

ORDINANCE # 96  
January 9, 2008

BE IT ORDAINED BY THE Mayor and Council of the Town of Madisonville, Chapter 13, Section 13.3 of the Code of Ordinance is hereby amended to read as follows:

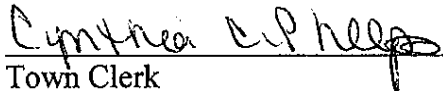
Section 13.3: Where persons or organizations conducting dances or provide other entertainment where alcohol beverages are served on property owned by the Town of Madisonville, such persons or organizations shall provide for the services and presence of a Madisonville Law Enforcement officer.

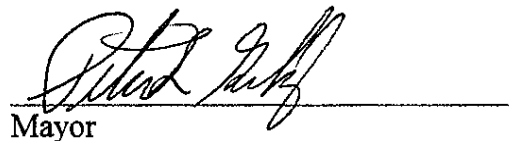
I certify the above Ordinance was adopted by the Madisonville Town Council at its regular meeting held on Wednesday, January 9, 2008 on motion by Councilman Ostendorf seconded by Councilman Badeaux with the vote thereon as follows:

YEAS: Badeaux, Bounds, Lange, Ostendorf

NAYS: None

ABSENT: Fruge

  
Town Clerk

  
Mayor

CHAPTER 13 - A

FESTIVALS, PARADES, CONCERTS OR TOHER SIMILAR PUBLIC EVENTS

BE IT ORDAINED BY THE Mayor and Council of the Town of Madisonville that Chapter 13-A of the Code of Ordinances is hereby amended by adding Section 13-A.3 as follows:

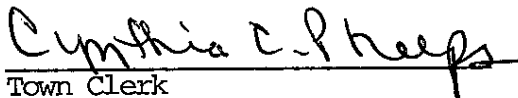
Section 13-A.3: No person shall sell, bring or have in their possession drinks in glass containers of any kind for use or consumption at an open air festival, parade, concert or other similar event.

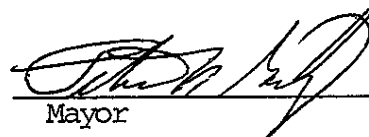
I certify that the above ordinance was adopted by the Town Council at its regular meeting held on Wednesday, April 12, 1995 at 7:30 PM following the reading of said ordinance, section by section, on motion by Mr. Stein, seconded by Mr. Pelloat with the vote thereon as follows:

YEAS: Mr. Pelloat, Mr. Lange, Mr. Ostendorf,  
Mr. Stein, Mr. Tyrney

NAYS: NONE

ABSENT: NONE

  
Town Clerk

  
Mayor

CHAPTER 13 - A

FESTIVALS, PARADES, CONCERTS OR OTHER SIMILAR PUBLIC EVENTS

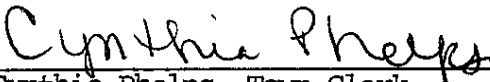
BE IT ORDAINED BY THE Mayor and Council of the Town of Madisonville, Chapter 13, of the Code of Ordinances, Entertainment, is hereby amended to add Chapter 13-A, Sections 13-A.1 - 13-A.2:

Section 13-A.1: No parade, festival, concert or other similar public event shall be held unless a duly authorized representative of the sponsoring organization appears before the Town Council and receives permission from the Council to hold such event and after the Council has additionally satisfied itself as to the proper insurance and safety provisions.

Section 13-A.2: No person shall bring an animal, fowl, or reptile to a festival, parade, concert or other similar public event for which permission has been secured from the Town Council, except for those animals which are actually participating in a festival, parade, concert or other similar public events, and except for those animals used for visual assistance.

This ordinance was adopted by the Town Council of the Town of Madisonville at its regular meeting held on Wednesday, March 9, 1994 at 7:30 PM following the reading of said ordinance, section by section on motion by Mr. Ostendorf, seconded by Mr. Stein with the vote thereon as follows:

YEAS: Mr. Lange, Mr. Ostendorf, Mr. Pelloat, and Mr. Stein  
NAYS: None  
ABSENT: Mr. Tyrney

  
Cynthia Phelps, Town Clerk

  
Peter L. Gitz, Mayor

ORDINANCE NO. 38  
April 8, 1992

BE IT ORDAINED by the Mayor and the Council of the Town of Madisonville, that the "Code of Ordinances" of the Town of Madisonville be amended by adding Chapter 13-A entitled "Tourist Bureau" as follows:

CHAPTER 13-A

Section 13 A 1. There is hereby formed a Tourist Bureau of the Town of Madisonville consisting of five (5) members appointed by the Mayor with the advice and consent of the Town Council to serve at the pleasure of the Mayor whose duties it shall be to oversee and regulate the tourist and tour business in the Town whether such tours are conducted by car, bus, boats, horse drawn carriages or by any and all other type conveyances.

Section 13 A 2. The Tourist Bureau shall adopt regulations governing tours conducted in the Town which shall include provisions concerning licensing of tour guides, adequacy of insurance, financial ability and responsibility of tour business owners and operators, tour routes and times of tours, safety, health and fitness of animals engaged in animal drawn vehicles.

Section 13 A 3. No tour business shall be conducted in the Town of Madisonville without first agreeing to and complying with the regulations adopted by the Tourist Bureau.

I certify that the above Ordinance was adopted by the Town Council of the Town of Madisonville at it's regular meeting held on Wednesday, April 8, 1992, at 7:30 P.M. following the reading of said Ordinance section by section, on motion by Jerry Lange and seconded by David Stein with the vote thereon as follows:

YEAS: Jerry Lange, David Stein, L.P. Ostendorf, Danny Tyrney, Jean Pelloat

NAYS: None

ABSENT: None

Cynthia C. Phelps  
TOWN CLERK

[Signature]  
MAYOR

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MOE \_\_\_\_\_ FOLIO \_\_\_\_\_

BE IT ORDAINED BY THE Mayor and Council of the Town of Madisonville, Chapter 13, Sections 13.1-13.3: Entertainment is hereby amended to read as follows in the Code of Ordinances:

Section 13.1: It shall be unlawful for any person or persons to give or have directly or indirectly any concert or entertainment of any kind where admission is charged without first getting a permit from the Mayor and Town Council, and such permit, if granted, shall be at such rates as may be set by the Mayor and Town Council after taking into consideration the nature and circumstances of such concert or entertainment.

Section 13.2: It shall be unlawful to conduct public dances or provide live entertainment in any commercial establishment within the Town of Madisonville without first securing from the Town Clerk either a daily permit at a rate of \$10.00 per day or a yearly permit at the rate of \$300.00 per year.

Section 13.3: Persons responsible for conducting public dances or providing live entertainment except that provided incidental to dining in a restaurant, within the Town of Madisonville as defined hereinabove, shall also provide for the services and presence during said public dances and live entertainment, of a special deputy law enforcement officer. A five day prior notice shall be provided the Chief of Police of the Town of Madisonville.

I certify that the above ordinance was adopted by the Town Council of the Town of Madisonville at it's regular meeting held on Wednesday, October 11, 1989, at 7:30 p.m. following the reading of said ordinance section by section, on motion by \_\_\_\_\_ and seconded by \_\_\_\_\_ with the vote thereon as follows:

YEAS: Mr. Lange, Mr. Pelloat, Mr. Stein and Mr. Tyrney

NAYS: None

ABSENT: Mr. Ostendorf

Cynthia C. Phelps  
TOWN CLERK

[Signature]  
MAYOR

AN ORDINANCE PROVIDING FOR THE  
LICENSING AND REGULATION OF  
CHARITABLE RAFFLES, BINGO AND KENO

WHEREAS, the applicable State law empowers cities and towns such as the Town of Madisonville to license and regulate Raffles, Bingos and Keno games, and:

WHEREAS, it is deemed advisable to enact a local ordinance providing for such regulation and licensing.

NOW, THEREFORE, BE IT ORDAINED by <sup>THE MAYOR AND</sup> the TOWN COUNCIL for the TOWN OF MADISONVILLE, in regular session convened, that the following ordinance is hereby adopted and to be numbered and entitled so as to conform with the applicable code of ordinances for Covington, to-wit:

CHARITABLE RAFFLES, BINGO AND KENO  
LICENSING AND REGULATION LAW

SECTION 1: Legalized.

Charitable raffles, bingo and keno shall be legal and permitted subject to the provisions of this article.

SECTION 2: Authorization to license certain organizations.

Bona fide veterans, charitable, educational, religious, or fraternal organizations, civic and service clubs, which possess the appropriate nonprofit designation issued by the federal Internal Revenue Service are authorized to hold and operate the specific kind of game or games of chance commonly known as raffle or raffles played by drawing for prizes or the allotment of prizes by chance, by the selling of shares or tickets or rights to participate in such game or games and by conducting the game or games accordingly, the game of chance commonly known as bingo or keno played for prizes with cards bearing numbers or other designations, five or more in one line, the holder covering numbers, as objects, similarly numbered, are drawn from a receptacle and the game being won by the person who first covers a previously designated arrangement of numbers on such a card, and the game of chance commonly known as pull-tabs played for prizes with cards or tickets and as defined in R.S. 33:4861.2, by selling shares or tickets or rights to participate in such games and by conducting the games accordingly when the entire

net proceeds of such games of chance are to be devoted to educational, charitable, patriotic, religious, or public spirited uses, and when so licensed, to hold, operate, and conduct such games of chance exclusively by its active members pursuant to this Part and for such licensee in such municipality or parish, to sell shares or tickets or rights to participate in such game or games of chance therein, and under such conditions and regulations for the supervision and conduct thereof, as shall be prescribed by rules and regulations duly adopted, from time to time, by the municipality or governing body of the parish not inconsistent with the provisions of this Part, and for any person or persons to participate in and play such games of chance conducted under any license.

SECTION 3: Application for license.

Each applicant for such a license shall file with the clerk of the municipality or with the governing body of any parish a written application therefor in the form prescribed in said rules and regulations, duly executed and verified, in which shall be stated the name and address of the applicant together with sufficient facts relating to its incorporation and organization to enable the municipality or governing body of any parish to determine whether or not it is a bona fide organization or association; the names and addresses of its officers; the specific kind of game or games of chance intended to be held, operated and conducted by the applicant, and the place or places where, the date or dates and the time or times when, such game or games of chance are intended to be conducted, by the applicant, under the license applied for; the items of expense intended to be incurred or paid in connection with the holding, operating and conducting of such game or games of chance and the names and addresses of the persons to whom, and the purposes for which they are to be paid; the specific purposes to which the entire net proceeds of such game or games of chance are to be devoted and in what manner; that no commission, salary compensation, reward or recompense will be paid to any person for holding, operating or conducting or assisting in the holding operation or conduct of, such games of chance; and a description

of all prizes to be offered and given in all such games of chance to be held, operated and conducted under such license and such other information as shall be prescribed by such rules and regulations.

In each application there shall be designated an active member or members of the applicant under whom the game or games of chance described in the application are to be held, operated and conducted and to the application shall be appended a statement executed by the applicant and by the member or members, so designated, that he or they will be responsible for the holding, operation and conduct of such game or games of chance in accordance with the terms of the license and the provisions of said rules and regulations governing the holding, operation and conduct of such game or games of chance and of this Part, if such license is granted.

SECTION 4: Investigations of license applicant; issuance of license

The City shall make an investigation of the qualifications of each applicant for the license required by this article and the merits of the application, within thirty (30) days after filing of the application and shall determine: If the applicant is duly qualified to hold, operate and conduct games of chance under the provisions of this article and the rules and regulations governing the holding, operating and conduct thereof in the City; that the member of the applicant designated in the application to hold, operate or conduct or assist in holding, operating or conducting the games of chance, to hold, operate and conduct which the license is applied for, is a bona fide active member of the applicant and a person of good moral character and has never been convicted of crime; that such games of chance are to be held, operated and conducted in accordance with the provisions of this article and in accordance with Louisiana Revised Statutes 33:4861.1 - 4861.16, governing the holding, operation and conduct thereof and that the proceeds thereof are to be disposed of as provided by this article; and if the City is satisfied that no commission, salary, compensation, reward or recompense whatever will be paid or given to any person holding, operating or conducting or assisting in the holding, operation



or conduct of any such game of chance, it shall issue a license to the applicant for the holding, operation and conduct of the specified kind, or one of the specific kinds, of games of chance applied for accordingly.

SECTION 5: Hearing prior to denial of license.

No application for the issuance of a license pursuant to this article shall be refused by the city until after a hearing is held on due notice to the applicant, at which the applicant shall be entitled to be heard upon the qualifications of the applicant and the merits of the application.

SECTION 6: Duration of license.

No license for the holding, operation or conduct of any game or games of chance shall be issued under this article which shall be effective for a period of more than one year.

SECTION 7: Form of license; posting.

Each license granted by the City pursuant to this article shall be in such form as the City shall determine and contain any other information which the City shall require or deem necessary and shall contain a description of the kinds of games of chance authorized to be held, operated and conducted thereunder, a statement of the name and address of the licensee, of the names and addresses of the member or members of the applicant under whom such games of chance are authorized to be conducted and the place or places where any of the specific purposes to which the entire net proceeds of such game or games of chance are to be devoted; and any other information which may be required by said rules and regulations to be contained therein. Each license issued for the conduct of any game of chance shall be conspicuously displayed at the place where any game is to be conducted thereunder at all times during the conduct thereof.

SECTION 8: Control and supervision over games.

The City shall have and exercise control and supervision over all games of chance held, operated or conducted under a license issued pursuant to this article, to the end that the same are fairly held, operated and conducted in accordance with this article and provisions of Revised Statutes 33:4861.1 - 4861.16 governing the holding, operating and conduct of the same.

The City shall have the power and authority to suspend any license issued by it and to revoke the same, after hearing, for any violation of any such provisions, and shall by its officers and agents have the right of entry at all times into any premises where any such game of chance is being held, operated and conducted, or where any equipment being used or intended to be used in the conduct thereof is found, for the purposes of inspecting the same.

SECTION 9: Number of games per month.

No game of chance shall be held, operated or conducted under any license issued under this article oftener than six (6) days in any one calendar month.

SECTION 10: Pull-tabs.

A. No organization, distributor, or manufacturer, or any representative thereof, either with knowledge or in circumstances whereunder he reasonably should have known, shall possess, display, put out for play, sell, or otherwise furnish to any person any deal of pull-tabs:

(1) In which the winning pull-tabs have not been completely and randomly distributed and mixed among all other pull-tabs in the deal;

(2) In which the location or approximate location of any of the winning pull-tabs can be determined in advance of opening the pull-tabs in any manner or by any device, including but not limited to any pattern in the manufacture, assembly, or packaging of pull-tabs by the manufacturer, by any markings on the pull-tabs or container, or by the use of a light; or

(3) Which does not conform in any respect to these requirements as to manufacturer, assembly, or packaging.

B. Effective January 1, 1986, a distributor shall not purchase or be furnished any deal of pull-tabs from a manufacturer of pull-tabs unless all of the following conditions are met:

(1) The manufacturer's label or trademark has been registered with the office of state police.

(2) Each individual pull-tab manufactured has conspicuously set forth on it the name of the manufacturer or a label or trademark which identifies its manufacturer.

(3) The pull-tab is of a type approved by the office of state police for use in Louisiana.

SECTION 11: Persons entitled to hold games; equipment, expenses; commissions or salaries.

No person shall hold, operate or conduct or assist in holding, operating or conducting any game or games of chance under any license issued under this article except an active member of the organization or association to which the license is issued, and no such game of chance shall be conducted with any equipment except such as shall be owned absolutely or used without payment of any compensation therefor by the licensee, and no item of expense shall be incurred or paid in connection with the holding, operating or conducting of any game of chance, held, operated or conducted pursuant to any license issued under this article, except such as are bona fide items of reasonable services rendered, which are reasonably necessary to be purchased or furnished for the holding, operating or conducting thereof, under any circumstances whatever, and whatever shall be paid or given, directly or indirectly, to any person holding, operating or conducting or assisting in the holding, operation or conduct, of any game of chance so held, operated or conducted.

SECTION 12: Statement of receipts; expenditures; books and records

Within ten (10) days after the conclusion of the holding, operating and conducting of any such game of chance, pursuant to this article, the organization or association which held, operated or conducted the same and its member or members who were in charge thereof, shall furnish to the secretary of the City a duly verified statement showing the amount of the gross receipts derived from each such game of chance, which shall include receipts from the sale of shares, tickets or rights in any manner connected with participating in said game or the right to participate therein, each item of expense incurred, or paid, and each item of expenditure therein made or to be made, name and address of each person to whom each such item has been, or is to be paid, with a detailed description of the merchandise purchased or the services rendered therefor, the net profit derived from each such game of chance, and the uses

to which such net profit has been or is to be applied and a list of prizes offered or given, with the respective values thereof. It shall be the duty of each licensee to maintain and keep such books and records as may be necessary to substantiate the particulars of each such report.

SECTION 13: Examination of books, records and personnel.

The City shall have power to examine or to cause to be examined the books and records of any organization or association to which a license is issued pursuant to this article so far as they may relate to any transaction connected with the holding and conducting of any game of chance thereunder and to examine any manager, officer, director, agent, member or employee thereof under oath in relation to the conduct of any such game of chance under any such license, but any information so received shall not be disclosed except so far as may be necessary for the purpose of carrying out the provisions of this article.

SECTION 14: Immunities.

No persons:

(1) Possessing, selling or any manner disposing of, in the City, any shares, tickets or rights to participate in any games of chance conducted or to be conducted under any license lawfully issued pursuant to this article;

(2) Lawfully conducting or participating in the conduct of any such game of chance; or

(3) Permitting the conduct of any such game of chance upon premises owned by him or it, of any game of chance conducted or to be conducted under any license lawfully issued pursuant to this article;

shall be liable to prosecution or conviction for violation of any provision of R.S. 14:90, however, this immunity shall not extend to any person knowingly conducting or participating in the conduct of any game of chance under any license obtained by any false pretense or statement made in any application for such license or otherwise, or possessing, selling or disposing of shares, tickets, or rights to participate in, or permitting the conduct upon any premises owned by him or it of any game of chance conducted under any license known to him or it to have been obtained by any such false or fraudulent pretense

or statement.

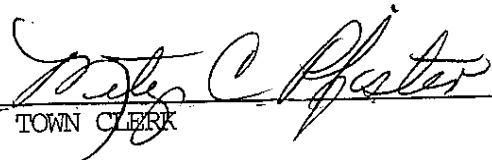
SECTION 15: Violations.

Any person who or which shall make any false statement in any application for a license under this article, or shall fail to keep such books and records as shall fully and truly record all transactions connected with the holding, operating and conducting of any game of chance under any such license, or shall falsify or make any false entry in any books or records so far as they relate to any transaction connected with the holding, operating and conducting of any game of chance under any such license, or shall violate any of the provisions of this article or of any terms of such license, shall be a disorderly person and if convicted as such shall, in addition to suffering any other penalties which may be imposed, forfeit any license issued to it under this article and shall be ineligible to apply for a license under this article for one year thereafter.

PASSED AND ADOPTED at Madisonville, Louisiana, on this

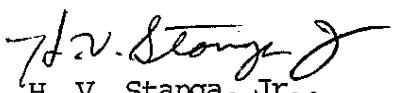
13 day of AUGUST, 1986.

  
MAYOR

  
TOWN CLERK

August 15, 1986

I certify that the above ordinance was duly adopted at the Regular Meeting of the Mayor and Board of Aldermen of the Town of Madisonville, La. held on August 13, 1986 at 7:30 p.m.

  
H. V. Stanga, Jr.,  
Secretary-Treasurer

## CHAPTER 13

### Entertainment

Section 13.1 It shall be unlawful for any person or persons to give or have directly or indirectly any concert or entertainment of any kind where admission is charged without first getting a permit from the Mayor to do so.

Section 13.2 It shall be unlawful to conduct public dances or provide live entertainment in any commercial establishment within the Town of Madisonville without first securing from the Town Clerk either a daily permit at a rate of \$10.00 per day or a yearly permit at the rate of \$300.00 per year.

Section 13.3 Persons responsible for conducting public dances or providing live entertainment within the Town of Madisonville as defined hereinabove, shall also provide for the services and presence during said public dances and live entertainment, of a special deputy law enforcement officer.