

Council (person to address the Council); Home Rule Charter

2004-0391

PETITION TO ADDRESS THE COUNCIL

St. Charles Parish Council Chairman Today's Date: September 27, 2004

P. O. Box 302

Hahnville, LA 70057

(985) 783-5000 FAX TO 783-2067

Dear Chairman:

Please place my name to address the Council on:

DATE: Monday, October 4, 2004

SPECIFIC TOPIC: St. Charles Parish Home Rule Charter

one subject only - ORDINANCES/RESOLUTIONS

Parish Charter-

Article VII., Sec. I.)

NAME: Victor L. Buccola

ADDRESS: 105 Burguieres Lane, Destrehan, La 70047 (District I, East Bank)

PHONE: 985-764-6411 Home 504-310-7728 Office

SIGNATURE: Victor L. Buccola

Dear Constituent:

Thank you for your active participation. Your views and comments will be considered by the Council in making our decisions. The Council has a considerable amount of business to conduct in a limited amount of time, therefore, please note the following items that are expected of you:

The Home Rule Charter provides for citizens to address the Council. It makes no provision for initiating debate, discussion, or question and answer sessions with Councilmembers or Administration Officials. Your right is also guaranteed to examine public documents as you prepare your presentation. Should you have any questions for Councilmembers and/or Department Heads as you prepare, please forward such inquiries to the Council Office to insure a timely response. Should you wish to speak to any Official or Department personally, a complete list of contact information will be furnished at your request.

Please be brief and limit your comments to the specific subject matter on which you have requested to address the Council.

Please forward supporting documents to the Council Secretary for distribution to the Parish Council before your scheduled appearance in order for the Council to prepare themselves, if necessary.

Upon completion of your allotted time to address the Council, please respect the time given to Councilmembers to respond to your comments by not interrupting or interjecting remarks.

Slanderous remarks and comments will not be tolerated. If slanderous remarks or comments are made, your opportunity to address the Council will end, regardless of the remaining time left to address the Council.

Repetitious comments and subject matter will be strictly limited.

A confirmation letter will follow when your name is placed on the agenda.

Sincerely,

LANCE MARINO

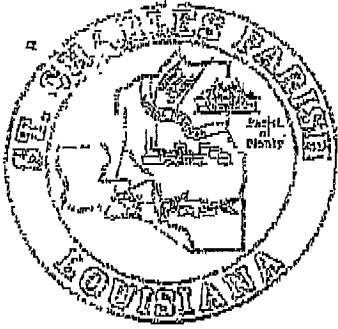
COUNCIL CHAIRMAN

RIGHT TO DIRECT PARTICIPATION COUNCIL GUIDELINES

No person shall be denied the right to observe and, within Council guidelines, to address the Council provided that the person has submitted a written request containing the nature of the **subject to be discussed (additional emphasis added by petitioner)**. All requests and pertinent information must be received by the Council Secretary at least one (1) week prior to the scheduled meeting. (Home Rule Charter, Article VII., Section I.)

Each person may speak once no longer than five (5) minutes except, with two-thirds (2/3) consent of the Council, an additional three (3) minutes may be granted to either individuals or groups. Any representative of a group addressing the Council shall state the complete name of the group in the letter request. A letter signed by a simple majority of the members of the Board of Directors of the group, organization or association stating permission to address the Council; the date and time that meeting was held giving said permission and the subject to be addressed. A bonafide charter of the organization certified (ratified) by the State of Louisiana shall be filed with the Council Secretary. A current list of Executive Officers and/or Board Members shall be submitted to the Council Secretary annually or when changes occur.

SEP 27 2004
COUNCIL SECRETARY



ST. CHARLES PARISH

DEPARTMENT OF PUBLIC WORKS

P.O. BOX 705 • LULING, LOUISIANA 70070
 (504) 783-5100 • (504) 783-5102 • FAX (504) 785-6503

ALBERT D. LAQUE
 PARISH PRESIDENT

STEVEN M. FALL, P.E.
 DIRECTOR

P. "POUCHE" CHERAMIE
 ASSISTANT DIRECTOR

August 9, 2001

TO: RESIDENTS OF MURRAY HILL DR. & DESTREHAN DR.

FROM: STEPHEN R. TRUITT *SRT*
 SUPERINTENDENT, PUBLIC WORKS

RE: REAR SERVITUDE BETWEEN MURRAY HILL DR. & DESTREHAN DR.
 FROM THE RAILROAD TRACKS TO RIVER ROAD

The St. Charles Parish Department of Public Works is preparing to begin the subsurface installation of culverts at the rear servitude between Murray Hill Drive and Destrehan Drive from the first set of railroad tracks to River Road. Work is scheduled to begin at the railroad tracks and progress towards River Road.

Our tentative start date is September 24, 2001. All portable buildings, fences and other permanent structures on this servitude must be removed by the residents prior to this date (see attached ordinance).

If you have any questions regarding this project, please call Mr. Jerry Mitchell, Assistant Superintendent, East Bank Public Works.

SRT:clr

Cc: Mr. Steven M. Fall, Director, Public Works and Wastewater
 Mr. P. "Pouche" Cheramie, Assistant Director, Public Works
 Mr. Albert D. Laque, Parish President

INTRODUCED BY: TERRY AUTHEMENT, COUNCILMAN, DISTRICT IV
RESOLUTION NO: 4353

A resolution asking the Parish President and Sheriff to strictly enforce servitude (easement, rights-of-way) prohibitions.

- ① WHEREAS, the provisions of the Louisiana Civil Code as well as Louisiana Revised Statutes specifically address limitations on ownership or legal servitudes for drainage, roads, and utilities; and,
- ② WHEREAS, legal servitudes as defined by law are limitations on ownership established by law for the benefit of the general public or for the benefit of particular persons; and,
- ③ WHEREAS, legal public servitudes as defined by law are servitudes imposed for the public or common utility and relate to the space which is to be left for the public use by the adjacent proprietors...; and,
- ④ WHEREAS, any person found guilty of violating the law by encroaching on a servitude thereby preventing, in some manner, the benefit of the general public's good being served, should be required to fully comply with the law and remove the encroachment; and,
- ⑤ WHEREAS, as an example, if a building or a structure has been constructed on a servitude thereby impeding the flow of water, said structure should be removed either by the owner or the proper public official(s) responsible for protecting the public's right enjoined by blockage of the servitude.

NOW, THEREFORE, BE IT RESOLVED, THAT WE, THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL, do hereby ask that the Parish President and the Sheriff strictly enforce servitude (easement, rights-of-way) prohibitions.

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

YEAS: MINNICH, ALEXANDER, CHAMPAGNE, PHILLIPS, AUTHERMENT, DUHE
 NAYS: NONE
 ABSENT: RAMCHANDRAN, JOHNSON, STEWART

And the resolution was declared adopted this 21st day of April, 1997, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: *Randy J. Champagne*
 SECRETARY: *John B. ...*
 DLVD/PARISH PRESIDENT: 4-22-97
 APPROVED: *[Signature]* DISAPPROVED: _____
 PARISH PRESIDENT: *Chris ...*
 RETD/SECRETARY: 4-24-97
 AT: DAM RECD BY: *[Signature]*

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From	
To	
Dept.	Phone #
Fax #	Fax #