

Ord.

2002-0441

INTRODUCED BY: DARNELL "DEE" ABADIE, COUNCILWOMAN, DISTRICT III  
ORDINANCE NO. 02-10-9

An ordinance amending Chapter 16 "Nuisances", Section 16-25 (b), Section 16-26 (a) and Section 16-27 of the St. Charles Parish Code of Ordinances relative to "Prohibited", "Notice to abate" and "Abatement by Parish", in St. Charles Parish.

**WHEREAS**, uncut grass and weeds on properties in St. Charles Parish continues to be a problem and an eyesore within the Parish; and,

**WHEREAS**, State law was recently changed to reduce the notice delay from fifteen (15) days to five (5) days; and,

**WHEREAS**, it would be in the best interest of St. Charles Parish to amend the Code of Ordinances to bring it into conformity with the new State law.

**THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:**

**SECTION I.** That Section 16-25 "Prohibited", Section (b) is hereby amended to read as follows:

- (b) It shall be unlawful for the owner, or his agent, of any undeveloped residential property within the parish lying within areas subdivided into squares/lots to permit the growth of tall grass and/or weeds **upon the entire area of the subject property**. It shall also be unlawful for the owner or his agent to allow the accumulation of trash upon the entire area of the subject property.

**SECTION II.** That Section 16-26 "Notice to abate", Section (a) & (b) is hereby amended to read as follows:

- (a) *By Mail:* The parish shall notify, by registered or certified mail, the owner, or his agent, of any property on which tall grass and/or trash may be located in violation of section 16-25, to cut, destroy or remove such tall grass and/or trash from the premises involved, which notice shall be sent to the owner of such property (as shown on the latest assessment rolls of the parish) or his agent. This notice will identify the property and notify the owner or his agent to perform any necessary work at his own expense within **five (5) days after receipt of the notice**.
- (b) *By Publication:* If the notice should be returned by the post office department because of its inability to make delivery thereof or if the owner or his agent has refused to accept the notification, notice may be accomplished by publication of the notification in the official journal **at the first publication date after the five (5) day notice period** at least once. Notice shall contain the following: ...

**SECTION III.** That Section 16-27 "Abatement by parish" is hereby amended to read as follows:

If the required work is not done by the property owner or his agent within **five (5) days** after receipt of written or published notice, the parish may proceed to have the necessary work done either by parish employees or an independent contractor. The owner will be charged a fee of two and one-half cents (\$0.025) per square foot of the lot cleaned. The contractor's fee for performing these services shall be at the rate of two cents (\$0.02) per square foot of the lot cleaned. In the event a mini-cleanup is required prior to performing the above services, a fee of forty dollars (\$40.00) per mini-cleanup plus actual

disposal fees will be assessed, not to exceed ten (10) mini-cleanups per property in violation. On property where trash and/or debris accumulation is such that it requires heavy equipment, bulldozer, front-end loaders, etc., a fee of thirty dollars (\$30.00) per cubic yard will be assessed. An administrative fee of twenty-five dollars (\$25.00) may be assessed on each invoice. The fees in this section shall be increased or decreased February first of each year by the change in CPI applicable to the U.S. cities average group, all urban consumers, all items, published by the U.S. Department of Labor, Bureau of Labor Statistics, for the proceeding twelve-month period ending each November. The change shall become effective beginning with the period ending November 30, 2000. The department of finance shall notify the department of planning and zoning in writing annually of the revised fees.

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

YEAS: FAUCHEUX, HILAIRE, ABADIE, AUTHEMENT, BLACK, MARINO, MINNICH  
NAYS: NONE  
ABSENT: RAMCHANDRAN, FABRE

And the ordinance was declared adopted this 21st day of October, 2002, to become effective five (5) days after publication in the Official Journal.

Nuisance & Abatement

CHAIRMAN: Raymond Fauchoux

SECRETARY: Barbara J. Jant

DLVD/PARISH PRESIDENT: October 22, 2002

APPROVED:  DISAPPROVED:

PARISH PRESIDENT: Albert O. Lague

RETD/SECRETARY: October 22, 2002

AT 10:49 Am RECD BY: Bgg