

*Ord.*

**2013-0247**

**INTRODUCED BY: CLAYTON FAUCHEUX, JR., COUNCILMAN-AT-LARGE, DIVISION B  
ORDINANCE NO. 13-9-1**

An ordinance to amend the St. Charles Parish Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. Generally, to add Section 2-75. Reimbursement of Legal Fees and Attorney's Fees as a result of a Criminal, Civil, and/or Ethics Complaint and/or Investigation.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That the Code of Ordinances, Chapter 2, Administration, Article IV. Finance, Division 1. Generally, to add Section 2-75. Reimbursement of Legal Fees and Attorney's Fees as a result of a Criminal, Civil, and/or Ethics Complaint and/or Investigation to read as follows:

**Sec. 2-75. Reimbursement of Legal Fees and Attorney's Fees as a result of a Criminal, Civil, and/or Ethics Complaint and/or Investigation**

If any appointed officer, board member, or elected official of St. Charles Parish retains outside counsel for legal advice or representation in an ethics action, the Parish shall reimburse such officer, board member, or elected official for reasonable attorney's fees incurred in the action subject to the following conditions:

- 1) The Parish shall reimburse such attorneys' fees in accordance with terms of the written agreement at the conclusion of the ethics proceedings if the complaint is withdrawn, dismissed, or there is no finding of probable cause of violation of the Code of Ethics.
- 2) A written agreement defining the proposed scope of work and hourly rate, not to exceed the published rates set forth by the Attorney General, or other fee agreement of such counsel shall be submitted to the Parish Council for review and approval prior to the start of covered services.
- 3) The Parish Council shall have the authority to establish a reasonable scope of work, maximum hourly rate, not to exceed the published rates set forth by the Attorney General, a schedule of reimbursable and non-reimbursable fee and expenses, and/or a reasonable monetary cap on the fees and expenses that may be paid by the Parish as a part of such written agreement. Any attorneys' fees or legal fees outside the scope of work of or in excess of approved fees in the written agreement shall be the sole responsibility of the appointed officer, board member, or elected official.

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

YEAS: FAUCHEUX, WILSON, BENEDETTO, HOGAN, COCHRAN,  
FISHER-PERRIER  
NAYS: SCHEXNAYDRE, WOODRUFF, FLETCHER  
ABSENT: NONE

And the ordinance was declared adopted this 3rd day of September, 2013, to become effective five (5) days after publication in the Official Journal.

2013-0247 LegalFees amended

CHAIRMAN: *Wish Benedetto*  
 SECRETARY: *[Signature]*  
 DLVD/PARISH PRESIDENT: September 5, 2013  
 APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_  
 PARISH PRESIDENT: *[Signature]*  
 RETD/SECRETARY: September 9, 2013  
 AT: 10:00 am RECD BY: *JCC*

THIS ORDINANCE WAS RETURNED BY THE PARISH PRESIDENT ON SEPTEMBER 9, 2013 AT 10:00AM AND THE SAME WAS NEITHER APPROVED NOR DISAPPROVED BY THE PARISH PRESIDENT. THEREFORE, SAID ORDINANCE SHALL BECOME EFFECTIVE FIVE (5) DAYS AFTER PUBLICATION IN THE OFFICIAL JOURNAL IN ACCORDANCE WITH THE HOME RULE CHARTER.