ORDINANCE 2026-29

REGULATIONS REGARDING 18 WHEELERS, TANK, AND/OR TRANSPORT VEHICLES PARKING ON PRIVATE OR PUBLIC PROPERTY WITHIN THE CITY OF BAKER AND TO PROVIDE FOR OTHER MATTERS REGARDING TO THE SAME

BE IT ORDAINED BY THE MAYOR AND COUNCIL of the City of Baker, Parish of East Baton Rouge, Louisiana, in regular session assembled, a proper quorum being there and then assembled on the 13th day of October, 2026, declared as follows, to-wit:

WHEREAS, for the purpose of promoting the safety and aesthetic wellbeing of the citizens of the City of Baker and its communities, the following regulations are hereby enacted:

SECTION 1: DEFINITIONS

(a) 18 Wheeler means a semi-truck, tractor-trailer, or a combination of a tractor unit and a trailer, typically with 18 wheels.

(b) Tank vehicle means any trailer or other receptacle used, utilized, or capable of transporting flammable or combustible liquids or other materials, or any hazardous materials.

(c) Transport vehicle means a motor vehicle, rail freight car, freight container, cargo tank, tank trailer, or vessel used to transport flammables, combustibles, or any other hazardous materials or hazardous wastes.

SECTION 2: PARKING RESTRICTIONS

It shall be unlawful for any person or entity to park or leave unattended an 18 wheeler, tank vehicle, and/or transport vehicle on either private or public property within the City of Baker, except at the following locations:

(a) 2200 Main Street, Baker, Louisiana 70714
(b) 3102 Main Street, Baker, Louisiana 70714

This ordinance shall not apply to 18 wheelers, tank vehicles, or transport vehicles actively making deliveries.

SECTION 3: ENFORCEMENT, CITATIONS, AND PENALTIES

A. This Ordinance shall be enforced by the Baker Police Department and any other City official or employee authorized by law or by the City to enforce municipal ordinances.
B. Upon determining that a violation of this Ordinance has occurred, the City may use progressive enforcement measures appropriate to the circumstances, including verbal notice, written warning, issuance of a citation or summons, referral for prosecution in Baker City Court or another court of competent jurisdiction, and any other remedy authorized by law.
C. Except where immediate enforcement is reasonably necessary to protect public health, safety, welfare, traffic safety, emergency access, or to address a vehicle carrying hazardous materials, the City may issue a written warning for a first observed violation. A warning is not required before issuance of a citation when the circumstances warrant immediate enforcement.
D. A person or entity that violates any provision of this Ordinance may be issued a citation by the Baker Police Department. Each citation shall state the alleged violation and provide notice of the requirement to appear, respond, or otherwise resolve the citation in accordance with applicable law and court procedures.
E. Upon a finding of guilt or other lawful disposition by a court of competent jurisdiction:
    - A first violation may be punishable by a fine of not more than Two Hundred Fifty Dollars ($250.00).
    - A second violation occurring within twelve (12) months of a prior violation may be punishable by a fine of not more than Five Hundred Dollars ($500.00).
    - A third or subsequent violation occurring within twelve (12) months of a prior

violation may be punishable by a fine of not more than Five Hundred Dollars ($500.00), together with any court costs and other sanctions authorized by law.

F. Each calendar day that an 18-wheeler, tank vehicle, or transport vehicle remains parked or unattended in violation of this Ordinance after written notice or citation may constitute a separate offense.
G. Violations of this Ordinance may result in the issuance of a citation and may be prosecuted as municipal-ordinance offenses. A person found guilty of a violation may be subject to fines, court costs, and any other civil or criminal penalties authorized by applicable law and imposed by a court of competent jurisdiction.
H. Towing and Impoundment. In addition to any warning, citation, fine, or other enforcement remedy authorized by this Ordinance, an 18-wheeler, tank vehicle, or transport vehicle parked or left unattended in violation of this Ordinance may be removed, towed, and impounded at the direction of the Baker Police Department when:
    1. The owner, operator, or person in control of the vehicle fails to remove the vehicle within the time stated in a written warning or citation;
    2. The vehicle creates or reasonably appears to create an immediate threat to public safety, traffic safety, emergency access, property, or the environment;
    3. The vehicle obstructs a public street, roadway, right-of-way, sidewalk, driveway, fire lane, emergency access route, or other public property;
    4. The vehicle is abandoned, illegally parked, or otherwise creates a hazardous condition;
    5. The vehicle contains, is suspected of containing, or is used to transport flammable, combustible, hazardous, or regulated materials and its location or condition presents a risk requiring prompt protective action; or
    6. Removal is otherwise authorized by state law, the City Code of Ordinances, or a lawful order of a court or law-enforcement officer.

I. Notice and Authorization. Except when immediate removal is reasonably necessary to address a safety, traffic, emergency-access, environmental, or hazardous-materials concern, the Baker Police Department shall make reasonable efforts to notify the owner or operator and provide an opportunity to remove the vehicle before towing. Any nonconsensual tow performed under this Ordinance shall be authorized by the Baker Police Department or another law-enforcement agency of competent jurisdiction, or the vehicle shall be properly tagged for removal, as required by applicable state law.
J. Storage; Costs; Release. A vehicle removed under this Ordinance may be transported to a City-designated or lawfully authorized storage facility and held until released in accordance with applicable law and City procedures. The owner or person lawfully entitled to possession of the vehicle shall be responsible for all lawful towing, recovery, storage, cleanup, and administrative costs associated with the removal and impoundment. The City shall not release an impounded vehicle except upon proof of ownership or lawful authority to possess the vehicle and satisfaction of applicable release requirements.
K. Notice of Impoundment; Other Remedies. Following removal, the Baker Police Department or the towing/storage provider shall provide notice of the vehicle's location and the applicable release procedures to the owner or other person entitled to notice, as required by law. Towing and impoundment under this Ordinance are cumulative remedies and do not prevent the issuance of a citation, prosecution of an ordinance violation, recovery of lawful costs, or any other enforcement action authorized by law.

SECTION 4: SAVINGS CLAUSE; CONTINUING EFFECT

All Ordinances and parts of Ordinances in conflict herewith and the same are hereby Repealed.
All Ordinances not in conflict herewith and not affected by the amendment hereinabove set forth are hereby maintained in full force and effect as if re-enacted herein.

The Repeal of an Ordinance shall not affect any punishment or penalty incurred before the repeal took effect, or any suit, prosecution or proceedings pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 5: **SEVERABILITY**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by any Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrases, clauses, sentence, paragraph or section. If the provisions of this ordinance, or the application thereof to any person, fact, situation or circumstance are held invalid, the remainder of this ordinance and the application of such provisions to the other persons, facts, situations or circumstances, shall not be affected thereby.

SECTION 6**: INVALIDATION**

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications and, to that end, any and all provisions of this ordinance and applications thereof are declared to be severable.
This Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: Collins, Dunn, Murphy, Young
NAYS: None
ABSENT: Vincent
ABSTAIN: None

And the Ordinance was presented September 22, 2026, at the regular meeting of the Baker City Council held at the City Hall Building in Baker, Louisiana.

And the Ordinance was declared adopted on this, the 13th day of October, 2026 regular meeting of the Baker City Council held at the Baker City Hall Building in Baker, Louisiana.

ATTEST:

/s/Angela Canady Wall, LCMC, Clerk of Council

/s/Darnell Waites, Mayor