



ST. CHARLES PARISH

PAUL J. HOGAN, PE

COUNCILMAN, DISTRICT IV

MEMORANDUM

DATE: SEPTEMBER 15, 2009

TO: MR. V.J. ST. PIERRE, JR.
PARISH PRESIDENT

FROM: PAUL J. HOGAN, PE
COUNCILMAN, DISTRICT IV

Please find the attached proposed ordinance revision for review and comments from the Administration. The proposed ordinance has been written to make it illegal to block any public drainage infrastructure in the Parish, not just drainage ditches and canals as currently written. The proposed ordinance also increases the penalty from \$100 to \$500 for any person found guilty of violating this section.

A response from the Administration is requested by October 5, 2009.

PJH/BJT255:ag

attachment

cc: Parish Council
 Mr. Timothy J. Vial, Chief Administrative Officer w/attachment
 Mr. John "Rusty" Walker, Chief Operations Officer w/attachment
 Mr. Sam Scholle, Public Works/Wastewater Director w/attachment
 Mr. Leon C. Vial, III, Legal Services Director w/attachment

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DRAFT

2009-

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinances Chapter 7, Drainage and Flood Control, Article I., In General, Section 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals.

WHEREAS, blocking drainage ditches, canals, catch basins, or other drainage infrastructure can be detrimental to the welfare of the citizens of St. Charles Parish; and,

WHEREAS, under State RS33:1243, Maximum penalties, A. (1) any parish with a population of four hundred twenty-five thousand or less, the maximum penalty which may be imposed for a violation of any parish ordinance shall be five hundred dollars (\$500.00) and imprisonment of thirty days in the parish jail.

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 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals is hereby amended as follows:

AS WRITTEN:

Sec. 7-1. Permitting sand, dirt, concrete, lumber, etc., to fall into drainage ditches and canals.

- (a) It shall be unlawful for any person to allow any dirt, sand, concrete, lumber, etc., to be placed or be allowed to be placed so as to slip, fall, or run into any drainage ditches and canals 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.

REVISED:

Sec. 7-1. Permitting fill material and debris to fall into and/or to block drainage ditches, canals, catch basins, or other drainage infrastructure.

- (a) It shall be unlawful for any person to allow any fill material such as dirt, sand, gravel, etc., to be placed or be allowed to be placed so as to slip, fall, or run into any drainage ditches, canals, catch basins, or drainage infrastructure under the jurisdiction of the Parish Council.
- (b) It shall be unlawful for any person to allow any type of debris to be placed or be allowed to be placed so as to slip or fall into any drainage ditches or to block catch basins or any other drainage infrastructure under the jurisdiction of the Parish Council.
- (c) Any person found guilty of violating the provisions of this Section shall be fined not more than five hundred dollars (\$500.00), or imprisoned for not more than thirty (30) days, or both, at the discretion of the court for each offense.

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

And the ordinance was declared adopted this _____ day of _____, 2009, to become effective five (5) days after publication in the Official Journal.

Amend Code - Chapter 7, Section 7-1 Trash In ditch (9-12-09)

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: _____

RETD/SECRETARY: _____

AT: _____ RECD BY: _____