

2015-0370

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

An ordinance of the Parish of St. Charles providing that the Code of Ordinances, Parish of St. Charles, be amended by revising Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-26. Notice to Abate and Section 16-27. Abatement by parish to amend the abatement procedures related to the required notification period.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. That the Code of Ordinances, Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-26. Notice to Abate (a) be amended and add (a)(1) as follows:

Section. 16-26. Notice to Abate

- (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 to 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) working days after receipt of the notice.

- (1) The notice shall advise the owner or his agent that subsequent repeat violations, after having been provided notice as required in Section 16-26(a) within the preceding 12 months, shall only require notice by certified mail and that the parish may proceed to have the necessary work done either by parish employees or an independent contractor after five (5) days have lapsed following the owner or his agent's receipt of the written notice and immediately upon the written notice being returned to the Parish un-receipted for any reason.**

SECTION II. That the Code of Ordinances, Chapter 16 Nuisances, Article III. Weeds, Grass, Etc., Section 16-27. Abatement by parish be amended as follows:

Section. 16-27. Abatement by parish

If the required work is not done by the property owner or his agent within five (5) working days after receipt of written notice **of a violation or a subsequent repeat violation**, the parish may proceed to have the necessary work done either by parish employees or an independent contractor.

If the written notice **of a violation** is returned to the parish un-receipted for any reason and at least five (5) working days have lapsed since the published notice, or thirty days after the notice has been received by the Post Office and at least five (5) working days have lapsed since the published notice, the parish may proceed to have the necessary work done either by parish employees or an independent contractor. **If the written notice regarding a subsequent repeat violation is returned to the parish un-receipted for any reason after having been provided notice as required in Section 16-26(a) within the preceding 12 months, the parish may proceed to have the necessary work done either by parish employees or an independent contractor after five (5) days have lapsed after its receipt.** 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 forty dollars (\$40.00) per cubic yard will be assessed and added to the

actual disposal fees. 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 preceding 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.

An additional fine of five hundred dollars (\$500.00) will be assessed to any property, with the exception of adjudicated property which is cut by the parish more than three (3) times in one (1) calendar year.

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

YEAS: SCHEXNAYDRE, HOGAN

NAYS: LEWIS, WILSON, TASTET, COCHRAN, FLETCHER, FISHER-PERRIER

ABSENT: BENEDETTO

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY
ON OCTOBER 19, 2015.

2015-0370 Failed Amend Chapter 16 Grass cutting (10-2-15) (L 10-5-15) - PH