

CITY OF HAMMOND
ORDINANCE NO. _____

An Ordinance to Amend the Hammond Criminal Code (Chapter 21) of the Code of Ordinances Regarding Offenses and Miscellaneous Provisions

BE IT ORDAINED by the City Council of Hammond, Louisiana, that:

1. Chapter 21, Sections 21-56, 21-67, 21-68, 21-69 and 21-93 of the Hammond Criminal Code of the Code of Ordinances are amended to read, in relevant part, as follows, where revisions to the existing ordinance are underlined below:

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SECTION 21-56 – Simple criminal damage to property

Criminal damage to property is the intentional damaging of any property of another, without the consent of the owner.

Whoever commits the crime of simple criminal damage to property where the damage is less than one thousand dollars shall be fined not more than one thousand dollars or imprisoned for not more than six months, or both.

...

SECTION 21-67 – Theft

Theft is the misappropriation or taking of anything of value which belongs to another, either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the other permanently of whatever may be the subject of the misappropriation or taking is essential.

When the misappropriation or taking amounts to less than a value of one thousand dollars, the offender shall be imprisoned for not more than six months, or may be fined not more than one thousand dollars, or both.

...

SECTION 21-68 – Unauthorized Use of a Movable

Unauthorized use of a movable is the intentional taking or use of a movable which belongs to another, either without the other's consent, or by means of fraudulent conduct, practices, or representations, but without any intention to deprive the other the movable permanently. The fact that the movable so taken or used may be classified as an immovable, according to the law pertaining to civil matters, is immaterial.

Whoever commits the crime of unauthorized use of a movable having a value of one thousand dollars or less shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

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SECTION 21-69 – Illegal Possession of Stolen Things

Receiving stolen things is the intentional procuring, receiving, or concealing of anything of value which has been the subject of any robbery or theft, under circumstances which indicate that the offender knew or had good reason to believe that the thing was the subject of one (1) of these offenses.

When the value of the stolen things is less than one thousand dollars, the offender shall be imprisoned for not more than six months or may be fined not more than one thousand dollars, or both.

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SECTION 21-93 – Possession of Marijuana or Synthetic Cannabinoids

(1) It shall be unlawful for any person knowingly or intentionally to possess marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be punished as follows:

(a)(i) On a first conviction, wherein the offender possesses fourteen grams or less, the offender shall be fined not more than three hundred dollars, imprisoned for not more than fifteen days, or both.

(ii) On a first conviction, wherein the offender possesses more than fourteen grams, the offender shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

(iii) Any person who has been convicted of a violation of the provisions of Item (i) or (ii) of this Subparagraph and who has not been convicted of any other violation of a statute or ordinance prohibiting the possession of marijuana for a period of two years from the date of completion of sentence, probation, parole, or suspension of sentence shall not be eligible to have the conviction used as a predicate conviction for enhancement purposes. The provisions of this Subparagraph shall occur only once with respect to any person.

(b) On a second conviction for violation of possession of marijuana, tetrahydrocannabinol or chemical derivatives thereof, the offender shall be fined not more than one thousand dollars, imprisoned for not more than six months, or both.

(2) Possession of synthetic cannabinoids: It is unlawful for any person knowingly or intentionally to possess synthetic cannabinoids, unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner while acting in the course of his professional practice. On a first conviction for violation of Possession of Synthetic Cannabinoids, the offender shall be fined not more than five hundred dollars, imprisoned for not more than six months, or both.

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2. The following sections of Chapter 21 are repealed as being redundant with other sections and not necessary: 21-67.2 (theft of animals); 21-67.6 (theft of utilities) and 21-67.10 (shoplifting).

3. All Ordinances in conflict therewith are revised and amended to conform with the above.

The above and foregoing ordinance having been duly submitted to the Hammond City Council in writing; introduced at a public meeting on _____, 2017 of the Hammond City Council and discussed at a public meeting held on _____, 2017; after motion and second was submitted to the official vote of the Hammond City Council.

On motion by _____ and a Second by _____, the foregoing ordinance was hereby declared adopted on _____, 2017, by the following roll call vote:

Votes: Johnny Blount () Jason Hood () Janice Carter Beard () Lemar Marshall () Mike Williams () Motion carried approved.

WHEREFORE the above and foregoing ordinance was declared duly adopted on this _____ day of _____, in the year 2017, at Hammond, Tangipahoa Parish, Louisiana.

Lemar Marshall
President, Hammond City Council

Honorable Pete Panepinto
Mayor, City of Hammond

Tonia Banks, Clerk
Hammond City Council