

**2012-0129**

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

An ordinance to amend the Code of Ordinances  
Chapter 15 Motor Vehicles and Traffic by adding  
Sec. 15-25 Shrubs or trees and the like within Parish  
right of ways, easements, and servitudes.

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

**SECTION I.** That the St. Charles Parish Code of Ordinances, Chapter 15 Motor Vehicles and Traffic by adding Sec 15-25 Shrubs and trees within Parish right of ways, easements, and servitudes.

*Shrubs and trees.*

- 1). No shrubs, trees, or other plantings on Parish right of ways, easements and servitudes shall be allowed to impede the vehicular site lines of vehicles travelling on or entering onto Parish streets which are located within such right of ways, easements and servitudes. When a question exists as to whether or not lines of sights are impeded, the benefit of the doubt shall rest with on the side of the line of sight being impeded.
- 2). No shrubs, trees, other plantings shall be allowed within Parish right of ways, easements and servitudes if they hinder or unreasonably interfere with their purpose as determined by the department which is the beneficiary of the servitude, unless authorized by ordinance. When a hindrance or interference exist, the department which is the beneficiary of the right of way, servitude, or easement shall provide the Planning and Zoning Department with a written request to have the item(s) in question removed.
- 3). When the Planning and Zoning Department finds or is notified in writing that such plantings are found to violate these provisions, the property owner adjacent to such existing plantings shall be notified by certified mail by the Planning & Zoning Department that these plantings are to be removed and/or trimmed by the owner within 14 days or they will be removed and/or trimmed by the Public Works Department as needed in order bring such plantings within compliance after the elapse of 28 days following the date of the notice whether it is received or not, unless documentation exists that an ordinance is being prepared to allow for such items as described in Item 2 above to remain. All existing shrubs, trees, and the like contained within a divided median within a subdivision or median entrance to a subdivision shall be excluded from these provisions, provided these items do not block vehicular travel sight lines.

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

YEAS: SCHEXNAYDRE, WOODRUFF, HOGAN

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

ABSENT: NONE

PROPOSED ORDINANCE FAILED FOR LACK OF A FAVORABLE MAJORITY ON  
AUGUST 4, 2014.