

*Ord.*  
**2013-0354**

**INTRODUCED BY: V.J. ST. PIERRE, JR., PARISH PRESIDENT  
(DEPARTMENT OF PUBLIC WORKS)**

**ORDINANCE NO.** 13-10-8

An ordinance to amend the Code of Ordinances, Chapter 14 Miscellaneous Provisions and Offenses, Section 10.1 Obstructing Public Passages.

**WHEREAS,** St Charles Parish desires to maintain the visual character of neighborhoods and streets; and,

**WHEREAS,** there exists situations when debris from residential construction and lawn maintenance has been placed in the rights-of-way and servitudes; and,

**WHEREAS,** it is the desire of St. Charles Parish to prevent debris generated by residential construction and lawn maintenance from obstructing public passages and removed from the property in a timely manner and to implement penalties for noncompliance.

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

**SECTION I.** That the Code of Ordinances Chapter 14 Miscellaneous Provisions and Offenses, Section 10.1 be amended to read as follows:

**AS WRITTEN:**

- (a) That it shall be unlawful for any person to willfully obstruct the free, convenient, and normal use of any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, or the entrance, corridor, or passage of any public building, structure, water craft or ferry, by impeding, hindering, stifling, retarding, or restraining traffic or passage with any private structure or basketball goal, either permanent or movable.
- (b) Obstructing public passages is considered a misdemeanor and violators upon conviction will incur the same penalties as defined in State Revised Statutes 14:100.1.—Penalty fine of not more than five hundred dollars (\$500.00) or imprisoned for not more than six (6) months, or both fined and imprisoned.
- (c) This section will not be applicable to the erection or construction of any barricades or other forms of obstructions as a safety measure in connection with construction, excavation, maintenance, repair, replacement or other work, in or adjacent to any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, nor to the placing of barricades or other forms of obstruction by governmental authorities, or any officer or agent thereof, in the proper performance of duties.

**AS AMENDED:**

- (a) That it shall be unlawful for any person to willfully obstruct the free, convenient, and normal use of any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, or the entrance, corridor, or passage of any public building, structure, water craft or ferry, by impeding, hindering, stifling, retarding, or restraining traffic or passage with any private structure or basketball goal, either permanent or movable.
- (b) Obstructing public passages is considered a misdemeanor and violators upon conviction will incur penalties as defined in State Revised Statutes 14:100.1, penalty fine of not more than five hundred dollars (\$500.00) and / or imprisoned for not more than six (6) months, or restitution of costs incurred by the Department of Public Works as determined by the court for each offense.

- (c) This section will not be applicable to the erection or construction of any barricades or other forms of obstructions as a safety measure in connection with construction, excavation, maintenance, repair, replacement or other work, in or adjacent to any public sidewalk, street, servitude, highway, bridge, alley, road or other passageway, nor to the placing of barricades or other forms of obstruction by governmental authorities, or any officer or agent thereof, in the proper performance of duties.

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

YEAS: SCHEXNAYDRE, FAUCHEUX, WILSON, WOODRUFF, BENEDETTO, HOGAN, COCHRAN, FLETCHER, FISHER-PERRIER

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 7th day of Oct., 2013, to become effective (5) days after publication in the Official Journal.

CHAIRMAN: Wendy Benedetto  
SECRETARY: [Signature]  
DLVD/PARISH PRESIDENT: 10/9/13  
APPROVED:  DISAPPROVED:   
PARISH PRESIDENT: [Signature]  
RETD/SECRETARY: 10/10/13  
AT: 11:10am RECD BY: [Signature]