



# ST. CHARLES PARISH

*PAUL J. HOGAN, PE*

COUNCILMAN, DISTRICT IV

## MEMORANDUM

DATE: SEPTEMBER 18, 2008

TO: MS. KIMBERLY MAROUSEK  
PLANNING & ZONING DIRECTOR

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

**2nd Request**  
**10-30-08**

*Paul J. Hogan*

Please find attached the proposed grass cutting ordinance to replace the existing Ordinance. Also attached is the original Ordinance with the proposed changes so that one can tell what is different from the existing Ordinance. This proposed ordinance was developed with consultation with Mr. Rhys Kinler in your Department. Please have this proposed ordinance reviewed in detail with your staff members who deal with grass violations. If there are any concerns or items that need to be addressed, which were not already addressed in this proposed ordinance, please let me know what they are so we can take care of those also.

Via this memo, the Parish Council, Public Works Department, and Legal Department are also being asked to review the proposed ordinance and to provide comments with concerns and suggestions if any exist.

The proposed ordinance refers to a Grass Cutting and Clean-up Chart, which will need to be developed by your Office in coordination with possibly the Finance and Public Works Departments. This chart will allow for charges to be amended over time without having to revise the base ordinance. Please provide me with a draft chart for my review no later than October 17, 2008.

Please feel free to contact me should you have any questions.

PJH/BJT118:ag

attachments

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

### Office

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**2008-0276**

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

An ordinance to amend the Code of Ordinances, Parish of  
St. Charles, Chapter 16, Article III. Weeds, Grass, Etc.

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

**SECTION I.** That Chapter 16, Article III. Weeds, Grass, Etc. be replaced in its  
entirety with the following:

*Sec. 16-24. Classifications and definitions.*

The maintenance of all property within the Parish regarding the removal of  
weeds, grass or other noxious matter will fall under one of the following  
classifications or definitions:

- (a) *Adjudicated Property:* Property placed in the name of the Parish  
due to non-payment of taxes.
- (b) *Agricultural Property:* Any tract of land primarily used for farm  
purposes.
- (c) *Annual Notice:* Notice to the property owner of a potential  
violation of this article.
- (d) *Commercial Property:* Any tract of land primarily used for  
commercial/business purposes.
- (e) *Industrial Property:* Any tract of land primarily used for industrial  
purposes.
- (f) *Mini-Cleanup:* The process whereby trash must be removed  
from the property prior to conducting regular maintenance and a  
volumetric measurement being equal to one (1) cubic yard.
- (g) *Notice of Violation:* The notice of an existing violation of this  
article.
- (h) *Parish:* The Parish of St. Charles or any authorized agent of the  
Parish of St. Charles.
- (i) *Parish Property:* Property owned by the Parish.
- (j) *Pipeline and Transmission Corridor Right of Ways / Private  
Servitudes:* Property, by right of way or servitude, utilized for  
pipelines, electrical transmission lines, etc.
- (k) *Regular Maintenance:* The process of entering upon tract of  
land and removing or cutting all tall grass with equipment  
designated specifically for that purpose.
- (l) *Residential Property:* Residential property is subdivided into the  
2 following categories:
  - (1) *Developed Residential Property:* Any residential lot upon  
which any building or structure exist.
  - (2) *Undeveloped Residential Property:* Any residential lot on  
which no building or structures has been placed or  
constructed following the creation of the property by  
subdivision action. Undeveloped residential properties  
adjacent to a residential or commercial use which are  
non-maintainable as defined below are exempt from the  
maintenance requirement with the exception of a  
minimum five (5) foot wide strip which shall be  
maintained immediately adjacent to property with a  
residential or commercial use.
    - a) *Maintainable:* Property which is generally open,  
relatively cleared, and well-drained. This property  
may contain a number of small and/or large  
un-obstructive trees which do not inhibit regular  
maintenance.
    - b) *Non-maintainable:* This property may be heavily  
wooded, may have significant undergrowth and  
bushes, and/or may be a low-lying area or a  
swampland type area that would preclude regular  
maintenance. This type of property is further

defined as being property upon which regular maintenance cannot be performed with standard maintenance equipment (push mowers and riding mowers).

- (m) *Tall Grass:* Any grass, weed, or vines more than twelve (12) inches long measured perpendicular to the ground.
- (n) *Trash:* Refuse, garbage, debris, abandoned or junked cars or other vehicles, rubbish, shopping carts, litter and any other deleterious, discarded or noxious matter.
- (o) *Underbrush:* Small trees, shrubs, vines, weeds, etc., growing beneath taller trees on lots adjacent to developed residential property.
- (p) *Undeveloped Property:* Any tract of land, squares/lots, or in whole (as existing prior to the adoption of this ordinance) with no part of it being used for agricultural, industrial, commercial, or residential purposes.

*Sec. 16-25. Prohibited.*

- (a) It shall be unlawful for the owner, or his agent, of any developed residential property within the Parish to permit the growth of tall grass, weeds, or vines upon the entire area of the subject property.
- (b) It shall be unlawful for the owner, or his agent, of any maintainable undeveloped residential property within the Parish to permit the growth of tall grass and/or weeds upon the entire area of the subject property if this maintainable undeveloped property abuts a residential or commercial use or comes to abut a residential or commercial use at some point in the future).
- (c) It shall be unlawful for the owner(s), or his agent(s), of any industrial, commercial or agricultural property with the Parish, in whole or in part, to permit the growth of tall grass and/or weeds within fifty-foot (50') of their property lines provided the property abuts a residential or commercial use. The width of the area along such property lines, which are maintained by the Parish as a result of Parish activities, associated with the maintenance of a servitude, or a servitude by use shall be considered sufficient and adequate in lieu of the fifty-foot (50') maintenance requirement. Fenced industrial facilities are exempt from this fifty-foot (50') maintenance requirement in cases where the area is adjacent to residential and commercial uses and the growth within this fifty-foot (50') area is utilized as part of a buffer zone to these uses. Agricultural property used for hay-baling purposes are exempt from the fifty-foot (50') maintenance requirement.
- (d) It shall be unlawful for the owner or his agent of property located within the Parish to allow the accumulation of trash except at property identified as a State authorized disposal facility.
- (e) Parish Property and Adjudicated Property shall be maintained by the Parish in accordance with the requirements of this Section.
- (f) The portions of pipeline and transmission pipeline and transmission corridor right of ways / private servitudes that fall within fifty-feet (50') of any Parish street and within one hundred and fifty feet (150') of any residential or commercial use are required to be maintained to prevent the growth of tall grass and/or weeds in accordance with the maintenance requirements specified within this ordinance.

*Sec. 16-26. Notice to abate.*

- (a) The Parish shall notify, by 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) calendar days after receipt of the notice. In addition, notice shall concurrently be provided by publication of the notification in the official journal at the first possible publication date following the date of the certified mailing. Notice shall contain the following:

- (1) Identify the premises;
  - (2) Nature of the violation, including the specific provision(s) of the ordinance involved;
  - (3) The penalties, enforcement and/or abatement proceedings that the owner or his agent may be liable for if the violation is not resolved.
  - (4) Notification that the owner or his agent is to perform any necessary work at his own expense within five (5) calendar days after publication.
  - (5) Notification that future notice for abatement for repeat violations during the same calendar year shall only require the physical posting of the property five (5) calendar days prior to abatement by the Parish.
- (b) Subsequent violations during the remainder of the calendar year shall only require that a notice of cutting be physically posted on the subject property five (5) calendar days in advance of the abatement. The owner, or his agent, shall be notified of this preceding provision during the initial notification process as specified in (a) above. Pictures shall be taken immediately upon posting of the site to provide evidence of the physical posting and the existing site condition at the time of the posting.

*Sec. 16-27. Abatement by Parish.*

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 as provided for in the latest Grass Cutting and Clean-up Charges chart (herein referred to as the "chart") for every square foot of the lot cleaned by Parish forces and equipment. The contractor's fee for performing these services shall be at the rate provided for in the chart for every square foot of the lot cleaned. In the event a mini-cleanup is required prior to performing the above services, a fee as provided for in the chart per each mini-cleanup plus actual disposal fees will be assessed, not to exceed ten (10) mini-cleanups per each property in violation. On property where trash and/or debris accumulation is such that it requires heavy equipment, bulldozer, front-end loaders, etc., a mobilization fee and a removal fee as provided for in the chart will be assessed. An administrative fee as provided for in the chart shall be assessed on each invoice. A new Grass Cutting and Clean-up Charges chart with updated rates shall be adopted by the Parish concurrent with the adoption of this ordinance. 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 Department of Finance shall notify the Department of Planning and Zoning in writing annually of the revised fees.

*Sec. 16-28. Collection of outstanding invoice; adding cost to ad valorem tax bill.*  
After the cutting, destruction or removal of tall grass and/or trash by the Parish pursuant to Section 16-27 and after due notice as provided in Section 16-26, the Parish shall furnish the owner a written notice showing the costs and expenses incurred for the work, as outlined in Section 16-27 above, and the place or property on which work was done. If the invoice is not paid within thirty (30) days thereafter, the invoice amount, clerk of court special assessment filing fee, lien cancelation fee, five-dollar notarial fee and postage cost plus a sheriff's collection fee of fifteen (15) percent of the principal amount of the invoice shall be included in and form part of the ad valorem taxes due on the property by the owner, and when collected shall be credited to the general fund of the Parish. The Parish shall adopt an ordinance levying the charges as an assessment to be added to the annual ad valorem tax bill of the property involved. The ordinance shall be forwarded to the tax collector of the Parish.

*Sec. 16-29. Record of charges.*

The Parish shall maintain a record of the charges authorized by Section 16-27 cross-indexed to the tax rolls, which shall be open to inspection at all times and which shall constitute legal notice to the purchasers of the property, or parties lending money thereon, of the assessment.

*Sec. 16-30. Authority to impose a lien.*

If the Parish accomplishes the cutting, destruction or removal of tall grass and/or trash, after due notice as provided in Section 16-26, upon property which appears on the tax rolls of the Parish and fails to receive payment for said services, a special assessment shall be levied against the immovable property involved for the fees billed for such work, including the cost of all notices. A certified copy of the special assessment shall be filed with the clerk of court of the Parish, who shall forthwith record same in the mortgage records of the Parish. Such assessment when so filed and recorded shall operate as a lien and privilege against the immovable property herein assessed, which lien and privilege shall rank from the date of filing of the assessment in the mortgage records of the Parish and shall prime all other claims, mortgages and liens, except taxes and prior recorded special assessment liens. If the owner of the property fails to pay the amount due under the special assessment within thirty (30) days, the Parish may initiate action either *in rem* against the property or *in personam* against the owner, or both, for the collection of the total amount due, including cost and an additional sum equivalent to twenty-five (25) percent of the principal due as attorney's fees.

*Sec. 16-31. Authority to enforce.*

The Parish is hereby empowered and authorized to enforce the provisions of this article against the same lot, place or area within the Parish as often as violations may occur during a calendar year; and nothing herein shall be construed so as to prevent the assessment of costs for the removal of tall grass and/or trash, found growing, lying or located on private property for one (1) or more times during any calendar year.

*Sec. 16-32. Immediate danger or hazard.*

Notwithstanding anything contained in this article to the contrary, the Parish is hereby authorized to take immediate steps to remove any and all tall grass and/or trash located on or upon any property within the Parish where there is presented to the Parish evidence of the presence of immediate danger or hazard to the health, safety and welfare of adjoining property, or to the citizens of the Parish. All other provisions as contained in this article, not contrary to this section, shall be applicable, including assessment of costs in such case.

*Sec. 16-33. Violations; penalty.*

If any person prevents or attempts to prevent any employee of and/or other person authorized by the Parish from carrying out the provisions of this article, he shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined an amount not to exceed two hundred dollars (\$200.00) or imprisoned for a period not to exceed thirty (30) days, or both in the discretion of the court.

*Secs. 16-34--16-43. Reserved.*

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

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2008, to become effective five (5) days after publication in the Official Journal.

Amend Code Chapter 16 Article III (9-11-08)

CHAIRMAN: \_\_\_\_\_

SECRETARY: \_\_\_\_\_

DLVD/PARISH PRESIDENT: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: \_\_\_\_\_

RETD/SECRETARY: \_\_\_\_\_

AT: \_\_\_\_\_ RECD BY: \_\_\_\_\_

Sec. 16-24. Classifications and definitions.

The maintenance of all property within the parish regarding the removal of weeds, grass or other noxious matter will fall under one of the following classifications or definitions:

- (a) **Ajudicated Property:** Property placed in the name of the Parish due to non-payment of taxes
- (b) **Agricultural Property:** Any tract of land primarily used for farm purposes.
- (c) **Annual Notice:** Notice to the property owner of a potential violation of this article.
- (d) **Commercial Property:** Any tract of land primarily used for commercial/business purposes.
- (e) **Industrial Property:** Any tract of land primarily used for industrial purposes.
- (f) **Mini-Cleanup:** The process whereby trash must be removed from the property prior to conducting regular maintenance and a volumetric measurement being equal to one(1) cubic yard.
- (g) **Notice of Violation:** The notice of an existing violation of this article.
- (h) **Parish:** The Parish of St. Charles or any authorized agent of the Parish of St. Charles.
- (i) **Parish Property:** Property owned by the Parish.
- (j) **Pipeline and Transmission Corridor Right of Ways / Private Servitudes:** Property, by right of way or servitude, utilized for pipelines, electrical transmission lines, etc.
- (k) **Regular Maintenance:** The process of entering upon ~~any developed residential~~ tract of land and removing or cutting all tall grass with equipment designated specifically for that purpose.
- (l) **Residential Property:** Residential property is subdivided into the 2 following categories:

(1) **Developed Residential Property:** Any residential lot upon which any building or structure exist.

(2) **Undeveloped Residential Property:** Any residential lot on which no building or structures has been placed or constructed following the creation of the property by subdivision action. Undeveloped residential properties adjacent to a residential or commercial use which are non-maintainable as defined below are exempt from the maintenance requirement with the exception of a minimum five (5) foot wide strip which shall be maintained immediately adjacent to property with a residential or commercial use.

a) **Maintainable:** Property which is generally open, relatively cleared, and well-drained. This property may contain a number of small and/or large un-obstructive trees which do not inhibit regular maintenance.

b) **Non-maintainable:** This property may be heavily wooded, may have significant undergrowth and bushes, and/or may be a low-lying area or a swampland type area that would preclude regular maintenance. This type of property is further defined as being property upon which regular maintenance cannot be performed with standard maintenance equipment (push mowers and riding mowers).

~~(3) **Cleared residential property:** Any subdivided tract of land, squares/lots, or in whole, from which trees, bushes, shrubs, etc., have been removed with the exception of trees that have been left for decorative, shade or other purposes.~~

(m) **Tall Grass:** Any grass, weed, or vines more than twelve (12) inches long measured perpendicular to the ground.

(n) **Trash:** Refuse, garbage, debris, abandoned or junked cars or other vehicles, rubbish, shopping carts, letter and any other deleterious, discarded or noxious matter.

(o) **Underbrush:** Small trees, shrubs, vines, weeds, etc., growing beneath taller trees on lots adjacent to developed residential property.

(p) **Undeveloped Property:** Any tract of land, squares/lots, or in whole (as existing prior to the adoption of this ordinance) with no part of it being used for agricultural, industrial, commercial, or residential purposes.

(Ord. No. 85-5-8, § I, 5-20-85; Ord. No. 87-5-16, § 1, 5-18-87; Ord. No. 87-6-6, 6-1-87; Ord. No. 88-3-7, § I, 3-7-88; Ord. No. 93-12-5, § I, 12-6-93)

Sec. 16-25. Prohibited.

(a) It shall be unlawful for the owner, or his agent, of any developed residential property within the parish to permit the growth of tall grass, weeds, or vines upon the entire area of the subject property

(b) It shall be unlawful for the owner, or his agent, of any maintainable undeveloped residential property within the Parish to permit the growth of tall grass and/or weeds upon the entire area of the subject property if this maintainable undeveloped property abuts a residential or commercial use or comes to abut a residential or commercial use at some point in the future).

(c) It shall be unlawful for the owner(s), or his agent(s), of any industrial, commercial or agricultural property with the parish, in whole or in part, to permit the growth of tall grass and/or weeds within fifty-foot (50') of their property lines provided the property abuts a residential or commercial use. The width of the area along such property lines, which are maintained by the Parish as a result of Parish activities, associated with the maintenance of a servitude, or a servitude by use shall be considered sufficient and adequate in lieu of the fifty-foot (50') maintenance requirement. Fenced industrial facilities are exempt from this fifty-foot (50') maintenance requirement in cases where the area is adjacent to residential and commercial uses and the growth within this fifty-foot (50') area is utilized as part of a buffer zone to these uses. Agricultural property used for hay-baling purposes are exempt from the fifty-foot (50') maintenance requirement.

(d) It shall be unlawful for the owner or his agent of property located with the Parish to allow the accumulation of trash except at property identified as a State authorized disposal facility.

(e) Parish Property and Adjudicated Property shall be maintained by the Parish in accordance with the requirements of this section.

(f) The portions of pipeline and transmission pipeline and transmission corridor right of ways / private servitudes that fall within fifty-feet (50') of any Parish street and within one hundred and fifty feet (150') of any residential or commercial use are required to be maintained to prevent the growth of tall grass and/or weeds in accordance with the maintenance requirements specified within this ordinance.

(Ord. No. 85-58, § II, 5-20-85; Ord. No. 87-6-6, 6-1-87; Ord. No. 88-3-7, § II, 3-7-88; Ord. No. 93-12-5, § II, 12-6-93; Ord. No. 02-10-09, § I, 10-21-02)

Sec. 16-26. Notice to abate.

(a) ~~By mail:~~ The parish shall notify, by **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) **calendar** days after receipt of the notice. **Notice shall also be simultaneously provided**

~~(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 possible publication date following the date of the certified mailing. after the five (5) day notice period at least once. Notice shall contain the following:~~

- (1) Identify the premises;
- (2) Nature of the violation, including the specific provision(s) of the ordinance involved;
- (3) The penalties, enforcement and/or abatement proceedings that the owner or his agent may be liable for if the violation is not resolved.
- (4) **Notification that the owner or his agent is to perform any necessary work at his own expense within five (5) calendar days after publication.**
- (5) **Notification that future notice for abatement for repeat violations during the same calendar year shall only require the physical posting of the property five (5) calendar days prior to abatement by the Parish.**

~~(c) Annual Notice of Potential Violation: Annual notices by regular mail may be sent to property owners identifying property which may be in violation.~~

**(c) Subsequent violations during the remainder of the calendar year shall only require that a notice of cutting be physically posted on the subject property five (5) calendar days in advance of the abatement. The owner, or his agent, shall be notified of this preceding provision during the initial notification process as specified in (a) above. Pictures shall be taken immediately upon posting of the site to provide evidence of the physical posting and the existing site condition at the time of the posting.**

(Ord. No. 85-5-8, § III, 5-20-85; Ord. No. 85-9-11, § I, 9-23-85; Ord. No. 88-3-7, §§ III, IV, 3-7-88; Ord. No. 02-10-9, § II, 10-21-02)

Sec. 16-27. Abatement by parish.

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 **as provided for in the latest Grass Cutting and Clean-up Charges chart (herein referred to as the "chart") for every** ~~of two and one-half cents (\$0.025) per square foot of the lot cleaned by Parish forces and equipment.~~ The contractor's fee for performing these services shall be at the rate **provided for in the chart for every 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 **as provided for in the chart per each** ~~of forty dollars (\$40.00) per mini-cleanup plus actual disposal fees will be assessed, not to exceed ten (10) mini-cleanups per each property in violation. On property where trash and/or debris accumulation is such that it requires heavy equipment, bulldozer, front-end loaders, etc., a mobilization fee and a removal fee as provided for in the chart of thirty dollars (\$30.00) per cubic yard will be assessed. An administrative fee as provided for in the chart shall of twenty-five dollars (\$25.00) may be assessed on each invoice. The fees.~~ **A new Grass Cutting and Clean-up Charges chart with updated rates shall be adopted by the Parish concurrent with the adoption of this ordinance.** ~~in this section~~ **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.~~

(Ord. No. 85-5-8, § IV, 5-20-85; Ord. No. 85-9-11, § I, 9-23-85; Ord. No. 87-5-16, § 2, 5-18-87; Ord. No. 88-3-7, § V, 3-7-88; Ord. No. 89-4-8, § I, 4-3-89; 00-5-8, § II, 5-15-00; Ord. No. 02-10-9, § III, 10-21-02)

Sec. 16-28. Collection of outstanding invoice; adding cost to ad valorem tax bill.

After the cutting, destruction or removal of tall grass and/or trash by the parish pursuant to section 16-27 and after due notice as provided in section 16-26, the parish shall furnish the owner a written notice showing the costs and expenses incurred for the work, as outlined in section 16-27 above, and the place or property on which work was done. If the invoice is not paid within thirty (30) days thereafter, the invoice amount, clerk of court special assessment filing fee, lien cancelation fee, five-dollar notarial fee and postage cost plus a sheriff's collection fee of fifteen (15) percent of the principal amount of the invoice shall be included in and form part of the ad valorem taxes due on the property by the owner, and when collected shall be credited to the general fund of the parish. The parish shall adopt an ordinance levying the charges as an assessment to be added to the annual ad valorem tax bill of the property involved. The ordinance shall be forwarded to the tax collector of the parish.

(Ord. No. 85-5-8, § V, 5-20-85; Ord. No. 88-3-7, § 8, 3-7-88; Ord. No. 94-10-26, § I, 10-17-94)

Sec. 16-29. Record of charges.

The parish shall maintain a record of the charges authorized by section 16-27 cross-indexed to the tax rolls, which shall be open to inspection at all times and which shall constitute legal notice to the purchasers of the property, or parties lending money thereon, of the assessment.

(Ord. No. 85-5-8, § VI, 5-20-85; Ord. No. 88-3-7, § VII, 3-7-88)

Sec. 16-30. Authority to impose a lien.

If the parish accomplishes the cutting, destruction or removal of tall grass and/or trash, after due notice as provided in section 16-26, upon property which appears on the tax rolls of the parish and fails to receive payment for said services, a special assessment shall be levied against the immovable property involved for the fees billed for such work, including the cost of all notices. A certified copy of the special assessment shall be filed with the clerk of court of the parish, who shall forthwith record same in the

mortgage records of the parish. Such assessment when so filed and recorded shall operate as a lien and privilege against the immovable property herein assessed, which lien and privilege shall rank from the date of filing of the assessment in the mortgage records of the parish and shall prime all other claims, mortgages and liens, except taxes and prior recorded special assessment liens. If the owner of the property fails to pay the amount due under the special assessment within thirty (30) days, the parish may initiate action either *in rem* against the property or *in personam* against the owner, or both, for the collection of the total amount due, including cost and an additional sum equivalent to twenty-five (25) percent of the principal due as attorney's fees.

(Ord. No. 85-58, § VII, 5-20-85; Ord. No. 88-3-7, § VI, 3-7-88)

Sec. 16-31. Authority to enforce.

The parish is hereby empowered and authorized to enforce the provisions of this article against the same lot, place or area within the parish as often as violations may occur during a calendar year; and nothing herein shall be construed so as to prevent the assessment of costs for the removal of tall grass and/or trash, found growing, lying or located on private property for one (1) or more times during any calendar year.

(Ord. No. 85-5-8, § VIII, 5-20-85; Ord. No. 88-3-7, § IX, 3-7-88)

Sec. 16-32. Immediate danger or hazard.

Notwithstanding anything contained in this article to the contrary, the parish is hereby authorized to take immediate steps to remove any and all tall grass and/or trash located on or upon any property within the parish where there is presented to the parish evidence of the presence of immediate danger or hazard to the health, safety and welfare of adjoining property, or to the citizens of the parish. All other provisions as contained in this article, not contrary to this section, shall be applicable, including assessment of costs in such case.

(Ord. No. 85-5-8, § IX, 5-20-85; Ord. No. 88-3-7, § X, 3-7-88)

Sec. 16-33. Violations; penalty.

If any person ~~violates any provision of this article, or by any means or action~~ prevents or attempts to prevent any employee of and/or other person authorized by the parish from carrying out the provisions of this article, he shall be deemed guilty of a misdemeanor and upon conviction thereof may be fined an amount not to exceed two hundred dollars (\$200.00) or imprisoned for a period not to exceed thirty (30) days, or both in the discretion of the court.

(Ord. No. 85-5-8, § X, 5-20-85; Ord. No. 88-3-7, § XI, 3-7-88)

State law references: General statutory maximum penalty for ordinance violations, R.S. 33:1243.

Secs. 16-34--16-43. Reserved.