

Ord.

2013-0355

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT
(DEPARTMENT OF PUBLIC WORKS)**

ORDINANCE NO. 13-10-9

An ordinance to amend the Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1 In General Section 1 Permitting fill material and debris to fall into and/or to block drainage ditches, canals, catch basins, or other drainage infrastructure.

WHEREAS, St Charles Parish desires to maintain the visual character of neighborhoods and streets; and,

WHEREAS, there exists situations when debris from residential construction and lawn maintenance is being placed in drainage ditches, canals, and blocking catch basins; and,

WHEREAS, it is the desire of St. Charles Parish to provide and maintain a properly functioning drainage infrastructure system by preventing residential construction and lawn maintenance from being placed in vital drainage infrastructure and removed from the property in a timely manner and to implement penalties for noncompliance.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances Chapter 7 Drainage and Flood Control, Article I In General, Section 1 be amended to read as follows:

AS WRITTEN:

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc., and/or any other material or debris to be placed such that 1) its placement impedes flow in any drainage ditch or canal, or 2) it blocks flow into any catch basins or any other drainage infrastructure under the jurisdiction of the parish council.
- (b) Any person found guilty of violating the provisions of this section shall be fined not more than one hundred dollars (\$100.00), or imprisoned for not more than thirty (30) days, or both, at the discretion of the court for each offense.

AS AMENDED:

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc., and/or any other material or debris, generated by property owner or hired commercial vendor, to be placed such that 1) its placement impedes flow in any drainage ditch or canal, or 2) it blocks flow into any catch basins or any other drainage infrastructure under the jurisdiction of the parish council.
- (b) Any person or commercial vendor found guilty of violating the provisions of this section shall be convicted of a misdemeanor and violators upon conviction will incur penalties as defined in State Revised Statutes 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and / or imprisoned for not more than six (6) months, or restitution of costs incurred by the Department of Public Works as determined by the court for each offense.

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

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER
NAYS: NONE
ABSENT: NONE

And the ordinance was declared adopted this 7th day of October, 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: *W. Benedetto*
 SECRETARY: *[Signature]*
 DLVD/PARISH PRESIDENT: 10/9/13
 APPROVED: *[Signature]* DISAPPROVED: _____

PARISH PRESIDENT: *W. St. Pierre*
 RETD/SECRETARY: 10/10/13
 AT: 11:10am RECD BY: *[Signature]*