

*Mason*

2002-0464

INTRODUCED BY: TERRY AUTHEMENT, COUNCILMAN, DISTRICT IV  
RESOLUTION NO. 5061

A resolution asking the Parish Council to support forwarding a letter for an opinion from the Attorney General, upon the recommendation of the Office of Legislative Auditor, on the attached Ordinance No. 02-7-9 vs. Home Rule Charter, Article IV, Section B, 3.a and the legal right to sign a contract which does not include a non-appropriation clause.

WHEREAS, St. Charles Parish is a local governmental subdivision as defined by Article VI, Section 44 of the Louisiana Constitution of 1974; and

WHEREAS, St. Charles Parish operates under a Home Rule Charter, Article IV, Section B, 3.a, Enactment of an Ordinance; and

WHEREAS, no ordinance should include two separate topics; and

WHEREAS, does each subject have to be outlined in the title of the Ordinance in order to be classified as a separate subject; and

WHEREAS, what is the legal ramifications on signing a contact with no non appropriation clause where funds have to be budgeted for each year.

NOW THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby support forwarding a letter for an opinion from the Attorney General upon the recommendation of the Office of Legislative Auditor, on the attached ordinance No. 02-7-9 vs. Home Rule Charter, Article IV, Section B, 3.a and the legal right to sign a contract which does not include a non-appropriation clause.

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

YEAS: RAMCHANDRAN, FAUCHEUX, HILAIRE, FABRE, ABADIE, AUTHEMENT, BLACK, MINNICH  
NAYS: MARINO  
ABSENT. NONE

And the resolution was declared adopted this 4th day of November, 2002, to become effective five (5) days after publication in the Official Journal.

Attorney General contract & ordinance

CHAIRMAN: *Rayton Fauchoux*

SECRETARY: *Barbara J. Jant*

DLVD/PARISH PRESIDENT: *November 5, 2002*

APPROVED.  DISAPPROVED:

PARISH PRESIDENT: *Albert O. Rayon*

RETD/SECRETARY: *Barbara J. November 6, 2002*

AT: *11:00 AM* RECD BY: *B. J.*