
Folsom, Louisiana

The Northshore's Best Kept Secret

Form of an Ordinance

Absent constitutional or statutory requirements, considerable informality is permitted in the form of an ordinance. Requirements are often labeled as directory rather than mandatory.

Generally, ordinances adopted after the approval of a code of ordinances shall be amendments or additions to the code of ordinances [*Louisiana Constitution, Article VI, Section 10*].

With regard to the "one-object rule," the constitutional provisions that a law embrace only one object does not apply to ordinances [*State v. Monsour, 17 So. 2d 307 (La. 1943)*].

With regard to the "one-subject rule," the following must be remembered:

- The subject is defined as the subject matter of the action or that with which the action deals [*Town of Ruston v. Dewey, 76 So. 2d 719*].
- Under the Lawrason Act, an ordinance can contain only one subject which is to be indicated in the title, except for ordinances involving the annual operating budget, a capital improvements budget, or a codification of ordinances [*R.S. 33:406(B)(1)*].
- "Subject is given a broad construction to allow the inclusion in one ordinance of all matters having a logical or natural connection [*Town of Ruston v. Dewey, 76 So. 2d 719*].

With regard to the title of an ordinance, the constitutional provision that a law has a title indicative of its subject is not applicable to ordinances [*City of New Orleans v. Pergament, 5 So. 2d 129*].

Under the Lawrason Act, an ordinance must contain a title indicating its subject, except for ordinances involving the annual operating budget, a capital improvements budget, or a codification of municipal ordinances [*R.S. 33:406(B)(1)*].

Finally, the title need not be an index or synopsis.

With regard to the enacting clause, an ordinance considered for adoption by a Lawrason Act municipal governing authority must be styled--"Be it ordained by the Board of Aldermen of the City (or Town or Village) of..."

The repeal of an ordinance is accomplished in two ways, First, an ordinance may be repealed only by another ordinance [*Sylvester v. St. Landry Parish School Board, 113 So. 2d 818*]. And second, an ordinance may be invalidated by subsequently adopted federal or state constitutional amendments or laws.

State law also governs the adoption of an emergency ordinance. Under the Lawrason Act, an ordinance sought to be adopted at an emergency meeting of the board of aldermen without previous consideration must specify the nature of the emergency.

The effective date of an ordinance also is prescribed by state law. Under the Lawrason Act, unless an ordinance specifies an earlier or later effective date, the ordinance becomes effective on the 30th day after the meeting at which the ordinance was adopted.

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