

**2014-0374**

**INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN-AT-LARGE, DIVISION B**

A resolution requesting that the St. Charles Parish President direct the Public Works Department to remove all of the azalea bushes from within the Parish's Wisner Street Right-of-way, located near 171 Wisner Street in Paradis, which are obstructing vehicular line of sight causing a hazardous condition.

**WHEREAS,** Wisner Street is located within a Parish dedicated servitude; and,  
**WHEREAS,** St. Charles Parish has complete authority over the dedicated servitude; and,  
**WHEREAS,** a resident living on Cadow Street owns the property directly to its rear whereby his rear yard has frontage on Wisner Street; and,  
**WHEREAS,** the resident had erected a 6 foot tall fence within the front yard setback to the lot abutting Wisner Street; and,  
**WHEREAS,** the resident was directed by the parish that the 6 foot tall fence had to be no taller than 4 feet; and,  
**WHEREAS,** the resident reluctantly cut the 6 foot tall fence down so that it is now 4 foot tall; and,  
**WHEREAS,** resident decided that if he could not have a 6 foot tall fence, that he would plant azalea bushes in the Parishes right-of-way, so that over time, he would end up having the bushes serving the purpose of the 6 foot tall fence he could not have; and,  
**WHEREAS,** over time, the bushes grew such that they pose a safety hazard to the traveling public; and,  
**WHEREAS,** after numerous requests for the Parish to address the issue, the parish finally cut the bushes to 4 feet tall and advised the resident that he must maintain the bushes at a height no taller than 4 feet; and,  
**WHEREAS,** the resident failed to have the bushes maintained and the parish ended up trimming them at least twice since then; and,  
**WHEREAS,** the bushes are now well over 4 feet tall again and are posing a problem once again; and,  
**WHEREAS,** the ultimate solution is the total and complete removal of the bushes and its roots from the Parish's right-of-way; and,  
**WHEREAS,** it is the request of the Parish Council that the Public Works Department be directed by the Parish Administration to remove completely from within the Parish's Wisner Street Right-of-way the azalea bushes described above including all of its roots.

**NOW, THEREFORE, BE IT RESOLVED, THAT WE THE MEMBERS OF THE ST. CHARLES PARISH COUNCIL,** do hereby request that the St. Charles Parish President direct the Public Works Department to remove all of the azalea bushes from within the Parish's Wisner Street Right-of-way, located near 171 Wisner Street in Paradis, which are obstructing vehicular line of sight causing a hazardous condition.

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

**YEAS:** HOGAN

**NAYS:** BENEDETTO, WILSON, CLULEE, GIBBS, WOODRUFF, BELLOCK, FLETCHER, FISHER-PERRIER

**ABSENT:** NONE

**PROPOSED RESOLUTION FAILED FOR LACK OF A FAVORABLE MAJORITY ON NOVEMBER 14, 2016.**