



LARRY COCHRAN
PARISH PRESIDENT

ROBERT L. RAYMOND
DIRECTOR OF
LEGAL SERVICES

ST. CHARLES PARISH

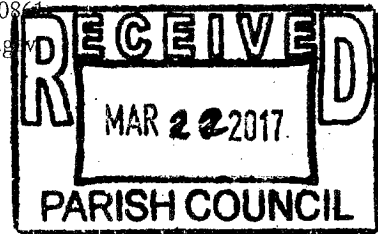
DEPARTMENT OF LEGAL SERVICES

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March 17, 2017



TO: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE
ST. CHARLES PARISH COUNCIL

FROM: ROBERT L. RAYMOND, DIRECTOR
DEPARTMENT OF LEGAL SERVICES

RE: File No. 2016-0421
Proposed Nuisance and Problem Property Ordinance

This proposed ordinance contains many problems and should not be enacted as written. Some, but not all of the problems are listed below.

1. A "person" cannot be a "problem property", as people are not property;
2. Property cannot "cause, generate" or otherwise be responsible for chronic traffic congestion, which is an undefined term;
3. Property cannot cause late night (late night is an undefined term) parties or gatherings, noise, etc.;
4. Property cannot cause public intoxication;
5. What is excessive or unreasonable amounts of otherwise lawful parking? If the parking is lawful, then it is allowed.

Further, there may be takings issues with this summary as written.

The court system and the Zoning Board of Adjustments are already in place and are the best forums to decide issues concerning the behavior of people and their use of their property.

I would not proceed with this proposed ordinance as written, and between our Parish Code and state laws, there are adequate laws already in place to address the various situations outlined in the summary.

RLR:dhh

cc Larry Cochran