisiana, and the point of beginning, run West with the South line of said Section 31, and the South line of Section 36 and 35, Township 21 North, Range 5 East, to the South one quarter ( $\frac{1}{4}$ ) corner of said Section 35, thence North with center line of said Section 35, one half ( $\frac{1}{2}$ ) mile to the center of said Section 35, thence West one half ( $\frac{1}{2}$ ) mile to the West line of said Section 35, thence North with West line of said Section 35, approximately one half ( $\frac{1}{2}$ ) mile to the South line of Section 42, Township 21 North, Range 5 East, thence West with the line between Sections 34 and 42, Township 21 North, Range 5 East, to the Southwest corner of said Section 42, thence North with the line between Sections 42 and 34 to the North line of Section 34, thence West with the line between Sections 34 and 27, Township 21 North, Range 5 East, to the East line of Section 41, Township 21 North Range 5 East, thence South with the East line of Section 41, to the Southeast corner of same, thence West with the line between Sections 41 and 34, to a point where the North and South center line of Section 34 intersects the South line of Section 41, thence North with projection and continuation of

35:461  
Bastrop  
City Charter

center line of Section 34, into Section 41, to a point where same intersects the center line of Wilson Street, thence Northeast with the center line of Wilson Street to the East line of said Section 41, thence North with the East line of Section 41, to a point where same intersects the center line of Horse Bayou, thence Northeast-erly with the center line of Horse Bayou to a point where same intersects the North line of the Southwest Quarter of Northwest Quarter (SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) of Section 23, Township 21 North, Range 5 East, thence East with the North line of the Southwest Quarter of Northwest Quarter (SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) and the Southeast Quarter of Northwest Quarter (SE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) of Section 23, and the North Line of the South half of the Northeast Quarter (S  $\frac{1}{2}$  of NE  $\frac{1}{4}$ ) of said Section 23 and continuing East on the North line of the South half of the North half (S $\frac{1}{2}$  of N  $\frac{1}{2}$ ) of Section 24, Township 21 North, Range 5 East and continuing East into Township 21 North, Range 6 East, on the North line of the South half of the Northwest Quarter (S  $\frac{1}{2}$  of NW  $\frac{1}{4}$ ) Section 19, Township 21 North, Range 6 East, to the Northeast corner of same, which point is on the North and South center line of said Section 19, thence South with the center line of Sections 19 and 30, Township 21 North, Range 6 East, to the Southeast corner of the Northeast Quarter of the Northwest Quarter (NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ) of said Section 30, thence East with the North line of the Southwest Quarter of the Northeast Quarter of said Section 30 to the Northeast Quarter of said Section 30 to the Northeast corner of same, thence South corner of the North half (N  $\frac{1}{2}$ ) thereof, thence East with the North line of the South half of the Southeast Quarter of the Northeast Quarter (S  $\frac{1}{2}$  of SE  $\frac{1}{4}$  of NE  $\frac{1}{4}$ ) of said Section 30 to the East line of said Section 30, thence South with the East line of said Quarter section to the Northwest corner of Northwest Quarter of Southwest Quarter (NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) of Section 29, Township 21 North, Range 6 East, thence East with the North line of said Northwest Quarter of Southwest Quarter (NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ) of Section 29 to the Northeast corner of same, thence South with the East line of the West half of the Southwest Quarter (W  $\frac{1}{2}$  of SW  $\frac{1}{4}$ ) of said Section 29 to the South line of said Section 29, thence West with the South line of Sections 29 and 30 to the South Quarter corner of Section 30, thence South with the North and South center line of Section 31, Township 21 North, Range 6 East, to the point of beginning, shall continue to be a municipal corporation and body corporate and shall be classed as a city and known by the name and style of "City of Bastrop."

Section 2. Extension and contraction of boundaries. The boundaries of the City of Bastrop may be extended and contracted from time to time as provided by the general laws of the state.

Section 3. Capacities. The City of Bastrop shall have the capacity and power:

- (1) To sue and be sued, defend and be defended, implead and

be impleaded in all courts and places whatsoever.

- (2) To purchase, accept, receive by donation or otherwise, and sell or otherwise dispose of immovable and movable property within or without the corporate limits for parks, cemeteries, hospitals, school houses, houses of correction, utilities, sewers, and all other municipal purposes.
- (3) To make all contracts and to do all other acts in relation to the property and concerns of the municipality necessary to the exercise of its corporate or administrative powers.
- (4) To exercise such other and further powers as are herein conferred and recognized.

Section 4. General powers. The City of Bastrop shall have and may exercise all the powers, rights, privileges, and immunities which are now or may hereafter be or could be conferred upon cities of its population class by the constitution and general laws of the state; all powers, rights, privileges and immunities heretofore conferred on said city by any special act and not inconsistent with this act; and all other powers pertinent to the government of a city the exercise of which, in the opinion of the Mayor and Board of Aldermen, are necessary or desirable to promote the general welfare of the city and the safety, health, peace, good order, comfort, convenience and morals of its inhabitants, as fully and completely as though such powers were specifically enumerated in this act, and no enumeration of particular powers in this act shall be taken to be exclusive, but shall be held to be in addition to this general grant of power.

Section 5. Enumerated powers. In addition to the powers and capacities granted by other sections of this act, the City of Bastrop shall have power:

#### FINANCIAL POWERS

- (1) Taxation. To assess, levy and collect taxes, license taxes and fees of such nature and amount and in such manner as is now and may hereafter be authorized and provided by the Constitution and general laws of the state, and to expend the same in the manner and subject to the limitations, provided by law for any municipal purpose except as the proceeds of such taxes, license taxes or fees are allocated by law to some specific purpose.
- (2) Borrowing. To borrow money for the purpose of carrying out any of the powers and duties of the city within the limits and in the manner provided by the Constitution and general laws of the state. The Mayor and Board of Aldermen may borrow money to meet current expenses, but in so doing, the debt so incurred, added to the current debt of the year, shall not exceed the sum which the levy of the Taxes for the year may raise.
- (3) Acceptance of gifts. To accept or refuse gifts, donations,

bequests or grants from any source for any purpose related to the powers and duties of the city or the welfare of the inhabitants thereof, and provide for the care and investment of trust funds.

- (4) Grants to the United States Government. To advance money duly appropriated for the purpose to the United States of America or any department or agency thereof in accordance with federal statutes and regulations when necessary to secure federal cooperation in projects beneficial to the city or its inhabitants.
- (5) Special Assessments. To assess the whole or part of the cost of opening, improving, grading, constructing, reconstructing, paving, and repaving of streets, alleys, or other public ways, and of the construction and reconstruction of curbs, gutters, sidewalks, sewers and drains, upon the owners of properties abutting on such improvements. The cost of such improvements may be defrayed by levying and collecting local or special assessments on real property in the manner provided by the general laws of the state.

#### POWERS RELATING TO PUBLIC WORKS, UTILITIES AND PROPERTIES

- (6) Acquisition and alienation of property. To acquire for any municipal purpose ownership of or a lesser interest in or to property within and without its boundaries by purchase, gift, devise, lease or expropriation and to hold, manage, control, and sell or lease such property as its interest may appear; provided that no real estate shall be sold by the city except at public sale. The procedure for expropriation shall be provided by law.
- (7) Establishment and maintenance of streets, etc. To lay out, open, extend, widen, narrow, establish or change the grade of, close, vacate, construct, pave, curb, gutter, adorn with shade trees, plants and shrubs, and otherwise improve, maintain, repair, clean, water and light streets, highways, boulevards, alleys, public squares, bridges, viaducts, and under-passes, and construct and improve sidewalks within the city.
- (8) Obstruction of and encroachments over, under, or in streets, sidewalks, etc. To permit encroachment over, under or in any street, alley, sidewalk or other public place, where such encroachment does not adversely affect the public interest, upon such conditions, including regulation of the construction, suspension, and, if necessary, the removal of awnings, sign, lights, marquees, balconies or other structures projecting from buildings, as may be established by ordinance, and to provide for charges to be paid for such privilege.
- (9) Cutting of streets, sidewalks, curbs, etc. To establish the

purpose for which and conditions under which any person, firm, corporation, or department or agency of the city will be permitted to cut the surface of any street, alley, sidewalk, gutter, curb, or other public place.

- (10) Franchise for use of streets, etc. To grant franchises for the use of the streets, alleys, sidewalks, or other public places of the city by any public utility for its pipes, conduits, rails, poles, wires, cars, busses and other facilities on such conditions and for such term, conformable to the Constitution and law of the state, as Mayor and Board of Aldermen may determine.
- (11) Regulation of location of pipes and wire-carrying poles. To regulate the location of pipes and wire-carrying poles in the streets, alleys, sidewalks or other public places of the city; to regulate the stringing of wires on such poles; and to compel the removal of such poles and the placing of such wires beneath the ground wherever in the opinion of the Mayor and Board of Aldermen the public interest shall so require.
- (12) Regulation of public passenger carriers. To regulate the type, size, weight, arrangement, construction and operation of busses, and other vehicles carrying passengers for hire, to insure safety in the streets and the comfort and safety of passengers.
- (13) Regulation of electric and gas power. To fix the quality as to heating and lighting power and pressure of gas to be sold within the city; to regulate as far as may be necessary in the public interest the delivery of such gas to the consumers thereof; and to inspect all gas meters.
- (14) Sewerage disposal and drainage facilities. To construct, maintain and operate within and without the city, sewers, drains, ditches, canals, and sewerage disposal works, and to make charges for the privilege of connecting with and using the sewer system of the city.
- (15) Water works, electric plants, and gas plants. To erect, purchase, expropriate, maintain, and operate water works, electric plants, and gas plants within or without its corporate limits, with the pipe and transmission lines incident thereto, for the purpose of supplying water, gas, and electricity within and without the city, to charge and collect compensation therefor, and to provide penalties for unauthorized use thereof; or to contract with any person for the erection and/or maintenance and operation of water works, electric plants, or gas plants for terms not exceeding twenty-five years and subject to regulation and fixing of rates by the city or the Public Service Commission as provided by law. No contract for the erection, purchase, or maintenance and operation of water works, electric plants or gas plants shall be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting.

struction adopted under this subsection may be classified in accordance with the uses of buildings and their location in the city, provided that no buildings shall be occupied for a use requiring a better type of construction than the use for which the building was constructed until such building has been altered to conform to such higher standard.

- (33) Building permits. To require that plans and specifications of any buildings or of any addition or alteration thereto, including plans for electrical, plumbing and other installations for which regulations have been adopted in accordance with sub-section 32 above, be submitted to the proper city official and a building permit secured before the construction, addition or alteration is begun; to require the payment of a reasonable fee for such permit before the issuance of the same; to require permits for electrical, plumbing and other installations for which regulations have been adopted in accordance with sub-section 32 above; and to require the inspection of such building addition, alteration or installation therein, to secure the enforcement of the regulations above provided.
- (34) Regulation of other fire hazards. To make all necessary regulations concerning the construction, setup and operation of furnaces and stoves, all practices on the part of owners or occupants of buildings and premises likely to increase the danger of fire or the damage to persons and property arising therefrom, and the operation of stationery engines and boilers.
- (35) Regulation of handling of explosive and inflammable substances. To regulate and, if necessary, prohibit the manufacture, transportation, storage and sale of gun powder, fireworks, gasoline, liquefied petroleum gases and other explosive, inflammable or otherwise dangerous substances, and the exercise of any dangerous, offensive or unhealthful business, trade or establishment.
- (36) Zoning regulations. To regulate and restrict the height, number of stories and size of buildings and other structures; the size of lots and the percentage of a lot that may be occupied; the depth of front and rear yards and width of side yards; the location and use of buildings, structures and land for trade, industry, residence or other purposes; to divide the city into districts of such number, shape and area as may be best suited to carry out the purposes of such regulations, and be within such districts to regulate and restrict the erection, construction, alteration or use of buildings, structures, or land provided that all such regulations shall be uniform for each class or kind of buildings within each district, but the regulations of one district may differ from those in other districts; and for the execution of these powers to make use of the procedure established by general law.
- (37) Approval of tract subdivisions. To provide that any person desiring to subdivide a tract of land within the corporate

limits, or to be included therein, shall submit a plan and map of such subdivision to the Mayor and Board of Aldermen to be approved by them before the same shall be filed for record in the official records of the parish.

- (38) Regulation of callings, trades, professions and occupations. To regulate all callings, trades, professions, and occupations conducted, pursued, carried on or operated within the limits of the city in accordance with the general law of the state.
- (39) Regulation of taxicabs. To grant permits for the use of the streets by taxicabs and other vehicles carrying passengers or goods for hire; to limit the number of such vehicles; and prescribe the conditions on which such permits shall be granted, the qualifications of drivers, and the rates to be charged by taxicabs and other vehicles for hire.
- (40) Regulation of traffic. To regulate the speed of automobiles and other vehicles, including busses, trolley busses and railway locomotives and cars, on or across the streets of the city; to make all necessary regulations for the control of traffic, including the designation of one-way streets, the limitation or prohibition of parking, and the installation, maintenance and operation of parking meters; and to make all other regulations of the use of the streets necessary to insure the free movement of traffic therein.
- (41) Health regulations. To make regulations, not in conflict with the laws of the state, for the maintenance of cleanliness and sanitary conditions within the city, and to prevent the introduction and spread of contagious diseases; regulate the construction, installation, maintenance and condition of all water and sewer pipes, connections, toilets, water closets and plumbing fixtures of all kinds; regulate the construction and use of septic tanks and dry closets where sewers are not available; compel the use of sewers; the connection of premises therewith where a sewer is available in an adjacent street or alley, and the installation in such premises of suitable sanitary facilities; regulate or prohibit connections to and use of sewers; and to act in conjunction with the police jury and health officers of the parish in executing such regulations.
- (42) Regulation of animals. To prevent the running at large of dogs, other animals, and poultry; regulate or prohibit the keeping of other animals and poultry within the limits of the city; to require the licensing of dogs; and to provide for the impounding or destruction of stray, dangerous or vicious dogs or other animals.
- (43) Removing of weeds, etc., from sidewalks and other places. To require the cutting, destruction and removal of noxious weeds, grass or deleterious, unhealthy or noxious growths on any lot or place or sidewalk within the city, and upon the failure of the owner of such lot or place or of the property abutting on such sidewalk to cut or remove such weeds, grass

or growth, the city may cut and remove the same and charge and collect from such owner the cost thereof as provided by law.

Section 6. Enforcement provisions. The City of Bastrop shall have power to provide suitable penalties, not exceeding a fine of Three Hundred Dollars (\$300.00) or imprisonment for not more than sixty (60) days, or both, for any one offense, except in the cases of drunken driving, reckless driving, and hit and run driving where the penalty may exceed such limits but shall not exceed the penalties authorized for violation of such state crimes, for the violation of any of the regulatory ordinances which it is authorized to enact under this act. Such offenses shall be cognizable by the City Court of Bastrop, or any other court of competent jurisdiction and all fines and costs collected in connection therewith shall be paid into the city treasury. The city shall further have power to require licenses or permits whenever such requirement will facilitate the enforcement of any regulatory ordinance enacted under the provisions of this act or any law. The city may contract with the police jury of Morehouse Parish, which is empowered in the premises for the use of the parish jail by the municipality.

Section 7. Abatement of nuisances. The City of Bastrop shall have the power to abate and remove nuisances, including power to condemn and cause to be demolished any building or structure in a dangerous or dilapidated condition.

Section 8. Officers of the City. The officers of the City of Bastrop shall be a mayor, five aldermen, a clerk, a tax collector, a treasurer, a street commissioner, and such other municipal officers as may be provided for by the mayor and board of aldermen, including a superintendent of parks and cemeteries, a chief of police, a chief of the fire department, a city engineer, and a health officer. The mayor and aldermen shall be elected by the people; all other officers shall be appointed by the mayor with the advice and consent of the board of aldermen, subject to the general laws of the state relating to civil service. The street commissioner and clerk may be one aldermen, the mayor may be street commissioner, and the clerk may be tax collector if the board of aldermen so provide.

Section 9. Municipal elections, terms of office, and vacancies. Municipal election shall be held under the provisions of this act on the Tuesday next following the second Monday of June, the first election hereunder to be held in the year 1953 and every four years thereafter. The officers elected shall qualify and enter the discharge of their duties on the first day of July after their election and shall hold office for four years and until their successors are elected and qualified; provided, if no election be held or if a vacancy occurs at any time in the office of aldermen, or should any one of the aldermen fail to qualify, the vacancy in such office shall be filled by election by the remaining aldermen at any regular or special meeting of the mayor and board of aldermen. Should a vacancy occur at any time in the office of mayor such vacancy should be filled by election of a suitable person by the board of aldermen at a regular or special meeting if the unexpired portion of the term is less than one year. If the unexpired portion of the term is one year, or more,

at the time the vacancy occurs, such vacancy shall be filled by a special election held for that purpose, which election shall be called by the board of aldermen and held within ninety days from the date after the occurrence of the vacancy. The person elected as mayor at such special election shall qualify and enter the discharge of his duties immediately upon receiving his commission, and he shall hold office until the next general municipal election as herein provided and until the qualification of his successor thereafter. Pending the election of a mayor either by the board of aldermen or by a special election as herein provided for, the mayor pro tempore shall act as mayor and shall discharge all of the duties of that office.

In case of any vacancy in any municipal office to which the officer is appointed by the mayor with the advice and consent of the board of aldermen at any time, the same may be filled for the term by the mayor with the advice and consent of the board of aldermen at any regular or special meeting.

Section 10. Conduct of municipal elections. The provisions of law on the subject of state and parish elections so far as applicable, shall govern municipal elections in the City of Bastrop. The mayor and board of aldermen shall appoint the commissioners of election for municipal elections in years when there is no general state election, and in such years returns of the election shall be made to the mayor and board of aldermen, who shall make such proclamation and do all other things in regard thereto as is required of returning officers for the parish.

Section 11. Qualifications of mayor and aldermen. The mayor and each alderman shall be a qualified elector of the City of Bastrop and a resident of Morehouse Parish for two years. No member of the board of aldermen shall hold any other office or employment under the city government while he is a member of said board, except as is provided for above and below. No member of the board of aldermen or any other officer of the corporation shall be directly or indirectly interested in any work, business or contract, the expense or price or consideration of which is to be paid from the treasury of the municipality, nor be surety for any person having a contract, work or business with the city, for the performance of which security may be required, nor be surety for any officer or employee.

Section 12. Powers and duties of mayor and board of aldermen in general. The mayor and board of aldermen shall have the care, management, and control of the city, its property, and its finances, and shall have the power to interpret, alter, modify, amend, and repeal ordinances in the exercise of the powers granted by this act, particularly Sections 4 through 7.

Section 13. Powers and duties of mayor. The mayor shall preside at all meetings of the board of aldermen and the mayor shall give the deciding vote in case of a tie. He shall have the superintending control of all officers and affairs of the municipality; shall actively and vigilantly see that all the laws and ordinance are properly executed

and enforced. He shall have the power to veto any law, by-law, ordinance adopted by the board and may, in the case of budget and appropriation ordinances, veto or reduce any item or items thereof; notwithstanding the exercise of the veto power, any law or ordinance or item or items of any ordinance may be adopted, if two-thirds of the aldermen vote thereafter in favor of its adoption. He shall sign commissions and appointments of all of the officers appointed by him with the advice and consent of the board of aldermen. He shall sign warrants drawn on the treasury for money, and require the clerk to attest the same, to affix thereto the seal of the municipality and to keep an accurate record thereof in a well bound book to be kept for that purpose. He shall from time to time communicate, in writing to the board of aldermen information and recommend measures which may tend to the improvement of the finances, the police, health, security, ornament, comfort, and general prosperity of the municipality. He may require any officer of the municipality to exhibit his accounts or other papers, and to make a report to the board of aldermen in writing, on any matter pertaining to his office. He shall have the power to remove for neglect or violation of duty any officer appointed by him with the advice and consent of the board of aldermen. He shall have jurisdiction vested in him by ordinance over all places within five miles of the corporate limits for the enforcement of any cemetery or water works or health or quarantine ordinance and regulation thereof. He is authorized to call on every male inhabitant of the municipality over eighteen years of age and under fifty-five to aid in enforcing the laws. He shall have the power to remit fines and forfeitures and to vacate and annul penalties of all kinds for offenses against the ordinances of the municipality, by and with the consent of the board of aldermen, but a fine or penalty shall not be remitted or annulled unless the reason therefor be entered on the minutes by the clerk, together with and as part of the order so doing.

Section 14. Meetings of the mayor and board of aldermen. The mayor and board of aldermen shall hold not less than one regular meeting each month on a date, and at a place and hour, to be fixed by ordinance. The first meeting after this act becomes operative may be held and called at such time and place and in such manner as authorized by law heretofore in force. The mayor or any other aldermen, may, by written notice, call a special meeting of the mayor and board of aldermen for the transaction of important business. The notice must state the time of the meeting and distinctively specify the subject matter of business to be acted upon; it must be signed by the officer or officers calling the meeting, and must be served by a policeman on the mayor and all members of the board who have not signed it and who can be found personally, at least eight hours before the time fixed for the meeting. The notice with endorsement of its services shall be entered on the minutes of the special meeting. The mayor and any or all of the members of the board of aldermen may waive notice of the meeting in writing. No business except that specified in the call shall be transacted at the meeting except by unanimous consent of the mayor and board of aldermen. A member of the board of aldermen shall not receive pay

for attending a special meeting. In all cases a majority of the aldermen elected shall be required to transact business.

The mayor and board of aldermen may elect one of the aldermen to be mayor pro tempore who shall preside at all meetings and perform all duties of the mayor in the absence or disability of the mayor; and in the absence of both the mayor and the mayor pro tempore, the board may elect another alderman to preside temporarily and perform such duties. The mayor pro tempore, when occupying the place of the mayor shall have the same power and perform the same duties as the mayor.

Section 15. Appointment of other officers. At the first regular meeting of the newly elected board of aldermen succeeding each regular municipal election, a clerk, a tax collector, a treasurer, and all other officers as may be necessary shall be appointed as provided above. The clerk and tax collector shall execute a bond to the municipality, in such penalty, with such sureties and conditions as may be prescribed by ordinance and shall hold their offices for two years or until their successors shall be appointed and qualified. The mayor with the advice and consent of the board of aldermen may annually appoint an attorney at law or attorneys at law for the municipality, prescribe his or their duties and fix the form and extent of his or their compensation.

Section 16. Duties of clerk. It shall be the duty of the clerk to keep a well bound book to be labeled "Municipal Minutes, City of Bastrop" in which he shall record the proceedings and all orders, ordinances, and judgments of the mayor and board of aldermen. He shall keep the same fully indexed alphabetically so that all entries on said minutes can be easily found, such minutes and bills allowed he shall publish once in the official journal. The clerk shall be the custodian of the municipal seal. He shall keep a well bound book, to be styled "Municipal Docket, City of Bastrop", upon which he shall enter each claim against the municipality, and each subject matter to be acted upon by the mayor and board of aldermen. After each meeting he shall make such docket for the next regular meeting. He shall examine the statutes of the state and the ordinances of the municipality to ascertain subject matter required, or proper, to be acted upon at the following meeting, and shall docket all such matters. He shall keep all such other books and records as may be provided for by ordinance, and shall file in his office and preserve all records and papers appertaining to the business of the municipality. He shall keep a well bound book to be styled "Tax Record, City of Bastrop", in which he shall enter all deeds to individuals, and the lists of land sold to the municipality by the tax collector, showing (a) the description of the land, (b) as whose property sold, (c) date of sale, (d) amount of taxes, costs and damages due and to whom the costs are owing, (e) when redeemed, (f) by whom redeemed, (g) date of redemption, and (h) amount paid therefor.

The clerk shall be the auditor of the municipality. He shall keep a well bound book, in which he shall enter and preserve accounts of each particular fund, and the account of each municipal officer. The treasurer shall not receive money from any source until the same has been reported to the clerk and audited and a receipt warrant issued

therefor. All fines and forfeitures shall be reported by the officer collected the same, immediately after such collection, and be paid into the treasury. The books of the auditor shall be subject to inspection by the tax-payers of the municipality at any time during business hours.

Section 17. Duties of tax collector. The tax collector shall collect, account for and pay over all taxes levied by the municipality, and perform all other duties required of him by ordinance, under the same penalties prescribed by law for the collection of state and parish taxes.

Section 18. Duties of treasurer. The treasurer shall receive and safely keep, and pay out according to law all moneys belonging to the municipality. He shall keep correct and accurate accounts of all receipts and disbursements and shall make a report in writing to the mayor and board of aldermen at each regular meeting of the finances of the municipality and shall perform all other duties that may be prescribed by ordinance; and shall pay out money only on the warrant issued by the order of the mayor and board of aldermen.

Section 19. Duties, compensation, selection, and discharge of officers and employees. The mayor and board of aldermen shall, subject to the applicable general laws of the state, prescribe the duties and fix the compensation of officers, provide for the duties, compensation, selection, and discharge of employees, and require bonds with sureties for the performance of duties from all officers and employees.

Section 20. Municipal court. The Municipal Court of the Town of Bastrop shall henceforth be styled the "City Court of Bastrop." The City Court of Bastrop shall have jurisdiction over all violations of ordinances of the City of Bastrop.

Section 21. Ordinances. The style of all ordinances shall be: "Be it ordained by the mayor and board of aldermen of the City of Bastrop," and all ordinances shall, as soon as practicable after they are passed, be published three weeks in the official journal of the municipality. Ordinances shall not be enforced, unless for cause the contrary be ordered, until ten days after their final publication. All ordinances shall be read and considered by sections at a public meeting of the mayor and board of aldermen, and the vote on their final passage shall be taken by "yeas" and "nays", which shall be entered on the minutes by the clerk. A vote shall never be taken on an ordinance not previously reduced to writing. An ordinance shall not contain more than one subject, which shall be clearly expressed in its title; and an ordinance shall not be amended or revised unless the new ordinance contain the entire ordinance revised, or the section or sections as amended, and the original shall thereby be repealed. The clerk shall keep a well bound book to be styled "Ordinances, City of Bastrop" in which he shall enter at length every ordinance immediately after its passage; and he shall append to each a note stating the date of its passage and cite therein the book and page of the minutes containing the record of its passage. The ordinances to be so recorded are those which are in their nature laws of the municipality and not mere orders or decrees temporary in their nature. The clerk shall keep said book accurately indexed alphabetically.

Section 22. Assessment and collection of taxes. The municipal assess-

ment of property for taxation shall be made by the clerk or tax collector by copying from the assessment rolls that portion thereof which embraces property or persons within the corporate limits; the copy may be made at any time after the assessment rolls are approved and all changes in the parish assessment thereafter made shall likewise be made in the copy; and the said copy shall be placed in the hands of the municipal tax collector and be his warrant for the collection of municipal taxes. In all cases where persons or property have escaped taxation for a previous year, the clerk shall assess the same for taxation, and his assessment, when approved by the mayor and board of aldermen, on notice to the person assessed, shall be binding and conclusive, unless appealed within five days after approval and notice. The mayor and board of aldermen shall levy the municipal taxes at the regular meeting in September of each year, or, in case of failure to do so, at any regular meeting thereafter. The tax collector shall collect municipal taxes during the time and in the same manner and under the same penalties as the state and parish taxes are collected.

He shall, where not otherwise provided, in all particulars, be governed by the general revenue laws of the state so far as applicable, in making collections; but shall make the reports thereby required to the mayor and board of aldermen, and shall pay over the money collected to the city treasurer; and shall receive only such commissions or compensation as may be allowed by ordinance. Sales for non-payment of municipal taxes shall be made by the tax collector at such place, within the corporate limits as the mayor and board of aldermen may direct. The sale of real estate and the distraint and sale of personal property, shall be made upon the same notice, at the same time and in the same manner as provided by law for the sale of like property for unpaid state and parish taxes. The deed to the purchasers for land as sold shall be filed with the municipal clerk, and there remain subject to redemption for the same length of time, and in the same manner prescribed for the redemption of lands sold for state and parish taxes. Where lands are offered for sale for unpaid municipal taxes, and a person will not bid therefor, the amount of taxes, damages, and costs due the same shall be struck off to the municipality, and otherwise dealt with as lands which are sold to the state for delinquent state and parish taxes. The board shall be authorized to pay the state and parish taxes on lands thus acquired by it, and to collect the money thus paid, with the damages and interest allowed individuals in similar cases under the general revenue laws of the state thereof, from the date of such payment, upon the redemption of the lands from the municipal sale. The deed of the tax collector for individuals and a list of lands sold to the municipality, which shall be made as required to be made by the state and parish collector, shall be filed within ten days after the tax sale, with the municipal clerk; and each shall have the same force and effect, and confer the same right, and entitle to the same remedies, as deeds and lists made for delinquent taxes by the state and parish tax collector. But such title shall be subject to a title acquired under a sale for state and parish taxes.

After time for redemption has expired, the mayor and board

of aldermen may take possession of and lease or sell any lands which it has acquired at tax sale to any person, in any manner that may be prescribed by ordinance.

Section 23. Expenditures. All expenditures of money for any purpose whatever shall be in pursuance of a specific appropriation made by order and in no other manner. Every warrant drawn on the treasury shall express on its face to whom issued and for what purpose allowed; and the ordinance authorizing its issue shall be cited by minute book and page in and upon it.

Section 24. Annual financial statement. The mayor and board of aldermen shall publish in the official journal before December 31 of each year, a statement showing the amount of taxes and other moneys collected during preceding calendar or fiscal year, giving each source of income and the amount of expenditures in detail, stating for what purpose made. The statement shall show the resources and indebtedness of the municipality at the beginning of the fiscal year at its close, and it must be spread on the minutes of the board.

Section 25. Acts repealed. All acts or portions of act inconsistent with and in conflict with this act, particularly Act. No. 219 of 1924, Act No. 96 of 1932, and Act 19 of 1940, are hereby repealed.

Section 26. Savings provisions. That all ordinances of the City of Bastrop in force at the time of the adoption of this act and not inconsistent herewith, shall remain in full force and effect until altered or repealed by the board of aldermen or until they expire by their own limitation; all obligations and all other instruments entered into or executed before the adoption of this act, shall continue and remain unaffected by the adoption of this act; the bonded indebtedness and all assets and liabilities are continued in full force and effect; and all officers who may be in office at the adoption of this act, or who may be elected or appointed before the election or appointment of their successors as herein provided shall hold their respective offices until their terms shall have expired and until their successors are duly qualified as provided by this act, unless sooner removed as may be provided by law; that matters begun and not completed at the time of the adoption of this act shall not be continued and completed as though this act had not been adopted.

Section 27. Separability. If any provision of this act is for any reason declared unconstitutional or invalid the other separable provisions hereof shall not be affected thereby.

Section 28. Section headings. Headings to sections are included in this act for the purpose of convenient reference and do not constitute part of the law.

Approved by the Governor: July 3, 1952.

A true copy:

WADE O. MARTIN, JR.,  
SECRETARY OF STATE