



# ST. CHARLES PARISH

## DEPARTMENT OF LEGAL SERVICES

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V.J. ST. PIERRE, JR.  
PARISH PRESIDENT

LEON C. VIAL III  
DIRECTOR OF  
LEGAL SERVICES

May 31, 2012



To: Paul J. Hogan  
Councilman, District IV

FROM: Leon C. Vial, III *[Signature]*  
Director of Legal Services

RE: Planning Commission – Recusal from Participation

Regarding your request for an opinion pertaining to recusals by members of the Planning Commission, please be advised, the following.

I has researched the law and have found nothing which exactly addresses your question but have found under the ethics laws, R.S. 42:1102, et seq, prohibitions against certain activities and voting on certain matters but have found nothing addressing recusals. Neither has there been found any law that would compel a person to vote particularly when that person had a conscionable reason for recusal. Even if the recusals are unwarranted by someone's definition, those decisions are subjective and rely upon he particular situation upon which the member has been asked to vote.

The Legal Department finds no legal method to enforce voting.

LCVIII:dhh