

ORDINANCE NO. ____

**AN ORDINANCE TO AMEND AND RE-ENACT SECTION
7-56 OF THE THIBODAUX CITY CODE OF
ORDINANCES (SIMPLE CRIMINAL DAMAGE TO
PROPERTY)**

BE IT ORDAINED by the City Council of the City of Thibodaux in regular session assembled, that Section 7-56 of the Thibodaux City Code of Ordinances is hereby amended and re-enacted so as to read as follows:

Sec. 7-56 – Simple Criminal Damage to Property

- A. (1) Simple criminal damage to property is the intentional damaging of any property of another, without the consent of the owner, and except as provided in R.S. 14:55, by any means other than fire or explosion.
- (2) The provisions of this Section shall include the intentional damaging of a dwelling, house, apartment, or other structure used in whole or in part as a home, residence, or place of abode by a person who leased or rented the property.
- B. (1) 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.
- (2) Where the damage amounts to one thousand dollars but less than fifty thousand dollars, the offender shall be fined not more than one thousand dollars or imprisoned with or without hard labor for not more than two years, or both.
- (3) Where the damage amounts to fifty thousand dollars or more, the offender shall be fined not more than ten thousand dollars or imprisoned with or without hard labor for not less than one nor more than ten years, or both.
- (4) In addition to the foregoing penalties, a person convicted under the provisions of this Section may be ordered to make full restitution to the owner of the property. If a person ordered to make restitution is found to be indigent and therefore unable to make restitution in full at the time of conviction, the court shall order a periodic payment plan consistent with the person's ability to pay.

State Law reference – Similar provisions, R.S. 14:56

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective immediately upon its adoption and approval by the Mayor.

The above ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSTAINED:

ABSENT:

And the above ordinance was declared adopted this ____ day of ____ 2021.

Jennifer Morvant, Council Adm.

Chad J. Mire, President