

2009-0421

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV

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. 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 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:

YEAS: SCHEXNAYDRE, AUTHEMENT

NAYS: RAYMOND, TASTET, BENEDETTO, COCHRAN, NUSS

ABSENT: HOGAN, LAMBERT

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY ON NOVEMBER 2, 2009.