

EXHIBIT "A" TO ORDINANCE NO. 312

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of an ordinance adopted by the Council of the Town of Dubach, on October 19, 2009, NOTICE IS HEREBY GIVEN that a special election will be held within the Town on March 27, 2010, and that at the said election there will be submitted to all registered voters in the Town qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

SUMMARY: AUTHORITY OF THE MAYOR TO APPOINT A MARSHAL WHO SHALL BE CHIEF OF POLICE OF THE TOWN OF DUBACH.

Shall the Mayor of the Town of Dubach be authorized to appoint a marshal who shall be the Chief of Police, said appointment to be confirmed upon the approval of the Council of the Town of Dubach, with the first such appointment to be made effective at the end of the term of the Chief of Police in office at the time of the election on this proposition, or earlier if a vacancy occurs, in accordance with LA R.S. 33:381.2.

The said special election will be held at the following polling places situated within the Town, which polls will open at six o'clock (6:00) a.m., and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, to-wit:

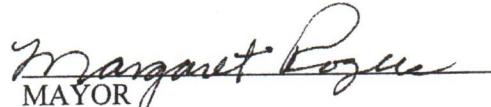
POLLING PLACES

<u>Ward</u>	<u>Precinct</u>	<u>Location</u>
4	1 (part)	Dubach Town Hall
4	2 (whole)	Dubach Fire Station

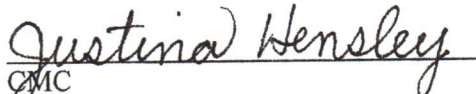
The polling places set forth above are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The said special election will be held in accordance with the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of Title 18 of the Louisiana Revised Statutes of 1950, as amended and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and in accordance with LA R.S. 18:1287 will make due returns to the Town Council, and NOTICE IS HEREBY FURTHER GIVEN that the Town Council will meet at its regular meeting place, the Dubach Town Hall, 7833 Annie Lee Street, Dubach, Louisiana 71235 on Monday, April 19, 2010 at SIX O'CLOCK (6:00) P.M., and shall then and there in open and public session proceed to examine the canvass the returns and declare the result of the said special election. All registered voters of the Town are entitled to vote at said special election and voting machines will be used.

THUS DONE AND SIGNED at Dubach, Louisiana on this, the 19th day of October, 2009.


MAYOR

ATTEST:


C/MC

DUBACH ORDINANCE NUMBER 312

TITLE: An ordinance providing for the calling of a special election to authorize the Mayor, subject to the approval of the Town Council, to appoint a marshal who shall serve as chief of police; to provide procedures for the appointment of a chief of police; and to provide for the qualifications and terms and conditions of employment of such appointed chief of police.

1. Findings of fact. The Town Council finds that an appointed marshal who would act as chief of police may lead to better, more coordinated, and more efficient law enforcement. It is further found that the laws of the State of Louisiana (LA R.S. 33:381.2) provide a procedure for calling a special election in which the voters of Dubach can express their opinion as to which method of law enforcement is better for Dubach, and the Town Council finds that calling such an election is in the best interests of the citizens of Dubach.

Now, therefore, it is ORDAINED:

2. A special election is hereby called for the Town of Dubach, which will occur on March 27, 2010, and at which election the voters of Dubach will cast their ballots to decide whether to abolish the elected office of chief of police and authorize the Mayor to appoint a marshal who will act as chief of police for Dubach, subject to the approval of the Town Council.
3. If the voters abolish the elected office of chief of police and authorize the Mayor to appoint a marshal to serve as chief of police, the appointment by the Mayor must first receive the approval of a majority of the Town Council before such appointment will become effective.
4. If the voters approve the appointment of police chief for Dubach, the term of the first appointed chief of police shall begin at the end of the term of the current elected chief of police or earlier if a vacancy occurs.

5. The term of such appointed chief of police shall be for four years, unless the Mayor recommends, and Town Council approves, the replacement of the appointed chief of police by another person prior to the end of the four-year term. Appointed chiefs of police may serve for more than one four-year term, but they must be re-appointed for each successive term by the same procedure applicable to the initial appointment.
6. The Mayor, subject to the approval of the Town Council, shall establish the qualifications and the terms and conditions of employment for an appointed chief of police.
7. Election Call. Under the authority conferred by Article VI Section 7(A) and Article VI, Section 22, of the Constitution of the State of Louisiana of 1974, as amended, LA R.S. 33:381.2 and the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Town on March 27, 2010, between the hours of six o'clock (6:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions LA R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION

SUMMARY: AUTHORITY OF THE MAYOR TO APPOINT A MARSHALL WHO SHALL BE CHIEF OF POLICE OF THE TOWN OF DUBACH.

Shall the Mayor of the Town of Dubach be authorized to appoint a marshal who shall be the Chief of Police, said appointment to be confirmed upon the approval of the Council of the Town of Dubach, with the first such appointment to be made effective at the end of the term of the Chief of Police in office at the time of the election on this

proposition, or earlier if a vacancy occurs, in accordance with LA R.S.

33:381.2.

8. Publication of Notice of Election. A Notice of Special Election shall be published in the official journal for the Town of Dubach, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference.
9. Canvass. This Town Council shall meet at its regular meeting place, the Dubach Town Hall, 7833 Annie Lee Street, Dubach, Louisiana 71235, on Monday, April 19, 2010, at SIX O'CLOCK (6:00) P.M. and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.
10. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said, election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.
11. Election Commissioners. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 10 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Town Council to be held on Monday, April 19, 2010, as provided in Section 9 hereof. All registered voters in the Town will be entitled to vote at the special election and voting machines shall be used.
12. Authorization of Officers. The Mayor is hereby empowered, authorized and directed to arrange for and to furnish to said election offers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Mayor is further authorized, empowered and directed to take

any and all further action required by State and/or Federal law to arrange for the election

- 13. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Commissioner of Elections, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of Lincoln Parish and the Registrar of Voters of Lincoln Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.
- 14. If any part of this ordinance is declared unconstitutional, unenforceable, or invalid by the final judgment of any court of competent jurisdiction, such judgment shall not affect the remaining parts. To this end, this ordinance is hereby declared severable.
- 15. All other ordinances, or any parts thereof, which are in conflict with the provisions of this ordinance, are hereby repealed.
- 16. This ordinance shall become effective upon the signature of the Mayor.

This ordinance was introduced on September 21, 2009 by Council member Mary Billberry, Notice of Public Hearing having been published on September 25, October 2 and 9, 2009 and said Public Hearing having been held, the title having been read and the ordinance considered, on motion to adopt by Council member Davie Powell, a record vote was taken and the following result was had:

Yea: Vallie Carrico, Hattie Graham, Davie Powell, R. C. Sparks

Nay: NONE

Absent: Mary Billberry

Whereupon, the presiding officer declared the above ordinance duly adopted on the 19 day of October, 2009.

Attest:
Justina Hensley
 JMC

Margaret Rogers
 Mayor