

*Ord.*  
**2011-0134**

**INTRODUCED BY: DENNIS NUSS, COUNCILMAN, DISTRICT VII**

**ORDINANCE NO. 11-4-31**

An ordinance to amend the Code of Ordinances  
Chapter 16, Article III, Sections 16-24 through 16-27  
Weeds, Grass, Etc.

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

**SECTION I.** That the St. Charles Parish Code, Chapter 16, Article III, Section 16-24  
Classifications and definitions be amended to read as follows:

- (a) *Agricultural Property*: Any tract of land primarily used or zoned for farm purposes.
- (b) *Commercial Property*: Any tract of land primarily used or zoned for commercial/business purposes.
- (c) *Developed Property*: Any tract, parcel or lot containing a structure. Residential subdivisions that are under construction shall also be deemed developed property under this section.
- (d) *Industrial Property*: Any tract of land primarily used or zoned for industrial purposes.
- (e) *Mini-Cleanup*: The process whereby trash must be removed from the property prior to conducting regular maintenance. A mini-cleanup shall consist of a volumetric measurement of approximately 2 cubic yards.
- (f) *Non Residential Property*: Any tract, parcel or lot used or zoned for commercial, industrial, or agricultural purposes.
- (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) *Regular Maintenance*: The process of entering upon any developed residential, or non residential, tract, parcel or lot of land and removing or cutting all tall grass with equipment designated specifically for that purpose.
- (j) *Residential Property*: Any tract, parcel or lot of land which has been subdivided into squares/lots, or in whole, primarily used or zoned for residential purposes.
- (k) *Tall Grass*: Any grass or weed more than twelve (12) inches long measured perpendicular to the ground.
- (l) *Trash*: Refuse, garbage, debris, abandoned or junked cars or other vehicles, rubbish, shopping carts, litter and any other deleterious, discarded or noxious matter.
- (m) *Underbrush*: Small trees, shrubs, vines, weeds, etc., growing beneath taller trees on lots adjacent to developed property.

**SECTION II.** That the St. Charles Parish Code, Chapter 16, Article III, Section 16-25,  
Prohibited, be amended to read as follows (add underline and delete strike-through text):

- (a) It shall be unlawful for the owner or his agent, of any developed or undeveloped residential property within the parish to permit the growth of tall grass and/or weeds or to allow the accumulation of any trash upon the entire area of subject property. The following exception shall apply:
  - 1. Where a single lot, parcel or tract is greater than two (2) acres in size, and is adjacent to developed property or public street frontage, a minimum of a twenty-five (25) foot cut section shall be maintained along common property lines, public street frontages; or, as otherwise deemed necessary by the Planning Department. In no case shall any property owner allow for the accumulation of trash upon the property.
- (b) 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 in a fifty-foot width around the entire perimeter of the property measured from the property lines. It shall also be unlawful for the owner(s) or his agent(s) to allow the accumulation of trash upon the entire area of subject property.

**SECTION III.** That the St. Charles Parish Code, Chapter 16, Article III, Section 16-26(b), Notice to abate, be amended to read as follows (add underline and delete strike-through text):

(b) *By concurrent publication:* The parish shall publish notice of the violation concurrently with the mailed notice. If the mailed 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. 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.

**SECTION IV.** That the St. Charles Parish Code, Chapter 16, Article III, Section 16-27, Abatement by parish, be amended to read as follows (add underline and delete strikethrough text):

If the required work is not done by the property owner or his agent within five (5) working days after receipt of written notice, the parish may proceed to have the necessary work done either by parish employees or an independent contractor. If the written notice is returned to the parish un-receipted for any reason 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. 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 \$500.00 dollars will be assessed to any property, with the exception of adjudicated property which is cut by the Parish more than 3 times in one calendar year.

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

YEAS: AUTHEMENT, RAYMOND, TASTET, BENEDETTO, COCHRAN, LAMBERT, NUSS  
NAYS: SCHEXNAYDRE, HOGAN  
ABSENT: NONE

And the ordinance was declared adopted this 18<sup>th</sup> day of April, 2011, to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: \_\_\_\_\_  
SECRETARY: Betha Jacob Tucker  
DLVD/PARISH PRESIDENT: April 19, 2011  
APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

PARISH PRESIDENT: Ull  
RETD/SECRETARY: April 20, 2011  
AT: 12:50 p.m. RECD BY: BGT

AMENDED  
ORD 85-5-8  
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