

STATE OF LOUISIANA  
CITY OF WEST MONROE

ORDINANCE NO. \_\_\_\_\_

MOTION BY: \_\_\_\_\_

SECONDED BY: \_\_\_\_\_

ORDINANCE TO AMEND SECTION 11-4027.1 (OPERATING WHILE IMPAIRED; FIRST OFFENSE; PENALTIES) AND SECTION 11-4027.2 (OPERATING WHILE IMPAIRED; SECOND OFFENSE; PENALTIES) OF THE CODE OF ORDINANCES, CITY OF WEST MONROE, LOUISIANA, TO UPDATE THE FINES PAYABLE UPON CONVICTION; TO ESTABLISH AN EFFECTIVE DATE; TO PROVIDE THE PROVISIONS OF THIS ORDINANCE ARE SEVERABLE; AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

SECTION 1. BE IT ORDAINED by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that Section 11-4027.1 of the Code of Ordinances, City of West Monroe, Louisiana, is hereby amended, to provide as follows:

**“Sec. 11-4027.1. Operating while impaired; first offense; penalties.**

(a) (1) Except as modified by the provisions of paragraphs (2) and (3) of this subsection, on a conviction of a first offense violation of section 11-4207, the offender shall be fined not less than three hundred dollars (\$300.00) nor more than nine hundred seventy-five dollars (\$975.00), and shall be imprisoned for not less than ten (10) days nor more than six (6) months. Imposition or execution of sentence under this paragraph shall not be suspended unless the offender is placed on probation with the minimum conditions that he complete all of the following:

- a. Serve forty-eight (48) hours in jail, which shall not be suspended, or in lieu thereof, perform no less than thirty-two (32) hours of court-approved community service activities, at least half of which shall consist of participation in a litter abatement or collection program.
- b. Participate in a court-approved substance abuse program, which may include an assessment by a licensed clinician to determine if the offender has a diagnosis of substance abuse disorder. Nothing herein shall prohibit the court from modifying the portions of the program as may be applicable and appropriate to an individual offender as shown by the assessment.
- c. Participate in a court-approved driver improvement program.
- d. Except as provided by subparagraph (3)c. of this subsection, the court may order that the offender not operate a motor vehicle during the period of probation, for no less than six (6) months, unless any vehicle, while being operated by the offender, is equipped with a functioning ignition interlock device in compliance with the requirements of subsection 11-4027.3(c) and R.S. 32:378.2.

(2) If the offender had a blood alcohol concentration of 0.15 percent or more but less than twenty percent (0.20) by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, at least forty-eight (48) hours of the sentence imposed pursuant to paragraph (1) of this subsection shall be served without the benefit of parole, probation, or suspension of sentence, and is to be served in addition to any sentence of imprisonment imposed pursuant to subparagraph (1)a. of this subsection, provided that the total period of imprisonment upon conviction of the offense, including imprisonment for default in payment of a fine or costs, shall not exceed six (6) months.

(3) a. If the offender had a blood alcohol concentration of twenty percent (0.20) or

more by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, the offender shall be fined not less than seven hundred fifty dollars (\$750.00) nor more than nine hundred seventy-five dollars (\$975.00) and at least forty-eight (48) hours of the sentence imposed pursuant to paragraph (1) of this subsection shall be served without the benefit of parole, probation, or suspension of sentence, and is to be served in addition to any sentence of imprisonment imposed pursuant to subparagraph (1)a. of this subsection, provided that the total period of imprisonment upon conviction of the offense, including imprisonment for default in payment of a fine or costs, shall not exceed six (6) months.

- b. In addition to any penalties imposed under this section, upon conviction of a first offense, if the offender had a blood alcohol concentration of twenty percent (0.20) percent or more by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, the driver's license of the offender shall be suspended for two (2) years.
  - c. The court shall require that the offender not operate a motor vehicle during the period of probation unless any vehicle, while being operated by the offender, is equipped with a functioning ignition interlock device in compliance with the requirements of subsection 11-4027.3(c) and R.S. 32:378.2. The ignition interlock device shall remain installed and operative on his vehicle during the period of suspension of his driver's license following the date of conviction.
- (b) Nothing in this section shall prohibit a court from sentencing an offender to serve any portion of the sentence under home incarceration pursuant to section 11-4027.3, either in lieu of, or in addition to, a term of imprisonment if otherwise allowed under the provisions of Code of Criminal Procedure Article 894.2 and subsection 11-4027.3(b).
- (c) An offender may apply for a restricted driver's license to be in effect during the entire period of suspension upon proof to the department of public safety and corrections that his motor vehicle has been equipped with a functioning ignition interlock device in compliance with the requirements of R.S. 32:378.2.
- (d) In addition to the penalties imposed pursuant to this Section above, upon conviction of a first offense, the offender shall also be fined an additional twenty-five dollars. Monies collected pursuant to this subsection (d) shall be forwarded to the state treasurer within thirty days of collection.”

SECTION 2. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that 11-4027.2 of the Code of Ordinances, City of West Monroe, Louisiana, is hereby amended, to provide as follows:

**“Sec. 11-4027.2. Operating while impaired; second offense; penalties.**

(a) (1) Except as modified by the provisions of paragraphs (2), (3), and (4) of this subsection on a conviction of a second offense violation of section 11-4027, regardless of whether the second offense occurred before or after the first conviction, the offender shall be fined not less than seven hundred fifty dollars (\$750.00) nor more than nine hundred fifty dollars (\$950.00), and shall be imprisoned for not less than thirty (30) days nor more than six (6) months. At least forty-eight (48) hours of the sentence imposed shall be served without benefit of parole, probation, or suspension of sentence. Imposition or execution of the remainder of sentence shall not be suspended unless the offender is placed on probation with the minimum conditions that he complete all of the following:

- a. Serve at least fifteen (15) days in jail, without benefit of parole, probation, or suspension of sentence, or in lieu thereof, perform two hundred forty (240) hours of court-approved community service activities, at least half

of which shall consist of participation in a litter abatement or collection program. If imprisonment is imposed under this subparagraph, the sentence is to be served in addition to the sentence of imprisonment imposed pursuant to paragraph (1) of this subsection, provided that the total period of imprisonment upon conviction of the offense, including imprisonment for default in payment of a fine or costs, shall not exceed six (6) months.

- b. Participate in a court-approved substance abuse program, which may include an assessment by a licensed clinician to determine if the offender has a diagnosis of substance abuse disorder. Nothing in this section shall prohibit the court from modifying the portions of the program as may be applicable and appropriate to an individual offender as shown by the assessment.
  - c. Participate in a court-approved driver improvement program.
  - d. Except as the period of time may be increased in accordance with subparagraph (3)c. of this subsection, the court shall order that the offender not operate a motor vehicle during the period of probation unless any vehicle, while being operated by the offender, is equipped with a functioning ignition interlock device in compliance with the requirements of subsection 11-4027.3(c), R.S. 15:306, and R.S. 32:378.2, which requirement shall remain in effect for a period of not less than six (6) months from the date of conviction. In addition, the device shall remain installed and operative during any period that the offender's driver's license is suspended under law and for any additional period as determined by the court.
- (2) If the offender had a blood alcohol concentration of fifteen percent (0.15) or more but less than twenty percent (0.20) by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, at least ninety-six (96) hours of the sentence imposed pursuant to paragraph (1) of this subsection shall be served without the benefit of parole, probation, or suspension of sentence.
- (3) a. If the offender had a blood alcohol concentration of twenty percent (0.20) or more by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, the offender shall be fined nine hundred fifty dollars (\$950.00) and at least ninety-six (96) hours of the sentence imposed pursuant to paragraph (1) of this subsection shall be served without the benefit of parole, probation, or suspension of sentence.
- b. In addition to any penalties imposed under this section, upon conviction of a second offense violation of section 11-4027, if the offender had a blood alcohol concentration of twenty percent (0.20) or more by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, the driver's license of the offender shall be suspended for four (4) years.
  - c. The court shall require that the offender not operate a motor vehicle during the period of probation unless any vehicle, while being operated by the offender, is equipped with a functioning ignition interlock device in compliance with the requirements of subsection 11-4027.3(c), R.S. 15:306, and R.S. 32:378.2. The ignition interlock device shall remain installed and operative on his vehicle during the four-year period of the suspension of his driver's license.
- (4) If the arrest for the second offense occurs within one year of the commission of the first offense, at least thirty (30) days of the sentence imposed pursuant to paragraph (1) of this subsection shall be served without benefit of parole, probation, or suspension of sentence. In addition, if the offender had a blood alcohol concentration of twenty percent (0.20) or more by weight based on grams of alcohol per one hundred (100) cubic centimeters of blood, he shall be fined nine hundred fifty dollars (\$950.00) and also be subject to the provisions of subparagraphs (3)b. and c. of this subsection.
- (b) Nothing in this section shall prohibit a court from sentencing an offender to serve any portion of the sentence under home incarceration pursuant to section

11-4027.3, either in lieu of, or in addition to, a term of imprisonment if otherwise allowed under the provisions of Code of Criminal Procedure Article 894.2 and subsection 11-4027.3(b).

- (c) An offender may apply for a restricted driver's license to be in effect during the entire period of suspension upon proof to the department of public safety and corrections that his motor vehicle has been equipped with a functioning ignition interlock device in compliance with the requirements of R.S. 32:378.2.
- (d) In addition to the penalties imposed pursuant to this Section above, upon conviction of a second offense, the offender shall also be fined an additional fifty dollars. Monies collected pursuant to this subsection (d) shall be forwarded to the state treasurer within thirty days of collection.”

SECTION 3. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that for cause determined to be in the best interests of the City of West Monroe and its citizens, this enactment shall be effective on August 6, 2025;

SECTION 4. BE IT FURTHER ORDAINED by the Mayor and Board of Aldermen of the City of West Monroe, Louisiana, in regular and legal session convened, that if any provisions, sections or subsections of this ordinance are held invalid for any cause or reason, such invalidity shall not affect the other provisions, sections, or subsections of this ordinance which can give effect without the invalid provisions, sections, or subsections, and to this end each of the provisions, sections, and subsections of this ordinance are hereby declared severable.

The above Ordinance was read and considered by Sections at a public meeting of the Mayor and Board of Aldermen, in regular and legal session convened, voted on by yea or nay vote, passed and adopted the 5<sup>th</sup> day of August, 2025, the final vote being as follows:

YEA:\_\_\_\_\_

NAY:\_\_\_\_\_

NOT VOTING:\_\_\_\_\_

ABSENT:\_\_\_\_\_

ATTEST:

APPROVED THIS 5TH DAY OF  
AUGUST, 2025

\_\_\_\_\_  
ANDREA PATE, CITY CLERK  
CITY OF WEST MONROE  
STATE OF LOUISIANA

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STACI ALBRITTON MITCHELL, MAYOR  
CITY OF WEST MONROE  
STATE OF LOUISIANA